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Mayor Naugle Fires Up

GMCA Advisory Board



October 25, 2004 - Fort Lauderdale Mayor Jim Naugle addressed the October 21st meeting of the Galt Mile Community Association Advisory Board for the purpose of educating the membership about the key issues facing the community on Election Day. The Mayor, a longtime supporter of Galt Mile issues, was accompanied by a retinue of Fire-Rescue officials and personnel. He reviewed some of the ballot questions that the electorate will decide on November 2nd. He explained the status of the Galt Mile with respect to other sections of the City and answered members' questions about the new budget. However, the Mayor's primary intent from the meeting's outset was to clarify the upcoming Bond Issue designed to salvage the city's deteriorating Fire-Rescue facilities. To this end, he brought a carefully prepared presentation replete with visual aids (slides) and expert witnesses charged with the dual task of explaining the problem facing the Fire-Rescue Department and testifying to the need for its resolution.

Question 4: Fire-Rescue Bond Issue

The referendum for the Fire-Rescue Bond Issue was Question 4 on the Fort Lauderdale section of the official Broward County General Election Ballot. Fire-Rescue's Deputy Chief of Operations Keith P. Allen and David Ebert were called on by the Mayor to explain the deplorable state of Fire-Rescue's existing facilities. Chief Allen compared the environment under which the existing facilities were built to conditions today. He stated, "While the Department has kept pace with the City's needs, the Department's facilities have not." Fort Lauderdale experienced explosive growth following its identification as the nation's "Spring Break" capitol, its 1960 population of 83,648 doubling to about 168,000 today. Chief Allen expanded, "In 1992, the Department responded to 19,423 incidents as compared to its current rate of about 40,000 per year. A doubling of the incident rate mandated a comparable increase in the Department's personnel from 292 in 1992 to about 400 today."

"Fire Departments" and "firefighters" are antiquated misnomers. Even Fire-Rescue is an inadequate description of what is expected of today's Department. The Mayor explained, "Their responsibilities have grown from extinguishing fires and rescuing cats from trees to a wide variety of emergency response situations." These include medical emergencies, crisis and consequence management of terrorist threats, preparation for and response to severe weather threats, general domestic preparedness; every social challenge of modern life has been placed on Fire-Rescue's plate. Almost all of these new responsibilities require specialized training and equipment. The Mayor commented, "This additional equipment was never contemplated when the original stations were planned and built."

Continued on page 3

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The Galt Mile News is the official newsletter of the Galt Mile Community. Published 12 times a year, this publication is designed to educate the Galt residents of neighborhood-oriented current events and issues, and to offer residents Galt-specific discounts from various local merchants.



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Mayor...Continued

To keep pace with technological advances and meet federal guidelines for mandated decontamination stations, effective medical response and treatment areas, and specialized gear of every stripe, jury-rigged solutions were quickly cobbled together. The impact of the "Quonset hut" solution to overcrowding in our schools was limited to student discomfort and a moderate loss of efficiency. The cost of the overcrowding in our Fire-Rescue is not only the extreme discomfort suffered by the personnel who spend a third of their lives in cramped quarters, but also in time - valuable minutes lost in emergency response time.

Lieutenant Ed Webster of Station 54 (located at 3200 NE 32nd Street - down the block from the Coral Ridge Towers complex) explained how the stations' deficiencies impact firefighters and response time. "Fire-Rescue needs to keep pace with the technological advances that boost the success rate of their life-saving objectives." Computerization, advanced equipment and vehicles, and systems upgrades are the tools acquired by the Department to achieve these goals. Enigmatically, the 83 new vehicles barely fit in the old bays. The Lieutenant asserted that the stations' archaic wiring is "incapable of servicing the intense electrical demands of modern communications and information technology." The recent pummeling suffered by South Florida from Charley, Frances and Jeanne points to another dogma. Mayor Naugle interjected, "The Department that we need to adequately prepare



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Insurance...Continued

Legislators are leery about the Insurance Industry's intentions and motives. Delray Beach Senator Ron Klein, a longtime insurance industry critic, anticipates a post-Andrew style industry reaction. He warns that insurers will seek to take advantage of this opportunity to further hike rates and decline renewal for thousands of policies, not only for coastal property owners, but across the state. Klein predicted, "They are going to take the position that all of Florida is a high-probability risk." Legislators know that the case for higher rates goes deeper than the reaction to recent events; insurers were maneuvering for an increase well before the season started.

Susanne Murphy, Citizens' corporate counsel, explained that the Florida Legislature set these increases in motion in 2003. The Legislature directed Citizens to come up with a way of calculating rates following several years of huge windstorm rate hikes. In response, Citizens pegged wind-only policy rates to the highest of the average wind rates charged by the state's top 20 insurers. In addition to varying from place to place, the new rules don't give the same generous credits to policyholders who have installed impact windows, roof straps or other measures to increase protection from hurricanes. These new rules apply to policies written or renewed after July 1, 2004, well before the effects of Charley, Frances, Ivan or Jeanne drew the concern of policy holders to potential premium increases.

New Rules for Condos

A new law, Florida Statute 718.111, will have a unique impact on Condo owners. There has always been a gray area between the Association's windstorm coverage and the personal property insurance responsibilities of the unit owner. After January 1, 2004, everything from the paint on the walls and ceiling to the tiles on the floor is strictly the insurance responsibility of the condo owner, not the Association. Electrical fixtures, appliances, air conditioners, heaters, water heaters, water filters, kitchen cabinets and countertops, light fixtures and even the ceiling or wall paint damaged by storm-related infiltration - if its not in your personal property policy, you aren't covered.

