

NEWS AND VIEWS

SEPTEMBER 2022



Welcome Back to Palm Beach



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CITIZENS' ASSOCIATION OF PALM BEACH 2022/2023 SEMINARS



Look for Dates

October 2022

Elections

November 2022

Building Safety

December 2022

Legislation In Tallahassee

February 2023

Sea levels/Turtle Monitoring/Beach Cleaning

March 2023

Legislative Issues Involving Condos/Coops

April 2023

Hurricane Preparedness

May 2023

Tallahassee Legislation



Charging the Way: New Law Opens the Door for Electric Charging Stations in Condominiums

by Jennifer Biletnikoff- Becker & Poliakoff 2022



A recent amendment to Chapter 718, Florida's Condominium Act, facilitates a unit owner's ability to install and use an electric-vehicle charging station within their condominium. Section 718.113(8), Florida Statutes, which took effect on July 1, 2018, created a new provision stating that a declaration of a condominium or the board of administration of a condominium may not prohibit a unit owner from installing an electric vehicle charging station within the boundaries of the unit owner's limited common element parking area, under certain circumstances. A unit owner's "right" to install a charging station is not, however, without limits.

An association may require that the unit owner comply with all safety requirements, applicable building codes or recognized safety standards for the protection of the association property and its members. An association may also require the unit owner to engage the services of a licensed and registered electrical contractor or an engineer that is familiar with the installation and requirements of an electric vehicle charging station. An owner wishing to install an electric vehicle charging station may also be required to comply with any reasonable architectural standards adopted by the association that govern the dimensions, placement or appearance of the electric vehicle charging station. However, such standards cannot substantially increase the cost of installation.

The new law also provides for additional safeguards for the association. For example, installation of an electric vehicle charging station may not cause irreparable damage to the condominium property. The electricity for the electric vehicle charging station must be separately metered and paid for by the unit owner making the installation. Cost of installation, operation, maintenance and repair of the electric vehicle charging station, including hazard and liability insurance, is the unit owner's responsibility. Additionally, an association may require the unit owner to reimburse the association for the actual cost of any increased insurance premium attributable to the electric vehicle charging station. The law also shields condominium associations from construction liens resulting from the installation of electric vehicle charging stations by unit owners.

The new law does not, however, say anything about what happens if the association voluntarily opts to install "common" electric vehicle charging stations. In other words, if a condominium association opts to install these "common" electric vehicle charging stations (after complying with the necessary legal requirements) it does not mean that unit owners no longer have the right to install their own charging stations. The new law also does not address who is responsible for any costs associated with upgrading the condominium's electrical system if an upgrade is necessary to handle the increased electrical usage.



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October 2022, Vol. 16, Issue 10

Dear Friends:

With six service centers and an administration office processing more than 2 million online, mail and in-person transactions each year, we are always looking for individuals to join my agency. There are several positions currently available and the entry-level client service positions are a good way to build upon one's service oriented experience. My agency offers competitive salaries, medical, dental and vision benefits and participation in the Florida Retirement System pension plan. If you are looking for a work/life balance where no nights or no weekends are required and there are paid holidays, consider joining our team.

I encourage you to apply by visiting www.pbctax.com/culture-and-careers and reviewing the current open positions. I look forward to possibly welcoming you to our agency and joining the more than 320 employees who strive to provide unparalleled service that inspires trust.

Sincerely,

Anne M. Gannon
Constitutional Tax Collector, Serving Palm Beach County



PALM BEACH CRIME WATCH

Palm Beach Crime Watch educational programming will begin again in 2022! We are excited to announce the Palm Beach Police and Fire Citizen's Academy will take place from October 12th to November 16th, 2022. (Only on Wednesdays for six weeks)

We appreciate your support of Palm Beach Crime Watch, and are offering you the opportunity to pre-enroll before we open enrollment to the Town of Palm Beach. If you have or know someone that would be interested in this program, please contact us at your earliest convenience to reserve your spot.

- Date: October 12th to November 16th, 2022 (Every Wednesday for six weeks)
- Times: 1:00 – 5:00 pm
- Place: Palm Beach Police Department and Palm Beach Fire Rescue Station

Participant Qualifications

1. Be a resident or business owner in the Town of Palm Beach, FL
2. Be a current member of Palm Beach Crime Watch, Inc.
3. Program Fee of \$250.00 (Made payable to Palm Beach Crime Watch)

Register here:

<https://palmbeachpoliceandfirefoundation.org/citizens-academy-application/>

Palm Beach Public Safety Forum

Join the Police & Fire Departments along with Town Council members to discuss safety and resident concerns on the North end

Generously hosted by: The Beach Club, 755 N County Road

Date: September 29, 2022
Time: 2:30 PM

Complimentary Refreshments

This meeting focuses on North-end concerns, but all community members are welcome

