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PARTNER'S PERSPECTIVE

Charles B. Jimerson sends special thanks to Hurricane Irma this Thanksgiving

This Thanksgiving, I'd like to send special thanks to someone/something I have dog-cussed for a couple of years now: Hurricane Irma. With a stroke of luck, my family and I will move into our new home next month after

being displaced for two years and three months from Hurricane Irma. For those who did not know of our circumstances, our house took on knee deep water and had to be bulldozed when it lost its structural integrity. My family lost almost all of our personal possessions in the flood and have been foreshortened and subjugated nomads ever since.

We have not been in our family home since we awoke to the St. Johns River trespassing in our living room in the pre-dawn hours of September 11, 2017. The last night we will ever spend in the house that brought my family together ended with the rudest awakening I have had since my military days. That was an important point in time for my family- a watershed moment if you will. Sorry, I'm a dad and can't avoid the temptation of a sugary, beguiling pun.



I can joke about it now because I'm incredibly thankful for the opportunity that the last two years have presented. Theodore Roosevelt once said, "Life brings sorrows and joys alike. It is what a man does with them, not what they do to him, that is the true test of his mettle." Mettle can be defined in numerous ways and tested at many levels during life's unpredictable and bumpy journey. A few words come to mind when I think about mettle: courage, spirit, character, nerve, heart, resolve, grit, and vigor. At the end of the day I believe the mettle test can be best summarized as to how we handle our ups and downs, which in turn helps define our character.

As I reflect on my life, I can clearly identify many situations where I have failed when my mettle was tested, but I also know that many other times I was able to rise to the occasion. I always try to learn from my shortcomings while maintaining a serious dose of gratitude and humility. Hurricane Irma presented me with a lot of learning opportunities, the most significant was the prospect of teaching my two children under 6 about how to be resilient when your mettle is tested. How to find thanks in everything around you. How to conquer the sea tomorrow after you have conquered the river today.

For the last two years, my family has chosen to treat this two-year displacement as an adventure. We've packed our family into two different condos and enjoyed a transitory view of cosmopolitan living. Well, at least as cosmopolitan as Jacksonville, Florida can live. Using adversity as our education, we turned our wounds into wisdom and made healthy choices to be thankful for the ability to be together. Like a fighter training for a main event fight, it was actually grounding to reduce your foundation to your trimmed down fighting weight. It gave us a nice reminder that we didn't need the excess fat so long as we served as each other's cornermen. Fighters we are and fight we did. Nothing cleanses your soul like getting the hell kicked out of you.

Hurricane Irma taught my family that a challenge only becomes an obstacle when you bow to it. To be tested is good. Life's challenges are not supposed to paralyze you, they're supposed to help you discover who you are. For us, it helped us define what it means to be a Jimerson - what it means to not let

outside events have power over your own mind. Anyone can give up or feel sorry for themselves; it is the easiest thing in the world to do. But to hold it together when everyone would expect or not fault you for falling apart, now that is true strength.

One of the core tenets of my approach to life is that choice, not chance, determines destiny. Life presents you with so many decisions, so many choices. Choices are not always easy. Some we regret, some we're proud of. Some will haunt us forever. Some we really lucked out on. Some define us and our very being. Most of the time, there is a right and wrong choice, with the right choice being right in front of your face, if you will just step back and see it. Every choice you make makes you, and for the Jimersons, we made the choice that we couldn't cross that river simply by staring at the water.

The Jimersons learned that our family is what we made it to be. And our family is strong, not by the number of heads counted at the dinner table, but by the loving instincts every family member helped create, by the memories we've shared, by the commitment of time, caring, and love we show to one another, and by the hopes for the future we have as individuals and as a unit. By being in over our head, we all got to learn how tall we were. So, this Thanksgiving we share our thanks with Hurricane Irma. Your opportunity knocked and we have answered. My only ask is that next time will you please not knock so hard on my new door?

Wishing you all a blessed Thanksgiving. May you all take time to be thankful for what you already have, while you pursue all that you want.

