

Florida

A publication of the Florida Swimming Pool Association www.FloridaPoolPro.biz

## 2023 Design Awards Best in Show Lucas Lagoons

## Florida Pool Pro<sup>sm</sup>

Published monthly by the Florida Swimming Pool Association

Association Mission: Advancing Florida's swimming pool industry

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June 9-10 Board of Directors Meeting Don CeSar St. Pete Beach

All FSPA members are welcome to attend state Board of Directors meetings. If you would like more information or to RSVP, visit industry.floridapoolpro.com or call 800-548-6774.



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#### **FSPA PRESIDENT**

## There is a new buzz

I can't help myself, I must start out this article talking about the Everything Under the Sun<sup>sm</sup> Expo!

What a fantastic event. We had our best attendance ever. There was an exciting buzz in the Expo hall as well as in the educational classes. I have been attending this show for more than 25 years; this year was something new and different. The educational classes were standing room only. It was exceptional to see so many pool professionals learning, sharing and growing.

Thank you to all who attended. If you missed it, we look forward to seeing you next year (February 23-24, 2024). A huge thanks to all of the volunteers, exhibitors and staff who made it happen.

Congratulations to Rick Myers and Rob Sanger as they were both inducted into the Florida Swimming Pool Association Hall of Fame. These two gentlemen have served for decades towards improving the Florida Swimming Pool Association. Thanks, guys! Recently I have noticed a new energy in our association. There is a new buzz about being involved.

Our new members are excited and energized about being a part of our association. I want to welcome all of them and look forward to getting to know them and working with them. During the Expo I happened to talk to several companies that were not members. Most were very interested in joining. I took a few minutes to mention some of the benefits we have such as our insurance program with Insurance by Ken Brown and Amerisure. Let's all keep an eye out for new members that can benefit greatly by joining.

Just a quick reminder to pre-order you own Florida Swims license plate at www.SwimforLifeFlorida.org. You can get them for your personal vehicle or your entire fleet! The proceeds from the plate every year go directly to swimming lessons!

And now a funny thought. What did Kermit the Frog say at Jim Henson's funeral? Nothing...



FSPA President Don Ball president@FloridaPoolPro.com



If you have any questions please contact FSPA Senior Director of Government Affairs Dallas Thiesen at 941-952-9293 or at Dallas@FloridaPoolPro.com.

## **EXECUTIVE DIRECTOR**

## Sun safety

Dear FSPA members and *Florida Pool Pro<sup>sm</sup>* readers,

I cannot believe it is already April. Man oh man, how time flies when you are having fun!

As we inch toward the summer months in Florida. I am more excited than ever to be a resident here: Someone who gets to live, work and play in this great state. My husband and I, both for the first time ever, are experiencing a major construction project in our backyard that will enhance our lifestyle in the sunshine state - we are getting a pool! We are, of course, using a member company, which I will say has been such a great experience thus far. Picking out our finishes felt overwhelming at first, but they had a great design consultant who walked us through it (and there were a couple awesome pool industry friends who helped us too).

We are thrilled we will have a pool in our very own backyard this summer to enjoy. Anticipating this has me considering something I don't think about too terribly much in my day-to-day life working in an office: Sun safety. Skin cancer runs in my family. Does it run in yours? Our industry members are in the heat and sun, working outdoors for a very significant portion of their careers. What do you and your team do to stay sun safe?

Here are some recommendations from the American Academy of Dermatology (the type of doctor you should go see if you have any suspicious lesions or bumps):

- Seek shade when appropriate, remembering that the sun's rays are strongest between 10:00 a.m. and 2:00 p.m. If your shadow is shorter than you are, seek shade. (This one is a toughie for our industry but consider getting out of the sun during your breaks.)
- Wear sun-protective clothing, such as a lightweight and long-sleeved shirt, pants, a wide-brimmed hat and sunglasses with UV protection, when possible. For more effective sun protection, select clothing with an ultraviolet protection factor (UPF) label.
- Apply a broad-spectrum, waterresistant sunscreen with an SPF of 30 or higher. Broad-spectrum sunscreen provides protection from both UVA and UVB rays.
  - Use sunscreen whenever you are going to be outside, even on cloudy days.
  - Apply enough sunscreen to cover all skin not covered by clothing. Most adults need about 1 ounce — or enough to fill a shot glass — to fully cover their body.
  - Don't forget to apply to the tops of your feet, your neck, your ears and the top of your head.
- When outdoors, reapply sunscreen every two hours, or after swimming or sweating.



Elizabeth McMurray FSPA Executive Director Elizabeth@FloridaPoolPro.com

- Use extra caution near water, snow, and sand, as they reflect the damaging rays of the sun, which can increase your chance of sunburn.
- Perform regular skin self-exams to detect skin cancer early, when it's most treatable, and see a boardcertified dermatologist (www.aad. org/find-a-derm) if you notice new or suspicious spots on your skin, or anything changing, itching or bleeding.

I hope this is helpful food for thought. Protect yourself and your team by implementing the best practices you can to prevent skin cancer. Remember, when you protect yourselves and others, you protect your customers, business, your and your employees' families and anyone who cares about you.

## The attendees voted and the Best Showcased Product goes to Cyclone Filter Tools!

#### Product: The Cyclone

Have you ever struggled to clean your pool cartridge filter? If so you're not alone, it's a real pain to get it clean. The Cyclone is the ultimate filter cleaning solution. It saves strain on your back, saves time, saves water, deep cleans your filter, and keeps you dry. https://cyclonefiltertools.com





## FLORIDA POOL PERMITS

## Permits provided by HBW / www.hbweekly.com

County Name	February 2022	February 2023
Alachua County	18	13
Bay County	66	59
Brevard County	81	72
Broward County	59	75
Calhoun County	0	1
Charlotte County	151	89
Citrus County	40	35
<u>Clay County</u>	21	0
Collier County	207	111
Dade County	156	99
Duval County	47	54
<u>Escambia County</u>	9	21
Flagler County	34	37
Franklin County	2	5
<u>Gadsden County</u>	0	1
Gulf County	1	0
<u>Hernando County</u>	28	27
Highlands County	8	6
Hillsborough County	158	147
Holmes County	0	0
Indian River County	45	53
Jackson County	2	0
Jefferson County	0	0
Lake County	39	44
Lee County	308	148
Leon County	20	20
Liberty County	0	0



County Name	February 2022	February 202
Manatee County	185	103
Marion County	30	39
Martin County	31	38
Nassau County	16	22
Okaloosa County	33	20
Orange County	161	144
Osceola County	78	82
Palm Beach County	156	166
Pasco County	129	61
Pinellas County	39	11
Polk County	143	114
Putnam County	2	3
<u>Santa Rosa County</u>	16	44
Sarasota County	181	107
Seminole County	15	4
<u>St Johns County</u>	111	80
St Lucie County	60	64
Sumter County	74	32
Volusia County	56	42
Wakulla County	3	1
Walton County	35	44
Washington County	1	3
TOTAL	3055	2341

Have a look at what's going on through our eyes Call HBW, Inc.