Central and South End community member meetings will be scheduled in the near future

Sponsored by: PALM BEACH CRIME WATCH

**THE PALM BEACH TOWN COUNCIL HAS TAKEN THE FIRST
STEP TO ADDRESS THE INFUX OF SARGASSUM**

SEAWEED ON TOWN BEACHES

by: Ronald Matzner

During most of the summer, mounds of Sargassum several feet high and up to 20 feet wide lined the town's beaches from the Palm Beach inlet to South Palm Beach, constituting a deadly obstacle for turtle hatchlings, an uncomfortable impediment to swimming and walking on the beach, and a potential threat to human health. The worst accumulation of seaweed was in Reach 1 from Angler Avenue to the inlet jetty where the Sargassum weed was trapped by the jetty. While recognizing that the Sargassum was a town wide problem, the Council voted unanimously at its September meeting to authorize the Town Manager to approve a contract for the removal of the seaweed from Angler Avenue to the jetty, including the raking and burying of the seaweed similar to the what is done currently on the Town's public beaches, with the intent of having it place for the next year.

Meanwhile, in the short-term, Public Works staff has been working with the Florida Department of Environmental protection (FDEP) and the Florida Fish and Wildlife Conservation Commission (FWCC) to develop a pilot project to place (1) some of the seaweed against the jetty to deter hatchlings from heading toward the inlet and (2) the rest of the seaweed in large pits on the dry beach covered with at least three feet of sand to assure continued favorable turtle nesting habitat. The FDEP and FWCC will monitor the project during the next nesting season to determine if nesting is impacted. All Council members noted during the meeting that the accumulation of Sargassum seaweed on Town beaches is the new normal and will need to be addressed in the future for the entire 12.2 miles of town beaches. Dr. Brian LaPointe from Florida Atlantic University and the Harbor Branch Foundation in Ft. Pierce, a noted expert in Sargassum weed, told the Council that the explosion of the seaweed in recent years is the result of increased nitrogen in river discharges from the Congo River, the Amazon and the Mississippi, the result of human activities. Although the volume from year to year may vary, the trend is for large increases in the future.

The Palm Beach Office You've Dreamed Of...

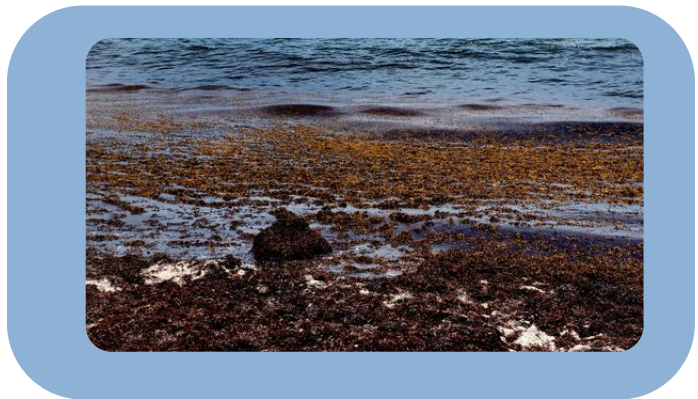


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With
Rememberance



Sherry Jacobs, 79, devoted wife of our Legal Counsel/Vice Chair Stephen Jacobs, passed away on Sept 17, 2022 due to injuries resulting from a fall.

Sherry was a graduate of Fairleigh Dickinson University and received her J.D. from Loyola University of Chicago.

She was a pioneer in practicing law at a time when that profession was largely closed to women. She retired in the late 1990's to dedicate herself to philanthropic and cultural causes and to spend more time with her family. Education was always her highest priority for all young people, both her own and those she helped, through her many causes, that supported public education.

She also served as a member of the Board of Directors of both the City Center 55th Theater Foundation and the Palm Beach DramaWorks in West Palm Beach Florida.

Sherry was a gregarious, outgoing person who sought excitement and adventure with a spirit that was always youthful and infectious.

Sherry will be missed by all. The Citizens' Association will be making a donation in her name to Temple Israel of West Palm Beach.

**LAKE WORTH PANHANDLING
ORDINANCE REPEAL**

by: Ronald Matzner

It is expected that Lake Worth Beach (LWB) will repeal its existing panhandling ordinances at its September 20, 2022 Commission meeting.

This matter was brought to the attention of the Citizens Association by Victoria Parry and others at the Dorchester Condominium. We thought this was of importance to the residents of Palm Beach, especially in the South End, many of whom frequent the shops and restaurants of Lake Worth Beach on a regular basis.

The impetus to repeal the ordinance is a lawsuit filed in Federal court against LWB by Southern Legal Counsel on behalf of LWB homeless. Municipalities across the country are facing similar suits. No city has won a suit. For example, in 2021, West Palm Beach paid \$89,000 to settle a case. Palm Beach County paid \$10,000 in another suit. Fort Lauderdale is presently defending a similar lawsuit.