Very truly yours,



Charles B. Jimerson
Managing Shareholder

It's official: Jimerson Birr ranks as one of the "Best Law Firms" in multiple practice areas



We are proud to share that Jimerson Birr has ranked as a "Best Law Firm" by *U.S. News & World Report* and *Best Lawyers* regionally for Land Use & Zoning Law as well as Litigation - Environmental. Our firm's ranking within this highly-respected list signals a unique combination of quality law practice and breadth of legal expertise.

The evaluation process is rigorous and involves both thorough peer review and client evaluations, which makes the ranking more meaningful to us. We believe

whole-heartedly in our approach to working with and for our clients with a guiding focus on adding value to their businesses. It is great to see that not only our clients, but also other lawyers who know who us, believe in what we are doing, too.

Earlier this year, it was announced that shareholder James "Joby" O. Birr and partner Patrick Krechowski were individually named among the designated *Best Lawyers in America* for 2020 as well, which recognizes the top five percent of practicing attorneys in the country.

Partners from Construction Industry Team impress at annual Construction Law Seminar



On Thursday, November 7, three of the partners from our firm's powerhouse construction industry team led our annual Construction Law Seminar for interested industry professionals. **James "Joby" O. Birr**, **C. Ryan Maloney**, and **Austin B. Calhoun** guided more than 50 general contractors, subcontractors, developers, builders, and suppliers through the construction licensing process, contracts, liens & bond law, and construction defects.

Based on post-event survey data, **100% of respondents...**

- would recommend the Seminar to others
- said the Seminar had fulfilled their purpose for attending

The free seminar is part of our firm's commitment to delivering measurable value. We try to ask the right questions, listen intently and focus not just on what our clients want, but how they want it. Participants received four CE credits for attending and lunch.

If your company has a group that could use a construction law refresher on a specific topic, send an email to the Construction Industry Team.

[Email the Construction Industry Team](#)

There's still time to cast your vote for our

2020 FLCAJ Readers' Choice Award



The Florida Community Association Journal magazine provides a critical service of helping community association managers and board members connect with business partners of Florida Community Association Professionals (FCAP). The FLCAJ Readers' Choice Awards were created with the goal of "spotlighting the elite of the elite" and are presented yearly to industry service providers chosen by popular vote through an online voting process. We are pleased to have been nominated again this year, as it signifies our firm's ongoing commitment to the community association industry and recognizes our experience and familiarity with the ins-and-outs of working with boards and committees.

It takes less than 30 seconds to vote, and we would really appreciate your help. Please consider casting a quick vote for Jimerson Birr.

Cast Your Vote Today!

Jimerson Birr Legal Blogs

Are you keeping up with the latest information in business and law? Jimerson Birr publishes weekly blog posts covering topics from construction law, business litigation, eminent domain law, community association law and everything in between. **Click here to subscribe** today and stay up-to-date on the latest legal news from these core areas:

- **Construction Industry Law Blog**
- **Community Association Law Blog**
- **Business Litigation Blog**
- **Eminent Domain Law Blog**
- **Commercial Real Estate And Land Use Law Blog**

Commercial Real Estate and Land Use Law Blog

Your Skin is a Canvas: Tattoo Parlors and

the First Amendment

By: **Patrick W. Krechowski, Esq.**



Over the past several years, with the popularity and tolerance of tattoos seemingly increasing, owners of tattoo (and piercing) parlors that seek to open a small business often run into frustrating roadblocks, if not outright prohibitions. Alternatively, local governments have decided to restrict the location of tattoo parlors to specifically identified areas that are most often not favorable for operation of small businesses that thrive on foot traffic and visibility, such as warehouse and industrial areas. And that's if the City allows tattoo parlors at all.

What does that have to do with the First Amendment, you may ask?

[Click here](#) to read the full blog post.

