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Community 2006 Association Day



Galt Mile residents participate in state-wide oppositions to damaging legislation in Tallahassee

During the past two years, a cabal of strange bedfellows comprised of a local union seeking to break into the Condo market, a radical group of disgruntled condo owners and some legislators hoping to cash in on controlling condo operations has repeatedly attempted to pass legislation "spun" by proponents as "the people's bill", promising "empowerment" to condo owners. On February 21st, Miami Representatives Rene Garcia and Juan Zapata, members of a group of Miami legislators who, strangely enough, have few or no condos in their home districts, sponsored House Bill 1227, this year's version of the "Condo Killer" legislation. This bill is a 48 page stew of poorly drafted and often incomprehensible provisions that divest condominium owners of the right to govern themselves. It contains a broad spectrum of damaging regulations that, for example, make rules unenforceable, skyrocket maintenance expenses, encourage harassment of Association volunteers and employees, make assessments uncollectible and impart unprecedented



Southpoint President Marty Glazer and Regency Tower's Eric Berkowitz explain Bill Consequences to Representative Juan Zapata

new prosecutorial powers to the Condominium Ombudsman. In an eerie "Twilight Zone" moment, the bill elevates the status of lessees and guests to a superior standing than that of owner-members.

To refute cynical claims by the Bills' supporters that they represent the interests of condo owners, the Community Association

Article by Eric Berkowitz

Leadership Lobby (CALL) helped spearhead opposition to this egregious abrogation of homeowner rights. To send a clear message to our public policy makers that the vast majority of condo owners do not want to see their homes regulated like public housing, they organized a second annual Community Association Day event. On March 15th, hundreds of homeowners from across the State interrupted their busy schedules to converge on Tallahassee in opposition to these destructive regulations. To moderate per person travel cost of the trip, CALL chartered a plane to help transport Broward homeowners to the State Capitol. The Galt Mile Community Association joined with the GSAC (Gulf Shore Association of Condominiums), the SCCA (Space Coast Condominium Association), OCHAA (Orange County Homeowners Association Alliance), and a newly formed coalition of mobile home park owners (among others) to pro-actively oppose this legislation that seriously threatens to destabilize the Condominium system in Florida.

Continued on page 5

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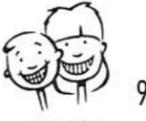
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Bogdanoff...Continued

Currently, one aspect of the proposal moving through the House is to cap Citizens at 1 million in coverage. Ummm... Broward had 338,586 losses, of which only 4,782 claims were a total loss for a total of over 3 billion in claims. Remember, Wilma was considered a Category 1 or 2. I am not convinced this cap proposal solves the problem. Open rating has not been popular because it allows the companies to charge any premium, but if they want to write business they have to price it so that they can sell policies. Maybe we let Citizens compete for awhile, charging actuarial sound premiums so we can compare the market prices. Maybe we just try it in one county. I think it is an idea worth discussing. Okay, that is my insurance rant for today. I will keep you posted on our progress.

The wine bill was up in the Senate this past Monday. They have two versions and both passed???? The negotiations continue.

We met with the Supreme Court on Wednesday for a Breakfast reception.

My DMV, Guardianship, and DNA bills hit the floor next week.

I am glad I came home this weekend. The weather is incredible. Last weekend, my husband and I walked to Riverwalk and enjoyed the afternoon at Fiesta Fort Lauderdale. I haven't done something like that in a long time. This week, I made it home on Friday and had a chance to catch up on some work at home. It is amazing how much mail piles up in a week. Tomorrow is our event at Southside School. That should be fun and it is for a great cause. Thanks for listening and let me know what you think about the insurance issue. Until next time...•

CA Day...Continued

been mischaracterized as "beneficial to condo owners" as the were about its destructive provisions. By joining thousands of other Florida homeowners in flooding Tallahassee with grassroots opposition, they discredited the supposition that Galt Mile Condo Owners would "naively" sleep through this third annual attempt to destabilize Florida's condominium system.

Alternatively, consider how many of your neighbors would have purchased their units if forewarned that some Tallahassee-based bureaucracy would decide what they needed, when they needed it and how much money they must spend. Absent the right of homeowners to effectively govern themselves, the popularity of shared common expense communities would plummet, followed by unit values. If we fail to let our representatives know that we object to being precluded from governing ourselves, these other issues will shrink to little more than academic exercises. We will no longer have the ability to address the problems we face. Instead, we will receive instructions from Tallahassee – quickly followed by an invoice, payable on receipt!•