Because windstorm coverage is an "as is" proposition due to the absence of competition between insurers, the only option available to Associations to lower their premiums is to increase their deductible. Some Associations have opted for hurricane deductibles of \$100,000. This has opened new product lines for insurance companies. Some Associations will have to address damages that amount to less than their \$100,000 deductible through assessments. On some personal property policies, there's now a loss-assessment provision designed to cover the cost of the repairs or to pay the association's deductible. The new law has opened other liability gaps between the Association and the unit owner. For example, the association may not have to cover a repair of drywall inside a unit damaged due to a leak from association-owned plumbing inside the wall. While the in-wall Association plumbing is clearly not personal property, Insurers are offering "extended protection" provisions to fill the newly opened "coverage gaps".

Continued on page 21

Hurricane
Vampires

Eric Berkowitz



Hurricane season, like any significant source of emotional distress, brings out the best and the worst in us. There are several species of vampire that feed on the misery of the season's victims. The vast majority, however, resort to one of two popular scams - "cleanup" and "emergency repair". The opportunities presented by the "cleanup" rip-off are available to anyone with a mottled conscience. Little or no equipment, training, experience or brains are required to participate. The "emergency repair" fraud, while not exactly rocket science, is more effective when supported by the appropriate documentation, equipment and pitch. The scams are also distinguished by their respective "marks". The "cleanup" generally targets a government - federal, state, local or otherwise. The "emergency repair" scam was designed with you in mind!

"Cleanup Scam"

Hurricanes Charley and Frances left the federal government with one of the most expensive cleanup undertakings in Florida history. Roughly one billion dollars is earmarked to neutralize the mess. This doesn't include construction, repair, insurance or maintenance - simply hauling off the garbage. In comparison, the Federal Emergency Management Agency (FEMA), the lead agency financing disaster cleanups, spent \$800 million to clear "Ground Zero" after the September 11, 2001 assault on the World Trade Center. Additionally, the \$1 billion + only represents the 75% - 80% that FEMA covers; the remainder is funded locally. The half dozen legitimate companies that most municipalities contractually retain for this purpose do not maintain the equipment or manpower to clear the myriad tons of debris left in the wake of Charley and Frances. Connected companies like Crowder-Gulf, AshBritt Inc. and DRC Inc. (whose management and directorial boards are peppered with former FEMA Directors like Raymond "Buddy" Young and James Lee Witt) hire haulers, packers, grinders and an assortment of nondescript journeymen to take up the substantial slack.

Haulers, for instance, generally net about \$5 per cubic yard or roughly \$200 for a full load of debris. Deceitful haulers weld a chain link fence across the lower half of the truck bed to impart the illusion that they are carrying a full load when, in fact, they carry just enough to hide the fence. Municipalities select temporary collection sites for the haulers to dump their loads. One acre is needed for every 9,000 cubic yards of material.

Continued on page 8

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Circus...Continued

through the property tax. Naugle, however, supported the full fee increase to avoid further elevating the property tax millage rate. New City Manager Gretsas offered the \$94 fee as a compromise - half the indicated increase would be collected as a fee and half through the tax. Although Moore was placated, Mayor Naugle strenuously objected to the plan, requesting that the issue be tabled until the next (this) meeting. It wasn't. As a result, the issue couldn't be revisited. The statutory maximum for the Fire-Rescue fee was set at \$94. Despite Vice Mayor Trantalis' repeated pleas for the Mayor to support the budget, Naugle remained intransigent. Moore continued to pound away at Naugle, criticizing Naugle's motives and implying he was playing politics with the budget. Naugle objected to what he termed "Commissioner Moore's personal attacks" on him and angrily asked the gallery, "How many of you plan on paying the [tax] bill?" - referring to a lien placed on Moore's property for not paying his taxes for two years running. "I don't think that somebody who doesn't pay taxes should be making rules for taxpayers," exclaimed Naugle. Moore responded that he made an expensive mistake. Owing to a temporary inability to pay his property tax, he ultimately had to repurchase a tax certificate that resulted from the ensuing lien - a much more expensive proposition. Naugle retorted, "During the time that you neglected to pay the taxes, you bought new cars and fancy clothes." Finding this continuing war of words to be a barren source of amusement, Moore acknowledged, "Yes, that's true, but I always look good! Now...let's vote."

The focus then turned to Commissioner Teel, the second dissenter to approving the new budget. Responding to Cindi Hutchinson's demand that dissenters explain their "reasons", Commissioner Teel raised a general objection to Manager Gretsas' overall reorganization as "ill-timed". Trantalis explained that the reorganization actually saved the city money, dispelling the basis for her opposition. Teel then painted the employee salary & benefits structure as a "runaway train". When pressed for specifics, she objected to the hiring of ten new employees (including 6 police officers) under the existing pension arrangement, questioning the wisdom of expanding the employee base during the budget crunch. Politely declining to endorse the tax hike, Teel commented, "We can't keep relying on the taxpayers to pay these horrendous rates."

The stage was set for the last act. With the scorecard appearing to indicate a 2-2 tie, Trantalis' threat to submarine the budget if consensus couldn't be achieved took on ominous significance. To titillate the riveted onlookers, attorney Harry Stewart was asked what would happen if they didn't pass a budget that night. He explained that the city would then be left without a budget for the 2004-2005 fiscal year. Adding that under certain circumstances, the City could temporarily be permitted to continue to operate under the previous budget, he quickly clarified that this situation did not meet the criteria required to invoke that option. Anticipating the prospect of throwing Fort Lauderdale into irretrievable fiscal chaos, he insisted, "You must adopt a final budget." Seemingly dumbfounded, Commissioners and the Mayor suspiciously ogled one another until George Gretsas broke the dramatic hiatus with, "The fact of the matter is you're at a crossroad...and you must decide where you want this government to go." Gretsas continued, "You can make cuts, add money or leave the budget the same - only you have to do something." In a final attempt to simplify the issue and refocus the Commission's attention to their shared responsibility, Gretsas admonished, "I will steer the ship where you want it to go, but I will tell you, if we don't repair the ship, it will sink." The City's fate then settled into the hands of Dean Trantalis. While Trantalis seemed comfortable with Gretsas' compromise budget, he indicated earlier that he wouldn't support a budget beclouded by the Commission's lack of unanimity. After another pregnant pause - during which Trantalis seemed to be considering whether or not he would allow the City to self-destruct by killing any chance for budget passage - Trantalis finally voted to approve the budget.

