



# HOT Topics for Local Governments

*Seminar Series*

## How The *Kelo* Decision Will Affect Florida...

- **Redevelopment Considerations**
- **Economic Development Efforts**
- **State Court Litigation**
- **State and Local Government Public Policy**

*From The Perspectives of a ...*

- **Property Owners' Attorney**
- **Municipal Attorney**
- **Land Use Attorney**
- **Panel of Local Experts**

This Seminar Series has been organized and is chaired by Frank Schnidman. Frank currently serves as the Executive Director of the North Miami Community Redevelopment Agency and as a Senior Fellow at the FAU Center for Urban and Environmental Solutions (CUES). He wrote the amicus curiae brief in *Kelo* for John Norquist, President of the Congress for New Urbanism, a brief which was cited by Justice Stevens in the Court's majority opinion. Frank was invited to organize and chair the "Bettman Symposium" at the April 2005 APA annual conference. The topic was: "Slum Clearance to Economic Development: The Supreme Court Examines 'Public Use' in Redevelopment." He has been quoted in the national and local press, and has appeared on radio and television to discuss *Kelo* and its aftermath. At CUES, Frank is the Director of the Redevelopment and Revitalization of Southeast Florida Project, which is reported on the web at [www.cuesfau.org/cra](http://www.cuesfau.org/cra)

## Five Workshop Locations

**Tampa: September 23, 2005**

Host: John Scott Dailey Florida Institute of Government, University of South Florida

**Orlando: November 10, 2005**

Host: John Scott Dailey Florida Institute of Government, University of Central Florida

**Fort Myers: December 9, 2005**

Host: John Scott Dailey Florida Institute of Government, Florida Gulf Coast University

**Tallahassee: October 7, 2005**

Host: John Scott Dailey Florida Institute of Government, Florida State University

**Jacksonville: November 18, 2005**

Host: Florida Center for Public and International Policy, University of North Florida



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## *Kelo v. City of New London:*

**The Impact of the United States  
Supreme Court Decision on  
Redevelopment and Economic  
Development in Florida**



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**Five Half-Day Workshop Locations & Dates Still Available!**

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325 John Knox Road  
Building 300  
Tallahassee, FL 32303



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Fort Lauderdale: **SOLD OUT!**  
Tampa: September 23, 2005  
Tallahassee: October 7, 2005  
Orlando: November 10, 2005  
Jacksonville: November 18, 2005  
Fort Myers, December 9, 2005

*Sponsored by*



THE JOHN SCOTT DAILEY  
**FLORIDA INSTITUTE  
OF GOVERNMENT**  
AT FLORIDA STATE UNIVERSITY

*In Cooperation with*

The John Scott Dailey Florida Institute of Government at  
Florida Atlantic University  
Florida State University  
Florida Gulf Coast University  
University of Central Florida  
University of South Florida  
*and the*  
Florida Center for Public and International Policy,  
University of North Florida

*Co-sponsored by the*

Center for Urban and Environmental Solutions at Florida Atlantic University (CUES)

Florida Association of Counties

Florida Chapter of the American Planning Association

# About the Program

## ***Kelo v. City of New London: The Impact of the United States Supreme Court Decision on Redevelopment and Economic Development in Florida***

On June 23, 2005, the United States Supreme Court decided *Kelo v. New London*, holding that when, as part of a comprehensive economic development plan, a local government condemns private property to transfer it to another private party strictly to enhance the tax base and hopefully provide jobs, such a taking is a public purpose permissible under the federal Constitution, even without a finding of blight. As part of the majority opinion, the Court was careful to note that nothing in their opinion precludes any State from placing further restrictions on its exercise of the takings power.



**What, therefore, does *Kelo* mean to Florida?**

The important public policy issue inherent in *Kelo* and important to Florida relates to whether under Florida law, a government must make a finding of blight before it can condemn property to "alleviate" the blight, or can it condemn property solely for the purpose of economic development because the new owner will build a project that will pay more taxes? This half-day seminar will use keynote addresses recorded during the July 15, 2005 initial seminar in Fort Lauderdale and bring together local experts to analyze the decision of the Supreme Court and its impact on Florida. This seminar has been designed to provide real "take home" value that will allow participants to better understand the impacts of the case on Florida, and therefore help them do their own jobs more effectively. Ample time will be allowed for questions, and questions submitted in advance from registrants will be among the first to be addressed during the discussion period. Substantial course materials will be provided to each registrant

**4|3|3.25**

*This Seminar has been approved for 4 hours of General Continuing Legal Education (CLER) credit and 3 hours of City, County & Local Government Continuing Legal Education credit by the Florida Bar; plus 3.25 hours of AICP credit from the American Planning Association!*

# Agenda at a Glance

## ***Kelo v. City of New London: The Impact of the United States Supreme Court Decision on Redevelopment and Economic Development in Florida*** **9:00 A.M. – 12:30 P.M.**

*Initial session was recorded live in Fort Lauderdale on July 15, 2005.  
Additional sessions will use a mix of recorded and live presentations.*

INTRODUCTION by Frank Schnidman, *Kelo* Seminar Series Chair

### OVERVIEW OF THE USE OF EMINENT DOMAIN FOR REDEVELOPMENT AND ECONOMIC DEVELOPMENT

- **Theodore Taub**, Attorney, Shumaker, Loop & Kendrick, Tampa (Live Presentation in Tampa; recorded July, 15, 2005.)

