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The Broward County Department of Planning & Environmental Protection (DPEP) spent 5 years addressing the concerns of legitimate environmental groups as a statutory precursor to renourishing our disappearing Broward County beaches. Stephen Higgins, the Beach Erosion Administrator for the DPEP's Biological Resources Division and the county's beach renourishment director, ascribed the extensive delays to the inordinate amount of attention given the project by Federal and State Authorities. Despite widespread acceptance of the project by every major environmental group owing to Mr. Higgins diligence in addressing virtually all of their concerns, certain fringe elements continue their commitment to derailing the project. They have a history of making completely irrelevant and unrealistic demands on Project Coordinators, such as their insistence that Florida beaches be completely rezoned prior to saving the beaches. By delaying the project through a continuous spate of frivolous demands, they can escalate the costs. "Somehow our project has gotten more scrutiny from agencies and activist groups than any project I've ever seen," explained Mr. Higgins. Total project costs have almost doubled from \$30 million to \$59 million, in large part from unnecessary delays.

The latest delay resulted in the postponement of the July 1st start date for the restoration of the nearly non-existent Hollywood beaches. Angry residents and local officials demanded an end to these capricious delays. State Representative Eleanor Sobel (D-Hollywood), frustrated by the project's plodding pace, asked Florida State Attorney General Charlie Crist to look into the legitimacy of the delays. He agreed, stating "It seems like it has been an issue for quite some time." Joann Carrin, spokeswoman for Attorney General Crist, elaborated, "We're just looking into the whole issue, and the delays; we're going to see what's going on." The underlying reasons for the beach renourishment are both safety-related and financial. Broward's share of Florida's \$1.5 billion beach industry is \$600 million. The beach also protects billions of dollars worth of property and tens of thousands of lives exposed to severe storm event damages. Stringing out the project leaves residents and property at risk, skyrockets the cost and undermines the tourism-driven local economy.

Continued on page 7

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## The Galt Mile News

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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Eric Berkowitz

## TRAPPED!

While few experiences are as disorienting and stressful as moving to a new home, fixed income homesteaders have encountered an additional layer of anxiety; the product of an unanticipated glitch in legislation that most Florida residents consider to be a blessing. William Markham, the late Broward County Property Appraiser, fought two watershed battles for Broward homeowners. The first, and most notable, was his consistent support of the Homestead Exemption, a substantial property tax deduction available to Florida homeowners who claim their property as a primary residence. He struggled to elevate the exemption to its present \$25,000 level. Of greater import and impact is the significant protection afforded to Florida residents by the "Save our Homes" legislation. Markham spearheaded the battle to amend the Florida Constitution with this landmark tax umbrella. He considered both as "works in progress".

A benefit restricted to homeowners claiming a homestead exemption, the 1992 "Save our Homes" amendment limits increases in the "just value" of a property to the lesser of the percentage change in the CPI (Consumer Price Index) or 3 percent. A 1965 Supreme Court decision defining the "just value" of a property as its "market value" provides the basis for our system of "property value-based" assessments. The "Save our Homes" amendment shields us from the tax ramifications of skyrocketing property values. As currently applied to South Florida's burgeoning real estate market, \$4.9 billion in taxable "just value" has been saved by Broward County taxpayers utilizing the amendment's protective cap. Pensioners who serendipitously experienced a doubling or tripling of their home's market value avoid the crushing tax consequence that would normally place their assessment expense beyond their resources. This insulation from erratic market surges rescued the homes of thousands of Broward residents who might otherwise have been forced to relocate. This benefit manifested an unexpected drawback, a trap!

An unintended consequence of the "Save our Homes" amendment arises from its lack of portability. The protection only persists as long as the homestead claimant remains in the existing property. Should an "empty nester" decide to move to smaller, more affordable, surroundings, the protection evaporates. On January 1st of the following year, the new home is exposed to the full tax consequence of its "just" or market value, yielding situations wherein the resident's assessment is often double or triple that of their prior address, despite its being half the size or value! Characterized as the "moving penalty", this insufficiency in the amendment has literally trapped thousands of Floridians who would have moved but for the attendant horrific tax punishment. Addressing this "Save our Homes" inequity, along with his ongoing battle to increase the homestead exemption proportionately to rising property values, remained on Bill Markham's plate upon his passing.

