

# NEWS AND VIEWS

## APRIL 2023



Editors: Linda Sullivan and JJ Butler

## "What's Happening In Tallahassee" Seminar



*Residents of Palm Beach and Palm Beach Condo/Coop Managers attended*



*CAPB Co-Chair  
Donald Singer*



*Ken Direktor  
Becker Lawyers*

On March 23, 2023 at 10:00 am, the Citizens Association Of Palm Beach held a seminar at the Fire Station #3.

The guest speaker was Ken Direktor of Becker and Poliokoff Attorneys. This event was open to the public and was well attended.

Citizens' Associations' motivation for this seminar was to assist our membership in understanding what the new changes are regarding condos and co-ops per the Senate Bill 4D that has recently come out of Tallahassee.

Mr. Direktor reviewed the changes to funding reserves, building inspections and insurance, and then opened for questions and answers.

It was a very useful and informative seminar and we urge you view the highlights by visiting the Citizens' Association's website at [www.citizensassociationofpalmbeach.org](http://www.citizensassociationofpalmbeach.org) and clicking the current events page.

Citizens' Association is a non-profit organization that is committed to providing information and support to the residents of south Palm Beach.

# CALL Alert: Fire Sprinkler/ELSS Update for High-Rise Buildings

By: Becker and Poliakoff

If you own a unit in a high-rise condominium or manage such condominiums, you are likely aware that the Condominium Act requires that the condominium buildings must be retrofitted with a fire sprinkler system or an engineered life-safety system (ELSS). The Condominium Act provides that the local authority having jurisdiction (AHJ) may not require completion of such system before January 1, 2024.

**However, recent amendments to the Florida Fire Prevention Code (“Fire Code”), which are expected to become effective in July 2023, will have the effect of changing the deadlines for the installation of a fire sprinkler system or an engineered life-safety system (ELSS) for high-rise buildings. If the amendments are approved, the Fire Code will provide:**

- A high-rise condominium shall decide by January 1, 2024 as to their selection of a fire sprinkler system or an ELSS;
- The selection shall be sent to the local fire code authority having jurisdiction responsible for enforcement of the Fire Code (hereinafter “AHJ”) by February 1, 2025;
- For associations that choose to install a fire sprinkler system:
  - o By January 1, 2025, the association shall retain a Florida Registered Professional Engineer to develop the engineered design criteria for the fire sprinkler system and submit the engineered design criteria to the AHJ for review and approval.
  - o By January 1, 2026, the association’s fire sprinkler contractor shall have applied for and received a permit for the installation of the fire sprinkler system by the AHJ.
  - o The installation of the fire sprinkler system shall be completed, as demonstrated by passing the final inspections of the AHJ by January 1, 2027.
- For associations that choose to install an ELSS:
  - o By January 1, 2025, the association shall retain a Florida Registered Professional Engineer to conduct an evaluation of the building to develop an ELSS and submit the ELSS design to the AHJ for review and approval.
  - o By January 1, 2026, the association’s contractors shall have applied for and received a permit for the installation of all improvements associated with the ELSS.
  - o The installation of the ELSS shall be completed, as demonstrated, by passing the final inspections of the AHJ by January 1, 2027.

Section 718.112(2)(n), Florida Statutes does not impose a specific deadline for installation of a fire sprinkler system or an ELSS. Rather, it states that the local authority having jurisdiction “may not require completion” of retrofitting with a fire sprinkler system or an engineered life safety system before January 1, 2024.

The State Fire Marshal and local fire marshals have indicated that they will only enforce the deadlines in the Fire Code. Therefore, the Fire Code amendments will have the effect of extending the deadline for installation of a fire sprinkler system or ELSS. We will continue to monitor this issue and will let you know once the amendments to the Fire Code are approved.





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## GIANT SEAWEED BLOB ON ITS WAY TO FLORIDA

By: Robyn White, Newsweek Magazine

A huge 5,000-mile-wide blob of seaweed with a rotten eggs smell is floating in the Atlantic and bound to stink up Florida's beaches, a geoscientist and coastal ecologist says, and is a "huge problem."