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Refer to www.hbweekly.com for county coverage.

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LEGISLATIVE UPDATE

## 2023 Florida Legislative Session is underway

By Dallas Thiesen, FSPA Sr. Dir. of Government Affairs / Dallas@FloridaPoolPro.com



The 2023 Florida Legislative Session kicked off Tuesday March 7, 2023 and will run for 60 days ending on Friday, May 5.

This year there are several bills to watch, including water safety bills,

an update in the statute of limitations for construction claims, stricter requirements on building officials when reviewing building permit plans, and a bill to allow more occupational license reciprocity with other states.

Additionally, FSPA is working on inserting language into existing bills to accomplish industry goals. FSPA's goals in 2023 include:

 Increasing the State of Florida Consumer Construction Recovery Fund cap for Div. II contractors from \$15,000 to \$50,000. The construction recovery fund is funded by a portion of every building permit fee in the state and is available to consumers who have been damaged by a contractor.

- Further clarifying a Florida general contractor's scope of work for swimming pools to address issues with general contractors holding themselves out as swimming pool and spa builders.
- Clarifying a Florida Swimming Pool and Spa Contractor's electrical scope of work in statute.
- Enhancing local enforcement of unlicensed contracting throughout the state.

FSPA will also be on keeping watch for potentially destructive bills seeking to overregulate the swimming pool industry and construction industry as a whole. The description and status of all bills that FSPA is tackling are below.

#### 2023 Bills to Watch

## Child Water Safety Requirements SB 74 by Sen. Ana Maria Rodriguez

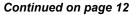
Requires childcare facilities that provide access to swimming pools or bathing places to have the parents or guardians of children attest in writing whether the child is able to swim or is at risk of injury or death when swimming. Requires that facilities provide US Coast Guard Type II or III personal flotation devices for children unable to swim or at risk of death or injury from swimming when near or interacting with public bathing places or swimming pools. Swim schools are exempted from these requirements.

Status: SB 74: Filed; Referred to Health Policy Committee, Children Families and Elder Affairs Committee, and Rules Committee.

#### Water Safety

SB 84 by Sen. Ana Maria Rodriguez

Requiring a state park to have a certified lifeguard on duty at designated swimming





### **DIGGING UP IDEAS**

## ANSI / PHTA / ICC-5 Residential Inground Swimming Pools

By Adam Alstott, Tropical Pools, Inc. / adam@tropicalpoolsinc.com



The ANSI/ PHTA/ICC-5 Standard for Residential Inground Swimming Pools update / rewrite is underway. The standards consensus committee is

working on making all the ANSI/PHTA/ ICC standards cohesive. Currently, neither the ANSI/PHTA/ICC-5 standard or the Florida Building Code specify a maximum shallow depth. However, ANSI/PHTA/ ICC-3 Standard for Permanently Installed Residential Spas and Swim Spas sets a maximum 4-foot depth for spas and a 5-foot depth for swim spas. Furthermore, the International Pool and Spa Code (IPSC) sets a maximum shallow depth of 4-feet. Why is this? This is just one area where the PHTA-5 Standards Committee is working to establish some consistency across the various standards with this current round of updates.

As the Chair of the PHTA-5 Standards Committee, I welcome your feedback and insight on needed updates and changes to the next edition of the PHTA-5 Standard. Please feel free to call, e-mail, or text me with your suggestions. The PHTA-5 Standard Committee and staff is working hard during this update process, and we expect the first public draft to be available in the next few months with the goal of the final standard going into publication before the end of the year to be ready when the 2023 Florida Building Code takes effect with the updated standard references.

On a personal note, I feel as this is the time for me to step away from FSPA and

allow new members to step in and step up to the FSPA Board of Directors. I will continue to be a member of our Association and will continue to represent Florida as the Chair of the PHTA-5 Standard Committee to focus on the standards that guide pool construction, but it is time for me to make room for new leaders in FSPA. I look at my local chapter Board and we have some great new members who are ready to lead. I feel very good about how FSPA is progressing forward, and I look forward to how our association continues to grow! Florida is the swimming pool and spa capital of the world and is home to the best swimming pool and spa builders in the world; we do it better than anyone and I want FSPA to live up to that. We are a great association but we can be bigger and better.



### THE SCOOP ON SERVICE ≡

## Stabilizing costs

By Rick Myers, Lo-Chlor / rmyers@teamhorner.com



As we all know, prices are continuing to rise, but most times service companies are unable, or unwilling, to raise monthly service rates to meet current pricing. The

reasons we have are our own reasons, but the end result is that the gross margin on each pool suffers. As the old saying goes, sometimes the tail is wagging the dog, and it could be months before we right the ship.

However, there are things that can be done to stabilize our costs without sacrificing the excellent service we provide day in and day out. I would like to address a couple of these time and money saving ideas in this article.

The first item is our sanitizer, or chlorine costs. As we all know, these prices have doubled or more in the last couple of years. In the past, liquid chlorine was priced so that we used it not only to kill bacteria and build our residual, but also as an algae preventative. While this may have worked, and certainly fit your profit model, those days are gone and using liquid chlorine as an algae preventative does not work anymore, nor is it effective. In a normal pool or environment, we lose roughly 1 ppm of chlorine per day. So, the goal for cost management is we show up at the pool and the chlorine level is 1-2 ppm. That is perfection; we didn't put excess sanitizer in and the water has some residual.

In a 15,000-gallon pool, how much liquid chlorine do you need to take 1 ppm to 8 ppm? The formulas are 10.7 ounces will raise 1 ppm in 10,000 gallons. Using that formula, you would need only about 112 ounces, or less than 1 gallon! How much are you using on each pool now ... one jerry jug? That is 320 ounces - three times what you need! If you use half of a jerry jug, that is twice what you need! Now, two more facts, and we can move to solutions geared to make more money. When you put one half to one jug of chlorine in a pool, you are driving your pH close to 8. Are you putting the appropriate amount of acid in the pool, which may be almost a gallon, to bring the pH down to 7.2-7.4? Did you know that at 7.8 pH or higher, the actual killing strength of your pool barely has a 30% strength to build residual and kill bacteria? In addition, you are asking that formula to keep algae in check as well. The fact is, you are fighting a losing battle and it will not get better.

