

2011 BOMA FLORIDA

Government Affairs Executive Committee Newsletter



President's Message



I had the pleasure of meeting the most recent BOMA Florida intern, Will Schonenberg recently. Will asked me how I became involved in BOMA and the process I went through to become an officer. Thinking how I had been telling people I “drank the BOMA Kool-Aid” years ago, I conveyed the value of that commitment to career, education, personal growth, and friendships. I then thought about my first introductions to BOMA Greater Tampa Bay and subsequently BOMA Florida.

I was new to Florida, new to Property Management and consequently did not know many members when I attended my first BOMA luncheon meeting. Thankfully one of the leaders, Lisa Cox, challenged me to become active by making attendance to meetings a priority in my schedule and to join a committee in order to gain the most value from my membership. Lisa and others through the years mentored me when I became a local Board Member, then an officer, and BOMA Florida officer. Without their guidance, I would have missed opportunities to learn from others in the industry, which would have limited my understanding of the many benefits of membership.

I encourage you all to seek out new members of your local associations—Become a mentor. Bring a member to a Board meeting as an observer so they can see how the Board functions and the leadership comes together to make a successful association. Look for a young member with potential for leadership and get them involved in a committee and help them become a Board member or officer. If you travel to BOMA events, tutor those who are new to State, Regional and International meetings. We might forget how overwhelming these events can be to a first time attendee. Help them assess the schedules to determine what events they should attend to most benefit their association. Invite them to accompany you to the social events and introduce them to your BOMA friends.

BOMA Florida is comprised of so many outstanding individuals and we all need to make sure that fresh new energy, ideas and commitment are always being infused through new leadership. So pour yourself a big ole tall glass of BOMA Kool-Aid and give others the value of your experience by being their BOMA Mentor.

—Respectfully, Lynn Vilmar, RPA, BOMA FL President

We turn Pennies into Dollars

■ BOMA International Efforts

At a time when every item in your budget must justify its cost, BOMA International membership is more valuable than ever. For a membership cost of around one cent per square foot, BOMA continues to save you building operating expenses of up to \$1.00 per foot. How does BOMA do it? **Advocacy**. BOMA is constantly working to reduce the unnecessary taxes, costs, and regulations that make it hard for you to do business.

\$0.15/SF/Year Energy Savings: Representation with utilities

\$0.35/SF/Year Tax Savings: Savings of \$3.6 billion in capital gains tax reduction, leasehold depreciation at 15 years, energy-efficiency tax deductions, and no sales tax on janitorial services

\$0.50/SF/Year Regulation Savings: Unnecessary OSHA indoor air-quality regulations, overly aggressive ADA requirements, and more reasonable L&I licensing rules

■ BOMA Florida Efforts

BOMA Florida supports legislation that increases competition in the energy market, supports a free market approach to energy generation, and requires utility companies to focus resources on Demand Side Management (DSM) energy reduction strategies in lieu of increasing generation capacity.

Building owners understand that reducing their power consumption costs less than buying additional power. Florida utility companies do not give this strategy enough emphasis, while it can be found as a key strategy. For example, in Gainesville, GRU has adopted a “Feed-In Tariff” (FIT), where customers invest in their own solar PhotoVoltaic systems to generate electricity and sell energy directly to GRU under a contract for 20 years at a fixed price.

BOMA Florida opposes any type of legislation or regulation, such as HB 7217 and SB 2078 that increase utility company profits at the expense of building owners. BOMA Florida opposes the request by power companies to build additional power generation capacity, without a simultaneous investment in consumption reduction through more robust (DSM) Demand Side Management. BOMA Florida supports investment in distributed renewable energy generation, as Florida’s business should have the freedom to choose its own renewable power source. Read more [here](#).

GA Welcome

From the Desks of the GA Co-Chairs:



DK Mink



& Lacey Willard

The BOMA Florida Government Affairs Executive Committee and each Government Affairs Committee at our seven local associations have been hard at work on behalf of our membership, advocating on issues related to commercial real estate.

We are very excited to publish this annual newsletter, recapping our efforts during the 2011 Legislative Session and looking forward to our plans and goals for 2012.

As always, we extend a special thanks to Melanie Schrul. Her diligent dedication to our organization and our industry enthruses our volunteer base, who are our lifeblood in generating results for our member.

Our six-member volunteer base for the Executive Committee oversees GA activities such as:

- Creating and reviewing Position Papers
- Coordinating Advocacy Day in Tallahassee
- Generating reports for BOMA's meetings
- Advocating on legislative bills
- Holding weekly executive-level calls, and leading monthly Statewide calls

We would like to thank all members of local and statewide Government Affairs Committees for your dedication, long hours and wonderful communicative team efforts in support of and for all BOMA Florida Members.