Ordinances targeting panhandling have been deemed an infringement on free speech based on a 2015 Supreme Court verdict.

Based on these results, the Palm Beach Sheriff's Office (PBSO) stopped enforcing the LWB ordinances in January 2022. According to Chief Caristo of the Palm Beach Police Department, there has not been any increase in reported crime related to homelessness or soliciting in LWB since then.

On August 19, 2022, a Federal judge granted a stay of 60 days in the LWB lawsuit and ordered that the LWB ordinances be repealed before October 18. If the city fails to do so, the case will go to trial which would be costly for LWB and likely futile.

The Lake Worth beach is closed at night and no sleeping on the beach is allowed. The PBSO is enforcing that prohibition. The Palm Beach police enforce the Town's ordinances regarding the beaches.

The Town of Palm Beach has an ordinance that prevents all people from soliciting money on public thoroughfares which has not been challenged.

The Citizens Association thanks Victoria Parry for bringing this to our attention and engaging us in this matter.

**NOVEMBER 4TH
10AM-1PM**

SAVE THE DATE

**PALM BEACH
CRIME WATCH
SHREDDING
EVENT**

Phipps Ocean Park
2201 S. Ocean Blvd
Palm Beach, FL



**PALM BEACH
CRIME WATCH**





Why Older People Love Pickleball So Much

Time magazine, Holly Burns



Chances are, you already know someone who's an avid pickleball player. America's fastest-growing sport—a cross between tennis, badminton, and ping-pong—can be played as either a singles or doubles game, though doubles is typically more popular. Points can only be accrued by the side that's serving, and the winner is the first side to get to 11 points and be leading by at least two. Invented in 1965 in Bainbridge Island, Washington, pickleball has gained popularity during the pandemic, growing 14.8% between 2020 and 2021. According to the 2022 Sports & Fitness Industry report, more than half (52%) of core players—those who play eight or more times a year—are 55 or older, and almost a third (32.7%) are 65-plus.

It's a low-impact way to get moving

Part of pickleball's appeal is that “while it does take coordination, and you have to be physically healthy to play,” it's not that hard to learn, Casper says. And because the court is smaller than a tennis court, the net is lower, and you play with a plastic wiffle ball, “it doesn't take too much out of your body,” says Arthur Kreiswirth, 80, a retired dentist in New Rochelle, N.Y., who started playing five years ago. “The running is in short sprints and the impact of smacking the ball is minimal, so it's easier on the joints.”

But pickleball is still a great workout. In a 2016 study published in *Medicine & Science in Sports & Exercise*, 12 middle-aged players burned 40% more calories during a 30-minute pickleball game than during 30 minutes of walking, increasing their heart rates to within the moderate-intensity exercise zone. A small six-week study of 15 people ages 40 to 85 who played an hour of pickleball three days a week showed improvements in cholesterol, blood pressure, and cardiorespiratory fitness.

Plus, regular practice can help improve balance, which is important in preventing falls as you age. Because pickleball requires both hand-eye and foot coordination, says Casper, “your balance, your movement, and your coordination all get better as you play more.”

It's an avenue to socialization

Research has shown that social isolation is associated with an increased risk of dementia, depression, and premature death. Yet, without work or school-aged kids, it can be hard to make friends as an older adult.

Enter pickleball, which Janet Niehaus, 68, a retired teacher in Easley, S.C., describes as “my socialization.” In the rotating group of 18 people she plays with twice a week, “we stand around and talk as much as we play.” In a recent study of 36 pickleball players over the age of 65, published in *World Leisure Journal*, those who maintained the social connections they'd made through the sport by continuing to play through the pandemic months of 2020 reported improved life satisfaction. Pickleball's widening appeal—the average player's age is 38, an almost three-year decrease from 2020—means you meet people you might not hang out with otherwise, says Erin McHugh, 70, author of *Pickleball Is Life: The Complete Guide to Feeding Your Obsession*.

“As I grow older, I'm a big proponent of having friends of every age and different walks of life,” says McHugh, who plays daily with other devotees ranging from age 15 to 92. “It keeps you tuned in to what's out there.”

Courts have sprung up at community centers, YMCAs, and tennis clubs; search the Places 2 Play database to find a court nearby. And if you've got the space, you can even lay out your own pickleball court at home. It gives you something to get better at

In his research into the psychological connection between pickleball and older adults, Casper found that the competition inherent to pickleball—rare in other “senior-friendly” activities like walking or Zumba—was a major draw. When Kreiswirth started playing at 75, “I was paired with a 92-year-old, and he could stroke as well as anyone,” he says. “I thought, ‘Well, if he can do it, I can.’ It pumped me up to keep playing.”