You could say, "I already know all that, but what are some real options?" Please continue reading. Cutting down on the amount of liquid you put in the pool and adding a "specialty chemical" will actually make pools look better and be trouble-free. In addition, the number one thing that steals chlorine from pool water is organic load, which accounts for up to 60% of chlorine loss!

Here are some options that not only save you money, but also make pools look better and make water safer.

1. Algaecide: If your only goal is to remove and avoid algae, then the solution is a strong algaecide. Use a triple-strength chelated one so that there is virtually no chance of staining, and chlorine cannot break it down. You can provide this to your customer for as little

as or below \$4 per month. Another extremely effective algae fighter is using a phosphate remover as a maintenance dose. A maintenance dose of 2 ounces per 10,000 gallons will keep your pool free of algae. This can cost under .75 per week, or \$3 per month.

- 2. Enzymes: An enzyme is the best product to eat your organic load, thus making your chlorine much more effective. There are enzyme products perfect for smaller residential pools as well as commercial strength versions. You can provide this protection for as little as .30 per week or \$1.20 per month.
- 3. Combination: A combined product of an algae fighter with enzymes to decrease organic load is very useful for ongoing pool water quality. This product covers all bases and is a perfect maintenance product. Dosing for this can be as low as \$6 monthly.
- 4. Clarifier: Lastly, every pool should utilize a clarifier to make the water, and your customers, sparkle like diamonds because their pool looks beautiful. Did you know that you can dose a 15,000-gallon pool with a properly dosed clarifier for as little as one monthly treatment for under \$4 or in a weekly dose for under \$1 monthly?

In closing, maybe it is time to rethink how much chlorine you are adding, and provide your customers with world class service. You can accomplish all of this while adding profit to your bottom line at the same time. Please call me at 954.650.6320 to discuss at length.

Public pool certification! FPPS Course in Jacksonville May 11-13! Find additional courses and registration at Only \$300 for www.FSPACourses.com members! Florida Swimming Pool Association, Providership #0000917

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## **Failure to communicate**

By Jeff Clarkson, Vak Pak, Inc. / jclarkson@vakpak.com



There was an incident that happened in another state a few years back where a maintenance company was contracted to maintain a public pool and spa at a very popular resort.

The maintenance company was contracted to show up to service the pool and spa three days a week. On one of those days, the pool technician showed up and tested the water for both the pool and spa and discovered there was no chlorine residual in the spa. The pool technician made the correction by first closing the spa and then adding sufficient chlorine, along with other adjustments, and reopened the spa when it was confirmed safe for use. Unfortunately, a patron who had allegedly used the spa prior to the technician's arrival contracted Legionnaires' disease and later died in the hospital. I say allegedly because you don't have to be in the spa to contract Legionnaires. A person can walk by a spa and breath in the mist containing the Legionella bacteria to contract the disease.

The facility was notified, and an investigation was completed. It was discovered from the data card of the

chemical controller that there was a period when the spa was open for use with no chlorine residual in the spa water. In addition, the investigation discovered the dead Legionella bacteria in the filter media, which apparently was disinfected when the pool company tech showed up and added chlorine. The case went to court and the verdict handed down was the pool company failed to communicate to the client that there was no chlorine in the spa and that servicing the facility three days a week was insufficient to maintain a safe environment for the patrons.

Many swimming pool maintenance companies have similar contract agreements and could be at risk for failing to communicate unsafe conditions. However, it can be difficult for a public pool service technician (i.e. FPPS or CPO certified) to enforce protocols for issues that pose a safety hazard since they have no authority over patrons and/or the facility's staff. In addition, if the company that is maintaining the facility does not also have a license, some of the corrections that may be needed may require a properly licensed contractor. Therefore, in many cases the only viable option is to communicate in writing the unsafe condition to management and or the local Department of Health. The Department of Health has the authority to close a facility when the public's safety is at risk. This problem arises when there is an unsafe issue the facility isn't aware of; or it is communicated verbally and then forgotten. In addition, the facility may not see the seriousness of the issue and procrastinate correcting the condition.

The role of a public pool service technician (Florida Public Pool Specialist (FPPS), Certified Pool Operator (CPO), etc. is to maintain a safe facility. This means it is more than just water quality and proper equipment operation. The technician should be on the lookout for any unsafe, or potentially unsafe conditions, and then communicate to the proper party in writing of the condition including a recommendation to correct the issue if known. Properly communicating issues that help your client lower their liability adds value to your overall service. We, as pool professionals, have a fiduciary responsibility to educate and communicate unsafe conditions, not just to commercial facilities, but to our residential clients as well. It's easy to get in a hurry, or as some call it - splash and dash. However, without communicating an unsafe condition, this makes us part of the problem instead providing the most important part of service, which is providing a safe, fun environment for people to enjoy.

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### LEGISLATIVE UPDATE

## 2023 Florida Legislative Session is underway

#### Continued from page 7

areas within the park during certain timeframes; requiring the Department of Environmental Protection to install a water rescue station at each designated swimming area; requiring comprehensive age-appropriate and developmentally appropriate K-12 instruction on water safety, etc.

Status: SB 84: Filed; Referred to Education Pre-K -12; Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy.

#### Statute of Limitations for Claims on Improvements to Real Property SB 360 by Judiciary Committee HB 85 by Regulatory Reform Subcommittee

Specifies that the statute of limitations for claims based on improvements to real property starts at the issuance of certificate of occupancy, certificate of completion, or date of abandonment of the project whichever is earliest. The statute of limitations is set for four (4) years generally but limits latent claims based on defect not immediately discoverable at the time of completion to seven (7) years.

Status: SB 360: On Senate second Reading Calendar.

Status: HB 85: On Judiciary Committee Agenda.

#### Residential Building Permits SB 682 by Sen. Nick DiCeglie HB 671 by Rep. Esposito

Requires local building departments to reduce building permit fees by 75% if a contractor or homeowner elects to use private provider plan review. Reduces the amount of time in which a building department must notify a permit applicant of deficiencies in the application from 10 days to three days.

Status: SB 682: Filed; Referred to Community Affairs, Regulated Industries, and Rules Committee.

