

Letter to Mayor Daugherty to investigate urban renewal

Virginia Daugherty, Mayor
Charlottesville, Virginia

I would like to express a few principles I hope will guide us in the 21st century. They were hotly debated in the 18th century.

1. It is not eminent domain to take private property into public custody and then sell it back to the private sector.
2. It is not eminent domain to convert residential property to residential property, or to convert business property to business property.
3. It is not eminent domain to take property for a non-public, non-civic use.
 1. Property cannot be taken by referendum.
 2. The majority cannot vote to disempower a minority.
 3. The Constitution exists to protect individual liberty and property against majority opinion.

To take property for a non-civic use without the consent of the property owner:

1. The owner must first be accused publicly of a crime.
2. The accused owner is assumed to be innocent until a judge or jury decides guilt.
3. Assets cannot be seized or frozen until a guilty verdict has been rendered.
4. The accused has the right to remain silent. That silence cannot be construed as guilt.
5. The burden of proof is on the accuser.
6. The accused property owner has the right to cross-examine his accusers.
7. The accused is entitled to a speedy trial, but also a reasonable to assemble a legal defense.
8. If the owner cannot afford an attorney, a judge will appoint one at taxpayer expense.
9. The amount of liberty or property taken by the court should fit the crime.

This complicated procedure is called due process. It has been the supreme law of this nation since 1787.

Madame Mayor, I regret to inform you that Vinegar Hill and Garrett Street were destroyed for a non-public use, without the consent of property owners, and without due process of law. Today that property is not even under public ownership. Justice delayed is justice denied.

Therefore, please begin an investigation of the legality of urban renewal and neighborhood revitalization before anymore witnesses die or move away and before anymore documents are lost or destroyed.

Let us heal these wounds. Let us make sure these atrocities never happen again.

Thank you.

Monday June 5, 2000.

"PROPERTY STREET" for Sally Hemings and Laura Dowell

Naming of 9th/10th Street Connector in Charlottesville

To remind us of historic differences and similarities, the Ninth-Tenth Street Connector should be named in honor of two people. Sally Hemings and Laura Dowell. A black woman in white country and a white woman in a black neighborhood. A slave who was property and a free woman who slaved to own property. We are familiar with Sally Hemings.

Mrs. Dowell was born to poverty in Nelson county in 1905. She had a son out of wedlock at the age of 15. He became a chief warrant officer. The next time she had a child, she was over 21, married, and had the right to vote. Altogether she had 12 children. Only 6 lived past the first year. With a third grade education, she worked many jobs while she rented. She sewed and cleaned for rich property

owners for half a century.

In 1960, after a car accident, a broken arm, and a one thousand dollar insurance settlement, she bought a hundred year old house on a white street in black neighborhood south of downtown. Her large house had indoor plumbing, heat, electricity, a refrigerator and telephone. It was shelter for an extended family. The estate was in compliance with every local ordinance, state and federal law.

At the age of 65, when she was ready to retire, a Democratic city council took her dream house and retirement home for urban renewal. She liked living in the historic Garrett Street neighborhood. At the age of 92, she passed away in a nursing home against her wishes.

Sally Hemings and Laura Dowell were treated with disrespect from the day they were born until the day they died. The naming of Tenth Street should be a covenant, a promise to Fifeville that the condition of a building is not justification to take the land on which it sits.

Tenth Street should be called Property Street. Property tax is cheaper than rent. The city has converted private property to public rentals. Rent is more expensive than property tax. Renters have no long-term security. Rent generates more revenue.

Tenth Street should be named for a black woman and a white woman, a slave who was property and a free woman who slaved to own property. Call it Property Street to reassert private ownership and control of property.

Monday June 5, 2000.

Free Enterprise Monument Instead of Free Speech Wall

As an alternative to a monument to free speech, Charlottesville should seriously consider a monument to free enterprise.

We already have forums for free expression. There is a kiosk on the downtown mall. Beta Bridge is on Rugby Road. The concrete retaining wall at the student parking lot at Charlottesville High is a graffiti wall. Your newspaper prints letters from readers. The expression of ideas through spoken and written words is not in danger.

Instead of memorializing the second clause of the First Amendment, the final clause of the Fifth Amendment may be overdue for a tombstone. This clause defines free enterprise.

No person shall...be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use without just compensation.

The government can take your property by court order and for public use. The only other way the government can come into possession of your property is if you freely give or sell it to them. There is no other lawful method. Ballot initiatives and referenda cannot take property even if the vote is 99.9 percent.

Public use is not the same as public good. Renewal, improvement, and revitalization are not valid reasons to take property. The intent of urban renewal was to renew the urban area, not for the public to use. Vinegar Hill was a vacant lot for twenty years after demolition. Obviously the public had no use for the property.

The city should explain how poor people benefit when their property is taken and sold to rich people. City council should elaborate on why homeowners and entrepreneurs should invest in blighted neighborhoods if the government can take your property for public use and then not use it.

The lingering outrage over urban renewal inspired a Live Arts play last year called *Vinegar Hill*. Garrett Square is also a history lesson. The property, taken for public use, is now owned by a private corporation. Crime, thought to be high before renewal, is unquestionably higher today. If entire historic neighborhoods had not been made new, there would be less clamor for historic preservation today.

A free speech wall is unnecessary. A free enterprise resolution might begin to restore confidence that Charlottesville is an American city.

Letter to the Editor, *The Observer*, February 28, 2001.

Move council election to November and media coverage of candidates.

Charlottesville should move council elections to November, but not for the reasons your paper states (October 17). The best reason is that increased voter turnout will bust the Democratic monopoly of city council as more people vote along party lines. With the nation and state leaning more Republican, council is unlikely to change a system that has served Democrats well for decades.

Your newspaper states that "the media will pay attention" if candidates are more interesting and hold more appearances. Paying attention is not the same as media coverage. The last council election proves the point.

There were six forums, nine candidates, and no debates. The most interesting candidate, the only native, struggled for coverage. Only WINA radio covered my candidacy before the first forum and throughout the campaign. I circulated several platform letters to media during two months before the official campaign kicked off.

At the first forum, I accused city council of treason because of revenue sharing. I said it was taxation without representation, a crime against democracy, the highest crime in the nation. The Daily Progress reported only that I hammered on the Constitutionality of revenue sharing. No other paper reported the story. No one has refuted the charge.

At the second forum, I said city council policies create a climate where serious crime flourishes and goes unreported. That same morning a school bus of students witnessed a gun fight on Hinton Avenue. I appeared on WVIR-29 because I came out to investigate from my apartment one block away.

At the third forum, I related first-hand knowledge that Charlottesville High is a violent school. I was the only candidate who had attended the schools that are funded by city council.

Only after these performances did the Observer invite me to write a candidate's essay on education. I wrote about the history of Jefferson School. It was the most requested pamphlet of my campaign and added value to the Observer.

At the fourth forum, I speculated a connection between pancreatic cancer and the drinking water. No one reported it. Sixteen months later, the Rivanna Water and Sewer Authority has responded only with speculation that the water is safe. The last two forums were a refinement of my positions.

A week before the first forum, the C-ville Weekly censored the second certified write-in candidate in the city's history. Editor Hawes Spencer stated in writing that his paper was not covering any write-ins. He kept his word until after Election Day.

Your guarantee that media will pay attention to interesting and accessible candidates rings hollow.

Letter to the Editor, *The Observer*, October 31, 2002.

Schilling and Salidis for Council

I would like to endorse the Republican Rob Schilling and the Independent Stratton Salidis for the Charlottesville City Council in the election to be held May 7. I also support Waldo Jaquith as a certified write-in candidate.

Rob Schilling and his wife moved here a few years ago. He represents the traditional opposition of the Republican Party. As a realtor, he knows the connection between private property and civil rights. His campaign slogan, "Common Senses Leadership," is reminiscent of Thomas Paine's Common Sense pamphlet published in January 1776.

Thomas Paine used logic to arrive at emotional conclusions, to inspire change. He had only been in America a few years, never held elected office, and died in poverty and obscurity. But without Thomas Paine, the world would be a different place.

Stratton Salidis is also new to Charlottesville. His views are aligned closer to the Democrats. He and I became friends a few months before we both ran for City Council in the last election. He expresses clear opinions on issues and civic projects. He trusts students to design their own curriculum thereby minimizing teachers. His faith in the establishment was further undermined by a petty marijuana conviction last year ("Salidis only candidate with non-traffic criminal record," The Daily Progress, March 25). I'm sure he realizes that liberty is the most important quality of life.

Waldo Jaquith, the youngest, has the longest political resume and has been in town the longest of the three. Joan Fenton tossed her support to Waldo after being eliminated in the voting at the Democratic convention in February. Waldo did not receive the nomination but enjoyed boisterous support. He says he carries a copy of the Bill of Rights in his pocket. If so, Waldo has the blueprint for freedom and prosperity in his pocket.

The last day to register to vote and to certify a write-in candidacy is April 3. The office of the voter registrar in the City Hall Annex is the place to go.

Letter to the Editor, *The Daily Progress*, April 2, 2002

Correction: last day to register was April 8.

Housing Authority is controversial because of urban renewal's history

As a former resident of public housing (Westhaven, Garrett Square, and South First Street) I would like to give back to the community by explaining why the Charlottesville Redevelopment and Housing Authority is controversial.

The authority was created narrowly by voter referendum in 1954 - the same year the Supreme Court ruled that "separate but equal" was an oxymoron. Ironically, the local elite, who opposed the CRHA for fear of federal pressure to integrate, later supported urban renewal.

The CRHA was the instrument of urban renewal. The two are synonymous. The CRHA appears on deeds as part of the record of ownership of parcels in Vinegar Hill, the Garrett area, and elsewhere around town.

Urban renewal is the big story today not because it was wrong or unjust, but rather because of the excessive number of historic buildings destroyed and because half the population moved away, taking their oral and documented histories with them. As a result, Charlottesville has suffered a major break with its recent and distant past.

The next study commissioned by the CRHA should answer these basic questions: How many parcels of land have been owned by the CRHA? What percentage of city acreage is that? Who owned the land before and who owns it now? How are the assumptions of urban renewal and present-day CRHA different? Should the government convert poor people's property to affordable housing for poor people to rent?

Until we have these answers, newcomers and community leaders will not know the scale, duration, or impact of an ongoing, well-intentioned program.

Letter to the Editor, *The Daily Progress*, August 20, 2002.

No Reparation for Slavery... Yes Restitution for Renewal

"What other explanation is there" for black poverty other than slavery? asks Neil Steinberg in a *Chicago Sun-Times* essay, reprinted in Charlottesville's *The Hook* Dec.12.

The obvious answer here and throughout the country is urban renewal, also known as public housing. Interestingly, renewal has created social unrest in Chicago for generations as poor neighborhood after neighborhood was bulldozed in the '50s, '60s, and '70s. The land then became public property or was sold to developers. Several books have been written about Chicago renewal alone.

Renewal came late to the South but with the same devastating effects for blacks. Some black leaders have called for reparations for slavery while remaining silent about renewal. The silence may stem from a desire not to criticize the Democratic party.

Comparing slavery, segregation, and renewal leads to startling conclusions. Indeed, they are different forms of the same peculiar institution.

- Slavery ended 140 years ago. Segregation ended a half century ago. Renewal replaced segregation and remains the law of the land.

- Slavery denied all rights to blacks. Segregation meant blacks could own property in areas zoned for blacks, but most other rights were restricted. Renewal denies the right of individuals of any race to own property by taking it from the private sector and selling it to more desirable individuals.
- No court order was needed to enslave or segregate blacks. No court order is needed to take property from anyone anywhere if the land grab is for the purpose of urban renewal.
- Slavery and segregation were typically enforced by violence of individuals with government sanction. Urban renewal is a government program, usually a housing authority, backed by the same deadly force.
- No slave is alive today. Segregation survivors are an aging and shrinking population. The total number of renewal victims is growing.
- Slavery and segregation applied exclusively to blacks. Renewal targets whoever owns the cheapest property when a grant is awarded to improve housing or economic development.
- Whites never feared they would be enslaved or segregated. But today whites have no protection from renewal.
- Slavery and segregation violated the Bill of Rights but somehow were interpreted as legal at the time. Renewal violates the same but has not yet been struck down.

The specific rights violated by renewal are these: (1) The owner sets the selling price, not the buyer. (2) The owner does not have to sell at any price.

The Fifth Amendment allows two exceptions. A court can force the owner to sell when he is found guilty of a crime. Also any agency can force the owner to sell if the property is to be used by the public (eminent domain). The minimum requirement for public use is believed to be public ownership, such as schools, highways, and reservoirs.

The problem with renewal is its goal of redevelopment, the desire that private developers buy and develop the land after government clearance. In order to declare eminent domain to take property for private use, public use must be equated to public good.

A renewal project is doomed for failure. Investors fear lawsuits from previous owners charging the program is a property transfer, not public use. The new investors fear what happened to the previous owners will happen to them when a new development idea comes along (Preston Commons?)

Investors also do not want to involve themselves in controversy. Here in Charlottesville, they did not want to appear to benefit from the destruction of the city's premier black neighborhood or the city's industrial base.

Vinegar Hill was vacant for twenty years after clearance. Except for a privately owned public housing project, the Garrett renewal area has a tenth of the businesses there in the '60s. Only one business has not been displaced or gone under - Standard Produce since 1910.

How do controversies like slavery, segregation, and renewal live on for decades and generations? Because they violate Fifth Amendment due process, a core American principle. Such a violation is a felony without a statute of limitations, outweighing all other injustices except treason.

This lack of a time limit is why blacks can claim the injustice of slavery can be righted with reparations. If a slave were alive today, he could sue for enslavement and receive compensation. Whether next of kin can bring suit is not so clear.

Reparation is a kind of restorative justice where the transgressor makes amends before ordered to do so by a court. This good will gesture is intended to minimize the penalty if found guilty or simply to make right a wrong without involving a court.

Unlike slaves, renewal victims and witnesses are still alive. The documents of slavery are not well preserved. Renewal was widely reported and well documented. Locally, Vinegar Hill assessments cross-referencing deeds have been lost. The city assessor has safeguarded the Garrett renewal record for public inspection and research.

Vinegar Hill may be a fifth of the total area affected by renewal. The exact percentage is not known because there has been no study of which projects had the most impact. Such a study would be a form

of restorative justice.

How do we make right the injustice of urban renewal? **First**, we acknowledge the history and admit the offense occurred.

Charlottesville is in denial. One day before the Democratic convention to select council candidates in February, a former official and candidate denied renewal. Bern Ewert said he was deputy city manager 1971-1976 after the 1972 Garrett clearance.

Second, we must realize the problem will not go away on its own.

The first opponents to Vinegar Hill renewal appeared in 1960 before the first structure was torn down. They made the same Constitutional arguments I have outlined.

The opposition to public housing was strongest in the mid '70s. Black independent Sherman White ran against the Democrats in 1976 blaming them for renewal. At the time, Vinegar Hill and now Garrett lay vacant. Also in 1976, Thomas Dowell ran for council a third and final time on a platform to stop renewal. The following year, his mother's house was demolished in the 1977 clearance of Ware Street, the last historic neighborhood to be razed. Whites had lived on this street surrounded by blacks.

Renewal seemed unstoppable and indiscriminating. Opponents began moving away along with county residents who had become city residents in the 1963 annexation. Urban renewal accelerated urban sprawl.

At the public hearing to name the Tenth Street Connector after Sally Hemings on June 5, 2000, that campaign was born again when I asked Mayor Virginia Daugherty to investigate urban renewal. In other words, I was asking her to explain why the Housing Authority should not be abolished given its record of performance and damage to the black community.

The Jefferson School controversy in January 2002 showed that the issue is real and contemporary. Do the Democrats want to tear down Jefferson to finish the job they started forty years ago? The fate of Jefferson School is now in committee.

Third, we must acknowledge the magnitude of the problem. Like slavery and segregation, renewal touches almost every issue. Perhaps the greatest damage is to history itself when old buildings are destroyed and old people are reluctant to talk about the past.

When mandatory water restrictions began in August, nobody knew about the last restrictions in the drought of 1977. RWSA board chairman, Richard Collins, Housing Authority board chair in 1977, didn't tell anybody. Interim RWSA executive director last year, Cole Hendrix, city manager in 1977, didn't tell anybody. RWSA director, Eugene Potter, RWSA operations director since 1977, didn't tell anybody.

In bipartisan spirit, Charlottesville Republican Committee chair, Robert Hodous, Housing Authority board member in 1977, did not write a letter to a paper or call a radio station to say, wait a minute, the last water crisis was 1977. There has been a breakdown in communication.

Fourth, we should stop honoring those who support urban renewal. The Charlottesville Democratic Committee this year gave the Drewary J. Brown award to Francis H. Fife. Fife was mayor for 1972 Garrett clearance and vice mayor for 1977 Ware St. clearance. The late Brown was president of the local NAACP. But somehow the committee claims the award is not a civil rights honor.

Fifth, we should explain how renewal is wrong and harmful and promise not to do it again. We must make institutional changes. Abolish the Housing Authority so urban renewal can come to an end. Abolish the Board of Architectural Review, which is an attempt to blame the private sector for the loss of history caused by government renewal.

Major reform must occur with city inspectors. I've heard more complaints about inspectors than all other issues combined. I respond that it didn't get this way overnight. Many people, black and white, argued against it. But the fear of urban renewal has now arrived at every doorstep. Nowhere are the assumptions of renewal more apparent than with city inspectors. The idea is that you must improve your property or the city will destroy you literally.

If these good will steps do not prevent a trial, will the accused plead the Fifth when they are charged with the Fifth? Will they continue their silence?

If a black leader made the same statement as Trent Lott, that we would have been better off with

segregation, the sentiment would make perfect sense. The lesson of integration for many blacks is be careful what you wish for. The glory days for the black community in Charlottesville was the 1950s, the height of segregation and separate education.

Urban renewal did what segregation never tried to do. It took real property that could be used to secure civil rights. The legal system favors landowners. Take away the land and you put the citizen at a disadvantage.

Integration allowed white schools to prove that blacks are less smart. In the '50s, Jefferson School was proof that blacks are no less intelligent than whites.

Sherman White thought it inconceivable that blacks would vote Democratic. Government programs weaken the fabric of society. Public housing perpetuates poverty, violence, and segregation.

The Dixiecrats did not become Republicans here. The Democrats of urban renewal are the Democrats of today. City Republicans generally opposed public housing for the damage it would do to the black community. They opposed renewal to protect the economy.

Since the '60s, the nation has become more suburban and more Republican. People fled renewal and rejected its poisonous fruit, public housing. The Republican party will become stronger in the black community until urban renewal is outlawed.

The year 2004 will be the fiftieth anniversary of the Charlottesville Redevelopment and Housing Authority. Urban renewal will have been ongoing for half a century. Is now the time to evaluate whether voters made a mistake in 1954? If a mistake was made, how do we make it right?

The only thing to prevent a fresh wave of forced renewal is nothing. "Philadelphia embarked last [spring] on a \$295 million, five-year plan to demolish 14,000 largely abandoned homes, renovate 2,500 buildings and clear 31,000 vacant lots...Not since the 1970s has an American city undertaken such a vast clearance...The second largest city on the East Coast, with 1.5 million people, Philadelphia has lost 500,000 residents since 1960...government plans to build several thousand apartments for the elderly and poor in the next five years" ("Raze of Sunshine in Philadelphia? City Pins Renewal Hopes on Clearing Vast Areas of Blight, Inviting Development," Mar. 19, 2002, *The Washington Post*).

An alternative to clearance is to give the parcels of land and abandoned houses to people in public housing. They would instantly become landowners with long-term interest in the community. They would have equity to get loans for business or home improvement. Or let the buildings crumble some more until the property is cheap enough to attract investors. Or reduce regulation. If clearance is inevitable, compose the historical markers before the demolition.

If, back in Chicago, you're still seeking the solution to black poverty, maybe you're looking in the wrong place. "The answer, my friend, is blowing in the wind. The answer is blowing in the wind."

Healing Charlottesville, December 19, 2002.

Timeline of Campaign

2000 Feb - Blair Hawkins decides to run for City Council as certified write-in. [Summary of campaign](#).

...Kevin Fletcher decides to run a write-in campaign against Lindsay Dorrier, Scottsville district, Albemarle County Board of Supervisors, for two apparent reasons- Fletcher has an issue and the incumbent is unopposed ("Write-in", Sep 24 2003, *The Observer*; "Write-in: Latecomer challenges Dorrier", Sep 25 2003, *The Hook*).

Jun 5 - First speeches on urban renewal:

1. [Letter to Mayor Daugherty to investigate renewal](#).
2. ["Property Street" for Sally Hemings and Laura Dowell](#).

2001 Feb 28 - Constitutional argument in a newspaper

- ["Free Speech Wall Unnecessary"](#), *The Observer*.

Aug 27 - *The Witness Report* newspaper debuts. Sixth and final issue April 30. [All 19 pages as jpg images \(100k-200k each\) on one page best viewed at 1024x768 screen resolution.](#)

Nov - Hawkins begins telling people he will challenge Van Yahres if he runs unopposed again in

2003. Van Yahres is elected to his eleventh 2-year term with 167 write-ins opposed.

2002 Jan - HealingCharlottesville website debuts.

Apr 2 - "Schilling and Salidis for Council", *The Daily Progress*. Incumbent mayor Blake Caravati (D) and challenger Rob Schilling (R) were elected.

Dec 19 - Landmark essay on public housing. "No reparation for slavery.. Yes restitution for renewal".

2003 Mar 15 - "Ides of March" email to Van Yahres.

Apr 7 - Campaign website debuts. Campaign kicks off. Vision and biographical resume articulated.

Apr 16 - "GOP adds two to House races", *The Observer*. (The other candidate was Delegate Steve Landes for re-election.)

Apr 17 - "4 better or worse", *The Hook*.

"Best long shot in the 57th District. Blair Hawkins challenges Democrat Mitch Van Yahres for the General Assembly seat Van Yahres has held since 1981.

Best Credentials. Hawkins is two-time winner of the Clark School spelling bee, according to the press release announcing his candidacy."

Apr 21 - First two planks articulated:

1. Fifth Amendment vs. Housing Authority.
2. Education.

Apr 29 - "Switch hitters: Two candidates pick parties and abandon Independents", *C-ville Weekly*. (The other candidate was Eric Strucko for the White Hall seat on the Albemarle County Board of Supervisors.)

"...In Hawkins' mind, City annexation of the County and urban renewal are the two issues that explain every aspect of current-day local government...."

Apr 30 - Classifieds Legal Notices, *The Daily Progress*.

"REQUEST FOR PROPOSALS
CHARLOTTESVILLE, VA

Physical Stock Assessment. The Charlottesville Redevelopment and Housing Authority (CRHA) seeks proposals from A/E firms to evaluate its physical stock. The successful firm will conduct a comprehensive assessment of CRHA's physical assets and develop a long-range capital plan based upon the agency's mission, market conditions, best and highest use, and effective use of resources. Submission deadline is 12:00 noon EST on 6/11/03."

May 6 - CRHA Board Chairman Dave Norris identifies modern urban renewal.

May 10 - "Housing director resigns: No reason offered for Harvey's action", *The Daily Progress*.

May 14 - Third plank: "A politician on the politics of gay", *The Observer*. Position echoed in "Domestic partners walk many paths", Sep 21 2003, letter in *The Daily Progress*.

May 28 - "Several Va. races lack challengers", *The Daily Progress*.

"...Blair Hawkins, who garnered four votes as a write-in candidate for Charlottesville City Council in 2000, failed to file the necessary \$500 check by the deadline and thus will not be eligible for nomination even though he had announced as a candidate, said Robert Hodous, city Republican chairman..."

Jun 2 - "Undelivered Nomination Speech" at Republican mass meeting at McIntire Park. Democrat incumbent Van Yahres runs unopposed.

Jun 3 - "Republicans nominate NFL referee for board", *The Daily Progress*.

"...Blair Hawkins threw in the towel and acknowledged he was giving up a quest for the Republican nomination after missing a filing deadline last week..."

WVIR-TV Dateline29 News gives the candidate a few minutes of fame.

Jul 11 - "From The Editor", *The African American Reflector*.

"...I have learned that many feel that the same "Urban Renewal" that dismantled the famed Vinegar Hill as a black business district is resurfacing in the form of housing programs that many feel are preying on the

ignorance and misfortune of the elderly and poor for the express purpose of acquiring property in traditional black neighborhoods and building housing that is not affordable in their place..."

Aug 20- "Eminent Domain is main issue in Va. state house race 2003" email to Neil Boortz' radio talk show syndicated on WINA AM-1070.

Sep 29 Monday - Boortz spends half the three hour show talking about eminent domain abuses. Citizens Fighting Eminent Domain Abuse.

Oct 16- "Write in urban renewal", *The Hook*.

Oct 22 - Final Letter of Campaign to *The Daily Progress*.

Campaign Slogan- *Private Property for the Common Good*

Ad in *The Daily Progress* Classifieds Special Notices for 7 days centered on Jun 2-

"Private Property for the Common Good." Blair Hawkins for House of Delegates 57th District. Republican Convention Jun. 2, 6 p.m. McIntire Park. Election Nov. 4. ["geocities.com/HealingCharlottesville/Campaign2003"](http://geocities.com/HealingCharlottesville/Campaign2003)

Reflections of the candidate (Sep 29)

I've always known that urban renewal is a big story. But it wasn't until I ran for Council and talked to people that I realized just how big a story it really is.

People generally fall into two groups: those who have never heard of urban renewal and think all those parking lots south and west of downtown have always been there, and those who know what has happened. Those who know fall into two subgroups: opponents and victims who are happy to talk about it, and supporters and officials who avoid the issue. Most of the opponents have moved away. The supporters remain and have risen to positions of leadership and wealth.