The gallery took a collective deep breath after the 3-2 budget passage. Even those that came to plead with City Fathers (and Mothers) to lighten

the tax burden realized that a "no passage" vote would have straight-jacketed the City. The show was over. Fort Lauderdale, for better or worse, would survive another year! The Gretsas version of Alan Silva's budget keeps Fort Lauderdale on the road to recovery. The surgery that Gretsas did on the budget to make it more universally palatable was a multi-step procedure. In addition to locating \$4.8 million in spending cuts, the fledgling City Manager designed a sweeping reorganization of city departments to improve efficiency and save money. The reorganization provides for several additional "hires" to relieve the service burden that the budget crisis precipitated. His plan slows the paydown of deficits in the City's insurance accounts and stretches out the time that it will take to fully replenish our vacant reserves. As in all things political, it is a trade-off. He alleviated the immediate pain by extending the overall painful process.

How it Affects YOU

The new millage rate for city property taxes will jump from 5.1970 last year to 5.77 or \$5.77 for every \$1000 of assessed value. This 11% millage rate increase translates to a 24.22% increase in revenues to the city, primarily due to soaring property values and a broadening of the tax base. Homesteaded properties protected by this year's "Save our Homes" valuation increase cap of 1.9% are shielded from the full impact of the increase. The \$321,000 median value of a Fort Lauderdale single family home will elicit a \$236 increase in property taxes if the property is homesteaded, \$454 increase if it's not. The average Fort Lauderdale property of \$200,000 will experience roughly a \$150 increase in taxes. The real pain will inure to commercial property owners and non-homesteaded properties, such as those comprising the rental market. Several landlords offered testimony threatening rent increases of \$30 - \$40 per unit upon passage of the budget. The annual Fire-Rescue fee will be increased from \$63 to \$94 for a residential property. The average residential customer will pay an additional \$3.36 per month for Water and Sewage services along with an added 15 cents for Stormwater fees, the most allowed by the 6% statutory limit.

City to Privatize Waste Collection

Scheduled for an October 19th final determination by the City Commission is the proposal to fully privatize the City's trash collection operation. Fort Lauderdale currently shares the responsibility with Waste Management Inc. on a 40% - 60% basis, with the city servicing 15,281 customers as compared to 18,650 customers serviced by the private company. By dividing the work, the city is able to compare costs and quality of service. The estimated annual savings of \$890,363 would be warehoused in a reserve fund pending the success or failure of the effort. Should Waste Management's service levels deteriorate, the city wants to be able to reinstate in-house collection. Mayor Naugle, always seeking favorable outsourcing opportunities, stated "It's just too much of a savings to overlook." To ease the transition, Waste Management would hire the 14 current city employees, although with a smaller benefit package. They would also purchase the city's collection equipment and fleet of sanitation vehicles for \$565,000. While Commissioners Moore and Trantalis have expressed concern for municipal employees affected by the measure and maintaining acceptable service levels, City Manager George Gretsas seems comfortable with the arrangement. He said that Waste Management got "high marks" from those he consulted with. The \$4 million savings realized over the first 5 years would approximately equal the startup costs should the experiment fail and require the city to reassume control.

By the way, if attending the City Commission meetings at City Hall is inconvenient, you can also see them on the tube. Cable Channel 38 carries the meetings live and repeats the broadcast again on Friday and Saturday nights. The meetings are also available through a live video feed on the City's excellent web site (www.fortlauderdale.gov). The Fort Lauderdale web site archives videos and the meeting minutes for past meetings as well. They can be seen at your convenience - 24/7. Of course, all this information is also available on the Galt Mile Community Association web site (www.galtmile.com). Click on "Issues", scroll down to "Budget Bust" and familiarize yourself with an inane chapter in Fort Lauderdale's history. I suppose we'll have to tune in again next week to learn what new surprises are in the cards for "The Venice of America." •

Mayor...Continued

vote of the entire City Commission?" Absolutely - the city's parks should enjoy "lock box" style protection. Requiring a unanimous vote instead of a simple majority to transform "Public Trust" assets into commodities substantially raises the bar to an unsavory "exchange" of assets. Any benefit inherent in liquidating Park land should be universally transparent before being permitted. Again, we concur with the Mayor that this inures to the public benefit.

On November 2nd, all four Ft. Lauderdale questions asked on the Broward ballot were answered with a resounding "yes". The City Charter will be amended. City Commissioners will choose their own aides, control the City Auditor, and wield a veto that will help in safeguarding City park land. Since passage of the Fire-Rescue Bond issue will lend fiscal stability to the City's budget, the bond rating agencies that has been beating the City like a drum might sweetened their recently soured dispositions. An improved rating will help the City while raising money - a potential side benefit of the Fire-Rescue Bond Referendums successful passage.

Taxes and the City

Mayor Naugle favorably compared the strength of Fort Lauderdale's \$20 Billion Tax Base to those of other Florida Cities (See Table 1). The Mayor stated, "Our Tax Base, the strongest municipal Tax Base in Florida, is roughly equal to Miami's with half Miami's population. We recently surpassed Tampa in taxable value and are ahead of Orlando and Saint Petersburg." The Mayor also noted that we have the dubious distinction of being the most heavily taxed urbanites in Florida, primarily due to Fort Lauderdale's generous employee compensation packages absorbing roughly 75% of tax dollars. While the recent budget crunch has imbued the municipal work environment with tension and uncertainty, city employees here enjoy the most lucrative remuneration in the State. After extolling the quality of our employees, the Mayor intimated that getting a handle on labor costs would go a long way to muting the tax bite (See table 2).