Status: HB 671: In Regulatory Reform Subcommittee.

## Building Permit Applications to Local Governments

#### HB 765 by Rep. Roth

Revises the electronic permit application requirements to include mobile submissions. Requires building departments to notice upcoming expiration of permits. Requires local governments to list all available permits and necessary documents for permits on their website.

Status: HB 765: In Local Administration, Federal Affairs & Special Districts Subcommittee.

#### Building Construction SB 512 by Sen. Ed Hooper HB 89 by Rep. Randal Maggard

Revises definition of term "class A air-conditioning contractor" to include an expanded electrical scope of work; prohibits building officials from making substantive changes to building plans after permit has been issued; provides exceptions; requires building officials to provide certain information to contractors and property



## LEGISLATIVE UPDATE

owners; provides that building officials are subject to disciplinary action for failure to meet the information requirements.

Status: SB 512: Filed; Referred to Community Affairs; Regulated Industries; Rules.

Status: HB 89: Filed; Referred to Regulatory Reform & Economic Development Subcommittee, Local Administration, Federal Affairs & Special Districts Subcommittee, Commerce Committee.

## Department of Agriculture and Consumer Services SB 1150 by Sen. Blaise Ingoglia

Revises the definitions of "Category I liquefied petroleum gas dealer" and "Category V LP gas installer" to include the design of LP and natural gas systems.

Status: SB 1150: Filed

## Interstate-Mobility and Universal-Recognition Occupational Licensing Act

SB 1364 by Sen. Collins SB 1366 by Sen. Collins HB 1333 by Rep. Koster

Requires DBPR Licensing Boards to recognize equivalent out of state occupation licenses for Florida occupational licensing. Allows to the board to determine license equivalency via rule and allows for testing requirements to remain in place for out of state reciprocity applicants.

Status: SB 1364: Filed; Referred to Regulated Industries; Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy.

Status: SB 1366: Filed; Referred to Regulated Industries; Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy.

Status: HB 1333: Filed; Referred to Regulatory Reform & Economic Development Subcommittee, Referred to State Administration & Technology Appropriations Subcommittee, Referred to Commerce Committee.

#### Local Occupational Licensing Act

SB 1584 by Sen. Keith Perry

- SB 1570 by Sen. Ed Hooper
- HB 1625 by Rep. Mooney

#### HB 1383 by Rep. Trabulsy

Would allow local governments to retain specified preempted local licenses if the licensees where in place prior to January 1, 2021.

Status: SB 1584: Filed; Referred to Regulated Industries; Community Affairs; Rules.

Status: SB 1570: Filed; Referred to Regulated Industries; Rules.

Status: HB 1625: Filed; Referred to Regulatory Reform & Economic Development Subcommittee, State Administration & Technology Appropriations Subcommittee, to Commerce Committee.

Status: HB 1383: Status: Filed; Referred to Regulatory Reform & Economic Development Subcommittee, Referred to State Administration & Technology Appropriations Subcommittee, Referred to Commerce Committee.

If you have any questions on these bills or other government affairs issues, please reach out to FSPA Senior Director of Government Affairs Dallas Thiesen at Dallas@ FloridaPoolPro.com.



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### **INSURANCE UPDATE**

## Cyber attacks and data breach

By David Griffiths, Insurance by Ken Brown / dgriffiths@insbykenbrown.com



In recent years (months actually!), there have been an increasing number of costly computer hacking attacks, primarily against large national and global companies. Those are the

attacks we hear about anyway.

Smaller companies face many computer liability risks as well. Virtually all businesses use information technology (IT) in some way—to communicate via email, to provide information or services through a website, to store and use customer data, and more. Your business can be held liable if certain data is compromised, not only by hacking attacks but even if a smartphone is lost or a laptop computer is stolen and valuable information extracted.

According to a recent report from the Information Systems Audit and Control Association (ISACA), cyberattacks currently reign as the fastest growing form of crime.

Here are just a few examples of attacks which can be insured against:

- Data breaches
  - · Cyber extortion / Ransomware
  - · Phishing
  - Business Interruption
  - · Computer Fraud
  - Funds Transfer Fraud
  - Social Engineering
  - Password attacks
  - · Damages to computer networks
  - · Crisis management after the attack
  - Regulatory actions and investigations

In addition to security and reputational repercussions, these attacks can often cause significant financial disruption—with global cybercrime costs estimated to reach a startling \$8 trillion during 2022.

Here are some of the most common cyber concerns from 2022, as well as best practices for avoiding them:

**Social engineering** — Cybercriminals implement social engineering scams to manipulate their victims into sharing

sensitive information. This manipulation usually occurs in the form of impersonating an individual or organization that the victim trusts, thus making the victim feel falsely comfortable with providing their information. While these scams can happen via text, phone call, or email, the latter method (also known as phishing) is the most popular. To keep these scams from wreaking havoc on your organization, instruct staff to always verify the identity of the individual or organization they are communicating with and be wary of sharing any sensitive information over the phone or online.

Ransomware — Ransomware is a type of malicious software that cybercriminals use to compromise a device (or multiple devices) and demand a large payment be made before restoring the technology for the victim. Before you can free your hostage PC, you have to eliminate the hostage taker. This requires a payment in the thousands of dollars quite often made using the untraceable currency Bitcoin. Even if after payment your system is actually freed, the damage internally can be extensive and costly to repair. Since ransomware often appears in the form of deceptive links or attachments, encourage employees to never click on suspicious links or download attachments from unknown senders.

**Software update issues** — Although conducting routine software updates may seem like an arbitrary act, it can make all the difference in protecting your organization. Failing to update your software regularly can create major cybersecurity gaps, making it easier for cybercriminals to infiltrate your systems. That being said, keep staff on a strict update schedule, and consider using a patch management system to further assist with updates.

The risks of cyber liability are evolving rapidly. Cyber thieves now use the recent developments surrounding the novel coronavirus (COVID-19) as an opportunity to send phishing emails and spread malware attacks. With more and more people working remotely from home, the risks can multiply exponentially. What are your Cyber Liability risks? If your computer related systems (computer, iPad, laptop, smart phone, etc.) are hacked or stolen and customer, employee or partner data is otherwise lost, stolen or otherwise compromised, the costs of system repair, notification response and remediation can be significant. Your business may be exposed to the following:

**Liability**: You may be liable for costs incurred by customers and other third parties as a result of a cyber-attack or other IT-related incident.

**System recovery:** Repairing or replacing computer systems or lost data can result in significant costs. In addition, your company may not be able to remain operational while your system is down, resulting in further losses.

