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Past President Mary Gentile, CSM, CRX

## BOARDROOM REPORT

### News from recent REIS board meetings

#### Monthly Programs:

The annual legislative review will be presented by State Representative Jenna Persons-Mulicka and State Senator Ray Rodrigues at the **May 11th luncheon**, sponsored by [Sallee Promotions](#).

Lee County Economic Development Director John Talmage will deliver an update and outlook at the **June 8th luncheon**, sponsored by [Chris-Tel Construction](#).

Tourism trends and strategies will be explained by Tamara Pigott, director of Lee County Visitor and Convention Bureau at the **July 13th luncheon**, sponsored by [Stevens Construction](#).

We welcome your ideas for programs and speakers, which may be submitted to [Kent Poli](#), 239.337.3993. If you would like to lead the pledge of allegiance and prayer at a luncheon, please contact [Don Miller](#), 239.571.4968.

#### Real Estate Symposium:

Annual educational program, presented with Lutgert College of Business, takes place **September 9th** at Florida Gulf Coast University and will focus on the relationships between water quality and resiliency with economic growth and development in Southwest Florida.

#### Sponsorships:

Prime sponsorships are now available for the upcoming Real Estate Symposium and annual party. Contact [Molly Scott](#), 239.226.0500, for information and availability of opportunities to sponsor REIS events.

#### Horizon Council:

Mary Gentile, REIS representative to the Council, reports that the April meeting discussed global economics and implications for travel and foreign investment.

#### Reception for Lee County Commissioners:

Exclusive event for REIS members has been rescheduled for October 14th. Sponsored by Edison National Bank and Henderson Franklin, Attorneys at Law.

#### Scholarship Program:

Donations are needed for scholarships to be awarded in 2021. Information and an online donation form are on the [REIS webpage](#) or contact [Bev Larson](#) for details.

## “RIGHTS OF NATURE” LAWSUIT

A lawsuit has been filed against a developer and the state in Orange County, Florida, on behalf of a network of lakes, streams, and marshes. The suit seeks to block a development permit from the City of Orlando and a dredge and fill permit from Florida DEP. The suit was filed under a “rights of nature” law passed by the County in November, which secures the rights of its waterways to exist, to flow, to be protected against pollution and to maintain a healthy ecosystem. It also recognizes the authority of citizens to file enforcement actions on their behalf. Laws protecting the rights of nature are growing throughout the world and this is the first effort to enforce one in the U.S.

## INVESTING IN WATER PROJECTS

The U.S. Senate passed the Drinking Water and Wastewater Infrastructure Act of 2021 ([S. 914](#)) on April 29th in an 89-2 vote. If approved by the House of Representatives and the President, the bill would invest \$35 billion to upgrade aging water treatment infrastructure, improve wastewater control, and empower states to fund water quality protection and habitat restoration projects.

## COMMERCIAL PATH OF GROWTH

The City of Cape Coral is drafting a plan to encourage commercial development in the Burnt Store Road corridor to serve the extensive residential development planned for the area. The road is the main route between the City and Charlotte County and has recently been improved to 4 lanes from Tropicana Parkway to Van Buren Parkway, with the sections from there south to Pine Island Road being widened this year.

## PROPOSED SWF TOLL ROAD FAILS

The Florida Legislature passed Senate Bill 100, which repeals provisions of the legislation that created MCORES, Multi-use Corridors Of Regional Economic Significance. The modified program eliminates the proposed toll road from Collier County to Pasco County. The legislation is awaiting action by the Governor.

## LUMBER IS DRIVING HOME COSTS

Rising lumber costs over the past 12 months have increased the average cost of a single-family home by \$35,872 and a multi-family dwelling by \$12,966, according to the National Association of Home Builders.

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## STATE LEGISLATIVE ACTION

**Affordable Housing** Bills to protect the State Housing Trust Fund and Local Government Housing Trust Fund from transfers *failed*. Senate Bill 2512 permanently changes the distribution of documentary tax revenues, reducing the funding for affordable housing from \$423 million to \$200 million and allocating the remaining revenue for sea level rise and wastewater infrastructure projects. *Passed by the Legislature in the budget.*

**Tourism** SB 778 and HB 213 would make the state's tourism marketing organization "Visit Florida" permanent. *Both bills failed.*

**Business Liability** SB 72 provides protections from civil liability claims relating to damages from COVID-19. *Passed by Legislature and signed by the Governor.*

**Building Design** HB 55 and SB 284 would provide that regulations relating to building design elements may not be applied to certain structures. *Failed.*

**Growth Management** HB 59 requires a property rights element in comprehensive plans; provides that certain property owners are not required to consent to development agreement changes; prohibits municipal annexation of specified areas; and authorizes developments of regional impact (DRI) agreements to be amended. *Passed by Legislature and signed by Governor, to be effective July 1, 2021.*

**Regional Planning Councils** SB 62 would revise a requirement for the Governor to consider reports and analyses relating to revision of the state comprehensive plan and eliminate advisory role of councils in state comprehensive plans. *Failed.*

**Taxes** HB 129 and SB 1222 would raise the corporate income tax rate from 5.5% to 6.5%. SB 652 would create a severance tax of 12.5 cents per gallon of water extracted from state waters, while SB 1776 would create a fee of 5 cents per gallon. *All bills failed.*

**Flood Mitigation Exemption** HJR 1377 allows the state constitution to be amended to allow a tax exemption for home improvements to mitigate flooding impacts. *Passed by Legislature, to be approved by Florida voters.*

**Energy Regulation** HB 856 and SB 1128 would prohibit local governments from regulating "energy infrastructure" and banning natural gas in new construction. *Both bills passed by Legislature and awaiting action by Governor.*

## BUSINESS RENT TAX REDUCED

Florida Senate Bill 50 reduces the tax rate on commercial leases from 5.5% to 2.0%. *Passed by the Legislature and signed by the Governor, to become effective July 1, 2021.*

## IMPACT FEE INCREASES LIMITED

Florida House Bill 337 caps impact fee increases on new construction by prohibiting local governments from raising an impact fee by more than 50 percent or increase a fee more than once every 4 years. *Passed by the Legislature and awaiting action by the Governor.*

## PROPERTY RIGHTS STRENGTHENED

Florida House Bill 421 modifies the Bert Harris Act, which provides legal remedies for owners whose property rights are burdened by local government actions. It reduces the timeframe for a claimant to file an action, allows claimant to have court determine damages instead of jury, and extends the point in which a claimant may recover attorney fees and costs. *Passed by the Legislature and signed by the Governor, effective October 1, 2021.*

## FLOODING AND SEA LEVEL RISE

Florida Senate Bill 1954 requires the Department of Environmental Protection to conduct a statewide assessment of flood risks, encourage local governments to set up regional coalitions on resilience issues and establishes the Florida Flood Hub for Applied Research and Innovation to address flooding and sea-level rise issues. *Passed by the Legislature and awaiting action by the Governor.*

## REIS WELCOMES NEW MEMBERS

**Stephen Hilfiker**, president of Environmental Risk Management, is an environmental consultant to industries, developers, bankers, and agencies.

**Ryan Swick**, associate attorney with Pavese Law Firm, focusses on community association and planned development law, construction and real estate law.

**Janna DePue** is director of sales marketing with Restoration1 of SWFL.

**Steve Wagner**, associate at Evans & Wagner Commercial Group, specializes in commercial real estate analysis.

**Nathan Halligan, MBA**, commercial loan officer with Busey, specializes in commercial lending and business portfolio management.

Membership information is on the [REIS website](#)



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