TABLE 1 - Tax Base Benchmarks in Major Florida Cities Source: State of Florida

Major Florida Municipality	2003 Population	Total Taxes Levied	2004 Taxes (Per Person)
Fort Lauderdale	167,000	\$95,174,434	\$569.91
Miami	366,496	\$166,338,250	\$453.86
Jacksonville (Duval)	765,826	\$348,061,136	\$454.49
Tampa	311,880	\$119,401,358	\$382.84
Orlando	194,913	\$74,507,570	\$382.26
Saint Petersburg	250,354	\$71,115,152	\$284.06
Hialeah	231,270	\$48,521,124	\$209.80

TABLE 2 - Total Compensation (Police & Firefighters)

Source: Focus on Fort Lauderdale

Major Municipality	Police Officers	Firefighter/Paramedic
Fort Lauderdale	\$97,990	\$100,952
Miami	\$86,210	\$111,651
Jacksonville (Duval)	\$61,303	\$59,841
Tampa	\$79,248	\$66,527
Orlando	\$88,809	\$94,837
Saint Petersburg	\$86,243	\$105,543
Hialeah	\$72,618	\$83,844


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- Top Cities - 10 years

Continued on page 9

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Circus...Continued

and worse proliferated. A substantial contingent of FOP (police union) members wearing "No to BSO" pins permeated the packed house. Finally, to stem the prepared speeches of support for the Police Department and redirect participants' attention back to issues that actually exist, the commissioners passed a resolution against the merger, promising the gallery that this measure wouldn't receive consideration. Speakers mildly disappointed by the sudden absence of an issue that they were psyched to tackle grudgingly assented to again focus on decrying the need to raise taxes.

Act I opened with the Mayor and the Commissioners patiently listening to redundant supplications to neither increase taxes nor reduce services. Others objected to the threatened removal of Snyder Park's manager, a potential cut-back victim. Several speakers acknowledged the connection between taxes and services, encouraging the Commission to continue guiding the city to sustainable fiscal health. After allowing the scheduled speakers the opportunity to vent, the Commission opened the floor to the gallery, inviting any attendee to offer their opinion. When former Acting City Manager Alan Silva addressed the Commission as a private citizen, the "police privatization" dogma re-emerged. In what he termed "out-of-the-box thinking", Silva created a list of ways to lessen the budget's tax impact. Silva sent a memo offering the merger as a possible \$15 million savings of which \$4.2 million could be folded back into the budget and \$10.7 million used to relieve the tax burden. In response to the passionate outcry against the idea, Silva declined to propose the merger upon reaching the podium, acknowledging that the proposal would probably fail. In what seemed to be a bitter overreaction, some of the commissioners took the opportunity to denigrate Silva

(who stepped down as Acting City Manager on August 2nd). Commissioner Cindi Hutchinson castigated Silva for revealing this inflammatory suggestion at the last minute, rhetorically asking why he hadn't offered the merger proposal while still in office. "It comes on the heels of our budget hearing and now we're in chaos again. I gotta tell ya, I'm sick of being in chaos. That's where we've lived for the last year." New City Manager George Gretsas agreed, stating that, "The timing is absurd. He (Silva) wasn't willing to do this when he had to live with the consequences as city manager, but now all of a sudden it's OK." Vice Mayor Dean Trantalis described the proposal as "off-the-wall" and Commissioner Carleton Moore, a longtime Silva critic, said, "I always thought that he was a loose cannon, and he just proved it." Police union president Tom Mangifesta impugned Silva's motives, stating "It's just sour grapes because he didn't get the city manager's job." Mayor Naugle, a proponent of outsourcing city services, regretted the timing of the proposal, stating, "Logistically, I cannot imagine how it could be a factor in this year's budget. It would just be too late." While Silva held the fiscal reins, he resisted constant pressure from the Commission and employees to spend more than provided for in the budget. While the Commissioners publicly supported the effort to "live within our means", many of them resented Silva for refusing to approve budget-busting proposals. The first act, a light farce, heralded the impending entertainment.

Vice Mayor Dean Trantalis opened the second act with some facts supporting the new budget. A popular budget criticism derived of the \$83,639 (including benefits) pay package earned by the average city employee, implying that the budget problem

Continued on page 17

Budget C i r c u s

Eric Berkowitz

The Fort Lauderdale City Commission held a September 21st mandatory public hearing to accrue input from residents, employees, taxpayers and anyone else with an opinion about the proposed fiscal year 2004 - 2005 municipal budget. The \$415.2 million compromise version of the \$426.7 million budget created by former Acting City Manager Alan Silva and reshaped by new City Manager George Gretsas, was proposed during the September 13th Commission meeting that served as the first of the two opportunities afforded the public for comment. The second and final public meeting formed the basis of a tragicomic screenplay starring the Mayor, the Commissioners and the City Manager.

Mayor Naugle opened with a preface that laid the groundwork for the show's first comic misunderstanding. Apparently, local papers subscribe to a news service called "Wolmer" that collects information by eavesdropping police and fire-rescue radio chatter with a scanner. It released an item intimating that the Mayor intended to recommend outsourcing all law enforcement to the Broward Sheriff's Office, dissolving the Fort Lauderdale Police Department as a cost cutting measure. Despite the Mayor's angry discounting of the rumor as completely unfounded, concerned citizens made impassioned pleas to save the Police Dept. Vice Mayor Dean Trantalis reinforced the Mayor's official correction, stating that there has never been any intention of eliminating the FLPD. Trantalis' clarification didn't seem to register as horror stories accusing the Broward Sheriff's Office of fraud

Mayor...Continued

The Mayor stated that the Galt Mile's contribution to Fort Lauderdale's tax structure is proportionately shrinking. "As new construction comes online in high growth neighborhoods, the percentage elicited from stable communities such as the Galt Ocean Mile diminishes." Before you nourish a warm fuzzy feeling, understand that we still contribute as much as the downtown business district and receive embarrassingly fewer resources than we give. While this is not likely to change anytime soon, we do appreciate the Mayor's effort to keep our neighborhood abreast of the current issues that concern us! •

Continued on page 16



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The Impending Insurance Hurricane

Eric Berkowitz

The ocean, the sun, soft southern breezes, the beach...relocating to Florida conjures visions of life in paradise. Virtually no one who moves here and few who build here associate their dream with "high risk". That, incidentally, is how Florida is perceived by insurers and their underwriters. Indigenous catastrophic weather events coupled with attractive retirement demographics are a recipe for "upwardly mobile" insurance rates. Sparring with Charley, Frances, Ivan and Jeanne didn't help.