The discussion on my part seems already to have shifted away from public housing and the facts of urban renewal to redevelopment. After all, the housing authority is the redevelopment authority. Since some high profile officials of urban renewal are now members of ASAP (Advocates for a Sustainable Albemarle Population), a few logical questions follow:

1. Does ASAP support the creation of a development agency in the county, whose mission would be to override eminent domain to accelerate development but whose result would be to slow growth in the county, a rural area?
2. Does ASAP support the elimination of the city development agency in order to encourage growth in the city, an urban area?

The biggest irony of the campaign would have to be the anti-Patriot Act resolution introduced by Richard Sincere to the Republican mass meeting. The resolution warned of possible future civil rights violations by a federal agency while I had just run a campaign against known civil rights violations by a specific local agency. The resolution passed and moved on to City Council. I guess I'll have to write a resolution informing city employees that they could be arrested for grand larceny if they participate in the taking of property under eminent domain for private use.

There is no shortage of ideas on how to grow this issue: Such as a petition drive for a referendum to abolish the Redevelopment Authority. A run for Congress would be an escalation. Or maybe even a lawsuit as the Authority sells its eminent domain property to private developers. Only time will tell.

I am very happy that this issue went national (CBS "60 Minutes", Sep 28 2003). I am proud to have participated in the movement to restore Fifth Amendment property rights in America. My goal is to compile this work as a Microsoft Word or Adobe Acrobat file for distribution on CD to book publishers by Christmas. I hope also to reproduce a dozen or so old articles from *The Daily Progress*.

On November 4, I will write in myself to record for history that I publicly stood up for private property. When an incumbent runs unopposed, that's a golden opportunity to write in the one issue you think needs to be addressed. Any of these phrases would be support of my issue campaign:

- urban renewal
- eminent domain

- due process
- Fifth Amendment
- civil rights
- private property
- land use management
- housing authority
- redevelopment authority
- Vinegar Hill
- Garrett Street
- Levy Avenue
- any address taken under eminent domain for private use

If you are happy with the way things are, you should vote for the incumbent, Democrat Mitch Van Yahres.

The opponent: Mitch Van Yahres

Mitch Van Yahres Acceptance Speech for the Democratic Nomination May 29 2003.

Democrats Nominate Mitch Van Yahres/ Delegate Criticizes GOP Plan/ Hawkins' Press Release May 29.

"Mayor Mitchell Van Yahres said the council will meet...and immediately vote itself into executive session" ("Closed Annex Meeting Set", Jul 28 1971, *The Daily Progress*).

"The Charlottesville Redevelopment and Housing Authority has begun to file for condemnation proceedings for acquisition of land in the Garrett Street urban renewal area" ("City Authority Begins Filing For Garrett Condemnations", Jul 28 1971, *The Daily Progress*).

"Ides of March" email to Van Yahres

March 15, 2003

Dear Mitch Van Yahres,

In May, I will declare my intention to seek the Republican nomination to represent Charlottesville and Albemarle in the Virginia House of Delegates. At that time, I will file official papers and post this email to my website.

In my speech at the convention, I will paint the campaign as a historic contest between a man who voted for urban renewal and a man whose family was displaced and disempowered by those votes. The election will be a referendum on the Fifth Amendment.

I will build a coalition among rich and poor, black and white, Democrats and Republicans, and also people who have not voted for years. In this moment of history, it would be irresponsible for me to sit quietly at home. I look forward to a literate and spirited debate on the major issues of the day.

Best of luck to you,

Blair Hawkins,

<http://geocities.com/healingcharlottesville/>

Cville Native to Oppose Mitch Van Yahres *Mr. Sterling Goes to Richmond*

Mon Apr 7, 2003

A white man who grew up in poor black neighborhoods and public housing of Charlottesville, two-time winner of the Clark School spelling bee, Blair Hawkins announces he will seek the Republican nomination to represent Charlottesville and Albemarle County in the Virginia House of Delegates.



"My immediate strategy is to inform the public how they can join the Republican Party in order to vote at the convention to make sure the election is about issues, not incumbency," says Hawkins. "A vote for me is a vote for inclusion in the political process. It's also a vote for equal protection of the Fifth Amendment."

The convention should be in early June, but the date has not been set. The filing deadline and fees have not been determined. Hawkins is asking for contributions to pay for filing fees and to advertise his message.

He says, if elected, he will use the office to bring about positive change locally. He will argue and introduce legislation to cut funding to the Housing Authority because of its well-known history of violating the Fifth Amendment process for taking property. These large-scale violations have created unintended consequences.

"Urban renewal has contributed to a shortage of affordable housing, high rents, high property values, loss of confidence in property as a safe investment, declining civil rights as the amount of private property decreases, mass exodus of residents, loss of history, labor shortage, increase in violent and race-based crime, economic stagnation, and general civic shame for the most recent chapter of local history.

"My plan is to increase the supply of real estate by changing one word. Convert public housing **'apartments' to 'condominiums'** owned by the current residents. Instant empowerment of low income people through a land grant." [Fifth Amendment vs. Housing Authority](#).

Hawkins' basic message is to force reductions in harmful services by cutting taxes. "No agency or company will reform if the revenue stream continues at or above past levels. Sometimes a new program is the solution. But sometimes repeal of a bad law will improve quality of life."

His is a cautionary tale. "If you stop forced renewal and subsidized housing, many of our social problems will magically go away. If we don't address these two practices, some kid who lives on Tenth Street today will have a similar message forty years from now, just as people are still talking about Vinegar Hill forty years after the last building was torn down."

Biographical Resume

Born Mar. 5, 1964 at UVa Hospital. Mother went into labor with her third of five children at the Paramount Theater on East Main Street during the Doris Day, Rock Hudson film, *Pillow Talk*.

Schools Attended

- Hope House for Preschoolers on Garrett Street.
- Greenbrier.
- Burnley-Moran.
- Clark.
- Buford.
- Walker.

- Jefferson alternative school.
- Charlottesville HS, 1982 graduate in top ten percent of class, Honor Society, French Club President, first speech delivered to ELKS Club on subject of school violence.
- UVa First Summer Foreign Language Institute 1981, German Program 4.0 GPA.
- Georgetown University Russian Program, freshman year.
- North Carolina State University, B.S. Meteorology 1993, Computer Science Minor; 3-year Army ROTC scholarship, Dean's List 3 semesters.
- Piedmont Virginia Community College.
- Cleveland State University, computer technology.

Places Lived

- 509 and 522 Ware Street ([Photo Vignette](#)).
- Ridge Street.
- Pine Grove trailer court at southwest corner of Hydraulic-Emmet Street intersection 30 years ago.
- Westhaven public housing.
- 1100 block of Market Street across from Skate Town.
- Garrett Square public housing.
- South First Street public housing.
- Harris Street house and trailer park (both gone).
- Sixth Street trailer park.
- North Garden in southern Albemarle county.
- Rugby Road.
- Belmont Avenue.
- Raymond Avenue.
- Cottage Lane apartment in Rosser Mansion on 200-acre farm that once stretched to the Rotunda.
- Also Raleigh and Durham, North Carolina, Cleveland, Ohio, and Caribou, Maine.
- Summer 2002 camping in the foothills of the Cascade Mountains, northeast of Seattle, Washington.

Military Service

- 1983-85 Enlisted, Private First Class; Basic Training Fort Leonard Wood, Missouri; Advanced Individual Training 96B Interrogator, Fort Huachuca, Arizona; Defense Language Institute at Monterrey, California, Introduction to Arabic; US Military Academy Prep School, Fort Monmouth, New Jersey. The Army paid off my college loans.
- 1985-88 Army ROTC, NC State University; Color Guard, Ranger Trooper, Public Affairs Officer; Advanced Camp at Fort Bragg; Northern Warfare Summer Course, Fort Greely, Black Rapids, Fairbanks, Alaska, in July; Infantry Officer Basic Course at Fort Benning, Columbus, Georgia; Second Lieutenant Commissioned Officer.
- 1996 Reserve Obligation Expires.

Positions Held

- *Daily Progress* newspaper boy with routes south and east of downtown core.
- Lawn boy.
- After school painter, dishwasher, construction worker. Cook at Fellini's in the glory days.

- 1994-97 Meteorologist for National Weather Service. Resigned to take care of father who passed January 11, 1998. ([Photo of Marvin Hawkins](#)).
- Brick Mason, Journeyman, Apprentice, Laborer.
- Webmaster, Content Writer, College Level Tutor, Delivery Driver, Barista, Handyman, Tent Erector, Events Lighting Technician.
- Volunteer Service:
 - o *LiveArts* Spotlight Operator for *Kiss of the Spider Woman* and *The Robber Bride Groom*; Slide Projector Operator for *The Cryptogram*.
 - o Candidate for Charlottesville City Council 2000. ([Speeches and documents of the campaign](#)).
 - o [The Witness Report](#) Pamphlet, 7 issues, August 2001 to April 2002.
 - o [HealingCharlottesville](#) Website of political activism, created January 2002.
 - o [Letters of Charlottesville](#) in hiatus after 2 issues.

Special Thanks to Teachers and Mentors

"It's impossible to name every person who has influenced my life. But some deserve mention.

- Clark School 1st grade Ms. Staggers who taught phonics. Ms. Bohr for science. Fifth grade Ms. Carter who put her job on the line to have a violent boy expelled for the few months that remained in the school year.
- Ms. Carson for 6th grade math and joke teller extraordinaire on the Upward Bound bus trip from D.C. in a snowstorm. And the late principal Ralph Law, who gave me three whacks of the paddle in his Buford office.
- Will Paulson and Tom DeMayo of Outreach.
- Michael McCumber, UVa grad student who hired me as an intern for two summers between 9th and 11th grades to help with computer modeling of thunderstorms over Florida and Oahu, Hawaii.
- Mesdames Morton, Rose, and Decanio for French.
- The teacher I think about most is Ms. Miles, 11th grade English, essay-style expository writing. I use her techniques over and over.

Thank you again."

Fifth Amendment vs. Housing Authority

Mon Apr 21, 2003

The Constitutional Argument.

- ["Free Speech Wall Unnecessary," Feb 28, 2001, The Observer.](#)
- [Speech before City Council, June 5, 2000.](#)
- ["No Reparation for Slavery...Yes Restitution for Renewal," Dec 19, 2002, HealingCharlottesville.](#)

Shortage of Affordable Housing. *"The good news is that houses in the County and surrounding counties with smaller price tags tend to be more numerous"* ("Home is where the help is," Mar. 25, 2003, *Cville Weekly*).

But those counties don't have a housing authority. The City has had one since 1954. Shouldn't the City have a better position on affordable housing? One unintended consequence of this agency is the opposite of its stated mission. That alone seems sufficient reason to eliminate the agency.

High Rents. High rent is a reflection of high real estate assessments. The tenant pays the property tax, rainy day repair fund, landlord's mortgage, and landlord's profit. A mortgage is cheaper than rent plus you have property rights.

High Property Values. High assessments are most likely the result of a smaller real estate market because of government expansion. The more land the City, County, UVa, State, and Federal own, the less private property exists. According to supply and demand theory, the more scarce a commodity, the higher its value. The total amount of land does not change.

A second phenomenon is also at work. The economic cycle where a property's value appreciates and depreciates alternately has been interrupted. The consequence of declining assessments in the 1950s and '60s was urban renewal or redevelopment, as it is today. By not allowing property values to decline, the office of the assessor is protecting us from the Housing Authority.

As a side-effect, the range of value from the cheapest to the most high-end property remains the same. Some property assessments have to go up dramatically to offset property that normally would go down.

A third possibility is that rising assessment is a *defacto* tax increase to generate more revenue. Another way to fund the rising cost of services is to sell off public property, thereby creating a revenue stream of taxation. At the same time, cost of services would go down because that property would then be privately maintained.

Loss of Confidence in Property as a Safe Investment. Traditionally, if you expected your stay to be brief, you would rent. If you expected to settle down, you would buy a house. This was the culture a hundred years ago.

So people settled south and west of downtown where land was cheap. Some of them built grand homes for their extended families. In the '50 and '60s, these homes were occupied by old people. Their children had grown up and moved to their own homes. Because property values were in decline, the poor had opportunities to buy a grand ol' money pit, live in it, renovate it later, and meanwhile use the advantages of property.

Then urban renewal came to town. It targeted the cheapest real estate regardless of the owner's race or economic status. These areas happened to be predominantly black neighborhoods. The Elderly highrise on South First Street was built to house the displaced senior citizens. They were not allowed to die in their own home or to pass their estate to their children. In many cases, those grand homes are now parking lots or open space.

The lesson is this: If you get old or sick and unable to maintain the exterior of your house, a program is headed your way whether you want the help or not. City inspectors actively enforce the blight ordinance, which is forcing the elderly out even today.

The County does not have a blight ordinance, another reason for a better supply of affordable housing. The County eyesore ordinance comes closest to a blight ordinance. But a private citizen must complain to trigger enforcement. City inspectors have no such restraint.

Declining Civil Rights as the Amount of Private Property Decreases. The right to a speedy trial or presumption of innocence, let's say. If I'm arrested and can't post bail, I can use my free public education to write letters asking people to post my bond. I should not have to sit in jail for months waiting for trial only to be found innocent.

A greater supply of land would likely mean a greater number of landowners and more people I can ask for help. A few thousand dollars of land to buy a man's freedom. I wouldn't be a flight risk because I don't want you to lose your estate. If I'm found guilty and sentenced to prison, I still owe you a favor because you took a chance on me.

The ability to risk private assets to help others is the glue of a free society. When the government owns all the land, what freedom is there?

Mass Exodus of Residents. *"Although Charlottesville's overall population has remained flat over the past few decades, the number of UVA students housed off-grounds increased from 3,185 to 12,326 between 1960 and 1995...The growing number of students living off-grounds has...put enormous pressure on the City's own housing market, decreasing the supply and driving up the costs of housing for working poor and blue-collar families"* ("UVA's failure the crowding source" letter by Dave Norris, Mar 27, 2003, *The Hook*).

If population has remained constant and new people have moved here, such as students, where did the former residents go? When and why did they leave? Mostly they moved to Albemarle and surrounding

counties. Their presence helps to explain institutional differences between the city and its neighbors.

Dave Norris is the chairman of the board for the Charlottesville Redevelopment and Housing Authority. Presumably, he has a say in whose property the agency will take next. The Housing Authority blaming UVa for a shortage of affordable housing is like the pot calling the kettle black.

Loss of History.

· ["Housing Authority is controversial because of urban renewal's history," Aug 20, 2002, Daily Progress.](#)

Labor Shortage. The Charlottesville area routinely has the lowest unemployment in the state. Some economists consider an unemployment rate of less than 2% as a labor shortage. The problem locally is not a shortage of jobs, but a shortage of people willing to do the work for the wage offered. Now is the time for workers to ask for a raise.

The shortage may also stem from a generation of working-class residents who have moved out of the city. They moved for the American Dream, the security of knowing you have a place to stay in your retirement. They moved for a lower cost of living and less regulation.

Public assistance also contributes to the labor shortage. Some people who are able to work prefer to draw disability or Region Ten subsidy. These workers are lured away on the promise that they can do nothing and live "independently."

Economic Stagnation. The shortage of labor suppresses economic activity and investment. At any given moment, businesses fold while new businesses start up. Stagnation is more of a feeling that the economy is not performing.

A subjective indicator of economic stagnation is the same one used for blight. You just look around and take notice of vacant buildings and failed businesses.

The Terrace Triple next to Kmart. The four vacant buildings across from Jefferson Theater. The Paramount's inability to bring itself back to life. The current state and future of the Frank Ix textile mill, which opened in 1923, lessened the impact of the Great Depression locally, was the largest employer during WWII, and helped make South Downtown the most integrated neighborhood in town in the '60s. The Charlottesville Warehouse Corp. vacant building should go under historic designation as one of the few historical markers remaining to recall how things used to be.

Increase in Violent and Race-based Crime. Like economic stagnation, this indicator is subjective. People generally judge their safety based on what they hear from others, what they see in the media, and what they observe. Older folks report the perception that life was safer before urban renewal. Some say you were able to leave your doors unlocked even in poor neighborhoods. Public housing appears universally to be less safe than privately-owned slum housing.

Civic Shame for the Most Recent Chapter of Local History. Another subjective indicator. I realize this issue was widely discussed in the '70s. But as a representative, my job is to focus on the one or two areas that are likely to improve quality of life the most. It's time for a new generation to examine the wisdom of their parents.

Urban renewal was optional. In general communities without housing authorities have more affordable housing and property, and are better places to live. Compare Waynesboro, Lexington, Gordonsville to Charlottesville, Richmond, D.C. Public housing is a bad idea no matter how you look at it.

Apartment	Condo
Pay rent as tenant.	Pay taxes as owner.
Annual lease the landlord can decide not to renew.	Permanent resident. Only due process can evict.
Lease.	Deed.
Cannot sublet.	Can rent out.
Landlord decides number of tenants, not leaseholder.	Owner decides.
Can move.	Can move and sell condo, move and rent out condo, stay and rent condo from new owner, or let condo sit vacant.

Cannot be used by tenant as equity or collateral. Owner can get equity loans and leases.

Cannot be used as bond to get anyone out of jail. Legally just like real estate.

Expectation that you are transient with short-term interest. Expectation that you are a permanent resident with long-term interest in community.

Timely rent payments reflect positively on credit history. Instant credit rating.

The Office of Delegate. The responsibility of a delegate is to represent his district, to articulate concerns and issues relevant to residents of the district, and to express those views to the General Assembly. What I have to offer are ideas, words, a way of thinking about things.

On most issues in the House, I will vote as the majority of my constituents feel. But occasionally I will have to say no to the majority. In the case of having government take one man's property for someone else to own, I will say no regardless of political pressure.

Rule of Law should apply locally. The Fifth Amendment means you cannot vote to take your neighbor's land. As delegate, I will officially affirm the principles of Free Enterprise, private property for the common good.

Education

Mon Apr 21, 2003

As delegate, I would not represent a school board, board of visitors, board of supervisors, or city council. A delegate represents the residents of his district directly.

Jefferson School - The Charlottesville city school system can expect a series of funding cuts as political pressure to reform.

- **Less Need.** This school year is the first since 1865 that Jefferson is not open as a school. The city now has 8 schools instead of 9. Fewer schools to maintain, fewer expenses. That comes out to an 11% reduction in need from now on.
- **Less Merit.** The Charlottesville School Board's handling of the debate over Jefferson and its preschool was a poor example for our children. Postponement of hearings until interest had diminished and scheduling the hearings for late in the evening when the crowd had thinned out were both intended to exclude voices and ears from the public process.

As your representative, I will tell the General Assembly that city schools have capital needs. But my constituents believe the school board should not be rewarded for its recent performance. I will have to hear from my constituents about the state of public education in the county.

Support Teachers. Teachers should earn enough pay so they can afford to teach. I believe a good teacher is good regardless of pay. Teaching is not a job. It's a calling. The General Assembly decides the level of funding to a school district. The school board decides how much to pay teachers.

Trust Teachers. If a teacher says a disruptive student should be removed from the classroom, that should be the end of it. A teacher has no interest in picking on a kid. Removing children from school does not make a teacher look good. Trust the judgment of our teachers. Parents who always take the side of their kid undermine respect for authority.

Protect Students. - "If any teacher makes the statement that Joe beat up John, then Joe should not be allowed to return to the same school with his victim. When Joe runs out of schools to attend, his family will have to move away if they want him to have a public education" (at the Education Forum, CHS, Apr. 13, 2000). Younger children have more chances because there are more elementary schools.

Repeal Compulsory Education. Making school voluntary would achieve these results.

- Truant officers and social workers would not force violent and disruptive students to attend school.
- Truant officers and social workers would not force good kids to attend a school that is unsafe.
- Truant officers and social workers would be laid off. The money saved could be used for educational purposes.

- More parental involvement because parents would be responsible for their children's attendance.
- If society continually underfunds education, let the education establishment shrink to a level we are willing to fund.

Out-of-City Tuition. Since public schools are funded primarily from local real estate tax, it seems reasonable to charge a fee for students who reside outside the jurisdiction. As it stands now, city schools are free to city residents and the same fee for everyone else. But Albemarle county pays revenue sharing to the city at around ten percent of the city's annual budget, all of which goes into the general fund and can be used for education. Because outlying counties do not subsidize the city tax base directly, they should be charged tuition to attend city schools. Charlottesville schools should be free or discounted to Albemarle residents.

Merit Testing. Allow people to get jobs by demonstrating skill or knowledge. Relax educational requirements for those who can't afford college.

Dress Code. Students and teachers should dress for success. T-shirts, torn jeans, and unkempt appearance are not appropriate for public school. Because of taxpayer funding, public school should be held to a higher standard than private school.

College Welfare. UVa President John Casteen has said that the state continually underfunds the University. If UVa were short of funds, they would not be building a new athletic arena, parking garage, library, and monuments to benefactors. They would also not be buying up real estate for future expansion.

UVa Logic for Recipients of Public Funds. What if President Casteen lived in public housing and a social worker came by one day and saw his brand new furniture, TV, computer and appliances? Social worker: "If you can afford all this, then you don't need public assistance." Casteen: "That money was specifically earmarked. I'm not allowed to use it for rent or groceries (or basic education)."

State Pay Raises. It's easy for state workers, such as public school teachers and university professors, to call for tax increases because they don't pay taxes. They are paid from taxes. I would ask government employees to share the sacrifice and draw unemployment if you are laid off. Meanwhile, we should make policy changes to retain quality teachers.

CRHA Board Chairman Dave Norris identifies modern urban renewal

Had City Council been more interested in hearing from the public last night before moving ahead on its Prospect Avenue gentrification project, here are the comments I would have made.

Good evening, my name is Dave Norris and I live at 1508 Green St. in Belmont.

I rise tonight to thank you for appointing me to the City's new Housing Policy Task Force. I look forward to working with my fellow Task Force members to produce some substantive proposals for addressing the affordable housing crisis here in our community.

One of the specific ideas that I will be pushing the Task Force to consider is a set of principles to guide the City's efforts in revitalizing low-income neighborhoods. These principles will serve to encourage public and private investment in distressed neighborhoods while ensuring that the result of this new investment is community empowerment, and not community gentrification.

At a minimum, I would hope that anytime there are public dollars invested in a neighborhood redevelopment project in the future, there is:

- a well-defined vision and plan for how the project will uplift the whole neighborhood
- full involvement by neighborhood residents in the development and implementation of this plan (with groups like the Quality Community Council and PHAR helping to build the capacity of residents to assume leadership in this process)
- use of the Weed and Seed approach in weeding out known criminal elements, building code violators and irresponsible/absentee landlords and in seeding the neighborhood with community policing, youth programs, training and education initiatives, infrastructure improvements, etc.
- one-for-one replacement of any affordable rental units lost to redevelopment [when the demand

for affordable rental housing is so severe, we've got to at LEAST preserve what small stock we have now]

- deliberate targeting of new homeownership opportunities to existing neighborhood residents
- deliberate targeting of new employment opportunities to existing neighborhood residents
- measures to ensure the affordability of new housing for the long-term (in order to ensure that public dollars remain in service to the public good)

With provisions like these in place, you will see a much different result than we've seen in other redevelopment projects, and you will realize a much higher long-term gain on your investment. Instead of using the redevelopment process to displace and relocate problems, you will be using the redevelopment process to solve problems. Instead of using public dollars to evict poor families and further restrict housing choices for people who are already struggling to get by, you will be using public dollars to expand housing options, help low-income families build assets and skills, and foster a much greater sense of ownership and pride among neighborhood residents. Instead of encouraging community gentrification, you'll be encouraging community empowerment.

Unfortunately, the Prospect Avenue proposal you have before you tonight contains few, if any, of these kinds of provisions. Furthermore, it adds insult to injury by blaming renters as a class of people for the problems in that neighborhood. It is easy to stigmatize low-income people and it is easy to stigmatize renters but evicting an entire block of low-income renters is not the answer. I would challenge you to look into the eyes of each of the families you will be evicting and explain how it is that they are bringing down the neighborhood. If there are problem tenants and problem landlords, by all means let's deal with them – but don't use their bad example as an excuse to make life even harder for others.

I applaud the City and the Piedmont Housing Alliance for your interest in helping to revitalize low-income neighborhoods, but I strongly encourage you to learn from the lessons of Charlottesville's checkered redevelopment history and make the effort to show that this time, on Prospect Avenue, it can be done right.

Dave Norris, May 6, 2003.

A politician on the politics of gay

I would like to thank The Observer for its coverage of my announcement to seek the Republican nomination for House of Delegates 57th District.

I'd like to take issue with "The Spur: the politics of 'gay'" (Apr. 30) and express a candidate's view. "...if Charlottesville is the liberal Mecca of Virginia, the gay presence has been, to date, a little underwhelming."

As a gay man, born and raised here, and out of the closet for fifteen years, I can tell you that gay people are everywhere. Like other underprivileged, they are invisible. As a minority, gays are like no other. They are the only people who routinely need protection from their own families. The best way to protect them is to extend the right to form a new family to all people.

Married people don't seem to be aware of their privileges. So naturally, they don't want to pay the marriage penalty, a higher income tax to pay for those special rights. Only a man and a woman can designate each other as next of kin, power of attorney, and sole heir in a single legal document. Of course, everyone can write a will and assign power of attorney. The exclusive right of marriage is the ability to choose your next of kin as many times as you want.

Usually, your closest blood relative would have your best interest at heart. This is often not the case for gays. It becomes apparent if you find yourself suddenly hospitalized or jailed. Next of kin, whom you haven't seen for decades, can show up and, legally, make decisions for you. You don't have to be gay to have a hateful family.

Gay marriage seems to be a contradictory phrase.

Marriage is a religious term. The government should not discriminate on the basis of religion. We should recognize nontraditional families. Marriage certificate for a man and woman. Next of Kin certificate for everyone else. Fee for both. If you're happy with your next of kin, you need do nothing.

Two old ladies living out their retirement as roommates should be able to designate each other as next of kin to protect themselves from greedy children. Would you want someone to make life or death decisions for you if you knew that person would choose death? A Next of Kin license is just a piece of paper naming your closest legal relative. Government agencies would regard the name on the license as your closest family member.