The seaweed, which is known as sargassum, is not just a nuisance to clear up. "People hate the smell. It's like rotten eggs," Stephen Leatherman, who is also known as "Dr. Beach," told Newsweek. "You know how rotten eggs smell. Because it's not just the seaweed itself but there are bits and pieces, there's little crabs in there, small fish get caught up. It's a natural ecosystem in its own way. But all that stuff gets beached, and it rots and stinks."

The beaches are narrow and not very wide, so it just covers them up," Leatherman continued. "It was so bad in Cancún a couple of years ago that 2,000 people in the Navy had to go out there with pitchforks and other means, just trying to clean it off the beach so they could see the sand," Leatherman said.

The smell is not the only problem the seaweed brings. When sargassum washes ashore, it begins to decompose. When this process begins, it leads to a release of hydrogen sulfide and ammonia gas emissions. This can actually cause problems for people with a sensitive respiratory system and conditions like asthma. It can also cause wider environmental problems.



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## Coastal Management Program Education Series Videos

The Town Of Palm Beach - Shore Protection Board - has now released some very important videos regarding our coastline.

Click the links below or scan the QR code to view these:

[Video 1 - Beach Renourishment](#)

[Video 2 - Coastal Structures](#)

[Video 3 - Reach 8](#)

[Video 4 - Coastal Project Easements](#)



### Sargassum Continued...

It is unlikely to cause severe danger to humans, but it could be a sign of worse things to come as it continues to worsen.

Sargassum is not new—experts have been tracking the blobs for over a decade. In fact, it is natural for them to occur in the ocean. But certain factors have exacerbated it in recent years, causing it to grow larger.

"This is really gotten way beyond what we've seen in the past," Leatherman said. "It's all been happening in the last decade or so. And I think there are a number of reasons for it. One is what's happening in the Amazon."

He continued: "The Amazon is being deforested to make more agricultural land and to improve agriculture in Brazil. But when you do that, you have to add fertilizer, and a lot of fertilizer. Unfortunately, it enters the Amazon River, which is one of the largest rivers in the world, and pushes its waters way out in the ocean. And out there it hits the Sargassum belt, and then it multiplies by the billions over days or over time. And so I think that's one of the big problems, that we're getting so much more of it in the Caribbean, in South Florida and the South Atlantic."

For More Information: See Jodie Foster's Article in the Palm Beach Daily [HERE](#)



## Mayor Moore Thanks Strategic Planning Committee



Co-Chair, Skip Aldridge (third from left) and Strategic Planning Committee

## Mayor Moore and Town Council Members, Julie Araskog and Ted Cooney, Reinstalled For Another Term



Mayor Moore reinstated for a second term



L to R: Maggie Zeidman, Julie Araskog, Susan Gary and Judge Small



L to R: Dr. Gail Cooney, Ted Cooney, Judge Small

## 'Bye Bye Benny's:' City Commission Votes Not To Renew Lease For Popular Restaurant

by Skyler Shepard

The popular restaurant Benny's on the Beach on the Lake Worth Beach Pier may be getting the boot.



Lake Worth Beach officials decided on Tuesday night, not to renew its lease at the latest commission meeting.

Commissioners requested a fifth version of the contract be negotiated by an outside contractor, but the restaurant's owner, Lee Lipton, said he can't keep negotiating and the decision should be made. "So, here's what I'd like, and I would like this very much. You vote on it tonight. If you vote no, you know that's the end for me. OK?" Lipton said. "I'm not renegotiating at this point. I have given \$1.2 million. I'm not, just evict us that's it or let us stay because I'm telling you that's it." Ultimately the commission decided that the lease will not be renewed.

There is no word when the restaurant is set to officially close.

# CRIME WATCH BREAKFAST

By: Donald Singer

Palm Beach County Sheriff Ric Bradshaw was the featured speaker at the April 18 breakfast.

He was introduced by Chair Thomas Quick who noted that the Sheriff is a career law enforcement professional responsible for leading the largest law enforcement agency in Palm Beach County, and has a successful 49 years of law enforcement. He leads 4,200 employees and approximately 5,000 volunteers.