 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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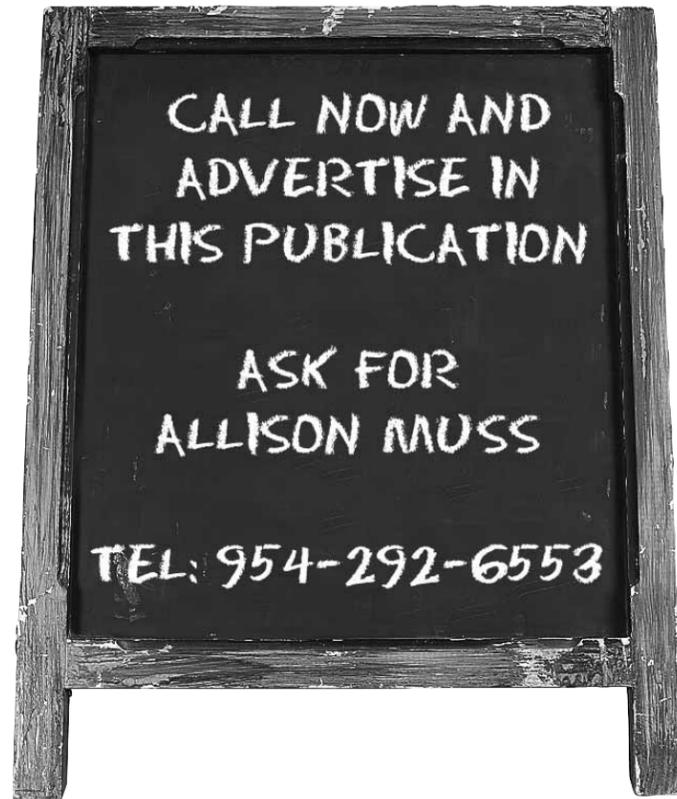
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George...Continued

During the past year, the Advisory Board was afforded the opportunity to meet various "components" of the City Manager's management machine. They have proven themselves to be competent, concerned and well informed about the respective problems facing the city's different neighborhoods. Similar meetings with Mayor Naugle and Commissioner Christine Teel, as well as Police and Parks officials have served to reinforce our assessment of the new management team.

Having finally been approved at the March 7th City Commission Regular Meeting, Gretsas exclaimed that "The Galt Mile's new trees were ready for planting." The Commission authorized the purchase of trees costing \$87,276 from the Atria Landscape Development Corporation in Pembroke Pines, the lowest of eight bidders. The contract includes the removal of tree trunks and root-balls for \$28,080, the planting of 80 Myrcianthes Frangrans-Simpson Stoppers (in Sidewalk Cutouts) for \$34,276 and 60 Clear Trunk Sabal Palmetto Sabal Palms for \$11,400. He also explained that the city was finally able to acquire the parts needed to repair many of the block's broken decorative street lamps.

As City Management resources attract little public attention (unless they fail miserably), most city residents are unaware of this valuable municipal asset. There is little doubt that the City Commission could not have achieved its stated goals for the City's recovery two years ahead of schedule without George Gretsas' contribution. Mayor Naugle and the City Commission are functioning in an environment conducive to realizing their vision for the city. Creating that environment ranked high among their expectations of Mr. Gretsas when they hired him. He did his job. Now it's their turn. That portion of the City Manager's time and attention heretofore preoccupied with the City's recovery is now available for application to more productive pursuits. Now that the leak in the boat has been plugged, it will be interesting to find out just how fast it can really sail. Since we are along for the ride anyway, we'll be watching! •



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CA Day...Continued

After discussing the bill's adverse consequences, Zapata admitted that the bill was fraught with terrible deficiencies. When asked to explain the reason for a provision that makes enforcing Association rules impossible, Zapata characterized his legislation as, "a work in progress." Acknowledging that our objections to his legislation were meritorious, Zapata challenged us, asking that we send him "a comprehensive constructive criticism of his bill as opposed to a blanket condemnation." Presidents Council Chair Pioneraci accepted the challenge, agreeing to critique the bill's 48 pages of reckless provisions. The response was composed by the Galt Mile Community Association's Board of Directors and forwarded to Mr. Zapata, who promised to take our concerns into consideration as the bill passes through the committee process. Input received from concerned Galt Mile residents provided additional depth and guidance to the final response. Shortly after the bill was initially filed, its provisions were summarized on the Galt Mile web site (www.galtmile.com). When complete, the detailed bill analysis sent to Representative Zapata will also be published on the Galt Mile web site.

Depending on Zapata to moderate the bill's inadequacies is, at best, a dubious aspiration. Despite the past failures of this bill's previous incarnations, Zapata knows that it only has to be passed once to transfigure the Condominium system into public housing. To prevent this from happening, normally passive condo owners need to make known their concerns to members of the committees considering the bill as well as its sister bill in the Senate, SB 2570. Not surprisingly, SB 2570 is being sponsored by Senator

Alex Diaz de la Portilla – another Miami legislator! When the bills are assigned to their respective vetting committees, the contact information of every committee member will be posted on the Galt Mile web site. As they wend their way through the committee review process, the bills' progress will be followed on the Galt Mile web site as well.

On several occasions, the promulgators of these bills have characterized condo owners as "naive". Our Ombudsman (to whom these bills impart unquestioned authority over 1.1 million condo owners) has credited this "naivety" for his recommendation that Tallahassee create "a uniform set of covenants, by-laws and procedures for everything" to replace the Condominium Documents of every Association in Florida. When a member of the Sun-Sentinel's editorial board stated that a 6-unit condominium faces different issues, problems and obstacles than an Association of 600 units, the Ombudsman enigmatically responded, "There isn't any difference between the large ones and the small ones." The bills' supporters have also blamed the overwhelming opposition to their legislation demonstrated by condo owners on their "naivety".