What exactly is a family? A group of people with common relatives? Related by blood or by marriage? Or two people who care about each other more than anyone else? I consider my coworkers as family because I spend more time with them than I spend with anyone else. In some circles, 'family' is code for gay. It is already legal for gays to be closest next of kin; for example, two orphans or man and woman married for convenience.

I favor equal rights, not special rights. Every crime is a hate crime. Pressure should be placed on judges and prosecutors to enforce the law equally. The legislature should pass laws that apply equally to everyone. The right to form a legal family would make the world a safer place for all people.

This kind of honest analysis and focus on basic principles distinguishes me as a candidate. If elected, you can expect more simple solutions to complex problems. I will try to make the world a better place one person at a time.

Letter to the Editor, *The Observer*, May 14, 2003.

Undelivered Nomination Speech

McIntire Park, Charlottesville, Virginia, 6 pm, Monday, June 2, 2003

I would like to thank you all for attending this historic gathering. A political drama is unfolding here tonight.

I am seeking the Republican nomination because no one else has the courage to oppose the Democratic nominee. I also believe that my ideas are more powerful than those of Mitch Van Yahres. Because I have observed and studied recent local history, my conscience compels me to seek the 57th district seat of the House of Delegates.

As a native of Charlottesville, I care about this place. So I am trying to make a difference. I don't own property or a business. I don't have money, power, or influence. I don't have a network of cronies to whom I owe political favors. What I have to offer are ideas. As delegate, I can write letters, propose and vote on legislation, deliver speeches, make phone calls, give interviews. I cannot be a successful representative without your support.

Honestly, I don't think I can win the nomination or the election. Public housing remains popular in both parties even today. I'm running for office to bring attention to the Fifth Amendment.

Urban renewal is the most important issue we are facing. Can the government take your property just because they want someone else to own it? We fought a revolution to remove this power from government. Taking your land to sell to a developer is a property transfer, which is prohibited by the Fifth Amendment. Can the Housing Authority take my house because they want someone else to live there? Some people in this community live in fear that their home will be taken when they need it most, when they become elderly or infirm and unable to maintain the house.

In his nomination speech, the only thing Democrat Van Yahres has to offer is fear of Republicans and repeated calls for us "to do something about it." He offers no specific action that we should undertake. So I will. Here are some of my campaign promises.

1. On behalf of the 57th district, I will ask Attorney General Jerry Kilgore to issue a legal opinion of urban renewal.
2. I will ask the General Assembly to eliminate funding of the Charlottesville Redevelopment and Housing Authority and convert public housing apartments to condominiums owned by the current residents.
3. I will introduce a bill that annexation require voter approval of those to be annexed.
4. I will bring attention to Jefferson School and local heritage lost to urban renewal.

5. If elected, I will represent the residents of the district to the best of my ability. I will make mistakes along the way but have learned from the mistakes of others.

I would like to thank a few of those involved with urban renewal over the years. The League of Women Voters who opposed the creation of the Housing Authority in 1954. Mrs. Nimmo and her family who put an ad in *The Daily Progress* opposing Ridge Lane renewal in 1965. Frank Tomlin and Sherman White who ran for City Council in 1976. Dave Norris, current chairman of the Housing Authority board, who circulated an email stating that urban renewal is in progress right now. And Del Harvey, who resigned as director of the Housing Authority since my campaign began in April.

For me, it's not just local history. It's family history. I'd like to thank my grandmother Mrs. Laura Dowell, who gave up her estate to the Housing Authority in November 1971 after a court battle. I would like to thank Ed Wayland who represented my family in court.

A special thanks to my uncle Thomas Dowell here with us today. Thomas ran for City Council three times in the 1970s on a platform to stop urban renewal. He once sought the Republican nomination for House of Delegates but was not allowed to give a speech at the convention. He has been a member of the Republican Party since the '50s and Belmont precinct captain since the '70s.

I will continue an awareness campaign. My next scheduled appearance is the Independence Day parade in Scottsville. I will cruise down the strip in a 1967 Pontiac Tempest. 1967 was the year that Charlottesville voted to demolish my childhood neighborhood. I will build more time machines. I will add more photos to my website. I will try to publish as a book the body of knowledge of urban renewal now available to commemorate with the 50th anniversary of the Housing Authority.

Thanks again to those who helped in this campaign and those who offered encouragement. You participated in history.

[signed]

Blair Hawkins, 908 Cottage Lane, Apt. 1, Charlottesville, Va. 22903

Disqualified for failing to meet filing deadline. Democratic nominee runs unopposed.

Completion of Campaign for Republican Nomination 2003

Update: I did not appear at the parade.

Write in urban renewal!

Since I campaigned for the Republican nomination for the House of Delegates seat held by Mitch Van Yahres since 1981, I thought I should weigh in on gentrification which I favor.

Antoinette Roades is correct [Letters, October 2: "Fifeville wasn't Fife's"]. Poor and working class neighborhoods are and always have been more diverse than affluent neighborhoods. Fifeville was not a poor neighborhood when it was new.

If you own a cheap house in a run-down neighborhood being gentrified, that's your ticket out of poverty.

Whatever the assessed value, you should ask for two or three times that amount. If your selling price is too high, you continue to own the property and pay taxes at the assessed value. Don't sell unless you get enough to buy a decent place with money leftover to spend. Gentrification is the kind of redevelopment that can benefit everyone.

My campaign was against urban renewal, the process by which homeowners and businesses are forced out or threatened to be forced out by the government for the express purpose of selling the land to a private developer. According to public statements by citizens and officials, the one-block renewal on Prospect Avenue, and individual houses on and near Tenth Street NW are examples of urban renewal 2003.

The only thing I can do about it is write this letter.

Unlike Mitch Van Yahres while he was on City Council 1968-1976, I don't have oversight of the Redevelopment and Housing Authority. I have no reason to think that he has changed his position.

On November 4, I will write in myself because I actually tried to get the nomination. When an incumbent runs unopposed, that's an opportunity to write in the one issue you think needs to be addressed. The

incumbent will still win.

Write in Urban Renewal so we can begin to put this chapter of history behind us.

Letter to the Editor, *The Hook*, October 16, 2003.

Final Letter of Campaign

October 22, 2003

Dear Editor, *The Daily Progress*

I enjoyed Bob Gibson's article on the perception that public discourse is less civil than it used to be ("Former Texas official bemoans loss of honor," Oct. 22, 2003). America has a tradition of harsh rhetoric beginning with Thomas Paine, who defined the art form. I think we would be hard-pressed to outdo our predecessors. But I'll give it a try.

I'd like to update your readers on my campaign to make people aware of urban renewal and how it influences us today. I was uniquely suited for this task. As a bright kid, growing up two houses north of the Ix textile factory, I am an eyewitness to Garrett Street urban renewal. Frankly, I'm not sure I would believe it actually happened if I hadn't seen it with my own eyes.

What was the stated purpose for clearing this neighborhood? Housing and redevelopment. What have we today? Garrett Square and parking lots.

What happened was, a city agency invoked eminent domain for the explicit purpose of reselling the area to private developers, who would grow the tax base by redeveloping the land, which would mean higher assessments and greater revenue to fund ever-expanding services for the public good. Also, a federal grant was available to finance the project. Problem is, few developers have been interested in this prime real estate.

As it turns out, this practice is widespread. "Steal from the poor and give to the rich." Today, it's more likely to be called abuse of eminent domain. One study has documented 10,000 instances of this abuse nationwide in just the last five years (castlecoalition.org). "60 Minutes" (CBS, Sep. 28, 2003) exposed the case in Lakewood, Ohio, where the mayor wants to condemn an old neighborhood of senior citizens so a developer can build condos. Unlike a generation ago, the developer is likely to be already lined up today.

On November 4, since Mitch Van Yahres is unopposed for reelection and unable to condemn urban renewal, I'm asking people to exercise the write-in option to send a message.

If you think urban renewal is the issue we most need to deal with, write in Eminent Domain or any address you may know that was taken under eminent domain for private use. If you think something else is the bigger issue, write that in. If you are part of a voting block, write in your pivotal issue.

There's no reason to vote for an incumbent who is unopposed. But vote anyway. Think of something important and write it in.

Sincerely,
Blair Hawkins

The editor said she chose not to print the letter due to lack of space (Oct. 31).

DOUBLETHINK! Superlatives 2003

Wettest at 75 inches crushing the old record of 72 inches in 1937. Precipitation was above normal every month of the year. Sleet storm February 16-18, Hurricane Isabel September 18, and 3 snows in December. In early July, heavy rains from remnants of Tropical Storm Bill threatened the Mill Creek dam on Route 20 south of I-64. In contrast, the previous drought was the third driest ("[Drought Perspective](#)").

Most Important Troubled Agency is probably the Rivanna Water and Sewer Authority, which now has its fourth executive director in 2 years. Arthur Petrini, Cole Hendrix, Larry Tropea and Lonny E. Wood, Director of Finance/Administration and acting CEO of RWSA, RSWA. www.rivanna.org In four years, there's been 2 temporary and 2 permanent CEOs. Maybe we don't need an executive director. The

operations director since the 70s, Eugene Potter, has retired and was replaced by Robert C. Wichser, P.E., DEE, REM, Director of Water & Wastewater Operations.

In the last four years, the agency's direction has shifted away from either-or, either a new reservoir or dredging of existing reservoirs, but not both. The agency and its advisory board now seem to know that dredging is routine maintenance of infrastructure and required whether there is a new reservoir or not. Water rates have increased to fund these capital improvements. The new policy is to dredge when there's an opportunity such as low water. Most of the sedimentation is upstream from the dam and accessible with conventional means such as a bulldozer. No opportunistic dredging has yet occurred. (In 1885, the town was connected to municipal water and real estate taxes rose from 60 cents to 90 cents per \$100 of assessed value to pay for the civic improvement.)

Most Reticent Water Official is a tie between Cole Hendrix, recent interim executive director of the RWSA and city manager in the 70s, and Rich Collins, RWSA advisory board chair recently and chairman of the board for the city's Redevelopment and Housing Authority in the '70s. These men represent old policies. They both failed to give the public any perspective or precedent for last year's mandatory water conservation. As officials, they both implemented conservation plans in the drought of 1977. They allowed Tropea to make false claims repeatedly that it was the worst drought in history.

Biggest New Old Scandal of History is the Downtown Mall, approved in 1974 with 2 votes in the 5 member city council, 3 abstaining because of conflicts of interest on East Main Street. The attorney general at the time, Andrew Miller, advised that it was legal. First black mayor of Charlottesville, Charles Barbour, and councilman Mitch Van Yahres were a majority of those voting and there was a quorum. Cole Hendrix was city manager. WINA reports this story December 16, the day following a contentious city council meeting whether to ask Attorney General Jerry Kilgore if he thinks a 3-2 vote to convey an easement to VDOT for the Meadowcreek Parkway is legal under a state constitution provision that selling of park land requires at least 4 of the 5 votes. On Jan 5 2004 the Council voted 3-2 to instruct the city attorney to request the opinion.

Biggest Longest-Running Modern Scandal of History goes to urban renewal aka eminent domain abuse. The nation catches up with Charlottesville. [A study is published documenting over 10,000 such cases 1998-2002.](#) ["60 Minutes" has the story on September 28.](#) Conservative radio shows tackle the topic. [Jefferson Area Libertarians take on eminent domain October 5](#) but make no connection to Charlottesville. Public allegations [about 10th Street](#) and [Prospect Avenue](#). Housing Authority director resigns. Mayor joins Belmont Neighborhood Association to drum up support to develop Levy Avenue which is still open space since its clearance in 1972. Plans by developer Bill Dittmar to build condos on the 300 block of what was once 4th and 5th Streets SE. Activist Blair Hawkins (that's me) gave a [speech on eminent domain](#) in city council chambers to a capacity crowd in June 2000 and tried to [ride the issue this year all the way to the House of Delegates](#).

Most Ironic Revelation by an Elected Official is awarded to Mitch Van Yahres for his campaign ad the week before election. He states that he has always done what is "right and just" without saying what he has done. So it's hard to know what he is referring to. He must have done something wrong at some point in his career. Most likely he was reassuring his base that urban renewal was and is "right and just" and that the more than 2,000 who voted for him, even though he was unopposed, can expect continued benefit from the status quo abuse of eminent domain. Van Yahres was mayor when the city condemned fifty-some acres of developed land in the Garrett area, which was a 100-year-old predominantly black and blue collar neighborhood with business and industry.

Lamest Logic Award goes to city councilor Kevin Lynch for disrespecting the state attorney general Jerry Kilgore in council discussion Dec. 15 on the possibility of an AG opinion on the Meadowcreek Parkway land transfer. How does an opinion on contraception relate to an opinion on a land transfer? Also, back on Feb. 3, he opposed the war in Iraq because the USA had supplied Saddam Hussein with weapons. If a dealer sells a customer a gun for self-defense and the customer shoots someone, is the dealer the guilty party? Incumbent Lynch has announced he is seeking his second term on council this spring.

Most Public Embarrassment for Charlottesville goes to former mayor Kay Slaughter. Governor Mark Warner appointed her to the state water control board but the Republican controlled state senate did not confirm. The senate then reversed itself and Slaughter promised no conflicts of interest. Less than a year later, she resigns after getting caught committing conflict of interest, private consultation with entities that lobby the board.

Most Improved Party Official goes to city Republican committee chairman Robert Hodous for articulating the party's philosophy in the form of letters and articles to newspapers and speeches at city council meetings. In particular, the Nov. 26 article in *The Observer* where he identifies a method by which a political machine sustains itself. The goal of a bureaucracy is growth and increased funding regardless of its stated mission. Those who benefit from an agency will vote for it even if the service is harmful to the community. More generally, those who benefit from status quo don't want change.

Biggest Lie of our Time: "The Meadowcreek Parkway distracts city Democrats from focusing on our *commitment to social and racial justice, educational excellence, participatory democracy and economic prosperity for all*" ("[Meadowcreek Parkway: Caravati and Richards Letter to Friends of the Democratic Party](#)", December 20, 2003). Every political machine has a big lie. And that lie has to be so big that any discussion of it would expose it as a falsehood. So supporters of the machine either believe the big lie in the face of overwhelming contrary evidence or they must have some other unstated motivation. The greater the cynicism, the more absurd the lie, the more blatant the oppression. That's the message I got from George Orwell's novel *1984* written in 1948.

Best Case for Free Speech Wall: A UVA Hospital worker comes under public criticism for using the N-word in a discussion of the word's meaning. Because it is prohibited from utterance in both written and spoken form, the N-word must represent a powerful truth or a powerful lie. Thought crime legislation adds a stiffer penalty if you are found guilty of expressing this or other select words in the commission of a legitimate crime.

Gloomiest Prediction: Expect massive resistance to the downsizing of government. The genius of former governor Jim Gilmore was that if you can't cut spending then taxes, you can do it in reverse. Cut taxes now to force spending cuts later. In addition to cutting services, hopefully we can reduce the number of laws so we'll need fewer funds to enforce them. The lesson of DMV was not closing one day a week or reducing hours by 20%. That's a good idea, but they should have reduced the regulations so you would need to go there 20% less often.

Brightest Prediction: President George W. Bush is reelected in 2004 on the basis of tax cuts and national defense. Mr. President, if you're reading this, I invite you to my hometown to give a campaign speech, a report on how you have upheld the oath of office in your first term. Tell us how you have promoted freedom, equality, and prosperity for America. Let me know if you're coming so I can try to reserve the auditorium of Jefferson School for the historic event.

Blair Hawkins, Feb 4 2004.

Directly Elected Mayor-Attorney-Ward System for Charlottesville

People have been talking about changing the government since before there was a government. When discontent is high, the talk is loud. The debate fades to a whisper when happy days return. Sometimes there's talk of changing political boundaries.

Albemarle County was created in 1744. Back in those days, you could buy land from the British Crown or get huge land grants if you were rich. The government promoted development and sprawl and subdivided counties as populations grew. In 1744, nine men owned more than ninety percent of Albemarle. These land barons were not as favored in the subdivisions of 1761 which made Albemarle smaller.

Out of the kindness of his heart, one of the wealthy landowners, Colonel Richard Randolph, donated 50 acres to become the town of Charlottesville on December 23, 1762, the new county seat replacing Scottsville, and named after Charlotte Sophia of Mecklenburg-Strelitz, young wife of King George III. After the revolution, the county's boundaries remained fixed and the town-county government was one and the same.

Until 1888, that is, after a mass meeting to petition the General Assembly. That's when the town of Charlottesville incorporated as a city, the county lost territory, and a city government was created. The new city's acreage was more than 15 times larger than the original town. The city started out with an elected mayor, ten councilmen, and various appointed officials.

By the 1950s, the city had adopted a city manager-4 ward-5 member council system. This change was likely prompted by perceptions that the mayor had too much power and there were too many unfilled

council seats. The 1963 annexation transferred four and a half square miles of newly developed land from Albemarle to Charlottesville. The four wards were subdivided into eight precincts. Today, the city appoints members of the school board by ward.

(Albemarle: Jefferson's County, 1727-1976, John Hammond Moore, 1976)

Any change to the city charter would still require approval of the General Assembly and possibly a direct referendum. Wards and referendums are touchy subjects in Charlottesville because of urban renewal and annexation. Why do we have precincts and not wards? Annexation. A referendum is fine as long as you realize that people cannot vote for unconstitutional initiatives.

If you combine a referendum with a ward system, the election demographics can show a divided city. The seven housing referendums in the 1960s showed that the affluent northside of town wanted public housing in the southside. The southside was in greater opposition. Any referendum would show a division. If we had a referendum on the Meadowcreek Parkway, the southside would vote for the road on the north side of town. Of course, the parkway affects public land and public use, unlike urban renewal and annexations.

No system will function properly if elected officials and appointees disregard the law. When elections fail to bring about progressive change, we can change the process and hope for the best. Whatever the system, it should be no more complicated than the game of chess. A fifth-grader should be able to fully grasp the process. And the process should have brief rituals that explain the system as it is exercised.

MAYOR

Elected for 2 year term citywide

Would be the city manager

Would have a narrowly defined veto, a double negative vote.

COUNCIL

4 councilors elected by ward to 4 year term

2 wards up for election every 2 years

CITY ATTORNEY

Elected for 6 year term city wide

In my system, only elected officials would sit at the table of city council in council chambers. This fixes the problem that some people think city council has 7 members. Well, that's how it looks.

A vote would have a defined ritual.

(1) A councilor or mayor makes a motion to take a vote.

(2) A second councilor or mayor seconds the motion.

(3) The mayor always votes last and is the tie breaker, symbol of unity

(4) Mayor states: "Please vote on measure #whatever." The mayor must state the name of the ordinance.

(5) Mayor states: "The council has voted X-X in favor/against the measure."

(6) Mayor states his vote. Possibilities: yes, no, double no.

(7) Mayor states: "The final vote is X-X. The bill is passed / is rejected."

(8) Mayor strikes the gavel and moves to next issue.

Stating the outcome of a vote lets those who cannot see or who are listening on the radio to know the result of an electronic vote.

The mayor's simple no vote means he opposes the bill for whatever reason. His double no vote must follow this particular ritual. For example:

"Please vote on ordinance #418723. The council has voted 3-1 in favor. The mayor votes double no BECAUSE I SINCERELY BELIEVE THIS BILL WILL CONTRADICT (state specific constitutional provision or statute). The final vote is 3-3. IS THERE A PROTEST? So noted. The bill is rejected. (Strike the gavel!)"

If the mayor thinks the bill is a bad idea, he has a simple no vote. Four yes votes, or 3 if there is an abstention, can override the mayor's veto. Any final vote that is a tie means the bill is rejected.

In the final analysis, the system is less important than the people who serve within the system. No political process will function well if the leaders act on hidden agendas or the people don't

participate. This mayor-attorney-ward system has elements similar to the state and federal systems except the council is one house. The CEO of a city, mayor or city manager, is arguably the most powerful official of a local government. He or she should be elected with frequent opportunities for recall.

HealingCharlottesville, February 4, 2004.

Is Buck Mountain Reservoir eminent domain abuse?

At the city council meeting Feb. 17, The Rivanna Water and Sewer Authority said that the Buck Mountain Reservoir might not be built for a hundred years, but the agency was keeping the land purchased in 1983 as an "insurance policy" for future water demands.

At the city council meeting Feb. 17, The Rivanna Water and Sewer Authority said that the Buck Mountain Reservoir might not be built for a hundred years, but the agency was keeping the land purchased in 1983 as an "insurance policy" for future water demands. The proposed reservoir is near Free Union west of Charlottesville on the Buck Mountain Creek, a tributary of the South Rivanna river. The water authority was created in 1972 to consolidate city-county municipal water services.

Mike Gaffney, chairman of the RWSA board, presented the status report and said the agency welcomes input from the public as to possible public uses until the reservoir is eventually constructed. The idea of a hiking/biking natural area was mentioned. Acting executive director Lonny Wood also spoke at the meeting.

After 19 years, the reservoir still has not been approved. There is no funding for the new reservoir. The previous owners of Buck Mountain may want to bring a class action lawsuit to have the land returned to them and to be compensated with 19 years of rent. In a 100 years when the reservoir is constructed, the government can have the land back. Recent water hikes were said to be earmarked for dredging of existing reservoirs and raising the height of the South Rivanna dam by 4 feet. None of the increase goes into a Buck Mountain Reservoir fund. The land for the reservoir is now publicly owned and no longer a source of real estate tax revenue.

"Special Meeting Notice:

Two special meetings of the Board of Directors of each of the Rivanna Water & Sewer Authority and the Rivanna Solid Waste Authority have been called by the Chairman of each Authority for the purpose of holding joint closed sessions to consider personnel matters related to the selection of an Executive Director. The meetings will be held on March 4 and 10, 2004 at 1:00 p.m. at the Omni Hotel, Charlottesville, VA." (<http://www.rivanna.org>) RWSA is also seeking a Watershed Manager and Civil Engineer.

(The Omni Hotel at west end of Downtown Mall is itself an abuse of eminent domain. Built in the early 1980s and subsidized by the city, the hotel was the first structure built on Vinegar Hill, a black neighborhood and business district cleared in the early '60s urban renewal, the best known case of eminent domain abuse in Charlottesville.)

Charlottesville Independent Mediadebut, February 27, 2004.

SPCA Rummage Sale to be in former South Downtown Neighborhood

A Brief History of "Urban Renewal" in Charlottesville

As you rummage through the junk this year, take a minute to reflect on the history surrounding you. You'll be shopping where people lived for more than a century. In the 1960s, these houses on Diggs Street (Monticello Ave.), Parrott St. (Gleason St.), and Garrett had become shacks and were often cited as a reason for urban renewal of south downtown

The Charlottesville-Albemarle Society for the Prevention of Cruelty to Animals will hold its annual fund-raising rummage sale in the Ivy Industries building in the historic Garrett Street district.

The SPCA will accept donations March 12th - March 28th, 9:30am - 6:30pm. Pre-sale on April 16th from

5:00pm - 9:00pm (\$10 admission). General sale April 17th - May 2nd, 11:00am - 7:00pm (free admission).
(<http://caspca.org/>)

(Recent	Ivy	Industries	news-->
http://www.readthehook.com/stories/2003/06/11/newsAuctionampClaimBanking.html			
http://www.usdoj.gov/usao/vaw/press_releases/reid_pinkerton_11feb2004.html)			

TIMELINE (abbreviated)

early 1820s...Alexander Garrett builds his 8-room brick mansion with pillared portico on 117-acre farm Oak Hill. The house stood until 1952 across the street from H.M. Gleason's. Garrett was a native of Louisa County, Albemarle's court clerk 1815-1831, a real estate speculator (developer), first rector of UVA, friend of Thomas Jefferson and present at Monticello when TJ passed away.

1828...Alexander Garrett builds Midway House at top of Vinegar Hill as a failed hotel venture. The building serves as several private schools, then the town's public school in 1893. City Market began in the parking lot of this landmark torn down in the 1970s.

1860...Garrett Street is developed and has its own history of commercial, residential, and public uses.

1870...Town's first public school opens on Garrett Street.

1875-1963...People's National Bank. The bank turned a profit during the Great Depression, credited to a large customer base of small account holders. The bank held many of the mortgages of south downtown.

1893...Public school moves to Midway School.

late 1800s...Fourth Street and side streets are developed and connected to the town's water system of 1885.

1910...Standard Produce opens.

1922-1949...Margurita's brothel operates at 303 Fifth Street SE.

1924...Norcross building is erected.

1925...Workshop for the Blind is established on Fourth Street SE and moves in 1930 to its present location on Monticello Road.

1929-1999...Frank Ix & Sons Silk Mill opens on Fourth Street SE, expands output and labor during the Great Depression, largest employer during WWII.

1947-1977...Allens' Produce at Garrett and Sixth.

1952...Garrett mansion (cold steam building) is torn down for H.M Gleason expansion.

1954...Era of urban renewal begins with creation of Redevelopment and Housing Authority.

1960...Vinegar Hill renewal referendum. Clearance in 1964.

1965...80-year-old Mrs. Nimmo had lived in her 1840 house with family graveyard since 1910. Ridge Lane housing referendum fails.

1967...The triple referendum: public housing approved for Garrett and Sixth, South First Street, and Ridge Street Revised (Mrs. Nimmo's place and backyards of Ridge Street houses). Ridge Lane subdivision is across Monticello Avenue from Ivy Industries.

1970...Federal grant approved for Garrett Street renewal.

1971...Condemnation proceedings and court battles.

1972...Clearance of Garrett, First and Sixth. The elderly high-rise is on South First Street where the street's mini-business district was located. South First Street had its own neighborhood association.

1975...H.M. Gleason loses acreage to the city in court-settled deed transfers.

1977...Clearance of Ware Street (Fourth), modern site of Garrett Square (Friendship Court) public housing which opened two years later.

1979...Ivy Industries.

1999...Ix factory goes bankrupt.

2002...Renaming of Ware Street (Fourth) in front of the Ix building as Second Street.

2004...SPCA Rummage Sale held on stolen land. Bill Dittmar begins building condominiums a few blocks away on Garrett Street property, also taken under eminent domain for private use.