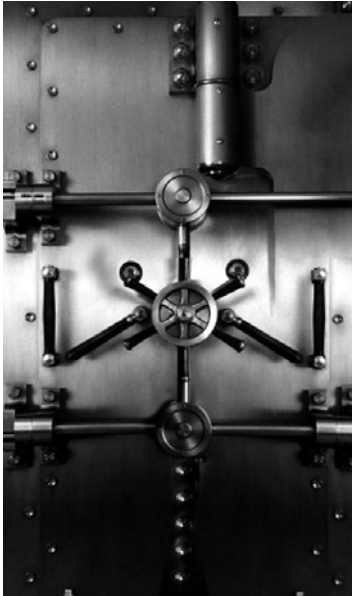
There have been several legislative attempts at correcting this oversight during the 2004 session. Joint Resolution HJR 417 in the Statehouse by Representative Carl Domino (Co-sponsored by Allen; Baxley; Brandenburg; Cantens; Davis, M.; Green; Harrell; Holloway; Kottkamp; Mayfield; Meadows; Planas; Rubio) would have squarely cured the problem. Unfortunately, it died in the Committee on State Administration on the last day of the 2004 legislative session - April 30th.

Continued on page 4

# Love hits the treasury

Eric Berkowitz

Fort Lauderdale fiscal sleuth Renee Foley of Director Allyson Love's auditing team uncovered additional cracks through which the City's money seems to fall through on an alarmingly regular basis. In a recent audit, Love's department shed light on a plethora of "inefficiencies" in the Parks Department including unclocked overtime paid to employees during the same week they took sick leave, compensatory leave or vacation. The auditor also uncovered a history of overbilling and questionable costs by a contractor used by the City on a regular basis. The contractor charged extra for items already included in the contract as well as for unverified pass-through overtime expenses. They also requested (and received) reimbursement for undocumented invoices. Each audit report resulted in a commitment to correct major flaws in the way the City does business or the systems it deploys to control or manage its finances. The current audit focuses on "severe deficiencies" in the way the Treasury Department tracks and handles money.



The Treasury Department, a division of Terry Sharp's Finance Department, misplaced a January 9th draft made to the City. It wasn't discovered that the check was undeposited until March 23rd. During the unsuccessful attempt to locate the missing check, Ms. Foley encountered a series of gaffes in the City Treasury's internal controls. Her report concludes that, "No reliance could be placed on the systems to safeguard the city's assets." The lack of restricted access or a viable "chain of custody" for the missing resources rendered tracking the check a frustrating futile effort. In addition to recommending "immediate monitoring" of the money controls, her report states that record keeping systems "were severely deficient".

Keeping tabs on money collected from inspection fees and parking citations falls to the Treasury Department, a division of the City's Finance Department. Foley indicated that the problem stemmed from the failure of the Department to reconcile bank statements on a timely basis. Foley reported that it can currently take up to five months to research a bad check. The check's "missing" status persisted for two and a half months until the pertinent statement was finally reviewed, revealing that it had never been deposited. A request by the Treasury Department for help in locating the missing funds triggered the audit. Because access to the

funds isn't adequately restricted and there is no chain of custody mandated by policy, it is virtual impossible to ascertain responsibility for the error.

The audit report notes that there is dire need for a written policy governing procedures and job responsibilities in the Treasury Department. Internal controls on all levels required creation, clarification or enforcement. Certain cashiers, for instance, were allowed to verify their own cash drawers for shortages and overages, effectively undermining the reason for verification. Signing for cash payments received was conducted in an extremely casual manner. Signatures and initials were often illegible and documents that required two signatures were occasionally signed by the same employee twice. City safes are anything but! Keys to safes weren't tagged with a "do not duplicate" admonition. The City maintains no record of personnel who possess keys or the combinations to the safes. Non-supervisory staff personnel have the combination to a safe where the keys to lockers, change boxes, cash register drawers and other safes were stored, providing anonymous general access to all of them. Cash was found in an open envelope in the safe, again offering easy access to anyone utilizing the safe.