Galt Mile residents meet with Senator Atwater in Tallahassee

Continued on page 12



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CA Day...Continued

It has become clear that their strategy relies heavily on this conclusion, intimating that condo owners are incapable of ascertaining what is beneficial to them. They are also counting on the fact that most condo owners are unfamiliar with the legislative process.

People living in condominiums or cooperative units, like most homeowners, just want to go about their business. They have little reason to suspect an attack on their rights simply because they decided to buy a condominium or coop. This simple fact has made them particularly vulnerable to legislative ambushes designed to place the resources of over a million homeowners under the control of a few legislators and their supporters. The bills' sponsors are banking on three assumptions. Many people harbor such an innate disinterest in politics that they would blindly accept the sponsors' characterization of the legislation as "for their benefit." Secondly, they expect that most homeowners will surmise that since the bills damage millions of their fellow Association members, opposition to the legislation will not require their participation - let George do it! They are also counting on the general misconception that legislators will automatically review the legislation, come to the conclusion that it will hurt millions of homeowners and angrily vote against its inherent injustices. If homeowners threatened with losing control of their homes neglect to defend their rights, neither will their legislators!

Legislators do not have time to read the myriad bills they are expected to vote on, much less investigate their ramifications. With the exception of a few high profile issues and legislation with which they are directly involved, lawmakers generally take direction from the support or opposition demonstrated by constituents when deciding how to cast their votes. Without grass roots opposition, campaigns such as the one underwriting the "Condo Killer" bills are usually successful. During the past few legislative sessions, the universal opposition to these bills by condo owners was successfully expressed through the thousands of emails, telephone calls and letters to legislators and the Governor. The bills' supporters are confident that this "survival instinct" will ebb with time and their efforts to turn condos into public housing will be rewarded.



Dott Nicholson-Brown Sets Meeting with Surprised Zapata

Association members, still preoccupied with recovering from the effects of Hurricane Wilma, are looking to Tallahassee for changes in the law to better protect themselves from future catastrophes and/or recover when hit by disaster. In view of the billions of dollars lost to the recent storms, insurance companies have universally abandoned the Florida market, confronting millions of homeowners with huge premium increases or no coverage. These critical issues, having thus far defied resolution, must be addressed even as homeowners are still repairing their devastated homes. There is little the average homeowner can contribute to the fiscal engineering required to re-balance Florida's decimated risk pool and re-establish a competitive insurance market. However, there is something every homeowner can do to defeat the political machinations behind these "Condo Killer" bills.

We owe a debt of gratitude to our neighbors who expressed their concern to Statehouse Representatives, State Senators, and/or the Governor. Hundreds of Galt Mile residents also sent emails, letters, and made phone calls to the Bills' sponsors and the legislative committee members considering the Bills. After reading the legislation, Florida Association Members were as angered by its having

Continued on page 22

George...Continued

Longstanding contract problems that plagued the city have finally been squelched. Agreements have been reached with Police, Fire-Rescue, Captains, Teamsters and Management without having given away the store. Mr. Gretsas ran down some of the contract terms, "New hires are not given automatic longevity. The three-year pact includes no raise in the first year, 2+1 second year and a 3% cherry in the third year."

The city's claim to have become adequately responsive to the needs of its residents was tested by the hurricane onslaught. Jeanne, Frances, Katrina and Rita provided the wake-up call that sent officials scurrying to better prepare Fort Lauderdale for more destructive future disasters. Wilma, however, offered a crash course in disaster response while testing the city's new hurricane plan. For the first time in 50 years, a majority of residents lost electricity, water, access to fuel, telephone service and cable TV. Cops replaced traffic lights while trying to mollify looting and theft. Somehow, the city managed to stay afloat for the few days it took to repair damage to the water system and turn on the juice to emergency priority locations. The City Manager was judged mostly by how the city handled these and other "quality of life" threats presented by the storm. With the juice, water and public services back to normal, homeowners have since faced enormous recovery and repair costs. So has the City.

After fighting tooth and nail to relieve the City's financial pressure, the City Manager was facing another unexpected obligation. He rolled up his sleeves. "The \$63 million that Wilma cost the city was whittled to \$5 - \$8 million after FEMA reimbursement." However, it also cost \$14 million to remove the record 800,000 cubic yards of debris that the city was swimming in. City officials had to investigate the integrity of the 483 structures severely damaged by Wilma and, when possible, assist in returning them to habitability. A tree giveaway program was implemented to help offset Wilma's devastation of 30% of the city's tree canopy. Proud of the City's efforts, Gretsas added, "We also distributed 40,000 gallons of water and 35,000 bags of ice during the critical 72-hour emergency window." The city also instituted a Disaster Recovery Center at 300 NW 1st Avenue (at the Building Department's former One-Stop-Shop) to expedite recovery assistance to hurricane victims.

When the City Commission instituted their City Manager search after ascribing blame for the city's financial plight to the former occupant of the office, the professional headhunters gave Gretsas low marks as a candidate. George Gretsas has effectively assisted the Mayor and the City Commission in returning Fort Lauderdale to its feet. His prescription of accountability, organization and coordination has proven prophetic. The City Commission deserves credit for ignoring professional advice and going with their gut.