**Notification expenses:** In Florida if your business stores customer data, you can be required to notify customers if a data breach has occurred or is even just suspected.

**Regulatory fines:** Several federal and state regulations (including Florida) require businesses and organizations to protect consumer data. If a data breach results from your business's failure to meet compliance requirements, you may incur substantial fines.

**Class action lawsuits:** Large-scale data breaches have even led to class action lawsuits filed on behalf of customers whose data and privacy were compromised.

Please note that the total costs of cyber liability attacks can be staggering. They can easily run into the hundreds of thousands of dollars.

Below are excerpts from the Florida statute governing Cyber and Security Breaches:

Section 501.171 Security of confidential personal information.

(3) NOTICE TO DEPARTMENT OF LEGAL AFFAIRS OF A SECURITY BREACH.—(a) A covered entity ("Covered entity" includes commercial entities that acquire, maintain, store, or use personal information) shall provide notice to the department of any breach of

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security affecting 500 or more individuals in this state. (Please read the additional information in this statute not printed here)

(4) NOTICE TO INDIVIDUALS OF SECURITY BREACH.—(a) A covered entity shall give notice to each individual in this state whose personal information was, or the covered entity reasonably believes to have been, accessed as a result of the breach. (Please read the additional information in this statute not printed here)

(9) ENFORCEMENT.—(a) A violation of this section shall be treated as an unfair or deceptive trade practice in any action brought by the department under s. 501.207 against a covered entity or third-party agent.(b) In addition to the remedies provided for in paragraph (a), a covered entity that violates subsection (3) or subsection (4) shall be liable for a civil penalty not to exceed \$500,000, as follows: 1. In the amount of \$1,000 for each day up to the first 30 days following any violation of subsection (3) or subsection (4) and, thereafter, \$50,000 for each subsequent

## **INSURANCE UPDATE**

30-day period or portion thereof for up to 180 days. 2. If the violation continues for more than 180 days, in an amount not to exceed \$500,000.

Here are some steps to reduce cyber liability risks:

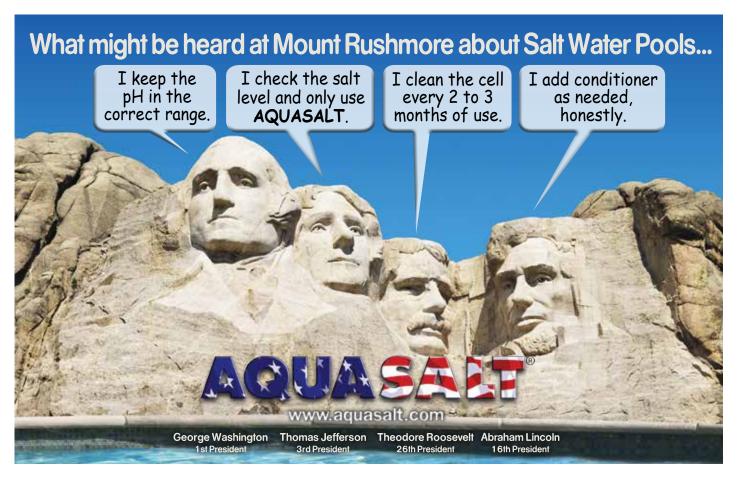
Because computing technology changes rapidly, there is no absolutely surefire way to protect digital data and computer systems. In addition, technologies deemed to be highly secure can later develop vulnerabilities or be found to be vulnerable all along. For instance, websites worldwide used an encryption technology called OpenSSL for many years before the technology was discovered to be vulnerable to cyber-attack. You may be able to limit your cyber liability risk by:

- Installing, maintaining, and updating security software and hardware firewall
- Contracting with an IT security services vendor
- · Using cloud computing services

- Developing, following, and publicly posting a data privacy policy
- · Use two-factor authentication
- Update software regularly
- Change passwords regularly
- Regularly backing up data at a secure offsite location
- Secure networks and monitor social networks
- Utilize encrypted data when possible

Every business has a significant risk for a cyber-attack these days. It seems the protective measures and new "blocking" software is always a step behind the criminals.

Cyber Liability is a very specific insurance, and many insurance company coverage forms differ in coverage, limits, and deductible. This can definitely be a "you get what you pay for" type coverage. A coverage premium with a premium so low it seems too good to be true... probably is. Please let us know how we can help!



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## Broward

Chapter Coordinator: Diane Michael (386) 538-1083 FSPABroward@FloridaPoolPro.com www.FSPABroward.com

Wednesday, March 15 Chapter members gathered to get an "Under the Belly" Tour of the Fort Lauderdale Aquatic Center. Thank you to all who helped set up and break down! We so appreciate your time and willingness to always pitch in! After the tour of the new facility, members from the Executive Committee from the state were present to honor Dr. Bill Kent. Thank you to them for coming and to Dr. Kent for his tireless support of FSPA, Every Child a Swimmer and so many others charitable causes. We are so honored to have you in our local Chapter and are forever grateful for your endless contributions of talent, time, resources, funds and friendship! Thank you to Casey McGovern for giving us an update on Every Child a Swimmer. Volunteer Chapter President Don Cesarone III, Aquatic

## FSPA CHAPTER NEWS

**Consulting Engineers, Inc.**, honored **Rick Myers, Lo-Chlor,** for his 2022 leadership as the volunteer chapter president getting the Chapter on a great stride, and also for induction into the FSPA Hall of Fame. Thank you for everything, Rick! (Pictures were not available at time of print so stay tuned to next month or check out our Facebook page.)

Thank you so much to Pentair for choosing to be a 2023 Annual Sponsor again this year! We appreciate your continued support! If you want to sponsor a meeting, these spots will go fast so please contact Diane for more details. As always, we ask that the program be educational in format and that you help our members learn more about your business and ways to support one another. We are also looking to gain support of Annual Sponsors. The support helps us to be able to run the Chapter, donate heavily to important programs like Every Child a Swimmer through the Florida Swims Foundation, PIPAC, the FSPA Scholarship Fund and much more. Thank you for your interest!

Welcome, new members. We are proud

of our Chapter growth! Please remember to support one another and choose FSPA members first for work and referrals! Our newest members are **Seacrest Pools**, **Inc.** with a main contact of **JaCinda Carey** (www.seacrestpoolsinc.com) and **Pinch A Penny#141** with amain contact of **Dirk Lohuis** (www.pinchapenny.com).