Finance officials have agreed to implement most of the recommendations contrived in the audit. Finance Director Terry Sharp, however, discounted the recommendation to reconcile bank statements and research returned checks expeditiously as currently beyond his department's capability, stating that, "with our current staffing, it would not be possible to reconcile the bank statements and outstanding items like bounced checks each month and still perform the department's other duties." Personnel problems owing to the budget dilemma aside, if Allyson Love's audit adventures continue to encourage the City to straighten up and fly right, when the City does get back on its feet, it will have an excellent chance of remaining there!

For a full picture of Fort Lauderdale's Budget Dilemma, go to the Galt Mile Community Association's web site ([www.galtmile.com](http://www.galtmile.com)) and click on "Issues" in the horizontal navigation bar atop every page. Scroll down to "Budget Bust" and click. Along with a full history of our fiscal plight, several audits performed by Ms. Love's department are documented.

## Commissioner **TEEL** SPEAKS OUT

Commissioner Teel

It's that time of the year when, by Charter requirement, the City Manager must propose a budget for the upcoming fiscal year. It has been no secret that the City has faced serious financial challenges during FY 2003/04 as a result of many years of underfunding, overspending, and poor management. Last year was my first opportunity to participate as a Commissioner in the budget process and I resolved that I would not be a collaborator in this history of financial irresponsibility. As anyone knows who has tried to manage a budget, whether at home or in a municipality, if expenses are not kept in balance with income, it eventually catches up with you.

During that period, I spent many long hours toiling over reports, financial statements, and any other documents I could find that would give me a better understanding of our true financial situation. When the true extent of the City's fiscal instability became clear, the Commission took swift action. The resignation of the City Manager was requested and, on October 9th, we appointed Alan Silva to act in his stead. In short order, Mr. Silva was able to perform a thorough analysis and, with the assistance of valued staff, bring forward a plan to stabilize our finances and put us on the road to long-term sustainability. This included a Budget Reallocation Plan to achieve salary savings and shift resources to critical areas of service delivery, while reducing spending by \$12 million to meet the requirements of the already-adopted 2003/2004 budget.

Although we are headed down the road to recovery, the journey cannot be completed without a long-term strategic plan and a determination to make hard, sometimes unpopular, decisions. That has taken ten, long months and, as we approach the upcoming fiscal year, we cannot waiver in our insistence on continued discipline.

The City's financial issues, although stabilized, are far from resolved. Current issues include the insurance fund deficit, accumulated over three years, of \$20.6 million; the depletion of \$7 million in reserves from 2000-2004; a \$4.3 million revenue loss due to valuation adjustments by the County Property Appraiser's Office over the last four years; the ever-increasing City contribution to the Police and Firefighters' Retirement System (from \$6.4 million in 2003 to \$12 million in 2004 to \$16.4 million in 2005 - a 167% increase over 2 years); the similar situation regarding the General Employees' Retirement System, which grew from \$9 million (2003) to \$12 million (2004) to \$14 million in 2005 - a 56% increase over 2 years. These are just some of the issues we face in determining the upcoming budget.

Continued on page 12

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THIS MONTH AT-A-GLANCE

# SEPT/OCT 2004

SUN	MON	TUE	WED	THU	FRI	SAT
<b>5</b> Sunday Jazz Brunch Riverwalk, Downtown FL 11 a.m. to 2 p.m. Info.: 954-828-5985	<b>6</b> Commissioner Christine Teel: Pre-Agenda Meeting Beach Community Center 7:30 p.m. Info.: 954-828-5033	<b>7</b> Fort Lauderdale City Commission Meeting City Hall 6 p.m.	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b> Flyball Clinic For Dogs Snyder Park 9:30 to 11 a.m. Info.: 954-766-1475 \$20 per session
<b>12</b>	<b>13</b>	<b>14</b> Mamma Mia Broward Center Through 9/19 Info.: 954-462-0222	<b>15</b> Eve Rosh Hashana Free Lunch with Commissioner Christine Teel: Beach Community Center 11:30 a.m. Info.: 954-828-4610	<b>16</b>	<b>17</b>	<b>18</b>
<b>19</b>	<b>20</b> Commissioner Christine Teel: Pre-Agenda Meeting Beach Community Center 7 p.m. Info.: 954-828-5033	<b>21</b> Fort Lauderdale City Commission Meeting City Hall 6 p.m.	<b>22</b> First day of Fall	<b>23</b>	<b>24</b> Eve Yom Kippur Fiesta! Friday Night Las Olas Riverfront Info.: 954-527-0627	<b>25</b> Broward Carnival 2004 CB Smith Park 1:30 p.m. Info.: 954-972-9628
<b>26</b> Gun & Knife Show War Memorial 9 a.m. to 5 p.m.	<b>27</b>	<b>28</b> Incubus Office Depot Center 7:30 p.m. Tix.: ticketmaster.com	<b>29</b> Eve Sukkot	<b>30</b>	<b>1</b> Hollywood Boardwalk Oktoberfest Hollywood Beach 5 to 10 p.m. Info.: 954-926-3377	<b>2</b> Hollywood Boardwalk Oktoberfest Hollywood Beach 12 to 10 p.m. Info.: 954-926-3377
<b>3</b> SunTrust Sunday Jazz Brunch Riverwalk, Downtown FL 11 a.m. to 2 p.m. Info.: 954-828-5985	<b>4</b> Commissioner Christine Teel: Pre-Agenda Meeting Beach Community Center 7 p.m. Info.: 954-828-5033	<b>5</b> Fort Lauderdale City Commission Meeting City Hall 6 p.m.	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>