While the City Commission was willing to gamble on Gretsas, he was not willing to gamble on the outcome of his efforts. Upon evaluating the city's needs and committing to the Olympic-size reorganization required for the city's recovery, Gretsas opted to buy some "insurance". Having imported a contingent of trusted talent from New York, he appointed David Hebert as the City's Public Information Officer (later as liaison to the Police Department and Assistant City Manager) and Kathleen Gunn as Assistant City Manager. Gretsas has since fleshed out the competent organizational nucleus he brought with him, creating a solid dependable management team.

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George...Continued

department heads. Ineptitude was rewarded with longevity. Short of being pictured in the Sun-Sentinel with one's arms in the till up to the elbows, mid-level management positions carried the tenure of Supreme Court Justices. Conversely, the absence of definitive goals dispensed with the need for incentives normally used to reward success. A merit-based system that encourages achievement requires a functional table of organization and full accountability. To change the way the city did business, George had to attack three problems simultaneously.

Before he could apply his formula for success, he had to enlist the support of an army of skeptical city employees. When the city's fiscal picture soured, the angriest employees took off. Those remaining, while bitter, were more conciliatory, loyal and ready to listen to George's prognostication of a rosy recovery after swallowing some nasty medicine. In addition to being tough and fair, his management team would also be supportive and nurturing, providing counseling as well as direction.

He inserted himself as quarterback in a new table of organization that accounted for and categorized everyone in the city of Fort Lauderdale, including the city's residents. His comprehensive reorganization unambiguously demonstrated to whom every city employee owed accountability - topped off with the City Commission answering to the people of the City of Fort Lauderdale. His performance-based management strategy put an end to personnel retaining their positions until they shed their mortal coils. He precluded "rewarding inertia with longevity by installing a merit-based pay system, requiring management personnel to establish definitive goals and objectives and giving them two-year contracts, enough time to ascertain if they met those goals."

Addressing the city's fiscal conundrum was the third ball that George had to juggle. This required major surgery. Had Fort Lauderdale adhered to the national standard for a healthy reserve, 5% to 15% of the expense budget, they would have socked away \$10 million to \$30 million in 2003. Instead, all the city could muster was a paltry \$875,000 as reserves. In the words of W. C. Fields, "a mere bag of shells." George's answer? Spending controls. He put the Office of Management and Budget (OMB) to work. Capitol expenses excessive of \$1000 required their approval. Before allowing department heads to open the city's checkbook, they had to demonstrate overtime savings and/or other offsets to OMB. Monthly trend analyses showed who was running a tight ship and who was snoozing. Vacant positions were carefully reviewed by a committee comprised for that purpose, the Thaw Committee, before being filled.

Gretsas determined that "a reasonable target for the City's reserves would be 7%... minimum." He also established criteria governing the use of reserve resources, such as "their unavailability for use when addressing recurrent expenses." Gretsas anticipated achieving this goal by 2007. The \$875,000 in 2003 grew to \$9.3 million in 2004 (just under 5%) and \$30 million in 2005. Bingo - and two years ahead of schedule. The \$21 million insurance deficit of 2003 shrank to \$13 million in 2004, zero in 2005 and

rounded out to a healthy \$4 million fully reserved surplus in 2006. In response to Fort Lauderdale's bathing in the light of fiscal integrity, Moody's and Standard & Poor's ratings for the city's general obligation bonds turned from negative to positive in 2005.

Gretsas confirmed recent improvements to the Police Department addressed last month by Assistant Chief Stephen Robitaille and in January by Assistant City Manager Kathleen Gunn. Bucking the controversy that ordinarily accompanies trying to change entrenched behaviors, Gretsas ordered a professional analysis of the Police Department's strengths and weaknesses. The Safir-Rosetti study debunked assertions that the city's rising crime rate resulted from management interference, manpower shortages or poor employee morale. Instead, the study identified several administrative and management deficiencies as the culprit. When the study's recommendations were instituted, the crime rate dropped. Assistant Chief Robitaille credited "the department's weekly COMPSTAT meetings and the implementation of a Tactical Impact Unit (to better focus on current crime trends) for the improved crime stats."

The department is actively filling vacancies while benefiting from better supervision. Since Fort Lauderdale Police Chief Bruce Roberts instituted the new Action Plan last August, crime has plunged and even skeptical department officials have conceded successful results.

The clouds over the city's Building Department are also parting. They moved into their new headquarters, with a new "One-Stop Shop". Building Department Director Valerie Bohlander is overseeing the implementation of a new Improvement Plan. Gretsas also explained that "A new

plan for expedited review will allow applicants, for a modest premium, to short circuit the current permit process. The plan was considered by the City Commission at their March 7th Conference Meeting." Participants would have their plans approved within 5 days. Although they weren't the lowest bidder, CSA Southeast, Inc (MBE), a Miami Lakes engineering firm, won the contract to provide "building, electrical, mechanical, plumbing, landscaping, zoning and engineering services." Director Valerie Bohlander said "that five units or less would immediately go into the process." For larger projects, services for engineering, zoning or landscaping would remain in-house and all preliminary plan review - Design & Review, Planning & Zoning, and Commission approvals - would be obtained prior to moving forward.

