



Robert Pitts

Carl Schurz speaks on Amendment 4

Carl Schurz (1829-1906) was a German revolutionary, American statesman and reformer, and Union Army general in the American Civil War. In 1869, he became the first German-born American elected to the U.S. Senate, according to Wikipedia, and in later years was a prominent independent in American politics, noted for his high principles, his avoidance of political partisanship, and his moral conscience.



Carl Schurz

As we in the commercial real estate industry gear up to do battle in the arena of ideas over Amendment 4 to the Florida Constitution, we would do well to remind our fellow citizens of Carl Schurz's following remarks about liberty:

"If you want to be free, there is but one way; it is to guarantee an equally full measure of liberty to all your neighbors. There is no other."

Amendment 4 fight reaches critical stage

"Florida Hometown Democracy would make California seem like a dreamy place to do business by comparison."

- Adam Putnam, Central Florida congressman, at an appearance before the Tampa Exchange Club.

OK, this is the year when the Florida Hometown Democracy's ballot-box planning scheme, Amendment 4 on the November statewide ballot, is either adopted or rejected by Florida voters. This constitutional amendment, cooked up by environmentalists and other no-growthers, would require that every change in local comprehensive plans be voted on by the affected electorate. In many jurisdictions this would mean dozens of complicated land-use decisions per annum for voters to pass judgment on. Statewide, voters would be required to make thousands of technical land-use decisions.

It's doubtless that dopier and more destructive ideas have come along (cap and trade comes to mind). But it wouldn't require all of the fingers of one hand to count them. The stated purpose of the amendment, according to its authors and the environmental groups whooping it up, is too bring some sense to development and growth management in Florida and to give voters control over the direction and future of their communities. We have to do this, the amendment's backers say, because the elected and appointed officials who make planning decisions now are all in the pockets of developers and give developers anything they want.

A warm and fuzzy concept, at least to a certain turn of mind. But it's nonsense. And it's dishonest.

It's nonsense because politicizing the planning process would flatten Florida's economy. What lender would want to put it on the line for a project that may or may not get voter approval? What developer would want to put it all on the line for a project that, after great time and expense, could be KO'd at the ballot box? Under Florida Hometown's political planning, Floridians would have no future to direct. Those who have enjoyed the latest recession should vote for Amendment 4. It would make the recession permanent in Florida.

It's dishonest because the amendment's backers know very well their real intention is to stop growth in Florida. If 60% of Florida's voters

are enchanted enough to vote for this abomination in November, a totally-stalled Florida economy would not be an intended consequence. It would be an intended one.

And by the way, the idea that developers get everything they want from elected officials is pure paranoia.

"We have to make sure Floridians know the consequences of this," said Orlando attorney and NAIOP of Florida board member Terry Delahunty Jr.

"This is not the mom and apple pie amendment it's made out to be. Florida for the first time has negative growth and a 10% unemployment rate. Are we going to throw this into the mix on top of everything else? If this happened, why wouldn't someone move his business to Tennessee?"

The Florida development industry will have to conduct an educational campaign throughout the year to ensure that Floridians, keenly concerned about jobs and the economy, realize how economically destructive requiring voters to get into the planning business would be. Unfortunately, with the industry still trying to pull out of a serious recession, this is not the best year to finance a multimillion-dollar educational campaign.

"The timing is unfortunate," Delahunty said, "with so many on economic life-support now."

But the effort isn't optional for those who care about the future of the Florida development industry. Much of what will take place this year will be expensive media advertising in Florida's 10-media markets. No way to do this on the cheap.

However, there are other effective educational tools that aren't costly. So those of you who thought it might be a good idea to make a presentation on Amendment 4 to your local Kiwanis, Rotary, or Lions club, or to a political or social organization you belong to, it's time move past thinking about it and set it up. The election may not be until November, but a lot of learning has to take place before then.

Floridians for Smarter Growth

Folks wanting to know how to get involved in the campaign need to contact Floridians for Smarter Growth (www.florida2010.org), an ad-hoc

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coalition of business and community organizations formed for the single purpose of opposing Amendment 4. It's also time to check in with your Florida real estate organizations, all of which are involved in the campaign and will be helping finance it.

You'll be hearing from your real estate organizations on the financing part. It's not a good time to dig deeply, but when is it ever? And consequences of a loss on this one would be pretty dire. In a Florida Hometown Florida, there would be barely enough left to hire Dandy Don to come here and sing, "Turn out the light, the party's over." And it would be.

"It's time for this conversation to begin in earnest," said Ryan Houck, who heads up the Floridians for Smarter Growth operation. "Our polling shows that if we get our message out, we will win. The more people learn about Amendment 4, the more they tend to oppose it."

Houck is hesitant to share his polling numbers, and the numbers may be hard to interpret at this point anyway when so few Floridians know very much about the amendment. But, Houck says, the trend is against Amendment 4.

"If we get our message out and show what the consequences of Amendment 4 would be, we will prevail," Houck said. "Voters are concerned right now about jobs and taxes and the economy. Amendment 4 would make all these things worse. This amendment would cost jobs, raise taxes, and make it more expensive to live in Florida. We have the right message at the right time. If we run a robust campaign - using all media to get our story out - we can and we will win."

Houck said one of the keys to the educational effort is to show Florida voters that this is not just an issue that affects commercial real estate. Because this would have such a negative effect on jobs and the economy, this is an issue that con-

cerns everyone in Florida.

An encouraging note, Houck says, is that of the 11 newspapers in the state that have editorialized about Amendment 4, all of them have been critical of all or part of the amendment.

An example is a recent editorial in Fort Lauderdale's Sun Sentinel, which carries the headline "Amendment 4 would be a job killer." That publication says that "at a time of serious economic hardship, the last thing Florida needs is a California-style system of ballot-box legislation, which hurts the economy and has contributed to unprecedented financial chaos in that state." The editorial suggests that by the time plan changes make their way through the complicated political process that Amendment 4 would create, jobs and businesses would have long since gone elsewhere.

Act - react

To a certain extent the campaign against Amendment 4 will have to be based on what Florida Hometown Democracy does, on how big and what kind of an effort they make. And it's not clear what their strategy will be or how big their budget will be.

"It will depend largely on how much wealthy South Florida lawyers want to spend on this," said Adam Babington, legislative counsel for the Florida Chamber of Commerce, which is very active in the campaign against Amendment 4. Sierra Club attorney Leslie Blackner of Palm Beach County, the quintessential limousine liberal, started the Hometown movement in 2003.

Babington says one piece of good news is that Hometown collected only \$4,900 during the last reporting period. This won't feed the pooch. How much the group has on hand to try to sell its amendment will depend on how excited environmentalists and other no-growth types get about the amendment in 2010.

"This is a fight Florida business has been preparing for years," Babington said. "It hasn't taken us by surprise. We're ready. We'll stay ahead of them and hold them responsible for the arguments they're making. This is about the economic future of Florida. Ballot box planning would be a bad idea in a good economy. It's a horrible idea in a recession."

Larry Thornberry is a Florida Real Estate contributing editor.