## A look ahead

- October 16 Wakeboard Tournament Mills Pond Park, Info.: 954-759-5920
- October 20 - November 14 Ft. Lauderdale International Film Festival
- October 28, 2004 - November 1 Ft. Lauderdale International Boat Show
- October 30, 2004 Absolute Fighting Championships Was Memorial, 7 p.m., Tix.:ticketmaster.com



Beach...Continued

On May 13th, exactly one year since Governor Bush and the Cabinet (including Attorney General Crist) voted unanimously to approve Broward County's State Permit request for the entire project, we were notified by the Broward County Department of Planning and Environmental Protection that the Record of Decision was received from Brigadier General Randal R. Castro, South Atlantic Division Commander of the Army Corps of Engineers. In the Record of Decision (ROD) - the formal endorsement of the project by the Corps as having complied with every statute and concern raised by legitimate environmental authorities - he states, "I find that the plan recommended in the GRR (General Reevaluation Report) and FEIS (Final Environmental Impact Statement) by the District Engineer, Jacksonville District, U.S. Army Corps of Engineers (Corps), is economically justified, technically feasible, in compliance with environmental statutes, and in the overall public interest." The Corps also asked that 52 additional concerns be addressed. They were.

This heightened focus on project delays seems to have been just what the doctor ordered; the final permit to proceed was received by the DPEP on July 19th. Once the permit is executed by Broward County and Colonel James G. May, the Commander and District Engineer of the Corps' Jacksonville District, the County can begin the bidding process for contractors, hopefully providing for a November project start date.

**Booby Trapped Beach Bill**


In the interim, another serious problem has surfaced in the U.S. Senate. It appears that we may have to repeat the entire approval process... from scratch. The Senate Environment and Public Works Committee buried a "poison pill" into a bill labeled the "Water Resources Development Act" (WRDA), S.2554. Section 3301 mandates a rewrite of the Army Corps of Engineers policy and guidance that imposes another bureaucratic layer of restrictions on beach nourishment. Without any public testimony or hearings on the issue, a proposed "Beach Nourishment Advisory Committee" would be created to oversee beach projects. This new committee would create an additional layer of reviews and regulations, adding to the time and cost of each and every project. Beach projects are the ONLY projects specifically targeted in the bill for this type of micro-management by the federal government. Incomprehensibly, the language used in the legislation was submitted by an organization that is fanatically opposed to beach nourishment.

The "Beach Nourishment Advisory Committee" would enforce 10 specific revisions to the planning requirements imposed on the Army Corps of Engineers... only with regard to beach projects. Since every requirement is already enumerated in existing legislation, the need for another repetitive layer of governmental regulation is unclear. In addition, the committee will attempt to apply a

Continued on page 13

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Teel...Continued

Mr. Silva presented the proposed FY 2004/2005 budget on July 20, 2004 and it continues the austerity program begun this year. Despite its tight controls and inclusion of only the most critical increases, additional resources will be necessary to meet our current and previously unpaid obligations. Mr. Silva, a fiscal conservative, has stated that it is most difficult for him to propose a property tax increase but – balancing the City's financial situation, program priorities, and required service levels – there are no viable alternatives. Many have suggested that our problems will be alleviated as the numerous buildings under construction enter the tax rolls. New construction in 2004 added \$1.6 million to the revenue stream in our City. Please be aware that only 20% of your total tax payment will make it's way to the City coffers since the remainder goes to other taxing authorities, i.e.: Broward County, School Board, Hospital District, etc. Although new construction will help somewhat, it will not be a panacea, as new occupants will place corresponding demands on City services and resources. We must deal with the reality of the here-and-now.