Finally, we would like to thank and recognize Mike Biddle, who retired from our GA Committee this year. Mike's vision, wisdom, and dedication to BOMA Florida for several years inspires us all.

We wish Mike all the best!

BOMA Florida Government Affairs Committee:

Jack Goodrich	jack.goodrich@abm.com
Richard King	richard.king@colliers.com
DK Mink	dkmink@minkandmink.com
Rosemary O'Shea	roshea@bakerlaw.com
Lynn Vilmar	lynn.vilmar@cbre.com
Lacey Willard	lacey.willard@cbre.com

2011 BOMA Conferences

■ **BOMA Florida 2011 Meeting: October 7, 2011**

Join Us! The Annual BOMA Florida meeting will be held in Tampa, Florida at the Westin on Rocky Point on October 7 from 10AM – 3PM. Leaders of the BOMA Florida will be discussing our vision as we head into 2012, our stance on the legislative issues, and a recap of the activities our organization has successfully engage in over 2011. We will also be honoring our lobbyist Lee Moffitt for his dedication to the advocacy interests of our members. For more information, contact melanie@bomaflorida.org, or register [here](#).

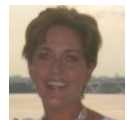
■ **BOMA International Convention (July 2011)**



BOMA members gathered in our nation's capital to network, report on local issues, and hear from renowned economists (pictured left, Session Headliner David Gergen).



Congratulations to BOMA Florida member John Scott who was named to join the BOMA International Executive Committee during this year's convention!



Congratulations to BOMA Florida BAE Melanie Schrul, who was elected to serve as the President of the BAE Council for BOMA International!

Plan now for BOMA International 2012, which will be June 24-26, 2012 in Seattle, WA at the Washington State Convention Center!

■ **BOMA Southern Region Conference (April '11)**

"TOBY's and Tornados" became the impromptu theme of this year's Southern Region conference in Raleigh/Durham. BOMA persevered, and attendees accomplished committee meetings, advocacy updates, and education sessions at this year's event.



Congratulations to BOMA Florida's Richard King who was elected the Southern Region President!

Plan now for the 2012 Southern Region, which will be held in our very own Jacksonville Local, and 2013 Southern Region which will be held in our very own Greater Tampa Bay Local in St. Petersburg!

■ **Florida Building Code Commission Meetings**

BOMA member Jeff Gross represented industry interests at the FBC meetings held in 2011. He participated approving the draft of the 2010 Edition update of the Florida Building Code and proceeding with rule adoption for Florida Accessibility Code. The biggest change of interest to our members is detectable warnings – small bumps on curb ramps – have been eliminated from the code on areas not covered by DOT requirements. Another area of interest is a Workgroup established to make a continual study of the Florida Building Code and related laws. See FBC updates [here](#).

'11 Florida Legislative Session



The GA Executive Committee, together with BOMA's lobbyist, the Honorable Lee Moffitt pictured left, identified over 200 proposed bills which could impact the industry. Together we analyzed and discussed recommended action for each bill, and communicated the importance

of our position to Senators and Representatives. Because this was such an active session, Lee was especially dynamic in expertly representing BOMA's advocacy stance to our elected officials and for that we wholeheartedly extend our thanks. Following are summaries of BOMA position papers on legislative issues of significant impact to the commercial real estate industry in the 2011 session:

GROWTH MANAGEMENT: BOMA Florida supports growth management efforts that balance growth and development with natural resource preservation, and provide job centers with mixed uses. *To link directly to BOMA Florida's position on Growth Management, click [here](#).*

TAXES: BOMA Florida's position on tax legislation impacting commercial real estate includes revision of tax regulations to create fair and equitable participation and placement of limits on local government spending. *To link directly to BOMA Florida's position on Property Taxes, click [here](#).*

NUTRIENTS IN FLORIDA'S WATERS: BOMA supports the Florida's position that the State is responsible for the control of water quality with oversight by the EPA. *To link directly to BOMA Florida's position on Nutrient Counts click [here](#).*

ENERGY/SUSTAINABILITY: BOMA Florida encourages expanding responsible consumption practices that are environmentally and economically sustainable utilizing proven technologies and procedures. *To link directly to BOMA Florida's position on Energy click [here](#).*

INSURANCE: Insurance is a significant operating expense, is a requirement for capital creation, and is vital to recovery after a nature disaster. Insurance must be available at reasonable rates and terms. *To link directly to BOMA Florida's position on Insurance click [here](#).*