The double-edged development sword has been honed. While holding developers' feet to the fire when it comes to standards and compliance, the city removed bureaucratic nuisance requirements that hamper beneficial construction and harass legitimate developers. Gretsas expanded, "A coordinated review process assists developers to avoid unnecessary entanglement in red tape. In turn, the city is holding developers accountable and demanding better architecture." This holistic approach stresses attention to Design and Streetscape standards. He continued, "Strong support for the construction of 'Workforce Housing' has added 3000 affordable units to Fort Lauderdale's downtown area."

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Moody's Improved Municipal Bond Rating reflects city's fiscal recovery

GALT MILE INSURANCE THREAT



House Speaker Alan Bense, Senate President Tom Lee, Governor Jeb Bush attack insurance crisis

Eric Berkowitz

When Katrina, Jeanne, Frances and the other intemperate ladies ran rampant through the State, it marked the beginning of a two-year controversy over how Associations should respond to the prospect of recurring catastrophes. Along with factoring repair costs into condo budgets, Association members had to protect their units and the structure that housed them. The damage caused by Hurricane Wilma clearly corroborated that every breach to exterior doors and windows was a potential flashpoint for much more extensive damage. Even after witnessing the disastrous effects of inadequate protection, some associations nursed a controversy over the necessity of protecting every exposure in every unit. Recent insurance developments should quickly bring that controversy to a close!

Following the 2004 hurricane season, the Florida Legislature prepared itself for a frontal assault by the insurance industry. While closing ranks around Tom Gallagher, chief of the State's insurance unit, they nibbled around the edges of what was predicted to be a recurring catastrophe. The devastating 2004 hurricane season wasn't simply a statistical anomaly, but a whole new ballgame. Despite the Governor's call for a special legislative session to size up the problem and formulate some response, Tallahassee could only come up with "suggestions". Politicians cursed with survival instincts felt there were too many variables to take definitive actions. After all, weather prognosticators don't have a sterling record for accuracy.

While anticipating an attempt by the insurance industry to rectify the fiscal imbalance caused by the storms, State officials considered two possible scenarios. If the past season was a "glitch", Tallahassee would have to guard against the industry overreacting with sky-high premiums and punitive deductibles. If the storms were, in fact, a taste of the future, they would have to scrap the actuarial basis for the regulations governing premiums, deductibles, renewals, etc. and start from scratch. Florida CFO Tom Gallagher announced that multiple deductibles were "fundamentally unfair and unjustifiable" given the absence of proof that the storms would be repeated. The insurance industry presented fiscal justification for permanent premium and deductible increases if these disasters proved to be recurrent. Attempting to contain the growing controversy, the legislature enacted regulations allowing each Association to play "weatherperson". House Bill 9-A gave

Associations the choice of selecting a single expensive deductible or multiple less expensive deductibles. If the past year proved unique, multiple, less expensive deductibles would save money in the face of a single storm. If the future brought several hurricanes, the single larger deductible better protected the Association's budget. Tallahassee settled on adopting a "wait and see" strategy before committing further political capital.

Senate President Tom Lee and House Speaker Alan Bense created the "Joint Select Committee on Hurricane Insurance", whose mandate included, "Further study of the issue of multiple deductibles; including analysis of the effect on premiums, particularly for condominium associations." The Committee's full mandate charged it with "studying aspects of the residential insurance market in light of the potential \$20 billion in losses from the 2004 storms which has provided a serious challenge to maintaining a viable private sector market and to keeping premium increases to a bare minimum." In addition to multiple deductibles, the Committee made recommendations "on the appropriate level of the retention rate and evaluation of options for ensuring proper funding of the Florida Hurricane Catastrophe Fund." They also explored "options to reduce the size of Citizens Property Insurance Corporation, our state insurer of last resort, while providing coverage at a fair price to homeowners who have no other option for coverage." These assignments later proved prophetic. The Committee's final report touched on every designated issue, leaving room for negotiations to proceed. Existing legislation containing "sacred cow regulations" would be re-examined in an attempt to arrive at an acceptable compromise.

While development of an official policy was placed on hold, State officials would recommend that Florida residents do their best to protect themselves. The Governor stressed the importance of retrofitting older buildings with adequate protection from storms. The Hurricane Insurance Package (Senate Bill 1486, House Bill 1939, House Bill 9-A) passed on May 6, 2005 by the legislature included a provision that was designed to encourage Floridians to voluntarily comply with current building codes. It states, "By the 2006-2007 fiscal year, the Department of Community Affairs shall develop a low-interest loan program for homeowners and mobile home owners to retrofit their homes with fixtures or apply construction techniques that have been demonstrated to reduce the amount of damage or loss due to a hurricane." To further ease the way toward voluntary compliance, the state launched the Florida Wind Insurance Wind Incentives Web Site to allow "Florida homeowners and builders to search for wind insurance incentives that are available for building features that reduce damage during high wind events like hurricanes. Building features that reduce wind damage include improved roof shingles, strong roof decks, hurricane clips/straps, impact resistant glazing or shutter protection for windows, roof shape and other construction techniques." Until the State had hard evidence of redundant catastrophes, they would limit their response to suggestions and recommendations.