A 2018 study of 153 people who compete in pickleball tournaments found that playing pickleball is significantly related to a low level of depression in older adults. For retirees, pickleball can help restore a sense of purpose after leaving the working world, says Casper. “People start to form an identity as they play more and more,” he explains. “The fact that they're able to continue to get better, that they're able to compete and to have that satisfaction of winning contributes to their quality of life in many ways.”

It keeps your brain sharp

Kathy Jaray, 70, who plays six times a week in Encinitas, Calif., says it's not just the physical exercise that has her “pretty hooked,” it's also the mental workout. “Some people could care less about strategy and just want to hit the ball, but for me, it makes for a more interesting game,” she says.

While power and strength are helpful, “if you know the right placement, if you know where your opponents are positioned, if you have the right strategy, you can be just as good as—if not better than—those who are physically more superior and athletic than you,” Casper says.

2022 Hurricane Season ID Card Update

Due to COVID-19 impacts on government services and in the best interest of the health and safety of the community, the following modifications to Voluntary ID Cards & Out-of-State Palm Beach Resident ID Cards are applicable for this 2022 Hurricane Season. We will not be creating physical ID cards for this 2022 Hurricane Season. Individuals that need to update expired Voluntary ID cards, must submit an application and required supporting documentation to our Crime Scene and Evidence Unit at the Palm Beach Police Department. Please note: We will be honoring all ID applications approved in 2021, and you do not have to reapply until 2023.

Those seeking Voluntary ID Cards & Out-of-State Palm Beach Resident ID Cards for the first time or replacements for lost cards must submit applications and required supporting documentation via email. Applications must be completed in full (to include notarization for Voluntary ID Cards) and supporting documentation must be clearly visible (to include government-issued photo ID and proof of Palm Beach residency for Out-of-State Palm Beach Resident ID Cards). Applications can be downloaded at www.palmbeachpolice.com. Completed applications and supporting documentation may be sent to the Palm Beach Police Department Crime Scene and Evidence Unit at CSEU@PalmBeachPolice.com. No fees will be collected, and no ID cards will be issued. Eligible applicants who have submitted complete applications will have their name added to an authorization list for hurricane re-entry that will be present at hurricane checkpoints. Questions can be directed to the Palm Beach Police Crime Scene and Evidence Unit at CSEU@PalmBeachPolice.com or 561-838-5466.



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Palm Beach Town Council Moves To Reduce Property Tax Rate For Upcoming Fiscal Year

by Jodie Wagner - Palm Beach Daily News

The Palm Beach Town Council has agreed to reduce the property tax rate for the upcoming fiscal year. During the first of two state-required public budget hearings Sept. 14 at Town Hall, council members voted unanimously to adopt a proposed millage rate of \$2.69 per \$1,000 of taxable value.

The proposed property tax rate constitutes a 7% reduction from the current rate of \$2.89 per \$1,000 of taxable value. Maintaining the current tax rate would have led to a significant tax increase for all of the town's residents, Finance Director Jane LeClainche told council members in July. The proposed tax rate — if approved on final reading Thursday — would represent a \$113 reduction in taxes per \$1 million for homesteaded properties, and a \$66 increase for non-homestead properties based on the 10% cap, as defined by state law.

The proposed rate would generate \$2.5 million more in tax revenue, for a total of \$65.4 million.

The council agreed to use that additional tax revenue for public safety improvements that the town has been pushing for, Town Manager Kirk Blouin said.

Those improvements include the installation of smart traffic signals and crosswalks and other enhanced technology throughout the town.

Smart traffic signals gather information from sensors placed at intersections and regularly update light timing based on actual conditions. Light cycles can be adjusted remotely through this system, which is designed to reduce the amount of time that cars spend idling.

Currently, when traffic backs up at any of the town's 12 intersections, police officers have to go to the site and manually change the light cycle, Blouin told the Daily News.

Smart signal technology would allow town officials to manage traffic flow more efficiently, he added, though it won't solve all the town's traffic problems because of the sheer number of vehicles on the roadways.

"It's not a silver bullet," Blouin said. "But it will allow us, definitely, to react quicker and control the traffic a little better, at least here on the island."

During the Sept. 14 hearing, the town council also adopted a tentative operating budget of \$97.2 million for the 2022-23 fiscal year, which begins Oct. 1. That figure is 9% larger than the current \$89.1 million budget, with most of the increase going to cover additional personnel, salary, contractual and inflationary increases; increases to the transfer to the coastal protection fund; and public safety capital improvements.

The spending plan includes the addition of 9.6 new full-time positions, all in the public safety sector. With those additions, the town's workforce would grow to nearly 363 employees.

The final budget hearing is set for 5:01 p.m. Thursday at Town Hall.

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