Mr. Silva's proposed budget for FY 2004/2005 would increase the millage from 5.1970 to 5.7951 (approximately 11.5%) and result in an increase of approximately \$124 per year for the average homeowner based on a homesteaded property assessed at

\$200,000. The "roll-back" rate – computed on the basis of the millage the City would have to charge in order to raise the same amount of money as the previous year – would have been 24%. However, because some of my colleagues on the Commission wanted the option of funding part of the increase for Fire-Rescue services through taxes (rather than increasing the direct-funding fee we already charge), they voted to establish the millage at 6.2098. This corresponds to a 33% roll-back rate, which will appear on your annual TRIM notice. It should be remembered that this is a tentative, maximum rate and is subject to reduction based on the final budget approved in September. I did not agree with or vote for the higher rate, as I do not believe it is the prudent course to follow. I will keep an open mind as plans, priorities, and financial strategies are discussed but, as your representative to the Commission, I take very seriously my responsibility to represent the interests and needs of District 1. I believe those interests are best served by approving a responsible increase, tied to our long-range plan, while maintaining a tight financial rein.

Please contact me if I can provide any additional information. I am available by e-mail at [cteel@fortlauderdale.gov](mailto:cteel@fortlauderdale.gov) or by phone at 954-828-5004. •



## JUST SOLD

Information provided by Eastside Properties

Twelve more properties were sold in the Galt Ocean Mile Community:

<b>Playa Del Mar #1716</b> (2/2) \$355,000 - closed 7/2/04	<b>Regency Tower S #1610</b> (2/2) \$355,000 - closed 7/23/04
<b>Ocean Club #111</b> (2/2) \$400,000 - closed 6/4/04	<b>Galleon #302</b> (1/1.5) \$350,000 - closed 7/23/04
<b>Playa Del Sol #1017</b> (3/2) \$589,000 - closed 7/16/04	<b>Riviera #809</b> (1/1.5) \$480,000 - closed 8/11/04
<b>Galleon #1706</b> (2/2) \$335,000 - closed 7/23/04	<b>Playa Del Mar #912</b> (2/2.5) \$480,000 - closed 7/9/04
<b>Playa Del Mar #2002</b> (2/2) \$376,000 - closed 7/26/04	<b>Coral Ridge Towers #?</b> (2/2) \$320,000 - closed 7/20/04
<b>Plaza East #16N</b> (2/2) \$400,000 - closed 6/15/04	<b>L'Hermitage I #2401</b> (3/2.5) \$955,000 - closed 4/7/04



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**Trapped...Continued**

tax repercussions, the first wave of accumulated sellers would create a revenue explosion for the cities. Thousands of homeowners desirous of downsizing because of divorce, children moving out, change of employment or school, etc. would inflate city coffers with windfall transaction tax revenues. Once the 12-year inventories of stockpiled sellers (from the amendment's 1992 inception to the present) execute their transactions, the cities would continue to benefit from the thousands of additional sales each year that the moving penalty would have otherwise discouraged. In addition to the widespread potential sales stemming from lifestyle changes, the recent South Florida Real Estate boom has created a plethora of residents who have seen their properties double and triple in value. The opportunity to transform their newly-inflated property assets into more modest living arrangements plus a substantial nest egg has further heated the high-flying market. Realtors would likewise experience a surge in sales from the cumulative reserve of fixed-income residents heretofore unwilling or unable to contend with a doubling of their property taxes.