All Chapter Meetings are from 6:30 p.m. – 8:00 p.m. and we do our best to host these meetings on the third Wednesday of the month if possible. If there is any change in that format, we will note it below. Currently, our meetings are held at Tropical Acres, 2500 Griffin Road, Fort Lauderdale, but we are looking for another venue to welcome us. Please contact Diane if you know of a place that has a private room that can fit 40 people. Thank you!

We are finalizing this year's calendar. Please save the dates below. Thank you! April 19 – More details to come, May 17 – National Water Safety Month: Drowning Prevention Presentation by the Broward Health Department hosted at Aquachamps Swim School. June 21, July 19, August 16, September 20, October 18 or 26-

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If you have been working for a member company for at least two years, your dependents are eligible for the FSPA's Margaret M. Brown Scholarship Fund.

## **Applications due June 30**



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Funded by the Florida Swims Foundation through donations from Insurance by Ken Brown and FSPA members, awards are given based on academics, extracurricular activities, contributions to the community, letters of recommendation, a brief essay and, for first time recipients, a research paper. The Bill Kent Family Foundation will match the award to double the amount!

Scholarship application can be found at Industry.FloridaPoolPro.com or call 941-952-9293. Harvest Tabletop, November 15 – Happy Thanksgiving – no meeting, and December 1 – Annual Casino Night.

Follow us. Please like our Facebook page www.facebook.com/FSPABroward and our Instagram @FSPABrowardChapter. We appreciate your continued support!

**Central Florida** 

Chapter Coordinator: Sonja Dickey (941) 952-9293 FSPACentralFlorida@FloridaPoolPro.com www.FSPACentralFlorida.com

The Chapter would like to welcome **Premier Pool & Spa LLC** as our newest Chapter members. We are excited to have you be a part of our Chapter!

Mark your calendar for May 31! We will be hosting a LP gas class at 6:00 p.m. at **HornerXpress**. Watch your inbox for details to register.

**HornerXpress** presents the 6<sup>th</sup> Annual Casino Night and Silent Auction on September 29 at 7:00 p.m. at Dubsdread Country Club. Sponsorships are available. Contact Sonja for more information.

The next Chapter Board meeting, which all members are encouraged to attend, will be Tuesday, April 4 at noon via zoom (meeting ID: 698 085 1212 / password 1234). We look forward to seeing you all there.

Your 2023 Chapter Directors are working on exciting and educational events. Please let us hear from you with any suggestions for speakers or events. If you haven't already, please like our Facebook page at FSPA Central Florida Chapter to keep up with upcoming events and meetings.

## **Charlotte Harbor**

Chapter Coordinator: Sonja Dickey (941) 952-9293 FSPACharlotteHarbor@FloridaPoolPro.com www.FSPACharlotteHarbor.com

The Chapter would like to welcome **JJ Rockwell LLC** as our newest Chapter member. We are excited to have you be a part of our Chapter!

We look forward to seeing you April 18 at Pioneers Pizza at 6:00 p.m. to join Dallas

## FSPA CHAPTER NEWS

Theisen, FSPA Sr. Director of Government Affairs, to talk to us about code specific issues happening in Charlotte County. Watch your inbox to RSVP.

Mark your calendar! **Better Pools** and **Spas** presents the Chapter's Annual Golf Tournament at Heron Creek Country Club on May 6. If you are interested in participating or being a sponsor, please email Sonja.

The next Chapter Board meeting, which all members are encouraged to attend, will be at Pioneers Pizza, 4560 Tamiami Trail, Port Charlotte at 5:00 p.m. on April 18.

Your 2023 Board is working on exciting and educational events. Please let us hear from you with any suggestions for speakers or events. If you haven't already, please like our Facebook page at FSPA Charlotte Harbor Chapter to keep up with upcoming events and meetings.

## East Central Florida

Chapter Coordinator: Diane Michael (386) 538-1083 FSPAEastCentralFlorida@FloridaPoolPro.com www.FSPAEastCentral.com

Thank you to all who attended the Behind-the-Scenes Tour of **CM Custom Pools** – Moore Outdoor. Thank you to our past president **Coby Moore**, and current volunteer Board Director, for being a great host and congrats on your new location. For those who missed it, please visit their new showroom full of hot tubs at Moore Outdoor right nextdoor to their showroom. Members support members!

Thank you to our event chairman **Kerry Tait, Insurance by Ken Brown,** who is working hard to reschedule our Golf Tournament. As of the writing this article, we are moving the original date because



The East Central Florida Chapter President Keith Quint recognized Dennis Brooks, Holly Waldhauer, and Coby Moore for being honored at the Welcome & Awards Reception. Congrats to these amazing volunteers.

the Northeast Florida Chapter tournament was on the same day. Thank you for your patience. As soon as we figure out the game plan we will share via email. Stay tuned and follow social media to be sure you're included. If you want to sponsor this annual event, please email Diane.

All meetings are held on the second Tuesday of the month from 6:30 p.m. – 8:00 p.m. located at Houligans, 1725 W International Speedway Blvd., Daytona Beach, unless otherwise stated. Dinner cost is on you at these meetings. Future members – the Chapter would like to buy your first dinner with us to get to know everyone. Guests are welcome to attend two meetings prior to joining. Your Board has decided to go with a hybrid approach to this year's meetings and events. If you want to sponsor or volunteer for 2023, please let Di know! We appreciate your continued support!

Mark your calendars: April 11 – National Water Safety Month - WaterSafe Update, May 9 – no meeting due to Golf Tournament which may change, June 13 is a presentation by **Pentair**, July 11 - Enjoy the summer! No meeting! August 8 is a Tabletop & Auction at Hilton Palm Coast with co-chairs **Holly Waldhauer**, **Dennis Brooks** and **Chris Hall**, September 12 - **Insurance by Ken Brown** - safety and consumer awareness CE (Thank you, **Kerry Tait**), October 10 is a Behind-the-Scenes Tour of Aqua Comfort hosted by **Gorman Company**, November 14 is a presentation



At a local Chapter meeting, the East Central Florida Chapter Past President Coby Moore honored Keith Quint for his leadership and support as Chapter President in 2022.



The East Central Florida Chapter thanks the 2023 Chapter Board of Directors for working behind the scenes (not pictured, Kerry Tait).

by **Jack's Magic**, and December 8 is the Holiday Party / Casino Night – December 12 or 14.

Please like our Facebook page w w w . f a c e b o o k . c o m / FSPAEastCentralChapter and our Instagram @FSPAEastCentralChapter.