.....

Urban renewal is part of the history of Charlottesville. That truth will never change. By not speaking against it, the SPCA is now part of the history of those who support government land transfers.

I'm not advocating a boycott of the sale. But we need to deal with this issue sooner or later. Until then, what are you going to do when they come for your house or business?

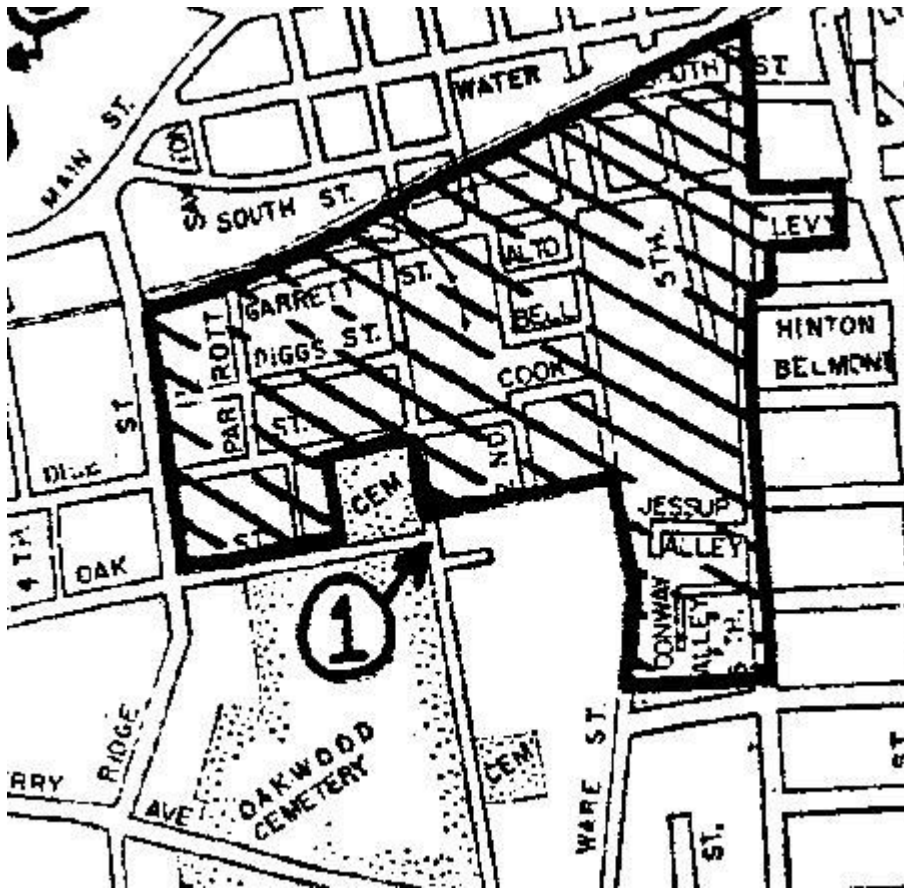
- Blair Hawkins, Mar 8 2004



Ivy Industries in 2004



Condos go up on Garrett Street in 2004



map of neighborhood prior to "renewal"

Charlottesville Independent Media, March 9, 2004.

Is Charlottesville the next Staunton? (Letter to Editor)

How to bring Free Enterprise back

"is staunton the next charlottesville?" [The Hook: Cover story, Feb 19, 2004] I hope not.

I have friends and relatives in Staunton and have visited many times, and I grew up in Charlottesville. I've been telling people that Staunton is how Charlottesville used to be.

"Once stately facades in the central Beverly Street district deteriorated into ramshackle shells. And because Staunton had no preservation laws, owners were free to demolish their buildings at will. Finally, in 1971, as a new highway project threatened to decimate the old railway district known as 'The Wharf,' concerned citizens formed the Historic Staunton Foundation to stop the demolition madness. It was a start. But by that time, 50 historic buildings had fallen victim to the 'urban renewal' impulse of the 1960s..." (<http://www.readthehook.com/Stories/2004/02/19/coverCityOnAHillsStaunton.html>)

In Staunton, urban renewal is 50 properties demolished by their owners because the buildings were literally falling down. In Charlottesville, urban renewal is 500 properties demolished by city government under protest of the owners. If you include properties after 1980 and other forms of eminent domain abuse, such as widening Preston Avenue to clear out a mixed-use, mixed-income community, that number may be over a thousand.

When's the last time you read an article stating the total number of properties that comprise Charlottesville's urban renewal? You haven't because we're still counting. This is so serious that you couldn't write a story called "is charlottesville the next staunton?" Charlottesville has a long way to go.

In Staunton, you can buy or rent a big old cheap house without fear that a wrecking ball will show up if the assessments go down. People are less cynical and feel better about the community in Staunton.

Charlottesville would have plenty of cheap old houses today, ready to renovate, if not for the "demolition madness." Everybody would feel more secure, too. But instead, urban renewal has become a permanent part of Charlottesville's culture, its defining symbol.

Here's how Charlottesville can catch up with Staunton:

- (1) Stop abusing eminent domain.
- (2) Tally the number of cases.
- (3) Compensate the victims.
- (4) Establish penalties for the abuse.
- (5) Change the city charter.

Because Staunton can talk about its urban renewal, we can all talk about the town's entire history. That's not yet the case for Charlottesville.

Charlottesville Independent Media, March 15, 2004. Submitted to *The Hook* February 22 and printed April 1.

COMMENTS

U R A dope

by 3Nation

cheap old house's dont "tax" well...thats why they were torn down...to renew the urban area and enlarge the tax "base".

About Taxes

by toblerone

Conservatives are wrong when they say that taxes = theft. Liberals would be just as wrong if they tried to picture all taxes as good.

City governments have a vested interest in making sure the tax base stays high, but the reason they should care is because greater revenues = more services to citizens (in theory, anyway). More services/infrastructure, in general, means a better quality of life for residents.

Therefore, if an old home could be torn down and replaced with a higher use (read, higher assessed use) they should only do so if the gain to the quality of life through higher taxes outweighs any damage the higher taxed property might impose on the community (or the loss to the community from the original use).

I do believe the city has been overly enthusiastic about converting older homes which contribute, for want of a better name, cultural capital to Charlottesville. I believe the city is becoming more conscious of this now then it has in the past.

I'd be interested in joining with other Charlottesville citizens to create a cultural atlas of the city, helping to identify properties, environments, neighborhoods, and hangouts that should be preserved for the cultural capital of the city.

taxes or theft?

by Blair Hawkins

The "higher tax base / more services / quality of life" reasoning of transferring land from you to someone who has more means to make it more valuable was precisely the policy of Great Britain before the American Revolution. They called it the public good.

Originally, eminent domain meant that the King's government could take land for any reason. So the King did so often. The Fifth Amendment of the U.S. Constitution redefined eminent domain as public use, a major restriction on the power of government to reward the rich with the land of the poor.

America defined and implemented Free Enterprise:

1. Private property exists and is good and taxable. If there's private property, there must be public property.
2. The government's power to take your property is limited by due process and public use. These limitations will lead to limited government.
3. If these limitations are exceeded, that is theft.

You tell me. Is a land transfer the same as a tax? Hmmm. So they can take my house if some affluent person can build a more expensive house in its place? Oh, I don't mind paying the tax. How much is it? Please, don't take my humble land, I'll pay the tax. How much do I owe?

Public has look at Council candidates: Affordable housing theme

If this forum is an indication of the campaign to come, affordable housing and development will be hot topics as they have been in every city election for 50 years and counting.



From Left: Vance High, Kenneth Jackson, David Brown, Joe Szakos, Karen Waters, Kendra Hamilton, Kevin Lynch, Ann Reinicke

Five challengers and one incumbent have offered their time and energy to represent the voters for the next 4 years on Charlottesville's City Council. Three of the five at-large seats are up for election on May 4.

In their opening statements, the candidates had two minutes each to introduce themselves. If this forum is an indication of the campaign to come, affordable housing and development will be hot topics as they have been in every city election for 50 years and counting. Or possibly, the candidates were giving deference to the sponsors of the event, the Public Housing Association of Residents, the Quality Community Council and the Virginia Organizing Project.

(D) Kevin Lynch (incumbent)
<http://www.charlottesville.org/default.asp?pageid=DB95FEB4-FBA0-42AA-8F07-AAF38FB7FABE>

(D) Kendra Hamilton (<http://george.loper.org/~george/archives/2004/Jan/889.html>)

(D) David Brown (<http://george.loper.org/~george/archives/2004/Feb/920.html>)

(R) Ann Reinicke (<http://www.allhookedup.com/reinicke>)

(R) Kenneth Jackson (<http://www.allhookedup.com/gop/pages/jackson1.html>)

(I) Vance High (<http://www.loper.org/~george/archives/2004/Feb/771.html>)

Kenneth Jackson stole the show by speaking plainly and with color. The only candidate born and raised in Charlottesville, he was the only candidate to speak with historical perspective of a serious nature. Kendra Hamilton, the only other black candidate, said that "southerners live in the past", mentioned Vinegar Hill

and Jefferson School, and said "we'd be nothing without our stories."

Jackson said the city's population of 40,000 has remained steady since 1970, but the number of city employees has increased from 200 to 800. He recalled a time when there was affordable housing in Charlottesville. He said there is no shortage of housing. Housing prices are inflated and other cities, such as Norfolk, seem to have affordable housing. He said we are the smallest city in Virginia but have the third highest cost of living. He said we need "realistic jobs" and pointed out that Ivy Industries in the Garrett district, which closed recently, employed 350 people.

He also said he receives Section 8 rent subsidy from HUD.
(<http://www.hud.gov/offices/pih/programs/hcv/index.cfm>)

The only question that seemed to fluster him was this: would you support city marriage licenses being issued for gay couples? Although Jackson has a 15-year-old daughter, he is gay. All six candidates said they support civil unions and agreed that marriage is a state, federal, or religious issue. Despite his frustration, Jackson did not appear on the verge of losing self-control. (He has 4 misdemeanor convictions for violence, the most recent in 1995.)

Kevin Lynch painted the redevelopment of south downtown as a success. He pointed out that the city has more section 8 housing than all of the rest of the region and the city has all of the public housing. He maintained his opposition to the Meadowcreek Parkway and support for the Hillsdale Drive extension.

David Brown said managing growth and development under the new zoning ordinance would be a focus if he is elected. For some reason, he dropped the name of his wife Jean Hyatt.

Vance High said he favors "development within reason." In regard to housing, he said he'd like to see more housing subsidies. "Subsidy or fair play," said he. High has taught in Washington state, at Piedmont Virginia Community College, and Buford Middle School, among other places. His college degree is in epidemiology.

All six candidates said education funding was off limits, a sacred cow. Because bureaucracies do not reform unless funding is cut, no candidate offered any educational reforms. Their only solution is more funding.

The candidates responded to questions the audience submitted on slips of paper. Karen Waters of the Quality Community Council read the questions. Joe Szakos of the Virginia Organizing Project was the time keeper. The forum lasted a little more than 2 hours. I left during the last question and before the closing remarks.

The forum was held in the Monticello Event and Conference Center at 201 Monticello Avenue. (History of neighborhood: http://www.cvilleindymedia.org/newswire.php?story_id=226)

I submitted a question about 45 minutes into the forum but there was not enough time to get to every question. "If a developer has a plan to build 10 units of affordable housing where my single family house is located, how can I be assured that the city will not transfer my land to the developer against my will? If elected, how will you protect property owners?"

Stratton Salidis, opponent of sprawl and council candidate in 2000 and 2002, was there and handed out fliers.

The next forum will be Monday evening at Tonsler Park on Cherry Avenue. City councilors Meredith Richards and Rob Schilling will give a presentation about the ward system.

Press Release announcing forum (http://www.cvilleindymedia.org/newswire.php?story_id=268)
Ballot Information
(<http://www.charlottesville.org/default.asp?pageid=4761AF59-AAF7-4E99-B50C-AF73B2CCEF76>)

Charlottesville Independent Media, March 19, 2004.

Public talks about ward system but not sure it's the fix

The nagging question of the discussion is this: what happened in 1922? Why did the city switch from a ward to an at-large system of representation?

The forum was held at Tonsler Park. Corey Walker moderated the discussion. Outgoing councilor Meredith Richards spoke first, followed by Rob Schilling, then, the best part, audience participation.

There were so many distinguished elders and leaders that I wouldn't try to list them. Some I didn't even know, but I could feel their importance. There were light refreshments and the architecture of the space added a meaning of its own. The park is named after Benjamin Tonsler, who was a prominent local African American (<http://websites.bnsi.net/~skeller/Portfolio/CityParks/Biography/BenjaminTonsler.html> || http://www.pubcrawler.com/Template/dsp_historic_points_zoom.cfm/flat/ID=50218). Before the park was built and expanded, Fourth Street SW continued as a narrow winding road from Cherry Avenue to Harris Road at Spencer's Market

The nagging question of the discussion is this: what happened in 1922? Why did the city switch from a ward to an at-large system of representation? A professor at UVa who lives in the county, Walker said there was a trend in the late 1800s and early 1900s for cities to adopt at-large council systems in response to immigration from Europe. Immigrants would move into neighborhoods that became ethnic enclaves. As a way to maintain political power, the elite of the day preferred the at-large system

Hopefully someone can find time to visit the 1922 Daily Progress newspaper archives at Alderman Library and publish here the specifics of the actual debate in Charlottesville. Why did we switch from wards to at-large?

Meredith Richards spoke about the mechanics of changing the city charter. Any referendum would be advisory in nature. The council has the final say whether to ask the General Assembly for approval of the change. The Department of Justice would have to approve the redrawing of districts to delineate the wards or precincts.

Rob Schilling echoed much of his council proposal of February 17. That proposal is below.

There seemed to be a consensus that the system is broke and needs to be fixed. Proposals so far:

4 wards / 3 at-large / appointed mayor, city manager, city attorney
6 wards / 1 at-large mayor-city manager, appointed city attorney
4 wards / 1 at-large mayor-city manager / elected city attorney

When the city incorporated in 1888:
10 wards / 1 at-large mayor

There were good arguments for moving to a ward system and good arguments for sticking with the at-large system. But everyone seemed to agree that neither system guarantees participation, representation, or better government. So whatever we perceive our problems to be, this change will not fix it.

Ward / Precinct / Area

1 / Clark, Recreation / E, SE
2 / Carver, Greenbrier / Central to N
3 / Tonsler, Johnson / SW
4 / Venable, Alumni Hall / NW

(The 3 pieces below were provided by Rob Schilling.)

HISTORY OF CITY COUNCIL CONSIDERATION OF ELECTIONS BY WARD

April 1979(?) - Mrs. Virginia Carrington, representing the Political Action Committee of the Charlottesville NAACP presents petitions to Council requesting a change in the City's electoral process to include election by several wards and one at-large seat.

November 19, 1979 - Council agrees to delay study of NAACP proposal.

August 4, 1980 - Council appoints Citizens' Committee to Study Council Changes (CCSCC) with the following charge: "To investigate and report, with recommendations, the means by which Council may be made more democratic or representative by revising the composition and/or election process by which Council members are selected. The Committee is to consider the advisability as well as the feasibility of making such changes. Specific methods for consideration include:

- 1) use of a ward or mixed ward/atlarge system;
- 2) enlarging Council from its present five members;
- 3) direct election of the mayor;
- 4) any other suggestions relevant to the above inquiry."

November 17, 1980 - CCSCC issues report to City Council with the following recommendation: "A majority of the Committee recommends that Council consider favorably a change in the method of election of Council to a mixed ward/at-large system, with the mayor being selected by Council as at present. (Five for, two against, one abstention, one absent)" Specifically, a four ward, three at-large system was proposed (Six for, one against, one abstention, one absent).

January 13, 1981 - Council holds work session on CCSCC recommendations and decides to schedule public hearing.

January 19, 1981 - Public hearing held on CCSCC recommendations. Council directs the City Attorney to formulate a proposed ballot referendum for review.

February(?) 1981 - Upon review of the City Attorney's proposal, Council agrees by common consent to pursue the idea of a referendum.

April 20, 1981 - Council appoints additional members to CCSCC (includes Councilors Vandever and Hall).

May 19, 1981 - Council adopts resolution directing CCSCC to ".study in further detail the specific provisions which would be proposed in such a referendum." CCSCC to report back to Council by August 1, 1981.

October 19, 1981 - Council appropriates \$3,000 to publicize referendum on charter amendment.

November 3, 1981 - Election held. Ballot question reads as follows: "Shall the form of City Council be changed from the present Council of five members elected by the voters of the entire city to a Council composed of seven members, with four members elected from four separate wards within the city and three members elected by the voters of the entire city?" 10,330 people voted. Measure passes with 2,642 voting in favor and 2,418 voting against. Item carried in six of city's eight precincts. (Note: According to Mrs. Carrington, Question was not listed on the Democrat Party sample ballot.)

November 16, 1981 - Majority of Council expresses concern that vote was not "decisive

enough" and "not enough people voted." Council moves to put same referendum on May 4, 1982 City Council election ballot for another vote.

March 15, 1982-Council appropriates \$3,000 to publicize referendum on charter amendment.

May 4, 1982-Election held. Measure fails on revote with 2,453 voting in favor and 3,382 voting against.

COUNCIL MEMBERS SINCE 1970

Kenneth E. Davis 68 - 72 (2318 Crestmont Avenue) #3
Joseph W. Wright, Jr. 68 - 72 (2409 Brook Road) #2
Mitchell Van Yahres 68 - 76 (Kensington Ave) #2
Francis H. Fife 70 - 78(Westview Rd) #4
Charles L. Barbour 70 -78 (Sunset Ave) #3
George Gilliam 72 - 76 (1409 Foxbrook Lane) #2
Jill T. Rhinehart 72 - 76 (Westview Rd) #4
Nancy K. O'Brien 76 - 80 (Concord Ave) #2
Laurence Brunton 76 - 80 (Park Street) #1
Edwin Gatewood 76 - 80 (Kerry Lane) #2
Thomas Albro 78 - 82 (1889 Westview Road) #4
Francis L. Buck 78 - 90 (100 Northwood Circle/1512 Jamestown Dr.#2
Elizabeth Gleason 80 - 88 (1831 Yorktown Drive) #2
John Conover 80 - 84 (104 W. High Street) #2
E. G. Hall 80 - 88 (402 8th Street,N.W.) #2
Mary Alice Gunter 82 - 86 (1503 Gordon Avenue) #4
Lindsay Barnes 84 - 88 (Lexington Avenue) #1
Darden Towe 86 - 90 (607 Davis Avenue) #1
Alvin Edwards 88 - 96 (614 Beechwood Drive) #1
Tom Vandever 88 - 96 (2009 Greenbrier Drive/916 Druid Avenue) 2/1
Elizabeth Waters 88 - 92 (1935 Thomson Road) #4
Kay Slaughter 90 - 98 (313 Fairway Avenue/1501 Short 18th Street)1
David Toscano 90 - 02 (705 Evergreen Ave./628 Evergreen Ave.) #1
Virginia Daugherty 92 - 00 (104 W. High Street) #2
Maurice Cox 96 - 04 (702 Ridge Street) #3
Meredith Richards 96 - 04 (1621 Trailridge Road) #3
Blake Caravati 98 - 06 (1108 Little High Street) #1
Kevin Lynch 00 - 04 (609 Locust Avenue) #1
Rob Schilling 02 - 06 (1406 Holly Road) #2

Expand scope of Task Force on Council Elections

Examining barriers to greater voter participation is a good thing

While we're at it, let's look at barriers to great citizen participation in Governance of the city.

As the newest member of this council, I observe that

It took me \$15,000 to run for and win a council seat
Took me 2 months of full-time campaigning, tremendous time away from family and business
Were I not self-employed, would not have been able to compete for seat

Many hold a perception of council as elite group, not open to common citizens
Many neighborhoods left out of process for years. Belmont representation,
Greenbrier representation? Some feel left out of the process
City is too large for modern day campaign needs, and areas/neighborhoods are not
able to get representation for localized, pressing issues.

I propose three items specifically be added to the scope of the task force's study:

1) Two sitting members of this council ran on the Democrats For Change platform, which calls for a directly elected mayor, as Governor Wilder recently helped pass overwhelmingly in Richmond. Let's study the feasibility of directly electing our mayor.

a. Would allow for citizens to choose by popular vote whom they wish to serve as Mayor of their community.

b. Would increase accountability of this position, which does carry greater influence than other councilors due to agenda setting and other powers.

2) In order to open the applicant pool to a broad-based group of citizens and to allow for greater public participation in city governance, let's consider whether it would be beneficial for the city of Charlottesville to elect councilors by wards as they do in Richmond and many other localities across the Commonwealth.

a. Instead of having to campaign to a city of 40,000 people, potential candidates would now need to reach 6,500-10,000 potential constituents.

b. Looked at another way, based upon a total of 19,428 registered voters and 4-6 wards, each campaigning and sitting councilor would directly represent between 3,200 and 5,000 voters, while keeping in mind the needs of the community as a whole.

c. Would drastically reduce the cost of running for office. High costs for broadcasting and extensive campaign materials and (i.e. signs for the whole city) could be replaced by grass roots organizing and reasonable territories for door-to-door campaigning.

d. More manageable territories and reduced campaign costs would substantially increase citizen participation in government by enabling many blue-collar, white-collar, teachers, and other traditionally-employed individuals, as well as people with young families to mount a serious and viable campaign for a council seat.

e. Would allow for greater-neighborhood areas to have guaranteed and direct representation on city council. As much as we are one city, we have heard many times from Locust Grove, Lewis Mountain, Woolen Mills and others, regarding neighborhood-specific issues for which they could have benefited from localized council representation.

3) Finally, by virtue of the sheer size of this city and the amount of time that each potential or sitting councilor devotes to this position, let's study a possible expansion of the number of councilors from the current five to perhaps seven.

a. This would allow councilors to be more responsive to constituent service requests.

b. This would also enable greater distribution council responsibilities, again,

allowing a greater number of citizens to consider serving as a councilor.
It is important to note:

1) That this idea isn't new. We currently use a combination ward/at-large system for the appointment of our School Board in order to achieve better neighborhood representation and a board more connected with the people they represent.

2) Any redrawing or creation of wards would be done under the jurisdiction and oversight of the federal government in order to ensure that all groups, areas, and neighborhoods are fairly and adequately represented on council.

In conclusion, several statements in our Council Vision and Vision Principles directly support the study of these items, most notably the one titled: Engage the Public to Create Constructive Change for the Betterment of the Community. "We will strive to create an atmosphere in which every citizen is encouraged to make a meaningful and positive contribution to civic life through a direct involvement with city government."



Rob Schilling talks about wards



Detailed 1632x1224 229k -> <http://www.geocities.com/healingcharlottesville/photos/69.jpg>

Charlottesville Independent Media, March 23, 2004

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My concern about wards....

by toblerone

My concern with wards would be that it could limit choice for people living in individual wards, since instead of choosing between 4 or 5 candidates for 2 or 3 slots, you would be choosing between 2 candidates for one slot (or, maybe, only one if no one else from the ward wanted to run). Plus, with staggered city council elections, this would mean some years people from specific wards might not be able to vote (or they would only be able to vote for the at-large candidates).

This would make educating voters much harder, since it would be much more difficult for voters to find out who their ward candidates were. This might be especially true of people who work in one ward, shop and entertain themselves in other wards, and spend little time each day at home during daylight hours, when their local ward candidate could knock on their door and introduce themselves. With at-large elections, people can find out about all the candidates through traditional news sources.

basically

by lamDaMan

"

This would make educating voters much harder, since it would be much more difficult for voters to find out who their ward candidates were. This might be especially true of people who work in one ward, shop and entertain themselves in other wards, and spend little time each day at home during daylight hours, when their local ward candidate could knock on their door and introduce themselves. With at-large elections, people can find out about all the candidates through traditional news sources."

you are saying that the majority of the voters in CVille are morons and they will be confused to whom they would be voting for.

I actually think this good idea because it will separate the different needs of the different regions of Cville. Like for instance, if there is someone from actually Preston street who could have a say in some vote. However, I don't think any of the coucilorors are from that area and yet they wanted to stick a big complex there.

Hell I am for Cville and Albemarle Supes just combining into one big government. They have been stepping on each other toes.

Speakers remember massive resistance in Prince Edward County, Virginia

They were protesting not for integration, but for updated school facilities.



Dorothy Holcomb, John Stokes, Amy Tillerson, Vonita Foster, Gerald Foster

John Stokes began his remarks by saying he could not stress enough the importance of land ownership. Stokes was the class president and led a student strike at his all-black school in Prince Edward County, Virginia, on April 23, 1951. He said they were protesting not for integration, but for updated school facilities. The demonstration was not taken seriously until May 3, 1951, when 67 parents and 117 students signed a petition named "Simple Justice." With the signatures of landowners, the movement had a "foundation to stand on." The history was documented in an African-American newspaper in Richmond on May 8, 1951.

The protest in Prince Edward County was one of the five cases (the only one started by students) that led to the Brown v. Board of Education ruling of the U.S. Supreme Court in 1954. Prince Edward County schools closed in 1959 for 4 school years as massive resistance to the court-ordered desegregation.

Here in Charlottesville, the order to desegregate came from the Virginia Supreme Court in 1958. At the time, the city had 6 white schools and 1 black school. Public schools were closed for the first half of the 1958-59 school year. However, massive resistance continues here as urban renewal. Vinegar Hill, the black half of downtown, was demolished in the early 1960s. South Downtown, the black side of the tracks, was demolished in phases during the 1970s. The city of Charlottesville has not assured residents that massive resistance is over.

(Announcement for this forum)

Brown v. Board: They Closed Our Schools

Explore the special case of Prince Edward County, where public schools closed for five years (1959-1964) rather than opting for desegregation. With Drs. Gerald and Vonita White Foster (Silent Trumpets of Justice : Integration's Failure in Prince Edward County), John Stokes, and Dorothy Holcomb. (Sponsors: WMRA, Bank of America). City Council Chambers, 605 E. Main Street, Charlottesville, Virginia. (<http://www.vabook.org/>)

(Official Prince Edward Co. website: <http://co.prince-edward.va.us/>)

Charlottesville Independent Media, March 26, 2004

Fire and Rescue conduct exercise at Frank Ix building

Scenario: hazardous material...possible hostage situation.