If this amendment is such a panacea, why did its 2004 legislative incarnations die in committee or on the calendar? Simple - it suffers from obscurity. While homeowners are generally grateful for the "Save our Homes" protection after reading their annual TRIM (Truth in Millage) notice, few understand its terms and conditions. Fewer still realize that its current lack of portability is an inequitable oversight that can be cured. The highly publicized and much heralded Homestead Exemption yields an annual savings of \$650 for the average claimant. The "Save our Homes" amendment annually averages \$1200 in savings - almost twice that of the more well known Homestead Exemption - and the savings grow every year! As explained by Joint Resolution HJR 417 sponsor Representative Carl Domino (R-Palm Beach Gardens), "Right now, many folks on the housing ladder are stuck in their current homesteads. This is clearly a measure that voters, and hence politicians, are going to want to support." That is...if they knew about it! The answer to this quandary is uncomplicated - the amendment needs a champion.

An ideal candidate to oversee this effort would be the next occupant of the Broward County Property Appraiser's office. The BCPA's office provides the perfect "bully pulpit" to focus the kind of public scrutiny and community involvement that our legislators feed on. As a majority of the half-dozen candidates vying for the Property Appraiser's seat are virtually unknown; their strengths, weaknesses and intentions are mysteries. Not surprisingly, the few with name recognition have devoted their campaign efforts to silly negative mischaracterizations of one another. It would bode well for each candidate to clearly support adjusting the "Save our Homes" amendment for portability. This advocacy would save every homeowner considering or intending to move literally thousands of dollars...every year! Not a bad plank to have in one's platform....

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**Beach...Continued**

Requirement #4 states that the Committee shall, "establish standards that ensure that sand deposited on replenished beaches features compatible grain size, shell content, and other geological characteristics of a natural beach". Since every beach is different, the committee's ultimate determination of what constitutes the generically correct grain size and shell content of a "natural beach" will be virtually useless. Site-specific considerations determine what sand characteristics are "compatible" from engineering and environmental perspectives. That decision needs to be made locally, on a beach by beach basis. This attempt to generalize standards (make the foot fit the shoe) is thematic in this legislation.

The American Shore and Beach Preservation Association (ASBPA), a longtime advocate of the nation's beaches, has created a Position Paper on the proposed Beach Nourishment Advisory Committee that details the rationale for opposing its enactment. Most responsible beach communities would welcome a revision of the Corps' policies and procedures in order to (a) streamline the project planning process; (b) reduce unnecessary planning costs; (c) promote regional and/or programmatic planning where appropriate; and (d) assure that any short- and long-term environmental impacts of beach nourishment projects are benign. The "poison pill" that was unceremoniously dumped into the Senate's WRDA bill, however, accomplishes none of these objectives.

Positioned in the bill under Title III—Flood and Coastal Storm Damage Reduction, Subtitle B—Coastal Storm Damage Reduction, Section 3301—Shore Protection and Beach Renourishment Projects, the section's specific provisions are drawn from anecdotal "evidence" which ignores that the Corps already addresses each of the concerns raised in this provision. Without any public testimony, discussion, or any evidence of need, the legislation establishes an advisory committee that will not advise, but rather enforce the redundant requirements in 10 specific areas that are already addressed in existing legislation. In addition to lacking a provision to finance the costs of this committee (another visit to Unfunded Mandate-ville), the decisions of the advisory committee would apply to all existing draft feasibility studies and draft re-evaluation reports that have not yet been issued. This means that studies that have been produced under one set of procedures over a period of several years will have to be redone with the revised regulations, guidelines, and circulars. This retroactive application could effectively double feasibility costs and timetables for all existing projects. Nothing in the provision requires that advisory committee members have water resources planning expertise, nor does the provision include a representative of the Corps of Engineers. Should the unamended legislation be enacted, the cost of beach projects would increase substantially as will their impending timetables due to the responsible lead agencies having to slug their way through another unnecessary layer of redundant governmental regulations.

Continued on page 15

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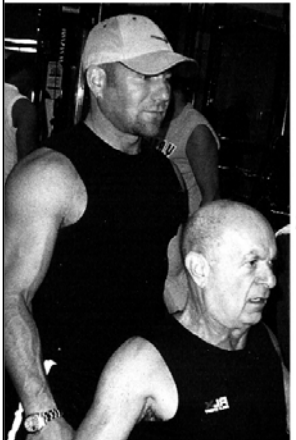
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### Beach...Continued