POWER GENERATION IN FLORIDA: BOMA Florida supports legislation to increase competition in the energy market, promote a free market approach, and focus utility companies on Demand Side Management and energy reduction strategies rather than increasing generation capacity. *To link to BOMA Florida's Energy Paper click [here](#).*

CONSTRUCTOIN LIEN LAW: New provisions create obligations for landlords which if not followed will cause a real property to be subject to liens for tenant improvements. *To link directly to BOMA Florida's notice on liens click [here](#).*

COMMERCIAL REAL ESTATE ENERGY ALLIANCE: The project team delivered: Site/building lighting specifications; Webinars on submetering, whole building baselining, and retrocommissioning; EIS Guide specifications; and Projects on occupancy controls, central cooling plant needs assessment, and shopping center/retail energy use metric. *To link directly to BOMA Florida's CREEA information click [here](#).*

BOMA Florida exerted focused advocacy for the interests and benefit of the membership during this session. Here is a summary of bills tracked. For more information, contact Lacey Willard at lacey.willard@cbre.com.

BOMA-FL ACTIVITY: 2011 FLORIDA :		
AD HOC COMMITTEE		
HB 93	Security Cameras	Supported; Thank you letters issued
CS/HB 253	Limited Liability Companies	Monitored, in support
CS/HB 143	Economic Development	Monitored
CS/CS/HB 287	Economic Development	Monitored
CS/CS/CS/HB 599	Corporations Not For Profit	Monitored, in support
CS/CS/HB 701	Property Rights	Monitored
CS/CS/CS/HB 849	Building Construction/Inspect.	Monitored
HB 951	Recording of Real Property Docs	Monitored
CS/CS/CS/HB 1195	Condominium, Cooperative, and HOAs	Monitored
HB 4023	Sales Representative Contracts Involving Commissions	Monitored
HB 7253	Ratification of Rules Pertaining to Land Planning Regulations	Monitored
S 1196	Construction Liens	Monitored, in opposition
GROWTH MANAGEMENT		
HB 7001	Growth Management	Supported
HB 7207	Growth Management	Supported
S 2226	Hillsborough Area Transit Auth.	Monitored
WATER		
CS/CS/HB 421	Agricultural-related Exemptions to Water Management Requirements	Monitored
S 7154	Water Management Districts	Monitored
S 2142	Water Management Districts	Monitored
INSURANCE		
CS/CS/HB 99	Commercial Insurance Rates	Monitored
CS/HB 1087	Insurance	Monitored
HB 4181	Prohibited Activities, Citizens	Monitored
S 408	Property and Casualty Insurance	Monitored
S 7146	Citizens Property Insurance Corporation	Monitored
TAXES		
CS/CS/CS/HB 281	Value Adjustment Boards	Monitored
CS/CS/CS/CS/C S/HJR 381	Reduction for Nonhomestead Assessment Increases	Strongly Opposed;
CS/CS/HB 1163	Ad Valorem Taxation	Monitored
S 410	Impact Fees	Monitored
S 478	Property Taxation	Monitored
S 484	Discriminatory Taxes/Reins.	Monitored
ENERGY/SUSTAINABILITY		
S 7142	Pollution Control	Monitored
S 7082	Energy	Monitored
S 7100	Florida Energy/Climate Comm.	Monitored
S 2106	Florida Energy and Climate Commission	Monitored

Tally Day 2012: January 17



Calendar Tally Day 2012! Save the Date!

BOMA Florida will be hosting our annual advocacy event in Tallahassee, currently scheduled for January 17, 2012. The 2012 Session will begin 1/10/12 and last until 3/9/12 due to reapportionment. Each year during legislative session, commercial real estate owners and managers travel to Tallahassee to spend a day at the Capitol to discuss BOMA's stance on important issues. Having a strong showing from our members at the Capitol sends the message that BOMA is a robust association with the backing of a talented and involved membership. For more information, check our [website](#) or contact melanie@bomafloida.org.

Six Pillars

On July 13, the Six Pillars Caucus meeting was held at St. Petersburg College. The meeting's purpose was to create best practices and take steps to move towards a better Florida in 2030. The Six Pillars are:

1. Infrastructure and Growth Leadership
2. Quality of Life & Quality Places
3. Talent Supply and Education
4. Innovation & Economic Development
5. Business Climate & Competitiveness
6. Civic & Governance Systems

The meeting consisted of representatives from all areas of expertise and geographic markets across the state. From the ground work laid in St Petersburg, they have created a preliminary outline that will identify resources that will guide the 2030 strategic planning. This Caucus is focused on sharing and collaborating within Florida business communities to create a better and stronger Florida by 2030.