Heroes practice life-saving techniques

Scenario: hazardous material...possible hostage situation.

Right after I took this picture, paramedics brought an injured hostage out of the "smoldering ruins." In the far left on the second floor was an illuminated effigy of a victim in need of rescue but too small for the camera to resolve.

The 1929 textile factory closed in 1999 and is being developed for commercial and residential uses. The staging area is the site of Jessup and Conway alleys before urban renewal.

Just this afternoon was the Great Richmond Fire of 2004. I spoke with a firewoman who said the biggest fire she can remember was Reids Supermarket on southeast corner at 5th and E. Main. The biggest fire I can remember was McCroy's Department Store, now central place next to Paramount Theater.

Charlottesville Independent Media, March 26, 2004.

Housing Authority archives out on loan for preservation

She said she didn't know where the archives were, but they're not here.

On Thursday afternoon shortly before 4 p.m. March 25, 2004, I paid a visit to the office of the Charlottesville Redevelopment and Housing Authority in the basement of City Hall. My purpose was to photograph a picture of South Downtown before urban renewal. I was thinking they must have photographed this area as well as Vinegar Hill. (Aerial photo of Vinegar Hill 1960: <http://www.iath.virginia.edu/schwartz/credit/aerial1cr.html>)

The secretary, Jamie Robinette, said that the archives were out on loan to be digitized, preserved, and published on the internet. She said she didn't remember seeing any photos of South Downtown when she last looked through the archives. She also said that documents have disappeared from the archives over the years, and that was the reason they were out on loan now, to be preserved. She asked me if I was only interested in the pictures. I said the text documents were more important.

Acting CRHA director since last April and assistant city manager, Rochell Small-Toney said the office has received more requests recently to view the archives, principally from UVA students. She also said they have had a problem with shrinking archives. I asked if any of the archives would be available or online by May 4. She said the archives would be closed to the public longer than that.

So I left. But then I started to wonder: who has the archives? I would feel better knowing they're at Alderman Library Special Collections rather than on some student's coffee table. So I called the secretary. She said she didn't know where the archives were, but they're not here. She referred me to the director's voice mail. Ms. Small-Toney called me back and left a message saying that the archives belong to the CRHA, not to city hall, and she reassured me that the archives are "in the custody of the Housing Authority."

This was my first visit to the office of the Housing Authority. They may want to consider adopting a system of safeguarding documents similar to the one used by the City Assessor's Office. The assessor's archives include information such as annual assessments in pencil, addresses, names of property owners, deed references for tracing the history of a property. Apparently someone borrowed the Vinegar Hill assessment records and never returned them. The assessment records of South Downtown is several thick folders.

Here's how the assessor safeguards documents: You sit at a table across from the secretary. You are under direct supervision at all times. Furthermore, you sit sideways to the secretary so she can clearly see if you alter or steal any document. No one can borrow the archives to take elsewhere.

(<http://www.charlottesville.org/default.asp?pageid=1A1AEE71-4CFA-4FAB-9C20-0012BD4FFACB>) Housing Authority:

"Knowledge is power. And withholding knowledge is an abuse of power." ("Public policy and honesty," Mar 28 2004, The Daily Progress)

Charlottesville Independent Media, March 30, 2004.

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Secretary responds

by Blair *Thursday, May 6 2004, 5:45pm*
healcville@earthlink.net

To: healcville@earthlink.net

Subject: CRHA Archives

Date: May 4, 2004 5:57 AM

Hi, Blair, I just read your article about the archives.

Just speaking for myself, I think in all fairness one might mention that many of these photos have suffered damaged from handling and/or are fragile--they are irreplaceable and have to be preserved...

Thanks,

Jamie

[add your comments](#)

public correspondence

by Blair Friday, May 7 2004, 6:59pm
healcville@earthlink.net

To: 'Heal Cville'
Subject: RE: CRHA Archives
Date: May 7, 2004 6:21 AM

Sorry, Blair, but that info was never given to me. All I know is that they are in the care of our very capable and very pro-preservation interim executive director.

Jamie

> -----Original Message-----
> From: Heal Cville [SMTP:healcville@earthlink.net]
> Sent: Thursday, May 06, 2004 5:59 PM
> To: Robinette, Jamie
> Subject: Re: CRHA Archives
>
> Jamie,
>
> Thanks for the correspondence. But where are the archives? Who is
> safeguarding these fragile documents?
>
> I posted your response as a comment on the internet story.
> http://www.cvilleindymedia.org/newswire.php?story_id=325
>
> Blair
>
> -----Original Message-----
> From: "Robinette, Jamie"
> Sent: May 4, 2004 5:57 AM
> To: "'healcville@earthlink.net'"
> Subject: CRHA Archives
>
> Hi, Blair, I just read your article about the archives.
>
> Just speaking for myself, I think in all fairness one might mention that
> many of these photos have suffered damaged from handling and/or are
> fragile--they are irreplaceable and have to be preserved...
>
>
> Thanks,
>
> Jamie
>

Charlottesville voters approve "Commission" form of government in 1920

Exactly how the previous bicameral city legislature functioned is still a mystery. Switching from wards to atlarge seems to have been a byproduct of the simplification process.

On Tuesday December 7, 1920, the voters of Charlottesville decided in a special referendum by a 4 to 1 margin to change the city charter, to switch from a two-house 12-member legislature to the present one-council 5-atlarge-member system modeled after corporate governing boards. 546 citizens voted to change the city charter; 139 against the measure. The election results were recorded for 4 wards. By the end of February 1922, the change had not yet been approved, let alone implemented.

Exactly how the previous bicameral city legislature functioned is still a mystery. The reason for adopting a unicameral system is straight-forward, to reduce gridlock. Switching from wards to atlarge seems to have been a byproduct of the simplification process.

In the 1920s, Charlottesville's land area was 2,458 acres, now 6,683 acres. The 1938 annexation of Belmont and western suburbs and 1963 annexation of Barracks Road Shopping Center almost tripled the size of the city. (Albemarle: Jefferson's County, 1727-1976, John Hammond Moore, 1976)

*** (The Daily Progress archives on microfilm Nov-Dec 1920 and Jan-Feb 1922 at Alderman Library.)

EXCERPTS

*** Nov 3 1920, "WM. O. FIFE CITY ATTORNEY"

"A joint meeting of the Board of Aldermen and Common Council was held last evening at 8 o'clock at the City Hall, pursuant to notice, and took up and disposed of the postponed matters of electing a City Attorney and Health Board.

Ten of the twelve members of the two bodies were in attendance as President R. C. Walker rapped for order at the hour appointed. Mr. W. T. Elliott being absent on account of continued ill health and Mr. L. R. Whitten being absent from the city on business.

Mr. W. O. Fife was the only nominee placed before the joint bodies for the position of City Attorney, for which he tied with Major Jno. S. Graves at the Sept. meeting, and he was declared elected after the roll was called, though a number of those present requested to be excused from voting.

Some For Postponing Action.

When the regular business was called by the chair, a motion was made by Mr. L. F. Smith, of the First ward, to go into the election of a City Attorney, which was only seconded by Mr. Twyman. But before the question was put Messrs. F. H. Quarles and Dr. W. M. Forrest objected to taking action, the gist of their argument being that as a full membership was not present, it was better to postpone till all the members of both bodies could be in attendance.

Mr. Quarles led off in this line, and urged the following reasons for his position:

He said that he was opposed to going into the election of City Attorney last night as they hadn't a full attendance of all members and he believed our city is entitled to be represented by an attorney who can at least pull a majority of the votes of the joint session.

At the last joint session the gentlemen nominated received six votes each and he did not believe it would be possible with those present to even muster six votes for either one, and said, "I do not believe either of these gentlemen would want to serve if they knew that they were not the choice of a majority--and therefore I repeat that I am opposed to going into this election unless it can be agreed to drop both candidates previously nominated and select some other man on whom a majority can agree--I am always willing to abide by the decision of a majority and at any time that any candidate can poll as many as seven votes I will myself make a motion to make his election unanimous whether he is my choice or not."

Dr. Forrest seconded the objection raised by Mr. Quarles and argued that the city would have nothing to lose by following his idea, as there was still no vacancy in the position. He urged that the members moving for action now would "act like true sports," and wait for a full meeting before calling for a vote.

On this motion being finally put, it resulted as follows: For action, Messrs. Twyman, Timberlake, Greaver, Ellington, Smith and President Walker. Against action, Messrs. Jno. S. Patton, W. N. Via, F. H. Quarles W. M. Forrest.

Mr. Smith nominated Mr. Fife for the position and on the roll call announced that he had paired his vote with Mr. Whitten, who voted for Maj. Graves at the Sept. meeting.

There was no other nomination made and only five of those present voted on the roll call. Mr. Smith being excused, Mr. Fife was thereupon declared elected for the term...."

*** Nov 3 1920, "COX IS GIVEN 700 MAJORITY"

"Charlottesville went overwhelmingly democratic in yesterday's election...." (Republican Harding was elected U.S. President.)

*** Dec 4 1920, "IMPORTANCE OF TUESDAY'S ELECTION"

"...the present arrangement has failed entirely to do the work demanded of it, and...it is hopeless to expect to get the community out of the stagnation it is in, and on the road to achieve its high promise unless the simplified and more business-like plan that is now proposed is adopted...

Everybody is fully aware that confusion, inaction, and maddening contention have marked the last three or four years, and the prevailing plan of having two bodies with equal powers to carry on the current business and attend to the needed improvements has failed, if not broken down completely. We have had a tremendous amount of city politics, and precious little civic achievement under this form. The change proposed will take the city's affairs practically out of politics, and place them where they can be attended to as any prudent man manages his private business...

...adopt the plan which has proven so satisfactory in Lynchburg, Roanoke and other Virginia cities...."

*** Dec 7 1920, "ABLE ADDRESS BY ALDERMAN: Head of University Charms Hearers"

"The Courthouse last night saw the initiation of the much heralded Chamber of Commerce Forum. If this is a fair sample of Chamber activity, it is auspicious of a great usefulness to the city.

On the eve of voting on the change in form of government, the average citizen found himself entirely ignorant of the merits of the question and even of the details of the proposed plan of "Commission Form of Government." This was the opportunity for the new Chamber, in an impartial way, to bring the information to the voters.

Two Hundred Attend

On petition of twenty members a meeting of the Chamber of Commerce was called to which all citizens were invited. Speeches by men well informed on the subject were followed by questions and discussions from the floor.

The two hundred men and women in attendance, many of whom stood throughout the entire evening, manifested the greatest interest in the discussion. Whatever his opinion regarding its merits, every one left the meeting with a clear understanding of the issue.

...President Holsinger introduced Mr. S. D. Timberlake, of Staunton, originator of the City Manager Plan of City Administration. Mr. Timberlake, though originally opposed to the introduction of commission government in Staunton, bore warmest testimony to the efficient and satisfactory manner in which it has been working since its introduction...."

*** Dec 8 1920, "BIG VICTORY IS REGISTERED: By Advocates of Modified Commission Plan"

"...The plan is thus shown to have carried, under the provision of the amendment voted by the people at the November election in regard to the government of cities and towns, which allows a majority of those voting on any such question to prevail, changing the old requirement that a clear majority of all entitled to vote was necessary to pass such changes. As it is estimated that there are now over 1,000 qualified

voters in the city, taking into account the new women voters, it appears that the new plan was endorsed by practically a clean majority, notwithstanding the new provision....

*** Dec 10 1920, "STAND READY TO STEP DOWN: Councilmen Express Willingness to Resign"

"...two councilmen have been so much displeased with the slow procedure under the bi-cameral form that they had decided to resign from the body at an early date had not the change in government been endorsed by the recent election...."

*** Jan 30 1922, "DANVILLE COUNCIL REBUKES CRITICS: Wishes to Administer City's Affairs in a Business Like Manner"

"[By resolution, the Danville council] declares that it wishes to administer the city's affairs in much the same way that a board of directors of a corporation would conduct its affairs and it sees no valid reason why it should not elect its attorney and the tax collector...."

*** Feb 1 1922, "WOULD AMEND CITY CHARTER"

"The directors of the Chamber of Commerce voted to petition both branches of City Council to pass a joint resolution requesting the enactment by the General Assembly of the necessary legislation to amend the city charter as follows:

(1)...Commission of five members to be elected at large...

(2)...shall hold office for two years...

(3)...Commission so composed shall take office on July 1, 1922...

(4)...duty of said Commission of five members to immediately elect for a period of one year a Business Manager at a salary to be fixed by them, and may be removed from office by said Commission for proper cause. Said Business Manager shall have full executive authority in the management of all ministerial affairs, and shall have the right to employ and discharge all city employees heretofore elected by the City Council except the city attorney, police justice, police force, and city physician and health officer...

(5) Provision for Referendum and Recall."

*** Feb 8 1922, "CHARTER AMENDMENTS: Provoke Lively Discussion at Director's Meeting"

"A meeting of the directors of the Chamber of Commerce was held yesterday afternoon...Representatives of both branches of the city council were present, as were members of the Young Men's Business Club and others, and the discussion was free and unrestricted...."

*** Feb 9 1922, "PROPOSED AMENDMENTS TO THE CITY CHARTER"

*** Feb 15 1922, "IS OUR COMMISSION GOVERNMENT ANNULLED?"

"It is reported that the Legislature, in amending the Charter of Charlottesville, has by an oversight, annulled the Commission Form of Government adopted by our people at an election held in December 1920. If the report is well founded, we must rely upon Delegates Smith and Pitts and Senator Early to set the matter right...."

*** Feb 16 1922, "GOVERNMENT BY COMMISSION"

"...Unexpectedly, the amendment of the charter in 1922 was found defective, and in order to save the results of the city bond election of 1920, it was found necessary to re-enact the charter...."

*** Feb 18 1922, "LET THE PEOPLE DECIDE"

*** Feb 21 1922, "FOR MODIFIED COMMISSION"

"...After amendments reducing the number of councilmen to three, providing that, the Mayor should have no veto, that he should receive a salary of \$500 and the Councilmen \$300 per annum, and that the police power should be under the sole control of the Council, the bill, as amended, was unanimously adopted [by the mass meeting at Courthouse]."

(The Daily Progress: <http://www.dailyprogress.com>)

(Charlottesville Regional Chamber of Commerce: <http://www.cvillechamber.org/>)

(Public talks about ward system but not sure it's the fix:
http://www.cvilleindymedia.org/newswire.php?story_id=282)

*** Stay tuned as this saga unfolds. ***

Charlottesville Independent Media, April 1, 2004.

3-1 Council vote charters commission on ward-mayor system: Overshadowed by integrity of documents

Apr 6 2004, 2:03am

The final item on the agenda, the subject came at 11:50 pm and lasted a full hour, followed by a debate over the accuracy of the minutes that had not been routinely approved at the beginning of the meeting. The fatigue of the councilors was evident.

Charlottesville's City Council voted by a 3-1 margin to create a commission to explore the pros and cons of electing the mayor vs. appointing, and electing councilors by ward vs. atlarge.

The task force was approved with councilors Maurice Cox, Meredith Richards, and Rob Schilling for; Blake Caravati against; Kevin Lynch abstaining.

The final item on the agenda, the subject came at 11:50 pm and lasted a full hour, followed by a debate over the accuracy of the minutes that had not been routinely approved at the beginning of the meeting. The fatigue of the councilors was evident. I tuned in at 9:30 on Adelphia Channel 10 to hear Mr. Caravati describe Mayor Cox's idea that areas adjacent to historic zones should come under design control as the "Sudetenland Theory" of design review. I missed the budget portion.

The motion to adjourn was made at 1:08 am after Caravati and then Schilling had walked out. Because the city charter requires 3 council members to constitute a quorum, the council was able to adjourn legally.

As he stood before the dais just before walking out, Rob Schilling accused the council of "tampering with the truth" by not approving his changes of the minutes to reflect his view of what happened. The notion that council can revise history through a vote is disturbing. But at the beginning of every council meeting, the council approves by a majority the minutes of the previous meeting after a few minor changes. The city council clerk, appointed by council, transcribes her notes that serve as the minutes, the official public record of the members' votes and activity of the meeting.

The vote to approve the changes was postponed. This issue is much more important than whether the mayor is elected or appointed. The clerk cannot be expected to record every word. It should be against the law to alter her report. If a councilor or observer from the public finds an error or oversight, he or she can add amendments to the public record. The original eyewitness account, upon submittal to council, should become an official and historical document.

I recorded the second half of the council meeting and will have my "minutes" of the Mayor-Ward council debate of April 5-6 2004 soon.

(Meanwhile, these titles were mentioned in the ward discussion by Mr. Caravati.)
Federalist No. 9: The Union as a Safeguard Against Domestic Faction and Insurrection
http://lcweb2.loc.gov/const/fed/fed_09.html
Federalist No. 10: Continuation of No. 9
http://memory.loc.gov/const/fed/fed_10.html

(Background on wards)
voters approve "Commission" form of government in 1920
http://www.cvilleindymedia.org/newswire.php?story_id=330

Public talks about ward system but not sure it's the fix (has detailed map of city's wards/precentcs)
http://www.cvilleindymedia.org/newswire.php?story_id=282
<http://www.geocities.com/healingcharlottesville>

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A little confused?

by toblerone

What were the amendments demanded by Schilling to the minutes? I'm not sure what the significance of the meeting documents is. Can someone (maybe Blair) give more details about this?

page 7 of March 24 minutes

by Blair

After the final vote on the membership of the task force (which did not register on the electronic board), Mr. Caravati quietly left.

Mr. Schilling pointed out that 2 items had been pulled off the consent agenda for consideration at the end of the meeting.

Mayor Cox said that Schilling had said at the previous meeting that, in the interest of time, his no vote was for the list of items, not just this item.

Schilling said "my vote was no for those items only" in that particular list. Apparently the council clerk construed his no vote to continue on to other items beyond.

Richards said "they were additions to expenditures as I recall."

Mr. Lynch said the minutes are a shorthand and, in this case, "substantially accurate as to what took place." He said the level of detail of the minutes was a legitimate subject for debate. He didn't see the point.

Schilling countered that Lynch has amended his remarks before, and he (Schilling) should have that same prerogative. Schilling said he didn't think it was "anyone else's business to tell me if I was accurately represented in the minutes or not."

Lynch said he thought "the minutes represented you fairly favorably compared to what you..."

Schilling interrupted: "...but the words didn't come out of your mouth and I would suggest that you worry more about yourself and I'll do the same. I won't make any suggestions for things you said that were left

out...You worry about Kevin Lynch and I'll worry about Rob Schilling and I think we'll all be happier..."

Cox pinpointed the minute in dispute: after the discussion in the increase in tax relief assessment, "you said, in the interest of time, I'll be voting against all of the rest of the items that we're looking at."

Schilling said he was not 100% sure and would have to look at the videotape record to be completely certain.

Lynch said he seconds Cox's statement about when Schilling made his "interest of time" statement.

Cox said "...the shorthand from the clerk reflects what I said..." The change in the minutes would make it appear that Schilling voted for, when in fact he voted against."

There were a few more back and forths between Schilling and Cox, basically restating in increasing detail their impressions.

Schilling asked to see a "transcript" of the meeting. Of course there is no transcript, only notes.

Lynch said he recalled that Schilling had been silent up until the Drug Court vote. Presumably, all of Schilling's votes should be interpreted as no until he votes yes. Lynch said he asked Schilling if he was sure he wanted to vote no. He said that was not in the minutes but probably should be.

The clerk, Jeannie Cox, was pulled into the fray. She said the level of detail was greater than ever and if council wants to change its philosophy, she needs to know.

Schilling said he has made amendments at the last 4 or 5 meetings, five at one meeting, some being a change of only one word, and there was no problem. He said the minutes are "a record of what we say" and stands as the public record. He said he will continue to make amendments to ensure the "meaning is clear".

Mayor Cox said they should not approve the minutes until they see the original notes of the clerk.

The clerk warned that the notes would not be much more than the minutes.

The discussion continued on. Schilling escalated his rhetoric and said he would find discrepancies in the mayor's and Lynch's minutes versus reality. He further said it was a "ridiculous conversation" that somebody else would tell him what he said.

The mayor said he didn't think it was ridiculous at all.

Schilling suggested "that you should mind your own business..."

Mayor Cox said the minutes should reflect "adequately" what happened. Schilling interrupted with "accurately."

There were a few more heated back-and-forths between the mayor and Schilling.

Then Lynch made a motion that they approve the minutes as written in the council packet because they "substantially" reflect what happened.

The mayor asked if there was a second.

Richards asked if this was still a legal meeting since Caravati had left. The mayor said yes.

The mayor then seconded the motion.

Schilling said "good night folks" and added a few remarks from the floor and suggested that we should

consider audiotaping the meetings (but that would not record votes because they are silent and recorded electronically usually). A few more remarks, then he left.

The mayor said they should postpone the vote on the minutes.

Richards said it would probably be smart to record the meetings. She said they tape school board meetings and MPO meetings to help in writing the minutes. She said the question of who said what when is bound to come up again and again. She said it was "onerous" to expect the clerk to produce a full transcript.

Then they moved on to item N that had been moved to the end of the meeting--readjustment of our tax relief program.

The camera was not continuously on the clerk, but I didn't see her write anything until the conclusion of the discussion.

Minutes of March 1, 2004 in Adobe format (to complicate and bloat the file and discourage those with slow computer connections from participating--my pc crashes if I look at more than a few Adobe files in sequence).

<http://www.charlottesville.org/content/files/01CAB8E3-C5C9-4F49-ABE8-4ADC55597297.pdf>

By not recording Council votes as voice votes, the audiotape transcript will be worthless. If you're blind, there's no point listening to council meetings because you can't determine who vote for what or even if the motion is carried or rejected.

If votes were registered by stating out loud yes or no on a motion, this controversy would not exist. The clerk's main responsibility is to record the votes accurately.

Republicans give press conference the day before League of Women Voters' candidates forum

Apr 20 2004

Out of the blue, a disheveled, unshaven, well-fed gentleman in his 50s shouted out "carpetbagger! and parasite!" as he was walking away from the assembly towards the mall.



Republicans Ann Reinicke and Kenneth Jackson

I arrived at 12:10 pm as Rob Schilling was already speaking and stood across East Main to take a photo. Out of the blue, a disheveled, unshaven, well-fed gentleman in his 50s shouted out "carpetbagger! and parasite!" as he was walking away from the assembly towards the mall.

Among other things, Schilling said he has helped shape the debate in the budget battle. He said as a former teacher, he has never seen such "fear of the truth" reflected in a culture and its institutions. He reassured his constituents that he will continue to ask questions.

At 12:16, Ann Reinicke began her speech. She promised to continue the discussion of city management. She mentioned four reasons for the rising cost of living in the city:

- (1) property values
- (2) property assessments
- (3) user fees
- (4) consumer taxes

She said that prioritizing spending is the other side of the revenue equation.

At 12:20, Kenneth Jackson began his speech. He said, as a native of Charlottesville, he has seen a decrease in viable businesses and jobs. He said we must not "lose sight of the city's responsibility to be good stewards of public funds." He referred to the proposed transit hub to be built in front of city hall and Fridays After Five as a "poorly located transit center." He said we should avoid programs and projects that are "all show and no-go." In his final remark, Jackson said, if elected, the Republicans will not cut funding for city education.

At 12:25, Rob Schilling thanked those participating and declared the press conference to concluded.

Reporter's remarks:

(A) What truth is the city afraid of? What information will cause the people to go to the polls and throw the bums out? Is it urban renewal?

(B) Property assessments must continue to rise as long as the Housing Authority's mission is to demolish properties whose assessments go down.

(C) Charlottesville is a poor business environment because more people are realizing that the city's power to take land is not restrained by the Fifth Amendment's "public use" limitation.

League of Women Voters Hosts City Council Candidate Forum

The League of Women Voters of Charlottesville-Albemarle will host a forum for all prospective City Council candidates on Wednesday, April 21st, from 7:00 p.m. to 9:00 p.m. in the City Council Chambers, 605 E. Main Street. Each candidate - there are currently six - will have two minutes to make an opening statement. These statements will be followed by a question from the moderator, then questions from the floor. This event will be filmed and broadcast on public access television daily during the following week.

All members of the public are welcome and encouraged to attend. For more information, call or email the League office at 434-970-1707 or lwv@avenue.org.

Charlottesville League of Women Voters: <http://monticello.avenue.org/lwv/home.html>

Public has look at Council candidates: Affordable housing theme:
http://www.cvilleindymedia.org/newswire.php?story_id=275

Daily Progress continues black-out of urban renewal debate: One candidate aware of the issue

"Do you believe it is a proper function of government to transfer property if the transfer is for the purpose of economic development or to raise the tax base?"



Candidates field DNA racial profiling question

Three of the six candidates at the League of Women Voters forum last night responded no to this question:

"Do you believe it is a proper function of government to transfer property if the transfer is for the purpose of economic development or to raise the tax base?"

Independent Vance High was not aware of any controversial land transfers in Charlottesville's history. He said blight was a justification, but economic development and tax base were not. He said it depended on the specific case. Coran Capshaw and Bill Dittmar were cited as examples of individuals receiving transferred land locally.

Republican Ann Reinicke also seemed unaware of the status quo land policy in Charlottesville. Her answer to the question was no.

Democrat David Brown wondered if there had ever been a condemnation in Charlottesville for the purpose of transferring land. Of course, there have been many. His answer seemed to depend on public opinion.

Democrat Kevin Lynch said that "public good" was the criterion for transferring land, not economic development.

Republican Kenneth Jackson was the only candidate familiar with the issue. He said this happened to him four years ago and that house is now a parking lot. He acknowledged that urban renewal land transfers have been common and continue to this day. He said this is just one of the many "dirty little secrets" they don't want us to know.