2005 actualized the insurance industry's worst fears. Rita, and finally Wilma, heralded a mass exodus of carriers from the Florida market. By early August, Safeco and Nationwide joined seven other carriers in leaving the State. Nationwide, Florida's 4th largest carrier, withdrew from the "new policies" market despite receiving a green light from the State to hike rates by 21% on homes and 25% on mobile homes. The shoe dropped with a vengeance. Even hard-liner Gallagher conceded that Florida homeowners faced an insurance crisis. The previously inconceivable prospect of Citizens insuring every homeowner in Florida started to assume frightening proportions. The insurance statutes would need surgery to attract carriers back to Florida. The follow-up legislative insurance negotiations clarified the need for two major statutory adjustments. Rate regulations would require re-engineering to allow the industry to float back into fiscal balance. Secondly, covered structures would have to comply with current building codes. These non-negotiable, bottom line requirements filtered up from the industry's re-insurance partners. Without their cooperation, even well-oiled insurance icons such as Allstate and State Farm cannot adequately mitigate catastrophic risk.

Unfortunately, Gallagher's "timing" was awful. The Florida CFO had announced his candidacy for the gubernatorial race. If he was perceived as spearheading huge premium hikes for homeowners and eliminating grandfathered exemptions to code compliance, other gubernatorial candidates such as Florida Attorney General Charlie Crist would benefit from an insurmountable advantage. Gallagher decided to let the free market take the heat. Given the highly publicized absence of a competitive insurance market in the State, Gallagher could survive a rate hike. He would have the carriers, not the State, demand that customers comply with building codes as prerequisite to being "insurable". It didn't take long for this plan to pan out.

Continued on page 17



Ft. Lauderdale City Manager, George Gretsas reviews history of city's recover... and plans for the Galt Mile.



Eric Berkowitz

Fort Lauderdale City Manager George Gretsas has a reputation for building success into his plans. Peers, co-workers, underlings and those to whom he answers universally connect George with some permutation of the word, "organization". On March 16th, he gave the Galt Mile Community Association Advisory Board a taste of the world according to George. Generally, when some official relevant to our neighborhood achieving its goals or resolving its problems is invited to address the Association's Advisory Board, they perform enough basic research to answer anticipated questions or contribute to the forward progress of some dogmatic issue. Instead of passively answering questions about the City's challenges or the neighborhood's problems, City Manager Gretsas obviated the need to ask!

Before anyone had an opportunity to inquire about recent highly publicized incidents or how he intended to improve some poorly functioning arm of city government, he commenced arranging furniture and setting up equipment. Once introduced by GMCA President Robert Rozema, and with the assistance of a crew evidently familiar with George's management style, he deftly installed a projector and a screen between the soup and salad courses of the luncheon meeting. He then proceeded to narrate a comprehensive audio-visual presentation of the city's progress from the time he arrived through March 16, 2006. Using cartoons, movie clips from Platoon, Airplane and Star Wars, newspaper article screens, radio recordings and familiar commercials tailored to support the presentation, George transformed the normally inquisitive Advisory Board into a speechless curious audience.

The show started with a summary of the problems confronting the city when he arrived, the management challenges he faced and what he determined to be his key objectives. He reminded us that, commensurate with its budget boondoggle, "the city had negligible reserves, a \$21 million insurance deficit, festering labor disputes, a building department drowning in chaos, ineffective service delivery on multiple levels and rock-bottom employee morale." Residents were angry about service cuts and tax increases. Employees were angry about forced furloughs, personnel and pay freezes, layoffs and job reassignments. City officials were also angry that the fiscal house of cards collapsed on their watch. He diagnosed the City as afflicted with "unclear priorities, lack of focus, absence of harmony, quality control issues and perpetually low employee morale." George's prescription: "accountability, coordination, organization."

Although this sounds suspiciously like empty political rhetoric, it accurately summarized the underlying causes for the city's wretched condition and ultimately proved to lead to a cure. Municipal Departments in Fort Lauderdale were essentially little fiefdoms, each one organized according to the capabilities and priorities of its top spot's supposedly temporary occupant. Since departmental goals and objectives shifted with the political wind, it was impossible to determine the success or failure of

Continued on page 10

Insurance...Continued

In early 2006, Galt Mile Associations braced themselves for large rate hikes commensurate with recent experience. Even after Southern Family insurance requested a "non-rating" from A. M. Best in early 2005, they still had one rated carrier, Australia's QBE. Every Insurance Committee on the Galt Mile realized that since becoming the only game in town, QBE wielded the keys to the kingdom. Acutely aware of this vulnerability, the Galt Mile Community Association carefully monitored insurance communications between QBE and its member Associations. Associations expanded hurricane building repair projects to include improvements required to bring their protective "skins" into compliance with building codes. They investigated upgrades to roofs, windows, doors and garage doors as specifically recommended by the Joint Select Committee on Hurricane Insurance in their final report. They couldn't ignore the handwriting on the wall.

In late March, the other shoe dropped. Associations along the Barrier Island received notification from lone rated carrier QBE that after May, no windstorm policies would be renewed. They explained that their reinsurers were intent on reducing their high-risk exposure. They estimated their maximum future capacity for this class of exposure to be roughly 25% of their existing customers. Three out of four customers would be left without a rated carrier - period.