Insurers will review their product models to determine whether they adequately anticipated the scope of the hurricane season's impact. They will also evaluate whether this was an aberration or an ominous preview suggestive of a new, more expensive model. For this, they will look to their reinsurers. Carriers buy reinsurance products to help diffuse the fiscal impact of catastrophes. If these "reinsurers" decide that Florida's future weather represents a greater risk than in prior years or if they simply misjudged the existing risk, they will increase the cost to their insurance company customers. These insurers, in turn, will endeavor to pass that increase on to you.

Before they can do this, they must plead their case before Director Kevin M. McCarty's Office of Insurance Regulation. They must convince Florida's Chief Financial Officer and insurance czar, Tom Gallagher, that they either underestimated their risk or that the meteorological environment in the state has hence deteriorated. Sam Miller, executive vice president of the Florida Insurance Council, painted several scenarios that carriers may present to Mr. Gallagher. Addressing a possible statewide or regional impact, he said, "If there is going to be significant rate increases on a widespread basis, it will be because the companies can demonstrate to the Office of Insurance Regulation that based on their experiences this year, the rates aren't quite right. Companies could also reassess what they charge in certain areas, such as southwest and central Florida, and that could drive up prices there." While acknowledging that insurers will take this opportunity to test Tallahassee's receptivity to rate hikes, Miller predicted, "We don't expect major rate increases, major non-renewals and the sort of dislocation or chaos that we saw after Hurricane Andrew."

Chief economist Dr. Robert P. Hartwig of the nonprofit Insurance Information Institute also addressed the insurance industry's intentions in view of the season's catastrophes, "Certainly, events of this magnitude put upward pressure on rates." He agrees with Miller that despite the \$20 billion cost of the 2004 season (so far), the insurance industry should sidestep the calamity they suffered after Hurricane Andrew in 1992. Hartwig recalled, "Already, at this point in 1992, you would have heard insurers basically having placed permanent

Continued on page 15

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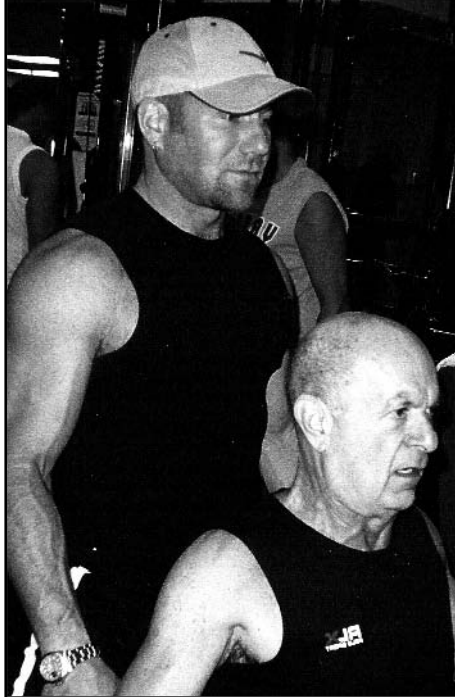
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Vampires...Continued

citizens trying to rebuild their lives are relying on the fair dealing and honest assistance of home renovators. It is infuriating when we hear about businesses trying to profit off of someone else's misery. We will vigorously pursue this complaint." Dr. Dry or "ABC Restoration, Inc." could receive civil penalties of \$10,000 per violation per statute, in addition to attorney fees and costs. They will also be responsible for actual damages caused to consumers. With the advent of Hurricane Jeanne, Attorney General Crist warned, "Florida has suffered repeated, extreme weather conditions for the past several weeks. Unfortunately, citizens also need to be aware of the repeated acts of price gouging we have seen before, during and after the other three hurricanes. Overcharging citizens in dire need of goods is not only unacceptable, it is illegal, and we are utilizing all of our legal powers to combat this atrocious act."

Watch Your Back!

A September 21st release (Number:1539-131) from FEMA cautions victims of Hurricanes Charley, Frances and Ivan to watch for an increased number of scam artists pretending to be employed by FEMA or other government agencies, such as the U.S. Small Business Administration (SBA). "Consumers should keep in mind that a FEMA or SBA shirt or jacket is not absolute proof of someone's affiliation with these agencies," said Federal Coordinating Officer Bill Carwile. "The best way to verify authorized FEMA or SBA personnel is by checking their laminated photo identification card, which they are required to wear at all times."

One fraudulent scheme involves con artists going door-to-door to damaged homes, or phoning victims, and soliciting personal information such as social security and bank account numbers. FEMA inspectors never require this information. A social security or bank account number is requested during the first phone call to the agency's tele-registration line. On any follow-up calls, a FEMA representative may ask for the last four digits of your social security number. The agency has also received reports of scammers telling homeowners they need to pay \$1,500 to be put on a list to get their home repaired. Other reports have surfaced of persons pretending to be from the SBA and offering to fill out disaster loan applications for a \$50 fee. Under no circumstances are FEMA or SBA representatives allowed to accept money. FEMA inspectors assess damage but do not hire or endorse specific contractors to fix homes or recommend repairs.