Construction Industry Law Blog

Contracting for Faster and Less Expensive Dispute Resolution

By: **C. Ryan Maloney, Esq.**

Disputes are a fact of life on construction projects. There are just too many variables, unknowns and unpredictable things that can occur during the course of a project that can lead to disagreements and disputes, particularly when significant dollars are at stake. However, as many in the construction industry know, or come to find out, engaging in litigation or arbitration over disputes can sometimes be so time consuming and expensive that, as the old saying goes, the cure can be worse than the disease.



[Click here](#) to read the full blog post.

Business Litigation Blog

Exit Strategy: What Are Considerations For Preparing To Sell My Business?

By: **D. Brad Hughes, Esq.**

Selling your business is one of the most important decisions you will ever make. The reasons for selling your business can vary. It can be a well planned event culminating decades of hard work, it can occur quickly due to an offer that can't be refused, or it can be sold out of necessity because your business isn't performing



as you would like. No business sale is the same and no single article can provide you with the perspective and information necessary to effectively complete a sale. Start by asking yourself: “why do I want to sell my business?” Then before you get too far down the road in planning the sale, determine which professionals are appropriate and seek their advice in achieving your ideal exit strategy.

[Click here](#) to read the full blog post.

Community Association Law Blog

Florida Condominium Associations: What Is A Nuisance?

By: [Hans C. Wahl, Esq.](#)

What’s that smell? What’s that sound? What am I looking at? Whatever it is offends me. Could it be a nuisance? Florida Condominium associations deal with nuisance complaints on a regular basis. The challenge in addressing nuisance issues is defining exactly what constitutes a nuisance. Generally, nuisance is defined in Black’s Law Dictionary as “a condition or situation that interferes with the use or enjoyment of property.” This definition is vague and leaves much room for interpretation.



[Click here](#) to read the full blog post.

Firm News

Curiosities, Ruminations and Various Eccentricities of Firm Biz

Keeping up with Krechowski

Our partner [Patrick Krechowski](#) is always on the move. This month, he presented with Nate Day, Vice President of H. Smith, Inc., and Jessie Spradley, Government Affairs Director for NEFBA, at the Growth and Infrastructure Consortium Conference at the Georgia State University College of Law in Atlanta. Together, they reviewed and discussed the market implications of local government impact fees in northeast Florida with professionals focused on municipal planning and finance from all over the country.

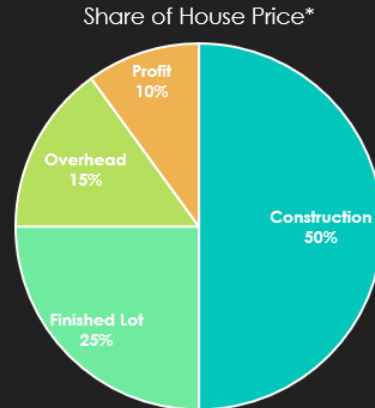


Market Implications

Impact fees are multiplied to home buyer

- If fee is charged at development, it becomes part of the "Finished Lot" price, which means the house price has to increase 4x to support the fee.
- If fee is charged at permit, it becomes part of the "Construction" amount, which means the house price has to increase 2x to support the fee

* from NAHB's annual Construction Cost Survey



(Above) Slide from GIC Presentation 10/24/19.

Once back in town, along with the Jax Chamber's Industry Affairs Committee, he took a tour of the new Jacksonville Regional Transportation Center at LaVilla, which he called an "amazing improvement", followed by a "very cool" ride on JTA's new Ultimate Urban Circulator at their autonomous test track.



(Above) Photos courtesy Jacksonville Transportation Authority, via @JTAFLA. (Right) The Construction and Development Panel at Bisnow's State of the Market event in Jacksonville.

Most recently, he moderated the panel discussion on Construction and Development in Jacksonville at Bisnow's State of the Market event, with executives from Chase Properties, Jackson-Shaw and Pattillo Industrial Real Estate. From the biggest current projects in the city to an in-depth look at everything in the development pipeline, it was an exciting day in downtown Jacksonville and another busy day *Keeping up with Krechowski*.



From all of us at Jimerson Birr, we hope you and your family (at work and at home) have a Happy Thanksgiving.



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