### KELO V. CITY OF NEW LONDON: THE FACTS, THE STATE COURT LITIGATION, AND THE DECISION OF THE SUPREME COURT

- **Dana Berliner**, Senior Attorney, Institute for Justice, Washington, D.C. (Recorded July 15, 2005.)

### PERSPECTIVES OF AN EMINENT DOMAIN PROPERTY OWNERS' ATTORNEY

- **Toby Prince Brigham**, Attorney, Brigham Moore, Miami (Recorded July 15, 2005.)

### PERSPECTIVES OF A MUNICIPAL ATTORNEY

- **Sam Goren**, Attorney, Goren, Cherof, Doody & Ezrol, Fort Lauderdale (Recorded July 15, 2005.)

### PERSPECTIVES OF A CONSULTING LAND USE ATTORNEY

- **Charles L. Siemon**, Attorney, Siemon & Larsen, Boca Raton (Recorded July 15, 2005.)

DISCUSSION PANEL: *Moderator:* **Frank Schnidman**, Executive Director, North Miami CRA and Senior Fellow, FAU Center for Urban and Environmental Solutions (CUES).

- *Discussion Panel and Question & Answer Session by Local Experts. (Alternative or additional panelists may be included.)*

TAMPA: Friday, September 23 – Robert H. Buesing, Esq., Trenam, Kemker, Scharf, Barkin, Frye, O'Neill & Mullis PA; Theodore Taub, Esq., Shumaker, Loop & Kendrick, LLP; James H. Shimburg, Jr., Partner, Holland & Knight, LLP; Pam Akin, City Attorney, City of Clearwater; David Cardwell, Esq., The Cardwell Law Firm

TALLAHASSEE: Friday, October 7 – Robert Apgar, Esq., Greenburg Traurig; Gregory Stewart, Esq., Nabors, Giblin and Nickerson; Charles Pattison, Executive Director, 1000 Friends of Florida; Michael Parker, Director of Economic Development, City of Tallahassee; Debra Schiro, Assistant City Attorney, City of Tallahassee

ORLANDO: Thursday, November 10 – David Cardwell, Esq., The Cardwell Law Firm; Gregory Rix, Esq., Brigham Moore, LLP; Al Latimer, Vice President, Enterprise Florida, Inc.

JACKSONVILLE: Friday, November 18 – Andrew Prince Brigham, Esq., Brigham Moore, LLP; James Nicholas, Professor, University of Florida College of Law

FORT MYERS: Friday, December 9 – William Moore, Esq., Brigham Moore; David H. Graham, Vice President, Planning and Development, The Bonita Bay Group; Terrance Stewart, City Manager, City of Cape Coral; Don Paight, Fort Myers CRA Director; Debrah Forester, AICP, Redevelopment Manager, Charlotte County

# Registration Form

## *Kelo v. City of New London: The Impact of the United States Supreme Court Decision on Redevelopment and Economic Development in Florida*

First Name \_\_\_\_\_ Last Name \_\_\_\_\_

Title \_\_\_\_\_ Agency \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_

Email Address \_\_\_\_\_

### PLEASE CHECK WHICH WORKSHOP LOCATION YOU WILL ATTEND.

**Tampa:** September 23, 2005 (Dr. Blaise F. Alfano Conference and Banquet Center)

**Tallahassee:** October 7, 2005 (Tallahassee-Leon County Civic Center)

**Orlando:** November 10, 2005 (Harry P. Leu Gardens)

**Jacksonville:** November 18, 2005 (UNF University Center)

**Fort Myers:** December 9, 2005 (FGCU Student Union Building)



Registration Fee is \$65.00 per person:

Please indicate method of payment: Check \_\_\_\_\_ Purchase Order \_\_\_\_\_

Mail payment and completed form to the following address: (You may also fax this form to (850) 487-0041.)



325 John Knox Road, Building 300  
Tallahassee, FL 32303

### **Advanced registration is required, and the registration deadline is September 16, 2005\*.**

\* Registration deadline for the Tampa workshop is September 16, 2005. Registration deadline for all other workshops is two weeks prior to each workshop date.

### **You are encouraged to register ASAP as workshop space is limited and classes are expected to sell out early!**

A confirmation letter and directions to your selected workshop site will be mailed to you upon receipt of registration form and payment. Requests for refunds must be submitted in writing and received no later than five working days prior to each workshop. Non-attendance does not constitute a withdrawal or refund request, although substitutions are allowed. For further information, please contact the John Scott Dailey Florida Institute of Government at (850) 487-1870.

If you are physically challenged and require special services, or if you have special dietary needs, please attach a written description of those needs to your registration. Must be received at least two weeks prior to workshop attendance to assist in compliance.