## Florida Gulf Coast

Chapter Coordinator: Kelly Sauro (941) 952-9293 FSPAFloridaGulfCoast@FloridaPoolPro.com www.FSPAGulfCoast.com

Welcome to our new members: American Business Brokers and Gulf

## **FSPA CHAPTER NEWS**

Shore Pools & Spas, Inc. We are happy to have you as a part of our Chapter!

The Chapter meeting in March was held at Famous Dave's on March 8. We had some updates from the Chapter Board. **Steve Olds, Symbiont Service,** has joined the Chapter Board as Member At-Large. Thank you, Steve, for volunteering and supporting our Chapter.

We had a presentation from Casey McGovern, Every Child A Swimmer. This is an important organization that provides swim lessons and water safety to underserved children. Casey lost her daughter to drowning and has been working to help educate families and communities on how to prevent drowning. The Chapter presented a donation of \$1,500 to Every



Casey McGovern, Every Child A Swimmer, Chapter President Michele Moser, Chapter Vice President Jerry Mason, and Chapter Coordinator Kelly Sauro at the Florida Gulf Coast Chapter Meeting.



## **FSPA CHAPTER NEWS**

Child A Swimmer to support this worthy cause!

The next meeting will be held on April 12 at 6:30 p.m. at Famous Dave's. We hope to see you there!

In May we will have our first Top Golf Event. Be on the lookout for emails and updates for more information on this event. Please like out Facebook page at FSPA FL Gulf Coast Chapter to keep up with upcoming events and meetings.

## Florida West Coast

Chapter Coordinator: Malinda Howard (727) 638-6072 FSPAFloridaWestCoast@FloridaPoolPro.com www.FSPAWestCoast.com

The Chapter Board met on Tuesday, March 7 at Queen's Pizza, Clearwater. Thank you to **Cathie Alderman** and **HornerXpress** St. Pete/Pasco for sponsoring the lunch. The next Chapter Board of Directors meeting will be held at noon on Tuesday, April 4 at Queen's Pizza, 1834 N. Belcher Road, Clearwater. Casey McGovern with Every Child a Swimmer will be our special guest. The Chapter Board of Directors meetings are usually scheduled for the first Tuesday of the month. All Chapter members are welcome to attend. We are always interested in hearing your ideas for Chapter meetings and programs.

It is time to start putting your team(s) together for the Florida West Coast Chapter's Annual Golf Tournament! This year's tournament will be held Saturday, May 13, at Lansbrook Golf Club, Palm Harbor. The tournament will begin with a shotgun start at 8:00 a.m. Lunch and awards will follow play. Contact the Chapter office regarding sponsorships or registration.

### Manasota

Chapter Coordinator: Sonja Dickey (941) 952-9293 FSPAManasota@FloridaPoolPro.com www.FSPAManasota.com

The Chapter would like to welcome **80 Degree Pools**, **Freedom Pools and Spas**, and **Keith's Pool Service** as our newest Chapter members. We are excited to have you be a part of our Chapter!

Sign up today! On April 11 we will have a CE class at the FSPA T.E.C. Center on Alternative Dispute Resolution (CILB course #0007785, 2 hr., meets BP, Florida Pool & Spa Association d/b/a Florida Swimming Pool Association CILB providership #0000917). It will be held at 6:00 p.m. Then be ready for the arbitrator masters class scheduled for May!

**PoolCorp** presents our Annual Golf Tournament on April 29 at Legacy Golf Club. There is still space available to golf; sign up today!

Thank you IPSSA Sarasota Chapter for having us speak on **PoolCorp / SCP** Splash Cash, Florida Swimming Pool Association membership, Every Child A Swimmer, Florida Swims Foundation's Swim for Life license plate and so much more at your chapter meeting!

The next Chapter Board meeting, which all members are encouraged to attend, will be Tuesday, April 11 at 5:00 p.m. at the FSPA T.E.C. Center, 2555 Porter Lake Dr., Sarasota. Please stay after for the CE class.

Your 2023 Board is working on exciting and educational events. Please let us hear from you with any suggestions for speakers or events. If you haven't already, please like our Facebook page at FSPA Manasota Chapter to keep up with upcoming events and meetings.



Florida West Coast Chapter members who received state awards were Don Ball, Behindthe-Scenes Award; Alex Fletcher, Workforce Development Champion; Tim Converse, Chapter Director of the Year; and Rick Howard, 2022 Chapter President.



Some members of the Manasota Chapter joined in on an IPSSA meeting. Pictured are Micah Dellinger, Todd Starner, John Ellsworth and Chapter Coordinator Sonja Dickey.

## North Central Florida

Chapter Coordinator: Sonja Dickey (941) 952-9293 FSPANorthCentralFlorida@FloridaPoolPro.com www.FSPANorthCentral.com

A huge round of applause for our sponsors and attendees for making the 2<sup>nd</sup> Annual Sporting Clay Shoot a huge hit! Thank you to all of our sponsors for helping us raise funds benefiting education and safety around water: SCP, HornerXpress, Paragon Pools, Hayward, FWP, Fluidra, National Pool Route Sales, Lo-Chlor, Insurance by Ken Brown, Basecrete, Performance Link, Ledge Lounger, Century, Bell Concrete, Pentair, Odyssey Mfg., Helme Electric, and Watson C & D. Pictures are online on our Facebook page, our favorites will be in the next month's Chapter news.

RSVP today! April 19 at 6:00 p.m. join us for Workers' Comp Update (CILB course #0611498, 1 hr, meets WC, Florida Pool & Spa Association d/b/a Florida Swimming Pool Association CILB Providership #0000917) CE class at Blue Gill Quality Foods. We look forward to seeing you there!

The next Chapter Board meeting, which all members are encouraged to attend, will be April 19 at 5:00 p.m. at Blue Gill Quality Foods. Your 2023 Board is working on exciting and educational events. Please let us hear from you with any suggestions for speakers or events. If you haven't already, please like our Facebook page at FSPA North Central Chapter to keep up with upcoming events and meetings.

## Northeast Florida

Chapter Coordinator: Debi Garner (941) 952-9293 FSPANortheastFlorida@FloridaPoolPro.com www.FSPANortheast.com

The Chapter held a Chapter meeting on March 8 at Maggiano's. A big thank you to **Tim Sprinkle** and **Doug VanHorn**, **Pentair**, for leading a very informative meeting on the latest and greatest products coming down the pipeline! Lots of great giveaways, lively conversation and good questions and answers. The Annual Golf Tournament is fast approaching. We hope everyone has their calendars marked for April 21. We will be back at Cimaronne Golf & Country Club. Registration will take place starting at 7:30 a.m. with a shotgun start at 8:30 a.m. Early bird discounts for signing up your teams early! Remember, this is not just for the pool industry so invite your family and friends to come and have a fun-filled day. There will also be some great silent auction items. This is the major fundraiser of the year for the Chapter that helps support swimming lessons and other philanthropic events. All money stays local!