Preparedness Sources

The Southern Region has started a Preparedness Coalition; the purpose is to create a service source when major catastrophe strikes. For consideration onto this list, a service provider must be a member of a BOMA Local, present a recommendation from a PM or BOMA Staff, and complete a review by the Southern Region Preparedness Coalition Committee. Selected participants will have resources in excess to cover their current commitments, and a willingness to respond to our many geographic markets. This list will be available to all members of the Southern Region.

BOMA FL Summer Intern



BOMA Florida is very proud to have named Will Schonenberg as our summer intern for 2011. Will graduated from Florida State University—College of Business with a Bachelor of Science in Real Estate.

He previously had interned at the FSU Financial Aid offices; served as the Historian for the FSU Real Estate Society; and acted as Scholarship Chair, Honor Committee Chair, and Housing Manager for Sigma Nu Fraternity at FSU. Will is a student member of ICSC; holds a certification in ARGUS; and was the recipient of the Bright Futures Medallion Scholarship.

Throughout the summer of 2011, Will actively tracked Governor Scott's review of bills presented during the legislative session, job shadowed with our committee members, and learned greatly about the commercial real estate industry. Will Schonenberg is interested in a career in commercial real estate here in the state of Florida, or in his hometown of Washington D.C. Please contact Will if your firm has an opportunity for Will in one of the many divisions in our industry! His email is: willschoney@gmail.com.

We are actively recruiting for the Fall 2011 and Spring 2012 intern positions. Please contact lacey.willard@cbre.com if you have a recommended intern!

Share EnergyStar w/ BOMA

By sharing your energy management progress and leadership with BOMA, you will help us to highlight our industry's dedication to reducing greenhouse gas emissions. Here's how:

- Log-in to the ENERGY STAR website by going to www.energystar.gov
- Click on a building within your portfolio
- Scroll down on the page and look for "Sharing Data"
- Click on "Add user to share this facility."
- Click on "Select a Portfolio Manager Master Account" and search for BOMA INTERNATIONAL – BOMABEEP; Click "Continue"
- Select the "Read Only" option for access rights and click on "NO" for all other optional rights.
- Click "Save"

GA Awards

Our GA teams have been nominated for TWO GA awards this year: one based on our success in the NO ON 4 campaign, another based on our GA Committee's diligent commitment to advocacy issues affecting commercial real estate. Much luck in this year's awards!

PHOTOS FROM OUR LOCALS

BOMA Florida



BOMA Florida GA at the International Convention

Ft. Lauderdale - Palm Beach



BOMA FTL-Palm Beach at Southern Region



Cary Frostin Leading IDF Discussions

Orlando



BOMA Orlando at the International Convention

Southwest Florida



BOMA Southwest Florida at Germain Arena

Greater Tampa Bay



BOMA GTB Giving PAC Funds to Mayor Buckhorn



BOMA Tampa Celebrating Grand Prix

Miami-Dade



BOMA Miami-Dade's TOBYs

Jacksonville



BOMA Jax Supports Fighting Blindness VisionWalk

Tallahassee



BOMA Tallahassee Celebrating the Holidays



BOMA International Membership Highlights

Returning Your Investment through Advocacy

Each year, your investment in BOMA International saves you and your company money. BOMA's advocacy staff represents you before the United States Congress, federal agencies, and codes and standards development organizations. The goal is to achieve decisive action on BOMA's advocacy agenda and more importantly, prevent harmful proposals from becoming law.

BOMA's legislative and regulatory victories have saved our industry billions of dollars. In addition, our 7-Point Challenge incentivizes your managers to make energy efficiency gains that also green your bottom line. Our accomplishments result in direct savings, improved asset values, and economic growth.

Key Tax Provision Extensions – won victories on the 15-year depreciation timeline for tenant improvements, the extension of the tax deduction for brownfields remediation costs, and the tax deduction for energy efficiency retrofits to new and existing buildings. **A savings of almost \$2 billion to the industry**

Capital Gains – gained the enactment of the Tax Relief Extension Reconciliation Act, extending the tax cut on capital gains and dividends.

TRIA – secured the Terrorism Risk Insurance Act extension until 2014, ensuring the availability of terrorism coverage with a federal government “backstop” for catastrophic losses.

Codes and Standards – eliminated or modified overly stringent and costly requirements impacting fire protection, occupant accessibility and egress, structural integrity, plumbing and mechanical systems, and a host of other areas impacting new construction and existing buildings alike. **A savings of over \$7 billion in direct costs and long-term revenues to commercial real estate**

ADA Accessibility Guidelines – secured a broad grandfather clause exempting all buildings constructed or altered in compliance with the 1991 regulations, and in getting an extended period to comply with the new rules.