The overt inadequacies and the surprise addition of this unsupported provision becloud the intentions of the Senators that allowed its inclusion. Motives aside, the American Shore and Beach Preservation Association (ASBPA) and the Florida Shore & Beach Preservation Association (FSBPA) strongly advocate that the establishment of a beach nourishment advisory committee is not the appropriate tactic to resolve concerns with the existing process and urge that it be removed from the bill prior to Senate passage. The Galt Mile Community Association agrees and asks each of its members to contact their Senators and urge the removal of this section from the bill. The idea of re-experiencing the past 5 years of scrupulously performed feasibility studies to accommodate a suspicious legislative midnight surprise passes from the ridiculous to the sublime. Please contact Senators Graham (202-224-3041) and Nelson (202-224-5274) by email and telephone to let them know that the WVRDA bill must be improved through the removal of Section 3301. As conscientious Florida officials, they are keenly aware of the importance of maintaining the beaches that underwrite our economy. If they receive a reasonable indication of our concerns, they will fight to excise this "Poison Pill".

For more information about the Broward County Shore Protection Project, go to the Galt Mile Community Association web site ([www.galtmile.com](http://www.galtmile.com)). Click on the "Issues" section, scroll down to and click on Shore Protection. Contained is a full history of the project including quick email links to Senators Graham and Nelson, links to the full Position Paper by the American Shore and Beach Preservation Association that reviews the provisions of the "Poison Pill" on a point by point basis, and a pre-written email that can be sent to both legislators with one click. •

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### Trapped...Continued

Senator Mike Haridopolos (R - Melbourne) advanced a similar Joint Resolution in the Senate, SJR 2300. The text included, "When a person sells his or her homestead property within this state and within one year purchases another property and establishes such property as homestead property, the newly established homestead property shall be initially assessed at less than just value, as provided by general law. The difference between the new homestead property's just value and its assessed value in the first year the homestead is established may not exceed the difference between the previous homestead's just value and its assessed value in the year of sale. In addition, to be assessed as provided in this paragraph, the assessed value of the new homestead must equal or exceed the assessed value of the previous homestead. Thereafter, the homestead shall be assessed as provided herein."

The legislation closes with a mandate to place a Constitutional Amendment on the November 2004 ballot to accomplish the same objective. It states, "CONSTITUTIONAL AMENDMENT - ARTICLE VII, SECTION 4 - TAXATION; HOMESTEAD PROPERTY ASSESSMENTS - Proposing an amendment to the State Constitution to provide for assessing at less than just value property purchased within 1 year after a sale of homestead property and established as new homestead property, limited by the difference between the new homestead property's just value and its assessed value in the first year the homestead is established, which may not exceed the difference between the previous homestead's just value and its assessed value in the year of sale and the new homestead property's assessed value." On March 29th, the Joint Resolution was "laid on the table" following an unfavorable vote in the Senate Committee on Comprehensive Planning.

Representative Jeffrey Kottkamp (R - Cape Coral) sponsored Joint Resolution HJR 1603 that "proposes amendments to ss. 4 and 6, Art. VII of the State Constitution to limit the assessed value of property purchased and used as homestead property after a sale of homestead property to the just value of the homestead property sold, subject to specific requirements, and to increase the homestead exemption from \$25,000 to \$50,000." His Joint Resolution also died on April 30, 2004, this time in the House Subcommittee on Local Affairs.

These legislators had the right idea. Remediation of the "moving penalty" is a win-win scenario from any perspective. The sponsoring legislators would attain near-hero status. The municipalities, while seemingly sacrificing an immediate boost in certain individual tax valuations, would more than offset the lost revenue from the substantial and sustained increase in transaction taxes and documentary tax revenue. City and County possible revenue losses are largely theoretical, as the sales in question wouldn't occur anyway absent the tax relief afforded by a portability amendment. In fact, the restraint on Real Estate sales imposed by the "moving penalty" threat has created a reservoir of potential sellers. Upon being immunized by the appropriate legislation (or Constitutional Amendment) from the crippling

Continued on page 8

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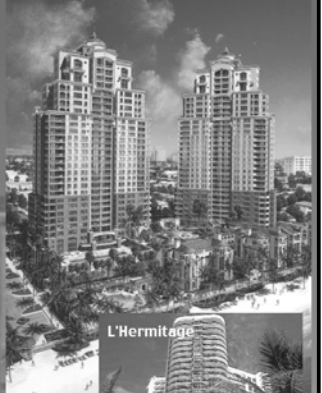
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