Galt Mile residents have been receiving phone calls soliciting business from assorted carpet cleaners, home repair contractors, and companies testing for "toxins that may have leached into your water system" who assert that they will "be in your building" on a particular date. "The Weather Guy" and "Water Safety, Inc." are unlicensed and not legally incorporated - they are phantoms. Should you be contacted by any of them - or any like them, you might consider hanging up or doing what my daughter does. Ask them to hold on a minute and then continue watching TV. The Florida Home Builders Association recommends four intuitive guidelines to prevent being victimized. Homeowners should 1) hire only licensed contractors, 2) insist on a contract, 3) ask for references (preferably from someone you know) and 4) do not pay cash up front - ever. Homeowners can report incidents of price gouging by calling the Florida Department of Agriculture and Consumer Services Hotline: 800-HELP-FLA (435-7352). Or call (850) 413-7595 Agriculture Law Enforcement. If ANY fraudulent activity is suspected, please report it to the State Attorney General's office at 1-866-966-7226. If you get hit...HIT BACK! •

Insurance...Continued

moratoriums on writing new policies and talking about getting out of the state." Woefully unprepared for Hurricane Andrew, the \$22.9 billion (in today's dollars) juggernaut forced 11 insurers into insolvency and sent 38 others racing to escape the State of Florida - refusing to write policies even for longtime customers. State officials, Insurance Industry watchdogs and legislators are confident that the current season's events, while threatening to escalate rates, will not portend an industry-wide bale-out of carriers. This somewhat optimistic outlook is credited primarily to the insurance reforms and adjustments instituted by the State of Florida after the Hurricane Andrew debacle.

Hurricane Andrew "Wake-Up" Call

In response to the Hurricane Andrew wake-up call, the State of Florida reconstructed insurance policy to better protect the insurance industry from lethal storm losses and the industry developed new techniques to survive the erratic risk of doing business here. Some insurers (i.e. USAA) experimented with insurance securitization, where catastrophe risks are shared in capital markets rather than in the reinsurance markets. Others constructed "financial firewalls" around their Florida businesses to protect the National or International parent in the event that the Florida subsidiary went belly-up. Allstate, for instance, created "Allstate Floridian" to magically disappear if declared insolvent, protecting the otherwise vulnerable parent from exposure. State Farm developed "State Farm Florida" under similar auspices.

In 1993, the State created the Hurricane Catastrophe Fund, a risk pool which provides catastrophe reinsurance for companies writing homeowners insurance policies in Florida. The Fund will pay 90% of Allstate's losses from Hurricane Charley in excess of \$305 million, limiting their hit to \$425 million as opposed to the \$2.5 billion (1992 dollars) shellacking they took for Andrew. State Farm is expected to pay out \$200 million for Charley-related losses, compared with \$3.7 billion for comparable losses from Andrew. Other companies such as Nationwide, St. Paul Travelers, CNA, The Hartford, etc. are all expected to land on their feet because of the Fund.

When government price regulations depressed property insurance rates below their actual costs, insurers began to "cherry pick" customers, covering only low-risk applicants while refusing high-risk properties. In 2002, the Florida Legislature passed a law that combined the Florida Residential Property and Casualty Joint Underwriting Association (FRPCJUA) and the Florida Windstorm Underwriting Association (FWUA). This resulted in the creation of Citizens Property Insurance Corp. (Citizens) to serve the needs of homeowners in high-risk areas and others who cannot find coverage in the open, private insurance market. A serendipitous success story, this state-run insurer of last resort currently protects 800,000 coastal properties rejected by private insurers for full coverage.

Insurers were also permitted to treat clients as partners, requiring deductibles to be a percentage of claims instead of the fixed amount charged before Hurricane Andrew. Some insurers are getting between 2-5 % of windstorm losses, as compared to the less than 1% typical for fire damage. This formula forces consumers to pay a higher percentage of the claims than the pre-Andrew model in which the deductible was a flat amount. These measures by the State and the Industry have cushioned insurers from the hurricane-borne "capital shocks" that usually precede threatened rate increases. While the recent hurricane slugfest is a challenge to carriers,

the damages to date are quite manageable. Referring to the positive environment Florida created for Insurers in the face of catastrophes, Florida CFO Tom Gallagher stated that carriers have told him, "If these kinds of things have to happen, it's a good thing they happened in Florida." Office of Insurance Regulation spokesman Bob Lotane indicated that they're monitoring a "small handful" of companies for potential solvency issues - companies that were under scrutiny before the season. If the storms exacerbated the problems of this small shaky group, the State could be required to place them under supervision and if unsuccessful, under rehabilitation (receivership). If stability and solvency still can't be achieved, assets would be liquidated to pay claims. Outstanding claims not covered by the company's assets would be paid by the Florida Insurance Guaranty Association - which is funded by the state's insurance companies. Insurance Information Institute's Robert Hartwig discounts any prospect of danger for Florida's major carriers such as State Farm Florida or Allstate Floridian (no.s 1 and 2).

Tallahassee Struggle Shaping Up

Ironically, the State has now turned its concern from the well-shielded insurers to property owners and taxpayers. The post-Andrew insurance reforms that revived the deflated Florida insurance market are being re-examined in view of certain long standing inequities that the season's storms have brought to light. Legislators are preparing for a special session Governor Jeb Bush may call in December to address hurricane-related issues. Property owners saddled with double or triple deductibles, one for each event, have elicited the support of Florida CFO Tom Gallagher. In response, his stated intention is to abolish this "double deductible," calling it "fundamentally unfair."

Florida House Finance and Tax Committee Chair Randy Johnson (R-Celebration) remarked, "It was just a matter of time for these back-to-back disasters to happen and people would have these claims and deductibles they can't afford. Now we see the error of our ways." Johnson proposes capping the deductibles homeowners have to pay over a 12-month period, as with a healthcare policy. By way of contribution to the Governor's special session, Chairman J. Anthony Villamil of the governor's council of economic advisors intends to recommend some type of assistance to help homeowners and small-business owners pay deductible losses.