Democrat Kendra Hamilton related her experience with integration in the '60s and '70s in South Carolina. Her final answer to the question was no.

Elizabeth Nelson wrote the Daily Progress article that omitted this question from the newspaper's coverage of the League of Women Voters forum 2004. ("Candidate platforms find focus at forum," Apr 22 2004, The Daily Progress) She also wrote the article last year about Levy Avenue without mentioning its urban renewal status. The Housing Authority has been unable to resell this land since it was demolished in 1972. ("City has plan for Levy site: Mixed-income idea novel for housing," Jun 19 2003, The Daily Progress) (<http://www.dailyprogress.com>) (Photo and background for Levy Avenue: <http://www.geocities.com/healingcharlottesville/index-j.html>)

Former Charlottesville mayor and long-time proponent of urban renewal, Francis Fife attended the forum.

Mayor during the last large-scale urban renewal project in 1977, Nancy K. O'Brien has endorsed the Democratic ticket in a letter to the editor ("Council hopefuls win voter," Apr 22 2004, The Daily Progress).

You can judge the answers for yourself. The forum will be broadcast on Adelphia Channel 10 several times next week.

Charlottesville Independent Media, April 22, 2004.

Independent endorsed by Police group: Opposes urban renewal

"Charlottesville Police Officer's Association endorsed me. It's official as of last night. I do not believe in urban renewal land transfers. I would not support them..." Apr 24 e-mail from Vance High.

*** The other candidates' positions ***

"Daily Progress continues black-out of urban renewal debate: One candidate aware of the issue" Apr 22 2004

http://www.cvilleindymedia.org/newswire.php?story_id=418

*** The scoop ***

From: Vance High

To: Heal Cville

Subject: Re: info at LWV forum

Date: Apr 24, 2004 6:23 AM

Blair,

The Charlottesville Police Officer's Association endorsed me. It's official as of last night. I do not believe in urban renewal land transfers. I would not support them. Hope you enjoy your weekend.

Vance High

--- Heal Cville wrote:

Dear Mr. Vance,

I didn't mean to put you on the spot. I had two letters printed in The Hook and Cville Weekly last 2 months on this issue. As a footnote, my uncle wrote what will probably be your only endorsement of the campaign. Thomas ran for city council 3 times in the 1970s on a platform to stop urban renewal land transfers.

My question was easy if you knew this principle: government can take property by due process (for transfer) and public use (to keep). Any other reason is not legal according to the Bill of Rights. So if you offered some other possibility (such as blight or public good), you entertained unlawful transfers of land.

Charlottesville Independent Media, April 24, 2003.

NAACP forum: Democrats poised to lose power on May 4 2004

Apr 28 2004

If elections are won based on ideas and ability, then Blake Caravati will be the only Democrat on Charlottesville's City Council after Tuesday's election... This articles includes all 13 questions at the forum on Monday April 26, a week before election.



At dais: Vance High (I) Kevin Lynch (D) Ann Reinicke (R) Cindy Stratton (moderator) Kenneth Jackson (R) David Brown (D) Kendra Hamilton (D)

If elections are won based on ideas and ability, then Blake Caravati will be the only Democrat on Charlottesville's City Council after Tuesday's election. Three seats of the five member council are up for grabs. Democrats Kevin Lynch, David Brown, and Kendra Hamilton are seeking to maintain the status quo while Republicans Ann Reinicke and Kenneth Jackson and Independent Vance High offer new ideas.

The NAACP forum Monday evening a week before election was attended by about forty members of the public at its most crowded. This is twice the number that attended last Wednesday's League of Women

Voters forum (http://www.cvilleindymedia.org/newswire.php?story_id=418). It was announced that the LWV forum would be televised on Adelphia Channel 10 and has been replayed a couple times a day ever since.

The NAACP forum was moderated by chairwoman of the local chapter, Cindy Stratton. The forum was to be two hours but ran an hour over causing the WINA reporter consternation because he had charged his batteries for only two hours. As usual with forums and council meetings, the most interesting and history-making statements came in the latter half after the establishment press normally stop listening. The extra hour was worth the wait and I had plenty of paper and ink.

Cindy Stratton asked all six candidates the first four questions. Members of the audience asked the remaining questions.

Question 1: What do you have to offer that no other candidate brings to the table?

HAMILTON: She said she would bring leadership. She has been active in the Rose Hill neighborhood, which was named neighborhood of the year by the city Planning Commission. She herself was named citizen planner of the year. As an activist, she has helped protect neighbors from developers. As a journalist for 21 years, she has worked in a "contentious environment" and knows how to get people to work together. She promised to offer solutions and address the "distribution of resources."

HIGH: Education. Ten years experience teaching at secondary schools and community colleges in Virginia, North Carolina, and Washington state. He promised to emphasize healthcare, environmental protection, and homeownership. He said homeownership was linked to student achievement. He would build consensus on the issues. He was one of the founders of the AIDS Services Group and was a journalist the first few years of college.

Note: Vance High was the only candidate to provide the public with copies of his platform and a professional black&white brochure on plain paper that were available at the beginning and end of the forum.

LYNCH: He would bring 4 years experience on City Council. He moved to Charlottesville from Alexandria in 1980 and became a neighborhood activist 12 years ago. He said we need to stress education, transportation, sidewalks, bike lanes, and neighborhood parks. As an engineer, he enjoys problem solving. He knows the "difference between talk and action. Actions speak louder than words."

He asked that the Republican candidates explain incumbent Republican Rob Schilling's positions on the following 4 issues: living wage, drug court, education funding, and community policing. He said that, by voting against the budget, Schilling did not keep the council pledge of "40% of new property revenue to education." He said that car decal fees were raised to pay for community policing.

Moderator Cindy Stratton informed him that the rules of this forum do not allow candidates to pose questions to other candidates. If any candidate would like an answer to such a question, he would have to go out into the audience to ask it and not return to the dais. She would have to repeat this admonition to Lynch and others a few more times.

BROWN: He said he would bring skills, experience, and character to the table. As a resident of Rugby Avenue and husband of Jean Hyatt, he is a "consensus builder." He is a chiropractor with his office in the Starr Hill area of West Main. He has volunteered with OAR (Offender Aid and Restoration), Virginia Board of Medicine, and soccer outreach coach. He has been active in the community for 22 years and has a foster child. He said he was "hardworking and dependable, straightforward and sincere, open-minded and fair" and listens to people. He is also the former chairman of the Charlottesville Democratic Committee.

JACKSON: He said he was the "homegrown tomato," the 37-year-old city native who grew up in the Starr Hill neighborhood. He said he has the experience because he's "been there" and "lived it." In regard to leadership, he said he would "roll up his sleeves" and take the job serious. He promised to represent each and every citizen, maintain financial stability and quality education, and try to close the achievement gap.

REINICKE: She said the city has a diverse makeup but she would represent all of Charlottesville. As a southside resident in the Orangedale neighborhood, she would also give a voice for the southside residents. She said the Charlottesville Police Officers Association has endorsed her candidacy. She said she has witnessed the negative impacts of city policies. She said she has the experience to "help me help you." She said "we cannot continue to balance the budget on the backs of homeowners and renters." She would bring "an open mind and fresh ideas" to the table. She said she will "work for you, the citizens of Charlottesville."

Question 2: What are the city's strengths and weaknesses?

HAMILTON: In the 10 years she has lived here, she has seen the Downtown Mall go from a ghost town to a popular destination. She said that 44% of residents cannot afford the \$698/month fair market rent. She said people are begging for \$80,000 to \$120,000 houses while \$250,000+ houses go up just across the border south of the city. She wants more diversified housing options.

HIGH: Strengths: UVa and the hospital, tourism, Rivanna Trail, at least 19 parks, 2 indoor pools. Greatest strength is our people. Weaknesses: disparity between haves and have-nots, 44% of students qualify for free lunch, affordable housing, availability of water, new wells changing the water table, can't use bladders to increase height of dams and reservoir capacity. "It will take time" to address these problems.

LYNCH: Strengths: small city with high quality of life, education, cultural center of region, good efficient government compared to the county and private business. Weaknesses: "Our strengths are not distributed equitably."

BROWN: Strengths: students from region pay to go to Cville schools (and others reporter didn't write down). Weaknesses: disparity of haves and have-nots, affordable housing, privatization has led to lower wages, "town of limited opportunities", surrounded by different jurisdictions, growth threatens environment, need to work on regional scale, "protect our environment and history."

JACKSON: Strengths: people and schools. Weaknesses: budget laden with spending, "study upon study", the budget shrunk by \$250,000 when Oven Air on 4th Street left. Charlottesville is "not considered a business friendly town...not real estate friendly." "Fast food got me through." It takes every kind of citizen and enterprise to make the society function.

REINICKE: We must protect our green space and parks. The city has allowed schools to fall into disrepair so that we now face a \$7 million repair bill. "A world-class city should not have a third-world infrastructure." Although we have a AAA bond credit rating, the real estate assessment policy is irresponsible. There is no contingency plan to deal with a real estate bust. City participation has a lack of "diversity of thought" and diversity of socioeconomic status. A mixed ward system would mean better representation. She said she favors a 4 ward, 3 at-large system.

Question 3: How would you propose to close the achievement gap?

HAMILTON: High quality early and elementary school education. In regard to the current search for a superintendent of schools, she said we "need somebody who can turn the schools around."

HIGH: Back to the basics-> teach test taking skills, more writing papers and science projects. First 5 years of school should provide a strong foundation. Stable housing is necessary for learning. We need teamwork of school, parents, and students. City schools have a "tremendous turnover" of students and teachers.

LYNCH: This issue is the "most pressing and important problem" facing us. His first Book Buddy at Johnson school is now close to graduation. Johnson has improved by implementing best practices and "consistent learning environment." Many students lack support and individual attention. We need a more consistent curriculum in elementary schools.

BROWN: Two primary ways to close the gap: fund the schools and appoint the school board. 40% of new revenue to schools. Support families, affordable childcare and housing, good jobs, early education, Computers 4 Kids, Music Resource Center, Book Buddies. "Expectation of success for all our children."

JACKSON: Graduated from Charlottesville High School in 1986. "4 areas of achievement gap: K-4, 5-6, 7-8, 9-12." We should provide 1-2 hour in or after school tutoring. Stop promoting by percentage. Promote by merit and achievement levels. "I was poor but it doesn't mean you can't learn." He also said that education is 29% of this year's budget, not 40% as implied by Lynch and Brown.

REINICKE: We have excellent schools, advanced programs, and an award-winning orchestra. But the pace to SOL has been slow. Some students will be held back. Of the achievement gap, "If I sound angry, it's because I am." She said elected school boards generally find more funding and more reliable sources of funding.

Question 4: How would you promote economic development and attract business and investment?

HAMILTON: She disagreed with Jackson that the city is unfriendly to business. She said the city is "open for business" and the county has the anti-growth policies. Small business development is the engine for growth. We should link up individuals with grants and minority set-asides.

HIGH: We need tax incentives, lower taxes and fees. We should subsidize business and need more partnership initiatives. He would provide sound leadership, "say what I mean, mean what I say." He accused Lynch of flip-flopping 3 times. At the Apr 6 Fry's Spring forum, Lynch said a developer was fined for cutting down trees but actually the developer was simply asked to replace the trees. Originally Lynch said that a ward system was a bad idea but later accepted it. And finally, Lynch supported then opposed Preston Commons development on a green island at intersection of Preston, Barracks, Grady and Tenth NW.

LYNCH: Huntley was the name of the development, not the developer. Hickman was the developer. He wasn't fined but had to spend money for 40 trees that were removed against the site plan. The ward system is a bad idea but no harm studying it (Lynch abstained from the vote to study it). He said he was the only one who voted against spending money on Preston Commons. He did observe the "problem of council starting programs and stopping support midstream."

BROWN: He said there is not a lack of jobs but a lack of good jobs. We should keep profits in our community. He agreed with Hamilton that Charlottesville has a good business environment but needs more workforce development.

JACKSON: He said the living wage is unaffordable for business. He said a ward system would address the population shifts within the city. He said we are "business unfriendly...lot of lying on council...you can play dumb if you want...bald face lies..." He said the city is not rated highly by AAA or Rand-McNally. Whether we're number one depends whether you ask the haves or the have-nots.

REINICKE: She said we need to look at cost of living and the size and type of tax base. "Higher fees hurt business." We should protect commercial zones such as West Main, more variety and fewer empty buildings. She called for the revitalization of the Downtown Mall. We need to "stem the flow of revenue to the county."

Question 5: The Republicans propose raising fees on citizens but lowering fees for business. Is this a "regressive revenue enhancement policy?" (Peter Kleeman, resident of north downtown and Democratic Party operative)

HAMILTON: would not support this policy

HIGH: would not support.

LYNCH: would not support. One weakness we have is that we are the "social service provider of the

region." At the same time, the state is getting out of social service business by closing Western State Hospital in Staunton and jails. You must "pay for civilization."

BROWN: We should not decrease fees on business while raising them on residents. Increasing fees for building permits would not "stifle" building. We should "disagree in a civil fashion." Of the bald face lies comment, Jackson "should back it up."

JACKSON: We should cut out unnecessary spending and distinguish wants versus needs. (After consulting with the moderator, Jackson did not respond to Brown's "question" as per the rules of the forum. Candidates are to address the questions from the public, not each other.)

REINICKE: We need fiscal responsibility and relieve the burden on residents. Possible cuts: \$2.3 million in consultation fees and \$6 million plus for a new software computer system.

Question 6: What would you ask UVa for? (Peppy Linde)

HAMILTON: Relieve housing, parking, build more dorms. UVa is part of reason rents are rising.

HIGH: Housing, transportation, combine UVa-CTS bus systems, issues of crime and safety.

LYNCH: There should be an agreement for UVa to pay taxes on the property it is purchasing. As a "state institution," the university is exempt from local laws and taxes.

BROWN: Enforce housing regulations.

JACKSON: Communication is very important, for example, the approving and building of the parking garage at Emmett Street and Ivy Road. The city has spent \$30,000 on photos when we could have partnered with the photography department at UVa. As for housing on JPA, at one time you couldn't find a place to rent, plenty of places for rent now.

REINICKE: UVa could provide commuter parking and expand adult degree program.

Question 7: How will you deal with the budget? (Ann Mender, resident of southside, annoyed at what some of the candidates are saying)

HAMILTON: Simplify the budget.

HIGH: Read the budget 56 days ago. We should simplify it so a 12th-grader could understand it.

LYNCH: Services do not come for free. Gilmore's car tax repeal was a gimmick that shifted the burden onto the property owner.

BROWN: (reporter was distracted for a moment)

JACKSON: The budget should be organized in line-item format so you'll know where the money is going. The state does provide some funding for our jail. What happened to the money from the decal fee increase to hire 5 new police officers?

REINICKE: Would like to decrease taxes without decreasing services. Some jail funding comes from state inmates. What about the \$2.3 million for consultation and \$6 million software?

Question 8: To LYNCH: I'm disgusted by all you airbags. "Lynch has a catchy name." You have no content. All you do is attack. Nothing going for you. Please explain your personality. (Mary Joe Lang, Cville Dem from the north)

LYNCH: It's not my personality that's the problem. Accountability is important. We have a responsibility to propose actionable solutions.

Question 9: Please explain these Meadowcreek Parkway misconceptions: that it will reduce traffic in the city, that we are committed to build it even though county and VDOT have already broken their agreements, and if we don't use the money, we will lose it. (Stratton Salidis, independent council candidate in 2000 with about 300 votes and in 2002 with about 600 votes)

HAMILTON: They are not misconceptions. They are facts.

HIGH: He is for the parkway if the studies are made available. As of March 10, the city's representative that High had consulted on this issue, David Beardsley was no longer employed by the city.

LYNCH: He believes the Chamber of Commerce wants the parkway so developers can build near CATECH and Dunlora on Rio Road.

BROWN: The parkway should be built only as part of a regional plan.

JACKSON: In the last poll, 67% were in favor of the parkway. "Majority rules." We can't just spend funding on anything; all funding has strings attached. The parkway-250 interchange is an F GRADE interchange as envisioned now, which is failing, A being the best. We should "work with Albemarle for what's best for Charlottesville."

REINICKE: She acknowledged that the parkway will not decrease traffic in the city, but it will decrease traffic in neighborhoods. She said we have plenty of F ratings in Charlottesville and along 29 North, yet somehow we survive.

Question 10: How do we assure jobs for exfelons? What are we going to do about the youth in Charlottesville? (Harold Foley)

HAMILTON: Exfelons often have a better understanding of politics than the average citizen because they have dealt with the system, but felons are locked out of voting anyway. She promised to work to restore felons' rights whether elected or not.

HIGH: His roommate in college was an exfelon and is now a grant writer in Washington, D.C. He said there is a "prison pipeline" for African Americans. We must all get involved.

LYNCH: He would support a faster track to restoration of rights and GED programs in jail. He said it's too easy to become a felon.

BROWN: He remains active in OAR and we must "shine the light of the press" on this issue.

JACKSON: He said he has first-hand experience in this issue. He said his credibility has been called into question because of his criminal background. He knows someone who was denied by the governor restoration of voting rights. He asked rhetorically is voting is a right or privilege. He thought that after 5 years your right to vote should automatically be reinstated.

REINICKE: Her husband works at the Joint Security Complex Regional Jail on Avon Street Extended south of the city limits. He helps inmates find jobs while in jail (work release) and upon release.

Question 11: Have you been on a ride-along with police? Have you been involved with the "stop and swab" program? Are you a member of the NAACP? (James Cane, officer of NAACP)

HAMILTON: No, lots of questions, No.

HIGH: Yes, Yes but favors only one swabbing, No.

LYNCH: Yes several times, "the line was crossed," No. The car decal money for the 5 new police officers actually went into police overtime.

BROWN: Yes, not involved, No.

JACKSON: No, he would have given the swab, No.

REINICKE: Yes, need to regulate use of DNA, No.

Question 12: Given that wages are not comparable with cost of living and the disparity between the haves and have-nots, how would you monitor hiring and retention of minorities? (Cindy Mindy of Ridge Street)

HAMILTON: There is a lack of professional jobs for African Americans.

HIGH: If qualified, you should get the job.

LYNCH: Longtime city policy to have a diverse pool of candidates to consider for an opening.

BROWN: (reporter distracted again)

JACKSON:

REINICKE:

Question 13: The police department has spent \$10,000 at \$50 each on DNA testing of black men. How can you prove your innocence? The mayor has said that Police Chief Longo is out of line with the community in the DNA racial profiling controversy. It is fairly obvious that Charlottesville is one of the worst places in the nation for African Americans. (Raymond Mason)

HAMILTON: It's a scandal we have only one African-American landmark. "Our story has not been told."

HIGH: The issues are all interconnected.

LYNCH: The boundary was overstepped with respect to "reasonable suspicion."

BROWN: By coaching low-income kids from Garrett Square (Friendship Court), he has seen discrimination he might not have otherwise seen.

JACKSON: He has seen other blacks become successful. There are role models. He wants equal treatment. Blacks have to use the laws that whites use, "play the game they play." We can't let our society be based on race. Because of gentrification, he has seen "our neighborhoods destroyed."

REINICKE: DNA used to be \$600 a test, now only \$50 per. DNA should never be used to prove innocence, unless you've already been convicted.

ANALYSIS

The Democrats find themselves in one scandal after another and unable even to acknowledge the truth of the state of the city. The only way they can win is if the same people who voted last November vote on May 4. This 25% percent of the voters will vote Democrat no matter what. The only way to bring about change is to get the 75% who don't usually vote to go to the polls. This is an important election.

The Scandals:

Annexations and revenue sharing. Eminent domain abuse and city schools not teaching city history or the Bill of Rights. Jefferson School, integration and negro removal. Race-based violent crimes on the street and in school. Questionable approval of the Downtown Mall with only 2 votes in the 5 member council in

1974 brought to light in the Meadowcreek parkway simple or super majority requirement for land transfer. Drought worries and avoidance of discussing the 1977 drought. The city blaming everyone else for its problems, county, UVa, Republicans, etc. DNA racial profiling supported by a police chief appointed by council 3 years ago. Restorative justice for blacks and regular justice for whites. Public housing and rent subsidies that inflate private market housing and rent prices. Increasing budgets while revenues decrease. Call for more taxes while more nonprofits are exempted from taxes and more private property is removed from the market, reducing further the tax revenue.

The idea that city government is none of the people's business is nothing new. Council held closed meetings to discuss annexations for years and years. There was public outcry in 1972 when the city-county negotiated in closed sessions to consolidate city-county water services into the Rivanna Water and Sewer Authority. City council still holds closed meetings anytime they want.

There have been repeated efforts to disable the Redevelopment and Housing Authority beginning as soon as it was created in 1954. This agency remains the most controversial and most criminal of all the city's departments. The Democratic Party elders used this authority to prevent another integration. Only landowners were able to petition white schools for entry, renters had no role in desegregation. Why do we have so much open space where homes and businesses once existed? Why did so many people and businesses move away in the '70s? Why is the authority concealing its public archives? Why do you allow these injustices?

There is a long list of grievances that City Council and the corporate media actively ignore. Thanks to the internet and CvilleIndyMedia.org, we have been able to take the truth directly to the voter, and will continue to do so. There are other painful truths that will be exposed in the next few years. Stay tuned and please vote to discontinue the shameful policies of the present.

Charlottesville Independent Media, April 28, 2004.

Write-in Meredith Richards campaign is real: Ex-mayors endorse party line-up

Apr 29 2004

These expensive yard signs are rocking back and forth in the strong wind blowing through Charlottesville... all 8 ex-mayors support urban renewal according to public record.



Lazy Daisy supports Meredith Richards

Three of these expensive yard signs are rocking back and forth in the strong wind blowing through Charlottesville. The Lazy Daisy pottery shop has one. A couple across the street on Monticello Road in the Belmont neighborhood, annexed in 1938 now part of Ward 1 of the 4 archaic subdivisions of the city, today used only to appoint the school board. If you support Meredith Richards, you would likely support the atlarge method of selecting councilors so you can draw support across all neighborhoods. Although the Republicans support a mixed ward system, the atlarge system may propel them to historic victory.

I endorsed Richards for write-in in a letter in Cville Weekly March 16 based on her opposition to eminent domain abuse. (<http://www.c-ville.com/www/archives/2004/03-16-2004/asp/2.asp>)

I want to vote for Vance High because he opposes urban renewal and its culture. But I have to vote for Richards because I endorsed her first. The disparate factions opposing the ruling party seem to have coalesced in the last 4 years as the Republican Party while the Democrats have splintered.

 "A call for a write-in campaign for Meredith Richards"

A Charlottesville woman says next Tuesday's city council election should include a name that's not on the ballot. In a letter to the editor in Wednesday's Daily Progress, Beverly Smith is urging voters to write in the name of Meredith Richards. Democrats chose not to include Richards on their ticket this year. In her letter, Smith says a strong write-in campaign is needed to return Richards to her council seat. Smith says denying Richards the nomination was an unjust action in light of her dedication to the city and its residents.

Full story Apr 29: <http://wina.com/storyshow.asp?id=9384>

"Both city council tickets pick up endorsements. "

Former mayors held a news conference today to endorse the Democratic ticket for city council. Those mayors are also Democrats. Mitch Van Yahres criticized the lone Republican currently on city council, Rob Schilling. Virginia Daugherty says the race could be close and she called for a strong voter turnout next Tuesday. Meanwhile, the political action committee of the Charlottesville Area Association of Realtors has endorsed Republicans Ann Reinicke and Kenneth Jackson.

Full story April 29: <http://wina.com/default.asp>

The photo: <http://wina.com/MayorsFormer.jpg>

Note: All 8 of these former mayors of Charlottesville support the right of government to transfer property without due process. Because land ownership is fundamental in our society, the effects of eminent domain abuse are long-lasting and far-ranging.



Apr 29 2004: Maurice Cox, David Toscano, Charles Barber, Mitch Van Yahres, Nancy O'Brien, Francis Fife, Virginia Daugherty, Blake Caravati

Charlottesville Independent Media, April 29, 2004

COMMENTS

the actual endorsement

by Blair

"As Mayors of Charlottesville, we endorse the Democratic ticket for City Council. Kendra, David, and Kevin are running for one reason: because Charlottesville is a wonderful place to live, and because they

want to keep it that way. We know from experience that Democrats can be trusted to lead in Charlottesville. We also know that this election is simply too important to roll the dice on Republican candidates.

Charlottesville was recently rated the best place to live in America. This didn't happen by accident. From wonderful schools to smart growth zoning to decreasing crime rates to balanced budgets, Democrats have made Charlottesville better. Democrats have a great reputation in Charlottesville for a simple reason: they have gained the public trust through hard work and results, not through rhetoric and partisanship.

Listen to the Republican radio ads. They were carefully written, not mere slips of the tongue. The Jackson-Reinike theme is our government is bloated. It is inefficient. We need to cut it back. It is the same program George Bush brought to Washington--although he campaigned as a compassionate conservative. It truth he is just a pro-Enron, pro-war, anti-woman, anti-poor, anti-environment traditional conservative.

When the Democratic team steps into office this summer, they're going to continue to take Charlottesville in the right direction, on the 'three E's': education, the economy, and the environment.

The lone Republican member of the current City Council, Rob Schilling, has also made some alarming proposals. He proposed to cut local funding for the Drug Court--a program that works. He voted against raising revenues to pay for school capital improvements and new community policing officers.

We gave Republicans a chance in Richmond, and they failed. We gave a Republican a chance here in Charlottesville, and now we know better.

Democrats have a commitment to Charlottesville. Every living Democrat who has run for Council since 1970 still lives in the community. The Republicans seem to come and go. We are here for the long term.

The Democratic ticket has a plan, the experience, and the passion to make Charlottesville an even better place to live. We urge all Charlottesville residents to support Kendra, David, and Kevin in the City Council race on May 4.

