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## BOARDROOM REPORT

### News from recent REIS board meetings

#### Luncheon Programs:

Fort Myers Mayor Randy Henderson will discuss City goals and challenges at the September 14th luncheon, sponsored by [MK Construction / Gulfcoast Medical Park](#).

The consequences of Amendment 4 will be explained by Ward Friszolowski, former mayor of St. Pete Beach, at the October luncheon, sponsored by [Lutgert Insurance](#).

There will be no luncheon in November, in favor of the Annual Party. The new chairman of Lee County Board of Commissioners is invited to speak at the December luncheon, sponsored by [Krise Commercial Group, LLC](#).

#### Education Workshop:

"Where's the Money?" half-day workshop takes place September 22. Reservations are required by Sept. 16. An excellent program on capital sources has been developed by Education Committee Chair Stephanie Keyes and committee members Steven Kushner, Karen Miller, and Bev Larson.

#### Horizon Council:

REIS will be a "Silver Sponsor" of the Annual Industry Appreciation Event in Fort Myers on September 17.

#### Scholarship Programs:

The REIS Scholarship Foundation is seeking donations to fund scholarships to be awarded this fall. Donations may be also be made to honor Paul Sands or Bob Janes.

#### Annual Social Event:

This year's Annual Party on Nov. 18 will feature a silent auction to benefit the scholarship fund. Contact Vikki Luft ([vluft@compassconstruction.com](mailto:vluft@compassconstruction.com)) for sponsorship opportunities or to donate auction items.

#### Reception for Lee Board of Commissioners:

The popular bi-annual reception is scheduled for Dec. 9 at Edison National Bank and is sponsored by Edison National Bank and Henderson Franklin Attorneys at Law.

## WHERE'S THE MONEY?

The half-day seminar, "Where's the Money?," will be presented by REIS September 22 in Magnolia Room at Pelican Preserve Town Center in Fort Myers.

**"SBA Financing – An Overview with Emphasis on the SBA 504 Program"** will be presented by **Mark Mayhew** of Florida Business Development Corporation.

**"The New Principle is 'Tried & True' – back to the Fundamentals of Lending,"** presented by **Michael Greenhoe**, will explain the role of commercial banking in development financing, workouts and loan restructuring. Mr. Greenhoe is Senior Vice President of Commercial Lending for Encore Bank, NA.,

**"Is America the Last Bastion of Capitalism for Foreign Investors?"** will provide guidance on foreign investors, their market and property criteria, means of identifying opportunities, and how to serve them. The topic will be presented by **Andrew J. Haake**, president of Commercial Real Estate Opportunity Fund of SWFL.

**"Unlimited Capital – Managing Borrower's Expectations with Lender's Platforms in Today's World"** will be presented jointly by **N. Edward Tamer** and **John Nicola**. They will review capital markets, current lending criteria, sources of venture capital, and what developers and consultants need to know to finance development projects. Mr. Tamer is Senior Vice President of Grandbridge Real Estate Capital and Mr. Nicola is Assistant Vice President of the firm.

"Where's the Money" will culminate with a panel discussion moderated by **Steven P. Kushner**, Attorney at Law and Shareholder with Becker & Poliakoff, P.A.

Admission is \$25 for REIS members, \$15 for active college students, and \$45 for all other interested persons. Reservations are required by September 16th.

The seminar is sponsored by Becker & Poliakoff, P.A., HSA Engineers & Scientists, Grandbridge Real Estate Capital, LLC, and David Douglas Associates, Inc.



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## PROPERTY TAX BREAK APPROVED

Voters in Charlotte and Sarasota Counties and the Cities of Venice, North Port and Sarasota approved ordinances to grant ad valorem tax exemptions for new businesses and existing businesses that expand. The exemptions can be granted at the local government's discretion for up to 100% of the value of improvements for up to 10 years. The economic incentive is on the ballot in Desoto County in November and Manatee and Hillsborough Counties are also considering voting on the exemption in November.

## NEW FEMA FLOOD MAPS REVEALED

The Federal Emergency Management Agency (FEMA) has released new flood maps of Collier County. The maps include risk from rainfall in addition to coastal storm surge, so many more properties are now in flood zones. A 90-day comment period will allow property owners to appeal. The maps and related information are on Collier County's website: [www.colliergov.net/floodmaps](http://www.colliergov.net/floodmaps). The County has also established a hot line— (239) 252-2942, operating from 8:00 a.m. to 5:00 p.m. weekdays, to answer questions about the maps and their implications.

## TEN MILE CANAL FLOODWAY

A section of the FEMA map of the Ten Mile Canal floodway in south Fort Myers has been revised removing approximately 112 acres from the regulatory floodway. Regulations prohibit the use of fill in these floodways and require a No-Impact Certification with permit applications.

## GROWTH MANAGEMENT LAW

A circuit court has declared SB 360 to be unconstitutional. The Growth Management Bill was passed by the 2009 Legislature and a coalition of cities and counties filed claims. The court rejected all claims except the provision which mandates local governments adopt comprehensive plan amendments to exempt in "Dense Urban Land Areas" from transportation concurrency requirements. The court stated that amending the land use plans imposed a significant cost to the affected communities, thereby creating an "unfunded mandate," which is prohibited by Florida's Constitution.