Industry spokespersons caution against dismantling the reforms that rescued the Florida market after 1992. Property Casualty Insurers Association of America lobbyist William H. Stander threatened, "I don't think there's any doubt that if you restrict the use of deductibles, premiums will go up." Former House Insurance Committee Chair John Cosgrove harbors concerns about the extent to which legislators might pressure the industry, possibly forcing additional carriers out of the shaky windstorm business. To mollify Industry concerns, he recommends that insurers receive additional benefits from the Florida Hurricane Catastrophe Fund. The reinsurance-style relief offered by the Cat Fund is much cheaper than anything insurers could buy in the private market. Michael Colodny, Citizens Property Insurance Corp.'s general counsel, said some insurers may in fact stop offering windstorm coverage, but not enough to significantly impact consumer's ability to buy coverage. As the windstorm insurer of last resort, state-run Citizens is the safety net in which the victims of a tightening market would find themselves.

Continued on page 20

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Vampires...Continued

Because these sites are often stipulated on the fly, they are usually poorly organized and monitored. Loads are registered for payment at the makeshift site entrance. Scammers seek these easy marks, get their load ticket stamped for payment, drive out the rear of the site unobserved and drive around to the entrance again to re-register the same load. During the high pressure environment manned by temporary hires, the same load can be registered for payment a dozen times. To avoid identification, the culprit drives down the highway to the next town and repeats the routine. If the town has an organized system wherein haulers are limited to certain areas, the haulers are required to clean up their assigned locations before they can move on to the next one. That means picking up the smaller limbs and branches along with the large ones that more readily fill up the truck. After loading all the large tree debris, unscrupulous haulers cut down live trees to artificially inflate their loads.

Credentials are often sacrificed for expediency. City officials, not wanting to appear as if they are delaying their town's recovery, often neglect a verification of references that might be perceived as "bureaucratic red tape". FEMA Director Michael Brown characterized emergency cleanup decisions as a balance between a community's need for a quick cleanup versus protecting taxpayer dollars from being wasted on unnecessary or fraudulent debris removal. Referring to this uncomfortable compromise, Brown remarked, "I knew this would be an area ripe for abuse."

"Emergency Repair Scam"

The Florida Home Builders Association has produced a series of consumer protection TV spots warning of another area of fraud made fertile by the catastrophic aftereffects of Charley and Frances. Fly-by-night contractors have swept into disaster areas like locusts. For example, a Hollywood contractor known as ABC Restoration, Inc. transforms itself into a post-disaster restoration specialist doing business as "Dr. Dry" when the opportunity presents itself. A "Dr. Dry" representative quoted a Lee County couple \$6500 - \$7500 to repair some screens and their porch ceiling along with the removal of a drenched carpet from an adjacent room. They transferred the carpet to the front lawn and moved some upstairs furniture down to the porch before demanding an additional \$12,000 to complete the repairs.

Another woman authorized "Dr. Dry" to bill her credit card \$5000 to address the quote for that amount that she was given to remove furniture and wet carpeting from her home. Workers placed 10 large fans and 3 dehumidifiers throughout the house. They also cut holes through her ceiling before demanding another \$6500 to complete the work. Despite billing her card for the additional amount, they never finished the job and refused to refund her money when asked. "Dr. Dry" struck again in Fort Myers on August 17th. The industry standard for removal of wet carpet is roughly \$3 to \$8 per square yard. Dr. Dry removed 24 square yards of carpet from a house at the precipitous cost of \$22 per square yard.

The Florida Attorney General's Office has charged "Dr. Dry" with violating state price gouging and unfair and deceptive trade practices statutes. Attorney General Charlie Crist admonished, "Florida

Continued on page 10

Circus...Continued

is unnecessarily inflamed by the City's misplaced generosity. Trantalis explained that the need for additional revenues wasn't dictated solely by salaries and benefits, but by a \$21 million insurance debt, spiraling pension costs, termination pay for departing employees, the complete absence of reserves and special items considered to be "priorities" by the Commission. Trantalis then implored the Commission to present a united front, a unanimous vote endorsing the "softened", yet controversial, budget. Cindi Hutchinson further requested that anyone voting against the measure explain their rationale. Trantalis also turned up the political heat, declaring that he couldn't support a budget that didn't have the unanimous support of the Commission.

Mayor Naugle and Commissioner Christine Teel indicated that they couldn't support the budget. When Trantalis asked why, Commissioner Carleton Moore interjected that the Mayor

couldn't be depended upon to deliver the unanimous decision sought by Trantalis. Drawing from Casey Stengel and Yogi Berra for literary perspective, Moore stated, "This is deja vu all over again," repeatedly disparaging the Mayor for his "lack of leadership" and allegiance to certain "special interests". Moore was referring to the Mayor's stated rationale for not supporting the budget - his disappointment with the Commission's earlier decision to move half of the Fire-Rescue fees into the property tax (approved at the September 13th Commission Meeting). Alan Silva's original budget recommended an increase in the Fire fees from \$63 to \$125 to fully and independently finance the Department of Fire-Rescue. At the September 13th Commission meeting, Moore characterized flat fees as regressive taxes because they disproportionately impact poor families, insisting instead that the funds be collected

Continued on page 18

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Mayor..Continued

and recover from hurricanes and other weather catastrophes is operating out of stations that aren't weather-proofed." The majority of the City's 30 - 40 year-old Fire-Rescue stations were built prior to the advent of the stringent building codes created to make buildings as hurricane resistant as possible. When Hurricane Charley damaged more than a half dozen fire stations in Charlotte and adjoining counties on Florida's west coast, it rendered engines useless and prevented firefighters from providing much-needed emergency response.

During the decades-long expansion, Fire-Rescue strove for universal inclusion, trying to be reflective of the City's ethnic composition. As the "Glass Ceiling" dissolves, women are successfully filling positions at all levels. Sleeping and restroom facilities in many of the stations do not provide the needed gender separation for the Department's diverse workforce. Webster spoke to the embarrassment suffered by firefighters, male and female, having to "wash down in slapped-together outdoor decontamination stations in full public view."