Sincerely,

Mitch Van Yahres, Francis Fife, Charles Barbour, Nancy O'Brien, Frank Buck, Bitsy Waters, Alvin Edwards, Tom Vandever, David Toscano, Kay Slaughter, Virginia Daugherty, Blake Caravati and Maurice Cox. (Former mayors of Charlottesville, in order of service)

<http://george.loper.org/~george/archives/2004/Apr/895.html>

Former urban renewal / water board chairman endorses Democrats for Council

Housing Authority Board Chairman Richard C. Collins said "the benefits of home ownership' were being exaggerated" and "it's a sham' for people to think everyone can afford to own their home"

Chairman of the Board for the Charlottesville Redevelopment and Housing Authority during the drought of 1977, and Chairman of the Board of the Rivanna Water and Sewer Authority during the drought of 2002, Richard C. Collins has endorsed Democrats Kevin Lynch, David Brown, and Kendra Hamilton for the City Council election on Tuesday, May 4 2004.

During both these tenures, the city of Charlottesville enacted mandatory water conservation: for 35 days in 1977 and several months in 2002. When conservation came while he was RWSA chairman, Mr. Collins did not relate to the public that there was a precedent for the water controls. His experience and that of the candidates he endorses should not concern voters' decisions if that experience is concealed, not applied to new situations, or not consistent with our values.

Housing Authority Board Chairman Richard C. Collins said "the benefits of home ownership' were being

exaggerated” and “‘it’s a sham’ for people to think everyone can afford to own their home” (“Price of Highrise Site Set by Council: Midway Location Chosen,” Sep. 13, 1977, The Daily Progress).

All about "The Last Drought," Sep 3 2002,
<http://www.geocities.com/healingcharlottesville/letters/1/index.html>

"Drought Perspective," Sep 18 2003,
<http://www.geocities.com/healingcharlottesville/letters/2/index.html>(comparison of droughts 2002, 1977, 1930)

On Feb 17 2004 new RWSA chairman, Mike Gaffney, in his status report before City Council, stated the official position that 1930 is the record of drought. In 1930, the South Rivanna dam had not been built. In 1977, we had the same reservoirs as we have today.

The official position of the Virginia State Climatology Office is that 1977 is the worst drought on record ("Severe Record Drought Expected to Continue," Oct. 4 1977, The Daily Progress and Virginia Climate Advisory, October 1977). State Climatologist Patrick Michaels has not issued a statement revising the position of his office.

The city's Public Works on 4th Street NW and the Rivanna Water and Sewer Authority have not responded to this reporter's requests in 2002 for information on the 1977 drought.

"I write to support Kevin Lynch, David Brown and Kendra Hamilton for Charlottesville City Council. Each has a record of community service that dwarfs those of the other candidates...a vote for Brown, Hamilton and Lynch is a vote for a balance between parks and roads." (Richard C. Collins, "Democrats care about parkland," Apr 30 2004, The Daily Progress)

When this reporter asserts that Charlottesville has a poor record on historic preservation, I'm not talking about the buildings.

Charlottesville Independent Media, April 30, 2004.

Eminent domain issue in Council race for #1 City in USA: Get out the vote!

"Mr. Jefferson would be Proud: Charlotesville is Number 1", Mar 29, USA Today.

The highlight of the campaign so far may be Apr 29 when 13 former mayors warned the public that the Dems have been here a long time and will be here long after these trouble-making Republicans have gone away. So you better vote Democrat. Yet only the Republicans offer a native candidate.

Six candidates are seeking 3 of the 5 at-large seats up for grabs on Tuesday May 4 2004. There is also a grass-roots write-in campaign for incumbent Meredith Richards who was not nominated for a third term by the Democrats.

These candidates support the definition of eminent domain as public use: Meredith Richards (writein), Vance High (I), and Kenneth Jackson (R). I'm not sure about Ann Reinicke (R) or Kendra Hamilton (D). David Brown (D) supports land transfers by referendum. And Kevin Lynch (D) supports transferring around private property if it is in the public good.

Kevin Lynch is the one-term incumbent, elected 4 years ago. In that time, he has seen this issue grow and escalate continuously. On June 5 2000 Blair Hawkins received unanimous applause of a crowded Council chamber when he asked mayor Virginia Daugherty to investigate urban renewal (<http://www.geocities.com/healingcharlottesville/discuss/3.html>). The urban renewal website started in Jan 2002 (<http://www.geocities.com/healingcharlottesville/index.html>) with posters at precincts on election day supporting Rob Schilling (R) and Stratton Salidis (I). Then Hawkins campaigned but was disqualified for the Republican nomination to oppose urban renewal kingpin Mitch Van Yahres, who was unopposed. Hawkins missed the filing deadline by a day (

<http://www.geocities.com/healingcharlottesville/Campaign2003/index.html>).

This local campaign coincided with a national awakening to the dangers of eminent domain abuse. Lynch should be an expert on the issue. We have 50 years of cautionary tales. Somehow, we were ranked #1 by the book "Cities Ranked & Rated" (Wiley, 2004). Number 1 for eminent domain abuse?

"Mr. Jefferson would be Proud: Charlottesville is Number 1," (<http://www.usatoday.com>) Jefferson was 19 years old when the town of Charlottesville was chartered. There is no shortage of irony or fantastic stories following this urban renewal thread.

The highlight of this year's local campaign so far may be Apr 29 when 13 former mayors warned the public that the Dems have been here a long time and will be here long after these trouble-making Republicans have gone away. So you better vote Democrat.

"Democrats have a commitment to Charlottesville. Every living Democrat who has run for Council since 1970 still lives in the community. The Republicans seem to come and go. We are here for the long term."
http://www.cvilleindymedia.org/newswire.php?story_id=453(photo of 8 at press conference and text of endorsement)

Yet only the Republican Party offers a native candidate.

TIMELINE (and last minute endorsements)

1960 -- Vinegar Hill urban renewal approved by the voters.

2004 --

Feb 5 --> Incumbent Meredith Richards says she would oppose eminent domain abuse at forum with the 3 other Democratic candidates.

Feb 7 --> Democratic convention of 500 attendees nominate Kendra Hamilton, David Brown, Kevin Lynch.

Feb 9 --> Republican convention of 30 attendees nominate Kenneth Jackson and Ann Reinicke.

Feb 27 --> Is Buck Mountain Reservoir eminent domain abuse?
http://www.cvilleindymedia.org/newswire.php?story_id=176

Mar 8 --> SPCA Rummage Sale to be in former South Downtown Neighborhood:
http://www.cvilleindymedia.org/newswire.php?story_id=226

Mar 15 --> Is Charlottesville the next Staunton?
http://www.cvilleindymedia.org/newswire.php?story_id=257(printed in The Hook Apr 1)

Mar 16 --> Eminent danger: <http://www.c-ville.com/www/archives/2004/03-16-2004/asp/2.asp>

Mar 19 --> Public has look at Council candidates: Affordable housing theme:
http://www.cvilleindymedia.org/newswire.php?story_id=275

Mar 23 --> Public talks about ward system but not sure it's the fix:
http://www.cvilleindymedia.org/newswire.php?story_id=282

Mar 26 --> Speakers remember massive resistance in Prince Edward County, Virginia:
http://www.cvilleindymedia.org/newswire.php?story_id=312

Mar 29 --> 'Mr. Jefferson would be proud': Charlottesville is No. 1:
http://www.usatoday.com/life/lifestyle/2004-03-29-best-cities-main_x.htm

Mar 30 --> Housing Authority archives out on loan for preservation:
http://www.cvilleindymedia.org/newswire.php?story_id=325

Apr 6 --> "Independent Thinker," by Thomas Dowell, 1970s urban renewal opponent:
<http://www.c-ville.com/www/archives/2004/04-06-2004/asp/2.asp>

Apr 6 --> 3-1 Council vote charts commission on ward-mayor system: Overshadowed by integrity of documents: http://www.cvilleindymedia.org/newswire.php?story_id=361

Apr 21 --> Republicans give press conference the day before League of Women Voters' candidates forum:
http://www.cvilleindymedia.org/newswire.php?story_id=412

Apr 22 --> League of Women Voters Hosts City Council Candidate Forum:
Daily Progress continues black-out of urban renewal debate: One candidate aware of the issue:
http://www.cvilleindymedia.org/newswire.php?story_id=418

Apr 25 --> Independent endorsed by Police group: Opposes urban renewal:
http://www.cvilleindymedia.org/newswire.php?story_id=431

Apr 28 --> NAACP Hosts City Council Candidate Forum: NAACP forum: Democrats poised to lose power on May 4 2004: http://www.cvilleindymedia.org/newswire.php?story_id=445

Apr 28 --> "Democratic ticket has vision for city," The Daily Progress, letter by Dave Norris, chairman of the Redevelopment and Housing Authority until last November and opponent of Prospect Avenue renewal project a year ago ("CRHA Board Chairman Dave Norris identifies modern urban renewal" May 6 2003, <http://www.geocities.com/healingcharlottesville/Campaign2003/norris.html>)

Apr 28 --> "Write in Richards for City Council," letter by Beverly Smith, The Daily Progress.

Apr 29 --> Write-in Meredith Richards campaign is real: Ex-mayors endorse party line-up:
http://www.cvilleindymedia.org/newswire.php?story_id=453

Apr 29 --> "Dems outscore foes on expertise," letter by Ed Wayland, former Legal Aid Director, eminent domain defense attorney for Hawkins' grandmother in 1971,
<http://www.geocities.com/healingcharlottesville/Campaign2003/speech.html>

Apr 30 --> Candidate Reinicke (R) to address Charlottesville Police Association:
http://www.cvilleindymedia.org/newswire.php?story_id=455

Apr 30 --> Former urban renewal / water board chairman endorses Democrats for Council:
http://www.cvilleindymedia.org/newswire.php?story_id=464

May 2 --> "High, Brown clash over phone call," The Daily Progress (http://www.dailyprogress.com/servlet/Satellite?pagename=CDP%2FMGArticle%2FCDP_BasicArticle&c=MGArticle&cid=1031775216517&path=/news). High accuses Brown of offering bribe if High drops out of race.

**** The candidates: ****

(D) Kevin Lynch (incumbent)
(<http://www.charlottesville.org/default.asp?pageid=DB95FEB4-FBA0-42AA-8F07-AAF38FB7FABE>)

(D) Kendra Hamilton: <http://george.loper.org/~george/archives/2004/Jan/889.html>

(D) David Brown: <http://george.loper.org/~george/archives/2004/Feb/920.html>

(R) Ann Reinicke: <http://www.allhookedup.com/reinicke>

(R) Kenneth Jackson: <http://www.allhookedup.com/gop/pages/jackson1.html>

(I) Vance High: <http://www.loper.org/~george/archives/2004/Feb/771.html>

<http://www.geocities.com/healingcharlottesville/>

Charlottesville Independent Media, May 3, 2004

COMMENTS

Party boss instructs Democrats what to say

by Blair

...I anticipate that those of you who will be working at the polls on Election Day may be asked about this write-in campaign. I suggest that you respond to any questions by saying the following:

a. At the Convention in February, Meredith gave a concession speech in which she pledged her support for the entire ticket. The Daily Progress said that Meredith "conceded and encouraged the Democrats to support the full party ticket on May 4." The article in The Hook said, "Richards ... made a gracious concession speech, promising to support the other candidates."

b. When questions arose in March, Meredith released a statement that read, in part, "I am not seeking to be elected to City Council as a write-in candidate. I am not encouraging in any way the people who have been talking about writing in my name on May 4, and I am not asking anyone to write in my name for City Council on May 4."

c. We take her at her word.

d. We have three strong candidates who will represent Charlottesville well. A vote that goes for Meredith rather than for David or Kendra or Kevin increases the chances of either Ann Reinicke or Kenneth Jackson getting elected...

"Lloyd Snook Comments on the Write-In Vote, Meredith Richards and Election Day Tuesday"

<http://www.loper.org/~george/archives/2004/May/990.html>

Neal Boortz asked for help to get out the vote

by Blair

Eminent domain issue in Council race for #1 City in USA: Get out the vote!

http://www.cvilleindymedia.org/newswire.php?story_id=472

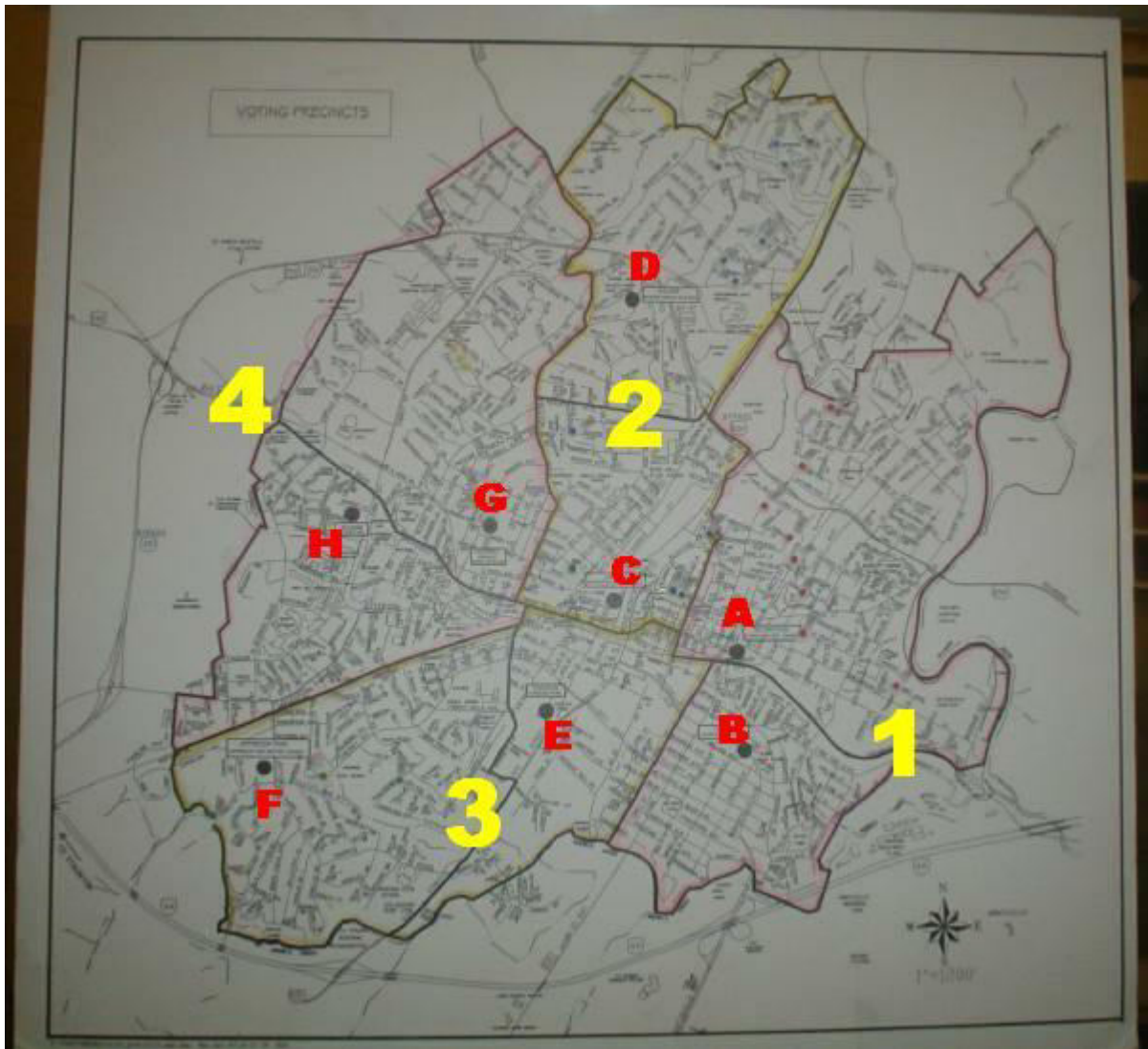
Please give Charlottesville a shout out to help us get out the vote Tuesday election day. Your show is broadcast live Mon-Fri 10am-1pm on WINA AM-1070. Thanks for talking about eminent domain. We really needed that.

"The world-famous Internet site of the Nationally Syndicated Neal Boortz Show!"

<http://boortz.com/>

Dems keep Charlottesville: Stay the course, don't look back

A majority of voters in each of the eight precincts have decided to stick with what works. The top vote-getter won with 17% of possible votes and 65% of those who voted. The 3 Democrats won every precinct.



Charlottesville's Wards and Precincts 2004

A majority of voters in each of the eight precincts have decided to stick with what works. The three seats up for election yesterday remain Democratic. Incumbent Kevin Lynch was returned to a second term. Former city Democratic party chairman David Brown was promoted. And Kendra Hamilton, a South Carolina native, was the top vote-getter with 17% of possible votes and 65% of those who voted. The 3 Dems won every precinct.

Most surprising is that the Belmont neighborhood voted by 2-1 for the high property tax policy that generated so many complaints. More generally across the city, the voters endorsed high taxes and fees, regulation and closed government. They voted to take no action on the water situation. The residents look forward to mandatory water conservation whenever there's a 6-week summer dryspell. Because of sedimentation, that's the capacity of our reservoirs. Other than opportunistic dredging, the Rivanna Water and Sewer Authority no longer has any plan to expand our water supply.

That the voters endorse the long-standing eminent domain land transfer policy of Charlottesville is not surprising. The voters explicitly approved this policy in 8 referendums from 1954 to 1967 until such referendums were outlawed by the General Assembly in 1971. The first of these referendums granted this power to the Redevelopment and Housing Authority. The final urban renewal referendum approved the largest transfer of land in city history, so controversial that newspapers cannot mention any bit history of South Downtown even today. City government is systematically renaming old streets as the houses disappear one by one. Erasing history has become a habit.

My role in this political campaign was to provide a balance, to represent a minority view, to report news that's "not fit to print," and to record local history. When I decided to begin writing about urban renewal four years ago, I told everybody that this issue would grow and eventually reach out and taint everyone and every issue. I cautioned people to stay away from this issue if they had anything to lose, like a job, reputation, business or property.

As for me, I had nothing to lose and everything to gain. I had 20 years writing experience before I took on this project. I hope it doesn't take that long to write down a full accounting of what went wrong in Charlottesville and why so many think that's a good thing. Hopefully I've inspired a few more people to take on the tough issues.

The story on election day and campaign timeline:

Eminent domain issue in Council race for #1 City in USA: Get out the vote!

http://www.cvilleindymedia.org/newswire.php?story_id=472

Election Results: <http://sbe.vipnet.org/may2004/detail540.htm>

Ward / Precinct

1 Recreation(A) Clark(B)

2 Carver(C) Walker(D)

3 Tonsler(E) Jefferson Park(F)

4 Venable(G) Alumni Hall(H)

Absentees(X) not broken down by precinct

Total registered voters (precinct)=total#

3478(A) 2160(B) 1785(C) 2690(D) 1530(E) 3352(F) 3210(G) 1661(H)=19866#

Total who voted (precinct)=total#

1126(A) 470(B) 493(C) 1087(D) 328(E) 889(F) 515(G) 271(H) 160(X)=5339#

(precinct)percent of who voted of total registered

(A)32% (B)22% (C)28% (D)40% (E)21% (F)27% (G)16% (H)16%

Total who voted (precinct)percent of total registered

1126(A)32% 470(B)22% 493(C)28% 1087(D)40% 328(E)21% 889(F)27% 515(G)16% 271(H)16%
160(X)3% =5339/19866=27%

Recreation(A) Clark(B) Carver(C) Walker(D) Tonsler(E) Jefferson Park(F) Venable(G) Alumni Hall(H)
Absentees(X)=(total for cadidate)/(total possible)=percent of voters, not votes (each voter had 3 votes)

HAMILTON 3465(total votes)

705(A)63% 302(B)64% 379(C)77% 633(D)58% 267(E)81% 639(F)61% 352(G)68% 185(H)68%

103(X)=3465/5339=65%

BROWN 3366

701(A)62% 283(B)60% 365(C)74% 649(D)60% 221(E)67% 510(F)57% 346(G)67% 186(H)69%

105(X)=3366/5339=63%

LYNCH 3183

619(A)55% 282(B)60% 343(C)70% 598(D)55% 228(E)70% 496(F)56% 340(G)66% 181(H)67%

96(X)=3183/5339=60%

REINICKE 1782

403(A)36% 167(B)36% 113(C)23% 419(D)39% 67(E)20% 331(F)37% 143(G)28% 86(H)32%

53(X)=1782/5339=33%

JACKSON 1557

319(A)28% 156(B)33% 110(C)22% 386(D)34% 83(E)25% 274(F)31% 143(G)28% 64(H)24%

40(X)=1557/5339=29%

WRITEINS 778 (Meredith Richards? breakdown not yet available)

217(A)19% 59(B)13% 50(C)10% 169(D)16% 17(E)5% 141(F)16% 50(G)10 40(H)15%
35(X)(22% of 160 writeins)=778/5339=15%
HIGH 717
170(A)15% 68(B)14% 36(C)7% 159(D)15% 19(E)6% 166(F)19% 53(G)10% 30(H)11%
16(X)=717/5339=13%

Recreation(A) Clark(B) Carver(C) Walker(D) Tonsler(E) Jefferson Park(F) Venable(G) Alumni Hall(H)
Absentees(X)

Template:

(A) (B) (C) (D) (E) (F) (G) (H) (X)

(A)% (B)% (C)% (D)% (E)% (F)% (G)% (H)% (X)

Detailed map of Charlottesville, wards and precincts
<http://www.geocities.com/healingcharlottesville/photos/69.jpg>

Charlottesville Independent Media, May 5, 2004

Writein results for Charlottesville: May 4 2004

by Blair Hawkins *Thursday, May 13 2004, 11:59pm*

healville@earthlink.net

[charlottesville](#) / [politics](#) : [neighborhoods](#) / [news report](#)

As of May 13, with absentee writeins not yet counted, Meredith Richards has won the writeins with 700 votes, coming in seventh in a 3-way race.

KEEP MCINTIRE GOLF CRS was the only issue written in (at this stage in the counting).

As of May 13, with absentee writeins not yet counted, Meredith Richards has won the writeins with 700 votes. The runner-up was John Bright with 5 writeins (ran as Republican 4 years ago), followed by Stratton Salidis with 3 votes (Independent candidate 2 and 4 years ago) and 3 for Bob Hodous (chairman of city Republican party).

KEEP MCINTIRE GOLF CRS was the only issue written in (at this stage in the counting).

Independent Vance High beat out Meredith Richards by only 17 with 717 votes. Breakdown of writeins per precinct is not available. These writein totals do not include the absentee writeins according the printout this reporter acquired today. The incomplete writein data cost \$4.50 (9 xerox pages at \$0.50 each).

Charlottesville Office of Registrar(no results yet posted for 2004):
<http://www.charlottesville.org/default.asp?pageid=57F47C3A-E65F-43CC-95AA-2F5F6873B570>

May 7 2002 results (excluding writeins):
http://www.sbe.state.va.us/web_docs/election/results/2002/may/detail540.htm#1
<http://www.charlottesville.org/content/files/021BC239-5984-497B-B71A-489CA1FA6295.pdf> and

May 4 2004 results: <http://sbe.vipnet.org/may2004/detail540.htm>

Civic study of representation in Charlottesville: task force needs members:
http://www.cvilleindymedia.org/newswire.php?story_id=498

Map of precincts: <http://www.cvilleindymedia.org/attachments/may2004/83.jpg>

Ward / Precinct

1 Recreation(A) Clark(B)
2 Carver(C) Walker(D)
3 Tonsler(E) Jefferson Park(F)
4 Venable(G) Alumni Hall(H)
Absentees(X) not broken down by precinct

--- May 4 2004 ---

Total registered voters (precinct)=total#

3478(A) 2160(B) 1785(C) 2690(D) 1530(E) 3352(F) 3210(G) 1661(H)=19866#

Total who voted (precinct)=total#

1126(A) 470(B) 493(C) 1087(D) 328(E) 889(F) 515(G) 271(H) 160(X)=5339#

(precinct)percent of who voted of total registered in the precinct

(A)32% (B)22% (C)28% (D)40% (E)21% (F)27% (G)16% (H)16% =5339/19866=27%

Total who voted (precinct)percent of total registered in the precinct

1126(A)32% 470(B)22% 493(C)28% 1087(D)40% 328(E)21% 889(F)27% 515(G)16% 271(H)16% 160(X)3%
=5339/19866=27%

Recreation(A) Clark(B) Carver(C) Walker(D) Tonsler(E) Jefferson Park(F) Venable(G) Alumni Hall(H)
Absentees(X)

HAMILTON 3465

705(A)63% 302(B)64% 379(C)77% 633(D)58% 267(E)81% 639(F)61% 352(G)68% 185(H)68%
103(X)=3465/5339=65% 3465/19866=17%

BROWN 3366

701(A)62% 283(B)60% 365(C)74% 649(D)60% 221(E)67% 510(F)57% 346(G)67% 186(H)69%
105(X)=3366/5339=63% 3366/19866=17%

LYNCH 3183

619(A)55% 282(B)60% 343(C)70% 598(D)55% 228(E)70% 496(F)56% 340(G)66% 181(H)67%
96(X)=3183/5339=60% 3183/19866=16%

REINICKE 1782

403(A)36% 167(B)36% 113(C)23% 419(D)39% 67(E)20% 331(F)37% 143(G)28% 86(H)32%
53(X)=1782/5339=33% 1782/19866=9%

JACKSON 1557

319(A)28% 156(B)33% 110(C)22% 386(D)34% 83(E)25% 274(F)31% 143(G)28% 64(H)24%
40(X)=1557/5339=29% 1557/19866=8%

WRITEINS 778 (Meredith Richards? breakdown not yet available)

217(A)19% 59(B)13% 50(C)10% 169(D)16% 17(E)5% 141(F)16% 50(G)10 40(H)15%
35(X)(22% of 160 writeins)=778/5339=15% 778/19866=4%

HIGH 717

170(A)15% 68(B)14% 36(C)7% 159(D)15% 19(E)6% 166(F)19% 53(G)10% 30(H)11%
16(X)=717/5339=13% 717/19866=4%

Recreation(A) Clark(B) Carver(C) Walker(D) Tonsler(E) Jefferson Park(F) Venable(G) Alumni Hall(H)
Absentees(X)

--- May 7 2002 ---

Total registered voters(precinct)

3493(A) 2108(B) 1717(C) 2668(D) 1449(E) 3413(F) 3155(G) 1818(H)=19821#

Total who voted(precinct)

978(A) 335(B) 335(C) 1010(D) 208(E) 730(F) 457(G) 233(H) 89(X)=4375#

Voter turnout(precinct)

(A)28% (B)16% (C)20% (D)38% (E)14% (F)21% (G)14% (H)13% =4375/19821=22%

(candidate) (total votes) (percent of total who voted) (percent of total registered)

CARAVATI 2528 58% 13%

539(A) 171(B) 227(C) 558(D) 147(E) 403(F) 291(G) 138(H) 54(X)

SCHILLING 2169 50% 11%

495(A) 170(B) 125(C) 560(D) 70(E) 373(F) 231(G) 107(H) 38(X)

SEARLS 2085 48% 11%

450(A) 156(B) 206(C) 428(D) 126(E) 345(F) 209(G) 120(H) 45(X)

SALIDIS 614 14% 3%

169(A) 90(B) 29(C) 105(D) 22(E) 117(F) 33(G) 40(H) 9(X)

Recreation(A) Clark(B) Carver(C) Walker(D) Tonsler(E) Jefferson Park(F) Venable(G) Alumni Hall(H)
Absentees(X)

Total registered voters(precinct)

--- May 7 2002 ---

3493(A) 2108(B) 1717(C) 2668(D) 1449(E) 3413(F) 3155(G) 1818(H)=19821#

3478(A) 2160(B) 1785(C) 2690(D) 1530(E) 3352(F) 3210(G) 1661(H)=19866#

--- May 4 2004 ---

Total who voted (precinct)=total#

--- May 7 2002 ---

1126(A) 470(B) 493(C) 1087(D) 328(E) 889(F) 515(G) 271(H) 160(X)=5339#

978(A) 335(B) 335(C) 1010(D) 208(E) 730(F) 457(G) 233(H) 89(X)=4375#

--- May 4 2004 ---

(precinct)percent of who voted of total registered in the precinct

--- May 7 2002 ---

(A)28% (B)16% (C)20% (D)38% (E)14% (F)21% (G)14% (H)13% =4375/19821=22%

(A)32% (B)22% (C)28% (D)40% (E)21% (F)27% (G)16% (H)16% =5339/19866=27%

--- May 4 2004 ---

Charlottesville Independent Media, May 13, 2004.