Sheriff Bradshaw updated the audience on important topics: He began by reviewing the need for aggressive actions dealing with hate crimes and anti-Semitism; concerns about thefts in the county. He continued with the need for reforms with illegal immigration, and concluded with the need for more robust actions dealing with mental health issues (domestic and family abuse, mass shootings, and bullying).

# SUMMER YARD TRASH COLLECTION SCHEDULE

Beginning May 1, 2023, through October 31, 2023, yard trash may be placed in the right-of-way (adjacent to the property from which it came) not more than three (3) days prior to the scheduled date of collection.

## SUMMER TRASH SET OUT SCHEDULE (MAY 1-OCTOBER 31)

### COLLECTION DAY SET OUT DAYS

- TUESDAY SAT., SUN., MON.
- WEDNESDAY SUN., MON., TUES.
- THURSDAY MON., TUES., WEDS.
- FRIDAY TUES. WEDS. THURS.

The following reminders are provided:

- Yard vegetation only results from trimming and pruning.
- Tree trimmings no longer than 8 feet long and no larger than 6 inches in diameter.
- Piles of vegetation not to extend into the street more than 6 feet from curb or edge of pavement.
- No yard trash in plastic bags.
- No yard trash in alley ways, sidewalks, or over storm water drainage grates or within 6 feet of utility poles, fire hydrants, street light poles, or trees with lower-hanging branches.
- NO STUMPS OR LOGS. Property owners are responsible for disposing of stumps or logs themselves.

Compliance with the above regulations will ensure an orderly and efficient collection of yard trash, cleaner and safer streets, and better storm water drainage from the streets. Please make your landscapers aware as well. Thank you for your cooperation. If you have any questions, please contact Public Works at (561) 838-5440.

Please reference Town's website at Summer 2023 Yard Trash Collection Schedule.

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# Florida Lawmakers Aim To Ease Condo Confusion, But Money Questions Remain

By: Mary Ellen Klas - Times/Herald Tallahassee Bureau

**Among other things, the bill removes the requirement that condo owners covered by Citizens obtain flood insurance.**

As residents of condominiums across Florida struggle to adapt to a sweeping new law that increases building inspections and maintenance costs, Florida legislators have agreed to a series of changes aimed at ending confusion — but not the financial pain.

This bill is an effort to “provide more clarity, flexibility and transparency,” said Sen. Jennifer Bradley, R-Fleming Island, the sponsor of SB 154, which recently passed unanimously. The measure is a response to last year’s law that created the first statewide inspection program for aging condos in response to the partial collapse of Champlain Towers South in Surfside in June 2021 that killed 98 people.

Last year’s legislation “went on in a rather blunt fashion,” Bradley said Wednesday, leaving many issues unresolved. She and others spent last summer conducting town hall meetings around the state to hear concerns from condo residents.

“We had people that were confused. They were angry, and they wanted answers,” she told the Senate. “We now have a bill that we can be proud of with a lot of input from a lot of people.”

Last year, legislators passed SB 4-D requiring condos that are three stories or higher to conduct what are known as “structural integrity reserve studies,” which call for an architect or engineer to analyze a building and take into account the need for repairs to structural features of buildings, such as roofs, load-bearing walls and fire-protection systems. The reserve study must determine how much money must be set aside to complete the repairs.

Because so many Florida condominium associations have routinely deferred maintenance to keep the cost of living in them down, the price of making needed repairs has many advocates warning that many condo residents could be priced out of their homes.

The impact, Bradley told the Senate, will depend on how much money each condominium association has already set aside.

“If they had been waiting every year, and there are insufficient reserves for the structural components of the building to ensure life safety, there may be a period of catch-up,” she said.

Finding a fix to assist with the financing of the repairs is something for legislators to tackle next year, said Rep. Vicki Lopez, a Coral Gables Republican who negotiated the condo bill with Bradley for the House.

“Today, we are trying to clarify a lot of those provisions, so that people have a better understanding of what it was that we meant,” she said as she was filing amendments to match the Senate bill.

“I do think next year we have to address the financial implications of this,” she said.

Since the law was passed last year, condo associations have complained of a shortage of people available to conduct the milestone inspections. The new bill allows the inspection to be done by a team of design professionals with an engineer or architect acting as a registered design professional in charge.





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