The stations are going to be upgraded - there is no alternative. The only question answered by the Bond Issue was how they will be paid for. Had the Bond Issue not passed, every current resident would have seen an additional tax increase - almost immediately. Future residence would have gotten a free pass. Mayor Naugle explained, "The Bond Issue provides for a more equitable alternative. It will allow the expense to be treated like a mortgage. The future residents of Fort Lauderdale will also contribute to the improvements that they will benefit from. The financial load will be

shared by current and future beneficiaries alike" - relieving the current residents of having to foot the bill alone. This was a no-brainer. The Mayor, the Fire-Rescue officials and Galt Mile Community Association Advisory Board members all staunchly supported passage of the successful Fire-Rescue Bond Issue (Ballot Question 4).

Other Fort Lauderdale Ballot Questions

Mayor Naugle addressed the other Fort Lauderdale Questions on the November 2nd ballot. Ballot Question 1 was, "Should the Charter of the City of Fort Lauderdale, Florida, be amended to authorize the City Commission to appoint and supervise commission assistants?" The Mayor felt that the City Commissioners should be able to hire their own staff. We agree. The second Ballot Question was, "Should the Charter of the City of Fort Lauderdale, Florida, be amended to provide for the appointment of a City Auditor who shall report directly to the City Commission and be responsible for conducting financial and compliance audits of City Government and City Officials?" The Mayor thought that this was also a good idea. However, when the Mayor was asked whether or not this might be construed as the Commission financially policing itself, he admitted the dilemma. In response, he offered that control over the audit could be "a very effective tool in the hands of the Commission." The City Auditor, here-to-for, under the control of the City Manager, will now answer to the City Commission. Ballot Question No.3 asked, "Should the Charter of the City of Fort Lauderdale, Florida, be amended to require that any conveyance of City-owned land zoned Park in accordance with the City's Unified Land Development Regulations or the removal of such zoning designation be approved by a unanimous

Continued on page 7

Insurance...Continued

One of the few advantages afforded to Condo owners under the new law is the method of determining loss payment. Windstorm coverage for personal property in condo units used to be what's termed "cash-value coverage". In settlement of a claim, you received the depreciated value of the item lost, subject to your deductible. This is actually a regressive penalty on those who properly maintain and meticulously service appliances, fixtures, etc. A well maintained 8-year old big screen TV would invoke a payout large enough to buy a new 13 inch Black and White replacement set when based on cash-value coverage. On Citizens windstorm policies that were new or renewed after July 1, 2004, the unit owner can buy - for a higher premium - replacement cost coverage. Replacement cost policies were common before Andrew. As part of the industry's reformation after 1992, insurers switched to the less costly cash-value coverage. The return of replacement cost coverage, even as an added expense, is more equitable for the insured. Despite the depreciated value of covered damages, the insurance payout would be determined strictly by the cost of a comparable substitute, indexed for inflation.

Scorecard - What's Next?

The balancing act that State and local officials will have to perform during the next legislative session promises to be both interesting and aggravating. Public concern about the season's insurance impacts has sent bureaucrats scrambling from city hall to Tallahassee. Insurance lobbyists are gearing up for both overt and "under the radar" attacks on premiums, regionally and statewide. Carriers may threaten to abandon certain Florida insurance markets as part of their effort to force the Office of Insurance Regulation to float rates. If that occurs, the State might have to get deeper into the insurance business, expanding the Citizens concept - both in scope and to other threatened insurance areas. Conversely, the State is questioning the equity of "double deductibles" and the credibility of the industry's claimed entitlement to higher rates and a bigger taste of the "Cat Fund".

Ironically, the unanticipated success of Florida's Hurricane Cat Fund and "Citizens" has turned some heads in Washington. One of the objections to FEMA is the lack of any incentive to control risk on the part of its beneficiaries. Congress is looking at a national model patterned on the Florida template. A national Cat Fund could establish safety standards as prerequisite to being eligible for benefits - cutting the risk and, in turn, the cost. While governmental attempts at competing with private industry are usually pathetic, Florida's insurance entries seem to be exemplary. Capitol Hill is considering - if it works here, why not everywhere?•

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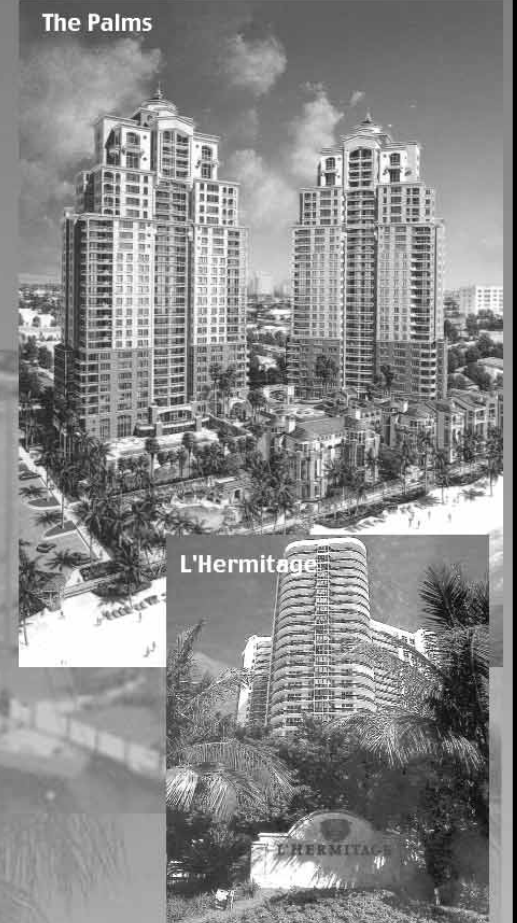
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