We had one of our members, Brad Shee, Mastercraft Home Builders and Premier Pools & Outdoor Living, make a short presentation at the January meeting regarding Seamark Ranch (www.seamarkranch.com) and the construction of a new commercial pool at this incredible foster care / group home facility. The Chapter made a commitment to help support this endeavor and the members at the meeting committed over \$6,500! The Chapter made a further commitment of \$5,000 to help support this amazing project. Brad is looking for in-kind donations as well. Please reach out to us for further ways you can help.

We have the calendar set for the following activities for 2023. Please mark your calendars:

 April 21 – Chapter Annual Golf Tournament back at Cimaronne



The Northeast Florida Chapter Meeting with Tim Sprinkle, Pentair, and Doug VanHorn, Pentair:

## **FSPA CHAPTER NEWS**

- May 10 CE credit class with Connor McGowan, Fluidra
- June 14 Meeting with Jon Temple, Tempool
- July 12 Meeting with Dave Pruette, Pruette Electrical Services
- September 13 Meeting with Lo-Chlor and AquaCal
- October 6 Oktoberfest at Speck
  Pumps and we will be celebrating Speck's 40<sup>th</sup> anniversary!
- October 27 Annual Skeet Shooting at Jax. Clay Sports
- December 6 Member Appreciation and Table Top

As always, this is your Chapter – make the most of it by attending meetings and participating in the events. Speak up! If there are things you want to see us doing, let us know! We are always looking for new ideas and we would really like to see some new people interested in serving on the Board of Directors.

## Palm Beach

Chapter President: Ed Morse (954) 723-0937 FSPAPalmBeach@FloridaPoolPro.com www.FSPAPalmBeach.com

No news this month.

## Space Coast

Chapter President: Eva Adcock State office: (866) 930-3772 FSPASpaceCoast@FloridaPoolPro.com www.FSPASpaceCoast.com

The Space Coast Chapter is working diligently on securing an instructor for our Every Child A Swimmer free swim lessons. If you haven't had a chance to donate to this worthy cause through the Florida Swims Foundation, perhaps it is time to do that. Your donation will be matched to provide even more swim lessons for our deserving children. So, bring your checkbook to our next meeting at Niki's Family Restaurant, 6947 N Wickham Road, Melbourne. We will meet at 8:00 a.m. on Thursday, April 20 and breakfast is free. We would like to thank **Brett Scully, Vero Pools**, for his generous donation of breakfast each month.

## Tampa Bay

Chapter Coordinator: Michelle Gilbertson (813) 546-4887 FSPATampaBay@FloridaPoolPro.com www.FSPATampaBay.com

Save the date! Friday, April 21 is the Tampa Bay Chapter Golf Tournament. It is at the Eagles Golf Club, 16101 Nine Eagles Drive, Odessa. Registration begins at 8:00 a.m. and there is a shotgun start at 9:00 a.m. There will be lunch as the golfers finish around 11:30 a.m. / 12:00 p.m. Please email Michelle if you have any questions or are interesting in attending/ sponsoring.

Monthly Chapter meetings are held the second Wednesday of each month from 4:30 p.m. – 6:00 p.m. All members are welcome to attend and provide any information/feedback to help improve our Chapter. If you need assistance from us, please email questions to FSPATampaBay@FloridaPoolPro.com.

## Treasure Coast

Chapter Volunteer: Ericka Villegas State office: (866) 930-3772 FSPATreasureCoast@FloridaPoolPro.com www.FSPATreasureCoast.com

No news this month.

For additional information about any of the events or meetings listed in the Chapter News, please contact the chapter staff listed at the top of each Chapter's News.

## CALENDAR

## **April 2023**

- 4 FSPA Central Florida Chapter Board Meeting 12:00 p.m. via zoom (meeting ID: 698 085 1212 / password 1234)
- 4 FSPA Florida West Coast Chapter Board Meeting 12:00 p.m. Queen's Pizza, 1834 N. Belcher Rd., Clearwater
- 11 FSPA East Central Florida Chapter 6:30 p.m. - 8:00 p.m. Houligans, 1725 W International Speedway Blvd., Daytona Beach
- 11 FSPA Manasota Chapter 5:00 p.m. Board Meeting and 6:00 p.m. CE Class FSPA T.E.C. Center, 2555 Porter Lake Dr., Ste. 104, Sarasota
- 12 FSPA Florida Gulf Coast Chapter Meeting 6:30 p.m. Famous Dave's, Ft. Myers
- 18 FSPA Charlotte Harbor Chapter 5:00 p.m. Board Meeting and meeting on code issues, Pioneer Pizza, Port Charlotete
- 19 FSPA Broward Chapter Meeting 6:30 p.m. - 8:30 p.m. Tropical Acres, 2500 Griffin Rd., Fort Lauderdale
- 19 FSPA North Central Florida Chapter 5:00 p.m. Board Meeting and 6:00 p.m. CE class Blue Gill Quality Foods
- 20 FSPA Space Coast Chapter Meeting 8:00 a.m. Niki's Restaurant, 6947 N. Wickham Rd., Melbourne
- 21 FSPA East Central Florida Chapter Golf Tournament
- 21 FSPA Northeast Florida Chapter Annual Golf Tournament Cimaronne
- 21 FSPA Tampa Bay Chapter Golf Tournament 8:00 a.m. Eagles Golf Club, 16101 Nine Eagles Drive, Odessa
- 29 FSPA Manasota Chapter Golf Tournament 8:00 a.m. Legacy Golf Club

## May 2023

- 2 FSPA Florida West Coast Chapter Board Meeting 12:00 p.m. Queen's Pizza, 1834 N. Belcher Rd., Clearwater
- 12 FSPA Tampa Bay Chapter Meeting 4:30 p.m. - 6:00 p.m.
- 19 FSPA Broward Chapter Meeting for Water Safety Month 6:30 p.m. - 8:30 p.m. AquaChamps Swim School

## June 2023

9-10 FSPA State Board of Directors Meeting Don CeSar, St. Pete Beach



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