## HOW "HOMETOWN DEMOCRACY" CRIPPLES LOCAL GOVERNMENT

REIS welcomes former St. Petersburg Beach Mayor Ward Friszolowski to the October 12th luncheon to address concerns about the consequences of "Hometown Democracy". Hometown Democracy is the slogan of the group proposing Amendment 4 to Florida's Constitution, which would require voter approval of changes to local land use plans.



Ward Friszolowski served as mayor from 2000 to 2008, during which time a local version of Amendment 4 was implemented in St. Petersburg Beach. He is an architect and Executive Vice President of Harvard Jolly, Architects.

Information about the proposed amendment, the REIS position, and links to ballot language is available at <http://www.reis-swfl.org/amendment-4.html>.

## REIS MEMBERS TAKE ACTION

REIS member **Matt Caldwell** is running for the District 73 seat in the Florida House of Representatives. Caldwell won the Republican primary and is preparing for the November 2nd general election.


REIS member **Roy Hyman** is chairing the "Golden Goose" committee of the local Republican Party and has also been appointed to the *News-Press* Editorial Board.

## REALTORS COMPENSATED BY BP

Florida Realtors, with Realtor organizations from other Gulf states, negotiated a \$16 million dollar allocation from BP to compensate real estate professionals claiming loss of income due to the oil spill in the Gulf of Mexico.

## MORE FEDERAL AID FOR HOUSING

US Housing & Urban Development (HUD) is allocating \$208.4 million to Florida for neighborhood stabilization. The money may be used to buy land and homes, demolish or rehabilitate abandoned properties, and offer down payment or closing cost assistance to home buyers. Allocations include \$8.6 million to Lee County, \$3.8 million to Collier County, \$2 million to Charlotte County, \$3 million to Cape Coral, and \$1.5 million to Fort Myers.



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## WORKING TOGETHER IS THE KEY

*By Mike Rosen, member of Real Estate Investment Society and Senior Vice President of Collier Enterprises*

With the current state of the economy, some developers and builders are working with their local governments to review Land Development Codes to remove unnecessary steps along the path to receive entitlement approval which have become obstacles to our economic growth and prosperity. Building Industry Associations throughout the country are looking for ways to increase work for their members and the industry as a whole.

In Atlanta, David Ellis, Executive Vice President of the Greater Atlanta Home Builders Association was positive regarding the relationship with the various local governments in his area. He has seen some impact fees and development fees lowered and has often been asked by government officials, "What can we do to get the builders back to work in our community?" A step in the right direction.

In Lee County, which encompasses Fort Myers, Bonita Springs, Estero and other areas, two prominent local land use attorneys, Neale Montgomery and Chuck Basinait are aware of conversations and dialogue regarding lowering fees. They cited the state legislature's approval of Senate Bill 1752 which grants a two year extension on local and state issued permits but have made no local changes as yet.

Southwest Florida, particularly Collier County, has entered into a new paradigm with the land development industries approval process. In various meetings with newly appointed County Manager Leo Ochs, Development and Environmental Services Director Nick Casalanguida and members of the Collier Building Industry Association (CBIA), the CBIA was asked to draft amendments to the County's Land Development Code (LDC) in order to flush out anything in the code that unreasonably inhibited growth and prosperity in the county. Individual meetings with all the County Commissioners took place to insure that a majority of the Commission was in favor of this effort. Past history of working with the LD Code was strenuous at best in relationship to time.

Rounds of meetings and requests during the process for additional information have lead to long periods (in some cases over a year) to receive what some would say are simple approvals. Well, it looks like that is going to change!

In December of this past year, Leo Ochs met with the CBIA's new elected President David Aldrich and asked if the organization would look at authoring a group of amendments to reverse the log jam process. With the economic condition the County as well as the rest of the state is in, swift, comprehensive, fair treatment is going on the menu. The CBIA re-instated its Developers Council in January of this year with subsequent meetings held each month thereafter. The development community, including all of its professional consultants, showed up and over 25 un-compensated volunteers stepped forward to form sub-committees to review the various elements of the LD Code. Each monthly meeting usually has over 35 industry members attending. The existing code is so confusing that some say it should be abandoned all together; however, the group of volunteers has agreed to work with what is there, offer reasonable amendments. They will, of course, have to be reviewed and approved by County staff and eventually the County Commission. It is anticipated that the review, re-write and coordinated efforts will take at least 5 more months but will be well worth the wait.

By working together, the Building Industry Associations and local governments can identify barriers to construction and redevelopment and remove them. Sometimes a simple change in wording, like "shall" to "may," can provide the incentive for a project to move forward and put people back to work.

## UPDATING THE LEE PLAN

Lee County Community Development's Planning Division met with other staff and consultants Aug. 30, 31 and Sept. 1 to identify strategies for the County's four planning issues – Livability, Strengthening Connections, Community Character, and Sustainability. The strategies will be the basis for Lee County's Evaluation and Appraisal Report (EAR) and the broader effort to update the Lee Plan through the 2035 planning horizon.

New Horizon 2035 is the visioning process through which the County is updating the Lee Plan. Participants put Lee County's Issues and Opportunities Report into a workable framework for the actual updates to the plan. The proposed strategies and draft EAR framework will be presented to citizens, business managers, and policy officials at a series of workshops in September and October. The final EAR will be delivered to DCA in February 2011. Details and reports are available at <http://www3.leegov.com/dcd/ComprehensivePlanning/EAR/EAR2011.htm>.