QBE further explained that the buildings included in the fortunate 25% would have to meet current code standards for "new building" construction. Grandfathered exemptions, while legal, would guarantee ineligibility for coverage. Non-compliant roofs, windows, exterior doors and garage doors threaten Associations with a quadrupling or quintupling of insurance premium costs when sought from non-rated carriers. The more severe deductible requirements of non-rated carriers will also add \$millions to the amount that owners must pony up before triggering benefits. In a triple whammy, the increased maintenance expense will serve to substantially lower unit values. Galt Mile owners are facing possible maintenance increases of 50% to 90%, depending primarily on the "insurability" of their buildings. At the April 3rd GMCA Presidents Council meeting, member Associations overwhelmingly supported the Council's recommendation that every member bring itself into full compliance.

Since some Associations wouldn't be able to achieve the necessary compliance in time to be eligible for reasonable coverage, the Galt Mile Community Association is investigating alternatives. While their premium and maintenance costs would still explode, ineligible Associations may find refuge in the creation of a new Galt Mile Insurance Captive. An Insurance Captive is an insurance company that provides insurance to and is controlled by its owners. This version of self-insurance takes advantage of language in the Condominium Act (Chapter 718 of the Florida Statutes) that financially supports its formation.

A long-simmering debate in some Associations over the cost effectiveness of adequate storm protection is now academic. Residents of non-compliant buildings stand to pay more in insurance expenses than the cost of bringing their buildings into compliance. Simply put, the additional maintenance assessed to each owner coupled with the commensurate loss of unit value would exceed the cost of installing impact windows or shutters. The substantial increase in insurance premiums facing non-compliant Associations would also have paid for a compliant roof - several times over. However, once Associations suffering from non-compliant construction elements bring themselves up to code, insurance costs would accordingly abate.

As Murphy's Law would have it, the "Condo Killer" legislation devoted to emasculating an Association's ability to cope with this - or any other - problem, is simultaneously circulating in Tallahassee. While members of our insurance committees work to guide us through this crisis... the rest of us can at least see to it that their efforts aren't undermined by enactment of legislation designed to dismantle the Condominium system across Florida. While contacting the legislators reviewing these damaging bills in Committee - as recommended by the Galt Mile Community Association - you might suggest that the bills' supporters' time would be better spent helping homeowners secure affordable insurance instead of usurping their right to govern themselves!

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CA Day...Continued

Condo guru Pete Dunbar spoke to the State insurance crisis, discussing the "multiple deductible" issue and the impact that window and door replacements will have on insurance premiums. Negotiations between the Insurance industry and a legislative task force yielded a compromise that allows Associations to select either a single annual deductible with an expensive premium or multiple "per event" deductibles with a moderate premium. While general counsel for the Florida Department of Financial Services, Dunbar chaired Florida CFO Tom Gallagher's Task Force on Policyholder Services and Relations to Citizens Property Insurance Corp., charged with making recommendations to Citizens for improving customer service and returning policies to the private insurance market. He clarified the basis for the insurance crisis currently faced by Florida condo owners. Florida has seen almost every windstorm carrier head for the border, leaving homeowners at the mercy of high-cost, non-rated carriers or the "State's insurer of last resort - Citizens Property Insurance". Carriers have notified officials that they would only insure structures compliant with "new construction standards, if they were to return to Florida." That means any "grandfathered" non-compliant construction wouldn't be considered for coverage. Old windows and doors that fail to pass current building codes would strap their owners with statutory premium expenses that exceed their estimated replacement cost. Lisa Miller, Chief of Staff for Florida Chief Financial Officer Tom Gallagher, seconded Dunbar's conclusions about the threatened insurance nightmare.

Other State officials spoke at a meeting in the House Chambers, expressing dismay that homeowners have to expend resources opposing these clearly damaging bills while confronted with other significant issues. In addition to Senator Skip Campbell, Pete Dunbar and Lisa Miller, homeowners elicited support from Senator Jeff Atwater, Representative Mary Brandenburg, Representative Matt Meadows, House Majority Leader Andy Gardiner, Senator Bill Posey, Representative Carl Domino and Molly Foley-Healy from CAI (Community Association Institute) National,

Later in the afternoon, we met with District 91 Representative Ellyn Bogdanoff who also committed herself to oppose this legislation. After completing our initial goal of educating our local representatives and aligning their support, we considered the unlikely prospect of arranging an impromptu meeting with the bill's sponsors, Representatives Rene Garcia and Juan Zapata. Evidently, they were avoiding contact with anyone participating in this organized opposition to their bill. Upon arriving at Representative Garcia's office, his Secretary notified us that he wasn't available. Undiscouraged, the Galt Mile group trudged to Representative Zapata's office. His secretary claimed that not only was he unavailable, but that he would be unavailable for the rest of the day. As our contingent prepared to leave - disappointed at having been deterred - we noticed that someone was missing. Not to be denied, Dott Nicholson-Brown slipped past the secretary and into Zapata's private office. Moments later, she rejoined the group, announcing that, "We have two minutes!" While we questioned Mr. Zapata about his motives for sponsoring legislation disastrous to condo owners, he had occasion to ask Regency Tower resident Jim Rigney what he didn't like about the bill. Jim growled back, "Everything... there's nothing good about it." Sarcasically, Zapata retorted, "Please, say what you think" to which Rigney reconfirmed, "I just did!"

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FROM THE OFFICE OF REPRESENTATIVE ELLYN BOGDANOFF

Weeks 3 & 4 From Tallahassee

On March 31st, Florida District 91 Representative Elyn Setnor Bogdanoff updated constituents participating in her "Legislative Update" email program with a review of the first month's progress. The House passed a major education reform package, both houses passed Joint and Several liability and the Finance and Tax committee passed an additional sales tax holiday saving shoppers up to \$5000. The Sales Tax Holiday was one response to the flood of tax dollars currently awash in the Capitol. Ms. Bogdanoff also touched on the progress of her "Direct Ship Wine bill", her "anti-bullying" bill, the DNA bill, her Guardianship bill and her Department of Motor Vehicles bill. Of greater direct relevance to Galt Mile constituents are her comments concerning the insurance crisis that threatens every Barrier Island homeowner with a personal financial dilemma. Read on: - [editor]

The third and fourth weeks are behind us and it was very busy in Tallahassee. Sorry I missed last week. I just simply ran out of time. Although many groups cancelled their events, several advocacy groups still made it to the Capitol. I met up with my friend that I told you about last week. I had not seen her since high school. She looked the same to me. We didn't get much time to chat but promised to stay in touch.

The major education reform package passed the House. The debate went on for several hours. Interesting that most of the debate had little to do with the actual bill. The School Districts supported the changes. Middle School students will need 12 courses to be promoted to High School covering Math, Science, English, and Social Studies. We added a credit in the arts and PE in 6th grade. High School students will have required courses, but also have the opportunity to focus on an area of interest by majoring in a variety of subjects. The Senate has not passed its version of the A++ yet, but hopefully soon.

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Bogdanoff..Continued

Joint and Several liability passed both the House and Senate.

The House budget is virtually done this year. We have quite a bit of extra money. The challenge is spending it where it is needed but not on recurring issues. Much of the extra money is a windfall due to the Hurricane. If we fund programs that depend on continued funding, we may have to cut off what we started. That is dangerous. Education should get more and that is a good thing.

I know we will look to give some of it back, after all; it is the taxpayer's money. The Finance and Tax committee passed an additional sales tax holiday which will allow for folks to purchase items up to \$5000. Many feel that we obtained the funds through sales tax and it should be returned in the same manner. This is one of many proposals.

I have a few projects in the budget to help with Hurricane damage and senior services. We have to watch those carefully. With the extra money, we should be able to take care of some of these issues since they are one shot deals.

The negotiations with the Senate begin soon. My biggest issue these past two weeks was the Anti-Bullying bill. It passed out of its second committee, but not without a great deal of debate. I really believe this bill is so misunderstood. Mrs. Johnston testified as did one of her son's friends. They were all wearing shirts that said "Jeff's Bill" and support HB 535. It was difficult to hold back the tears. Looking in the audience, there weren't many dry eyes. The young people who spoke were so articulate. I received a beautiful thank you from one of the young men who opposed the bill. He was impressed with the process and wrote to let me know that even though he would rather see changes to the bill, ultimately he believes that HB 535 will have a positive impact on kids. Now that was impressive...I think he has a future in politics :)

Like many of you, I am worried about the insurance issues and continue to receive a great deal of emails. I am not sure if we will get done what we need to this year. There is no easy fix to the wind-storm crisis. We must figure out how to bring back the private insurance market. The state was a good stop gap, but we don't belong in the insurance business. I am still working my proposal. There is no doubt that insurance will go up, but we need to find a long term solution to bring in additional carriers who will share the risk...okay, let me throw it out there and get your feedback.

What do you think about allowing carriers to come into the state and charge a rate they believe they need to survive say, on the first 200,000 to 300,000 of coverage? This is called "open rating." The risk is that companies will come in and at first, charge high prices. The theory is that eventually, other carriers will see opportunity and the market will control prices. In other words, let the "free market" work. Right now, some of us are facing up to 70% increases in our insurance costs. I am not sure it could get much worse. But if we don't do something, even if it is painful in the short term, we will never solve the problem in the long run. The state can always step in...the challenge is to figure out how we let the insurance market take over. Statistics show that if we had a major storm through a highly populated area, the state would not have the money to pay the losses. Citizens, Florida's insurance company, will be the largest carrier in the state within the year if something dramatic does not change.

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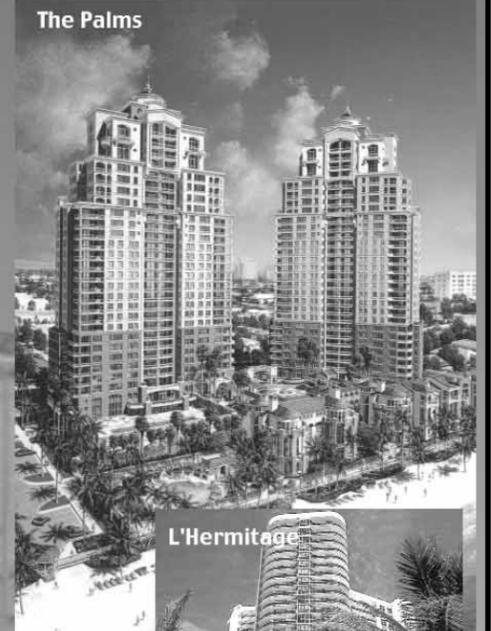
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