An American Candidate: Only dreamers run for public office

The essay is a collection of advice for the American Candidates, drawing on the experience of a native of Charlottesville, who ran for local office twice on the power of the message alone.

Showtime will tape a candidates' debate on June 20 in Old Cabell Hall at 1:00pm, at UVa at the opposite end of the lawn from the Rotunda. The event is free and open to the public.

On June 21, the day is being separated into two segments. The first is comprised of 3 issue-based forums, lasting about 45 minutes. The second part of the day on June 21 will be geared toward enabling the candidates to meet as many groups/individuals as possible.

That's me. I ran as a certified write-in for Charlottesville City Council in 2000. I didn't expect to win. I tried to get the Republican nomination last year to oppose the Democratic incumbent for House of Delegates, a former Charlottesville mayor, who won reelection unopposed. I didn't even expect to get the nomination. So why would I waste my time? I saw it as an opportunity to improve my skills and get a better job some day, to write a book or two recording the history, and of course to make the world a better place. These failed attempts to be elected will always be listed on my resume as proud accomplishments. At the least, they show initiative.

Since I was poor and unknown, what chance did I have? So, I had to run a campaign of ideas because all I had was a public education. My big issue in the first campaign was revenue sharing. Is it taxation without representation, county tax dollars being spent in a legislature where the taxpayers have no representative? Of course, I sounded like an oddball. How could a city candidate oppose free money from a jurisdiction to which it doesn't have to provide services? The county gives 10 percent of its property revenues to the city for the service of not being annexed. The main counter-argument is that the tax

money is being spent in the proper legislature: the board of supervisors funds many entities, the city being just one.

But, my vision was negative. I didn't propose a new spending program that government would provide for you. Instead, I tried to articulate what the government should stop doing to you. My platform is conservative because I propose turning back the clock to a time before the negative effects of a program by downsizing or eliminating the program. Of course, I want to reduce the negative impacts of programs that began in the past. I do not want to bring back bad programs.

By the end of that first campaign, I realized that revenue sharing wasn't the top issue. The biggest local controversy of all time is urban renewal, better known today as eminent domain abuse. In this case, there is no strong counter-argument. Opposition to urban renewal is the most powerful message a candidate could ever hope to have: due process requirement to transfer your property to someone else. Real estate issues are a basic concern of the typical voter. Any candidate can run on the promise to restore rule of law if the law is not being followed. By declaring eminent domain to justify the many land transfers throughout the country for half a century, we are a nation of anarchy.

So, three weekends ago when Hilary Clinton said on a Sunday talk show that "we are the greatest nation in the world because we have rule of law and due process," I burst out laughing. Rule of law is exactly what we do not have. As with revenue sharing, many people seem not to know the ideals they proclaim. For your records, free enterprise = due process + eminent domain, expressed as law in the Fifth Amendment. Also, laws do not apply the same to people and governments. People can do anything except what the law forbids. Government can do only what the law allows. Charging you with a crime and taking you to court is the legal way government can transfer your land to your neighbor.

You may disagree that due process is the core American ideal and argue that blight is a crime. The more appropriate question seems whether eminent domain allows what due process prohibits. Where is James Madison when you need him? He might say that freedom of speech and press are more fundamental. If due process is abused, exposing its truth will eventually correct the injustice. But he and Thomas Jefferson were well aware of slavery, denial of due process to blacks, their labor and possessions routinely taken without a trial. In fact, everybody knew about it. And people wrote about it and spoke out. Yet the injustice grew.

But a political candidate can't have positions on everything. I had to choose what issues to focus on. I decided to write about urban renewal because there was no competition. Four years ago, people were complaining about it and saying it was bad but nobody was talking about it. Not one detail or anecdote or story. The myth of urban renewal. If something happens and nobody knows about it, did it really happen? If it happened and nobody wrote it down, is it part of history? I can safely claim credit for passing a true story onto the next generation. I tried to write on basic issues in order to trivialize the competition, and so the writing could speak to everyone, the largest possible market.

When I began public life (once you run for public office you can say that), I had a philosophy of how my activism would unfold. Somebody will get mad no matter what you say. So get to the point and tell it like it is. First rule of a newspaper is have something to say. No matter what you write, there will be mistakes. Be ready to make corrections or update the information in a followup story.

Act like you've already been elected. Don't try to do everything or attend every meeting. Whatever you do is the history of your participation. Stay focused. Connect to as many other issues as possible. Build relationships by pointing out what different constituents have in common. Think before you speak. Always have tokens to give away: business card, pamphlet, brochure. Don't save them for important people. Offer them to the next person you see. Define the labels. For example, if you are a liberal, that's what a liberal is like. And it's okay for someone else to have the last say.

All speech is rhetoric. Meaning is another word for feeling. The meaning of this article is how you feel about it. All politics is emotion. The rational mind contains the logic. But the emotional mind is stronger. So people can support a program they know is bad. The thinking mind can do math. The feeling mind can only equate things. So in politics, you get credit or blame for everything if you happen to hold office at the

same time. Also in politics, whatever came before caused whatever came next. So I can take some credit for any changes that I propose whenever those changes occur. I can say I helped build the foundation of thought that led to real change.

I guess what I'm trying to say is you can change people's minds. But you can't change their hearts. That's beyond your ability. The truth will not set you free. The truth is you are free. Truth is of little value without meaning, an emotion that motivates action.

So I chose a philosophy that allowed the greatest creative freedom given my busy schedule. Pay attention to current events, give speeches at city council meetings related to my issues, watch council meetings, write letters to editors, do research, create a press to get out the message, call local radio talk shows, create a website, keep a journal, speak with historical perspective to add meaning. Be open, honest, and inclusive. You can present opposing views without supporting them.

There were many themes. Such as, healing the wounds of urban renewal just by talking about it. Time machine to take you the past, today and tomorrow. It shouldn't cost money to participate in politics. You can win with a more powerful message, or at least build support. Truth has more power than falsehood. A half-truth is a lie. If someone speaks a truth you don't like (coincides with a bad feeling), be aware of the emotion but don't react. Just feel the emotion until it passes. Let the statement stand.

In a more pragmatic note, networking in political circles can lead to wealth creation. You can create intellectual property someone might want to buy, you can write a book. When you treat others as you would like to be treated, the world is a better place instantly and forever. If not for the obstacles, you would have never made it this far. Seize the opportunity even if it's not the one you were expecting. Stand on the shoulders of giants. As you can see, I defined success so I couldn't fail. Any participation is better than doing nothing.

Anyone can have an idea. Philosophers have ideas. But dreamers take action to make those ideas come true. My dream was to run for office, not to be elected. My hat goes off to the politicians. It's not as easy as it looks.

Was it worth it? What is the meaning of this dream? Do I feel the way I hoped I would feel? Yes. I am proud and want to share the experience. I have learned quite a bit and want to share it with others. A dreamer doesn't just talk about his dream. An open mind can feel the meaning of the dream just by listening to the dreamer. It's magic. That feeling is how you motivate your supporters to vote for you.

I'm running out of steam on this essay. May the candidate with the most powerful message win! And by the way, I got a letter from the mayor thanking me for applying for the council election task force. The only thing I have weightier than that is my officer's commission signed by Ronald Reagan. Once again, I wasn't expecting to win. The mayor's letter was thanking me for participating in the process in a tangible way.

Good luck to the candidates.

<http://www.americancandidate.com>

<http://www.CenterforPolitics.org>

".....The theme of the Charlottesville episode is social issues, so the events will focus on that aspect of politics. The debate on June 20 will take place in Old Cabell Hall at 1:00pm. The event is free and open to the public--advance tickets will not be distributed. I think they would encourage members of groups or organizations to sit together and cheer on the candidates or issues that they identify with during the debate. The format itself has not been completely finalized, but it is possible that some of the debate questions will come from members of the audience.

On June 21, the day is being separated into two segments. The first is comprised of 3 issue-based forums, lasting about 45 minutes. Each forum is mandatory of 2 or 3 or the remaining candidates (to be selected by the producers), and the topics are Abortion, Gay Rights, and Affirmative Action. These forums

are also open to the public/groups, but we are also taking steps to make sure a broad range of views are represented, and thus an informative dialogue takes place. Time and location information will follow as it is finalized.

The second part of the day on June 21 will be geared toward enabling the candidates to meet as many groups/individuals as possible. Not only to gain "votes," but to develop their issue positions and find out how real citizens are affected by the issues. To this end, we are encouraging groups to put together their own gatherings for the candidates to attend. While we can't guarantee that candidates will attend, they are in a position where they need to accumulate as much support as possible to avoid being "eliminated" from the show, and therefore they will be doing their best to meet as many people as possible on Monday. Since the show is not live, the voting will be done exclusively by individuals in the local area. An alternative to putting together an event, would be to offer the candidates an opportunity to stop by a local office or party headquarters during a window of time, where they could meet and talk to a few folks--maybe a couple of hours in the middle of the afternoon. Also important to note is that voting ends at 4pm on June 21...."

Matthew Smyth
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Fax: (434) 243-8467
<http://www.CenterforPolitics.org>

Charlottesville Independent Media, June 15, 2004.

Gay rights rally at old Lane High School

An estimated 300 people turned out at the rally in Charlottesville to protest the Marriage Affirmation Act passed by the General Assembly, which goes into effect tomorrow, July 1. (10 photos)



Albemarle County Office Building since the '70s, Lane High in 1940

An estimated 300 people turned out at the rally in Charlottesville to protest the Marriage Affirmation Act passed by the General Assembly, which goes into effect tomorrow, July 1.

The only real news from the event is that Al Weed compared the Republican majority in the General Assembly to the Taliban government of Afghanistan, deposed after the 9/11 attack. He said the legislative majority represents a small group of extremists, the religious right. For that reason, we should hold our noses and vote Democrat to send a message for change, he said.

The other news is that Meredith Richards, in her final day as a city councilwoman, said that equal rights for same gender couples, from now on for her, is a "litmus test." She pointed out that some Democrats voted for the new law restricting rights for same sex couples. Formerly, her political litmus test was women's rights.

Not much news. So enjoy the photos.

"Stand Up for Equality Rally" press release
http://www.cvilleindymedia.org/newswire.php?story_id=636

Al Weed's campaign website
<http://alweed2004.com/>



Al Weed



Meredith Richards



"Love Conquers All"



Stratton Salidis



Petition signing



The next generation



The masses



Blair Hawkins and Edward Strickler



"Virginia is not for lovers!"

Charlottesville Independent Media, June 30, 2004.

Interest in mayor system ignored: Schedule of 8 public forums

...If the purpose or effect of adopting an at-large system is to consolidate political power in the hands of a few people who live in a few neighborhoods, then switching back to ward representation would be the right and democratic thing to do...

"Interest in mayor system ignored," August 30 2004, The Daily Progress <http://www.dailyprogress.com>

Letters, The Daily Progress, P.O.Box 9030, Charlottesville, Va. 22906

Dear Editor

I would like to provide balance for The Daily Progress editorial ("City system not broken," Aug 19 2004) defending the current appointed city-manager, one-council system with 5 councilors elected at-large, modeled after corporate governing boards, which in 1922 replaced the old system of a directly elected

mayor, Common Council and Board of Aldermen each with 6 members, modeled after the state and federal systems.

The rhetorical device of the editorial is to exclude all counter-arguments and then declare that "there is no clamor in Charlottesville for a strong-mayor system of government."

The Democrats supported a directly-elected mayor in their campaigns 4 years ago. On March 22 of this year, Democrat Meredith Richards and Republican Rob Schilling gave a presentation on ward-mayor systems at Tonsler Park. That sounds like bipartisan support. The Progress did not cover the forum.

At that forum, moderator Corey Walker said that many cities adopted at-large systems in the early 1900s as a way for the elite to maintain political power. Because of immigration, neighborhoods would become ethnic enclaves. If a neighborhood is a ward, well, that means a minority sitting at the decision-making table.

If the purpose or effect of adopting an at-large system is to consolidate political power in the hands of a few people who live in a few neighborhoods, then switching back to ward representation would be the right and democratic thing to do. The Progress did not print this spring's election results by precincts, departing from its journalistic tradition.

If there's no demand for an elected mayor, why is a task force studying that possibility? Why did three elected officials vote the task force into existence and appoint its members if it's a "yawningly academic waste of time?" How can the Daily Progress dismiss so many people and so much information?

The task force will hold a public forum on these issues in the coming weeks in each of the 8 precincts beginning with Carver in ward 2 at 7pm Thursday September 9 at 327 W Main St. #101, hosted by the Quality Community Council.

Blair Hawkins
Charlottesville

At the April 5 Council meeting, the task force was approved with councilors Maurice Cox, Meredith Richards, and Rob Schilling for; Blake Caravati against; Kevin Lynch abstaining.

Public talks about ward system but not sure it's the fix (Mar 23):
http://www.cvilleindymedia.org/newswire.php?story_id=282

Charlottesville voters approve "Commission" form of government in 1920 (Apr 1):
http://www.cvilleindymedia.org/newswire.php?story_id=330

Excerpts of the debate in The Daily Progress Nov-Dec 1920 and Jan-Feb 1922.



Charlottesville voting precincts

*** SCHEDULE OF PUBLIC HEARINGS ***

Thursday, Sept. 9—QCC, Carver Precinct, 7 p.m. 327 W. Main Street, #101

Monday, Sept. 13—Downtown Rec. Cntr., Recreation Precinct, 7 p.m. 800 E. Market Street

Wednesday, Sept. 15—Venable School, Venable Precinct, 7 p.m. 406 14th Street, NW

Thursday, Sept. 16—Clark School, Clark Precinct, 7 p.m. 1000 Belmont Avenue

Tuesday, Sept. 21—Walker School, Walker Precinct, 7 p.m. 1564 Dairy Road

Thursday, Sept. 23—Johnson School, JPA Precinct, 7 p.m. 1645 Cherry Avenue

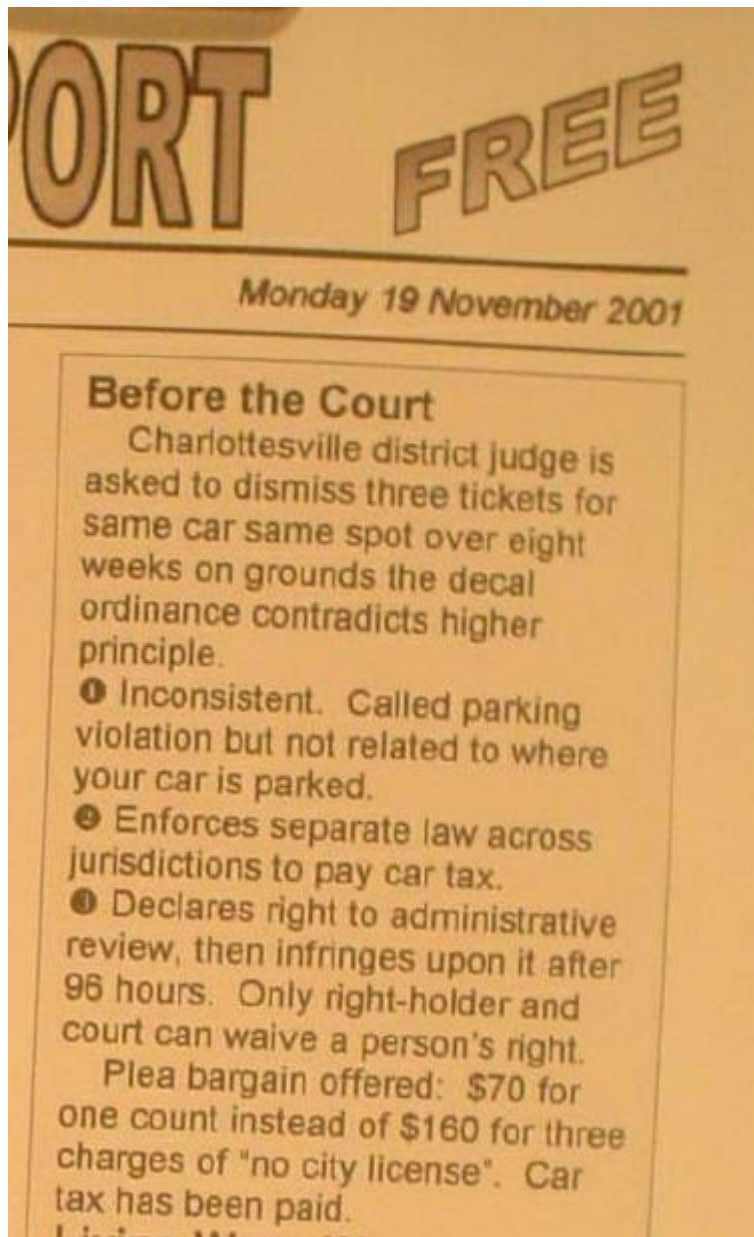
Monday, Sept. 27—Wesley Foundation, Alumni Precinct, 7 p.m. 1908 Lewis Mountain Road

Saturday, Oct. 2—Tonsler Rec. Center, Tonsler Precinct, 10 a.m. 435 Cherry Avenue

Charlottesville Independent Media, September 1, 2004.

Charlottesville tickets Va. Beach cars: A hundred reasons to do nothing

So we're looking for some direction from you. As you can see various city officials have received correspondence from Va. Beach's commissioner of revenue, and our office has received correspondence from the city attorney's office in Va. Beach. And Senator Creigh Deeds has also weighed in on the issue and asked if the city of Charlottesville will help work this out with Va. Beach. And he would like to know what is your pleasure.



"Before the Court" Nov 19 2001.

BACKGROUND

I focus on this story because the car tax and its enforcement process have caused so much headache that former governor Gilmore rose to that office on the platform to phase out the car tax state-wide. The phase-out is stuck at 70 percent; you pay 30 percent now.

This issue was well-publicized in 2001 when Greene county supervisors voted unanimously twice that then sheriff William Morris should enforce the car tax decal ordinance by issuing citations. A judge ruled that it was a matter for the public since the sheriff is elected county-wide as a check and balance on the county legislature. After the enforcement process was halted, both personal property tax revenue and compliance with the decal ordinance increased. Apparently, people were not paying as a political protest against the collection method.

The car tax issue in Charlottesville that same year went unnoticed in the mainstream press. The fine for not displaying a proper decal more than tripled on July 1 2001 and was documented in The Witness Report alternative.

("Parking Ticket or Tax Notice?": <http://www.geocities.com/healingcharlottesville/archives/TWR1p5.jpg>
<http://www.geocities.com/healingcharlottesville/archives/TWR1p6.jpg>
<http://www.geocities.com/healingcharlottesville/archives/TWR1p7.jpg>
"Civil Disobedience," Oct 11 2001: <http://www.geocities.com/healingcharlottesville/archives/TWR2p2.jpg>
"Before the Court," Nov 19 2001: <http://www.geocities.com/healingcharlottesville/archives/TWR3p1.jpg>
"Sheriff Vindicated," Dec 20 2001: <http://www.geocities.com/healingcharlottesville/archives/TWR4p2.jpg>
All 19 pages: http://www.geocities.com/healingcharlottesville/archives/twr_gal.html)

I believe that Charlottesville's car tax decal ordinance has been struck down by a circuit judge. In the story "Before the Court," I wrote the letter to the court. Subsequently, I have registered 2 vehicles in the city. The 3 tickets totalling \$160 have been expunged from my record. I did not hear back from the court and was hoping the tickets would just go away; as they have.

Tuesday Sep 7 2004 - Charlottesville City Council broadcast live on Adelphia Cable channel 10 and not rebroadcast at any other time.

REPORT ON DECAL LICENSE CHANGES

This agenda item was off to a bad start when city staff spokeswoman Ms. Kelly had to be called in from the hallway when the mayor called for the report.

KELLY: "You have before you some information about a request that was received from the city of Virginia Beach asking us to stop ticketing their citizens' vehicles for failure to display a local license decal.

What has happened is that Va. Beach has stopped issuing their own local decal in favor of entering into an agreement with the Department of Motor Vehicles for the state to collect taxes, their local taxes for them, at the time when the vehicle registration is renewed every year.

This state program was set up in 1992. So far only Va. Beach has chosen to participate in the program. And we aren't able to get very good information about whether or not that participation has either saved Va. Beach any money or has resulted in a loss of revenue for Va. Beach. What we can tell you is that at this point the Department of Motor Vehicles is not accepting additional localities into the program.

And there's only one other locality that we're aware of, York County, that is also not issuing their own local decal license. However they're not participating in the state program. They've just chosen not to issue local decals within their community..."

Apparently, some Va. Beach residents are being ticketed in Charlottesville for not displaying a local decal. So they complained to their local officials who have now complained to Charlottesville officials. Right now, if you get a ticket, you call the Charlottesville's treasurer's office and mail in proof that your car is registered in Va. Beach. But Va. Beach residents don't want to get the ticket in the first place.

KELLY: "The options you have before you are 3 right now:

1- Do what Va. Beach is asking and cease enforcement of the decal requirement. This would protect Va.

Beach residents. But the problem is that it would bring our own enforcement to a halt because our officers who are out doing parking enforcement don't have the computer hand-held mobile units that would allow them to do sort-of an instant check to figure out where a car is registered.

2- The second option is to come up with a program where we would sell to people in Va. Beach or York County a local decal, whether it was one of our own city decals, which is what Albemarle County apparently does, or some other kind of decal or card that they could affix to their car so that the parking enforcement officers would be able to tell if they are a properly registered car in Va. Beach. They just don't have a decal.

The downside of doing that is that it's a fair amount of time and effort to be spent by the city treasurer's office. Jennifer Brown is willing to do that. In the long run, having that type of permit may actually save her and her employees some work because they're spending a lot of time now resolving complaints brought by the Va. Beach citizens.

The upside of that is that may help some Va. Beach citizens avoid, the people who, particularly the people who visit here more frequently to avoid further tickets. The problem is it won't take care of everyone because there may be an occasional visitor from Va. Beach who doesn't know the permit is available or unwilling to pay for one for a one-time visit.

3- And the third option is simply to continue the status quo, to say to Va. Beach residents who may receive the occasional ticket, just put your proof of residency and a your vehicle registration in the mail and the ticket will be dismissed, no fees, no penalties.

So we're looking for some direction from you. As you can see various city officials have received correspondence from Va. Beach's commissioner of revenue, and our office has received correspondence from the city attorney's office in Va. Beach. And Senator Creigh Deeds has also weighed in on the issue and asked if the city of Charlottesville will help work this out with Va. Beach. And he would like to know what is your pleasure."

Councilor Kevin LYNCH: What would it take to have the 4 or 5 parking enforcement officers acquire the mobile equipment to enable instant wireless vehicle checks? It seems like we would already have the ability to get that information quickly.

KELLY: "I'm sure it's a matter of money" but not sure how much. But there's also the software that goes with it, the programming, access to the database. "I'm sure it's not as monumental a task as some." But money is the issue.

Councilor Rob SCHILLING: How many tickets are we talking about here? How many cars without decals? How many from Va. Beach?

KELLY: (doesn't know)

Police Chief Tim LONGO: "I don't know the answer to that question but my guess would be it's not a significant number. I will tell you that when they're issued, we certainly hear about them very loudly and very clearly from Va. beach residents. But with respect to the computer issue, we are moving in the direction of implementing mobile data in vehicles. We're probably 2 years out with the implementation of the 800-megahertz radio system...right now that verification has to be done through voice radio. It's a tremendous amount of radio traffic. And to do that over the radio would compromise safety."

SCHILLING: How about issuing cell phones to the parking patrol so they can call in a license number?

LONGO: We make cell phones available to our officers but unfortunately that call would go to our emergency communications center. "Because of the volume of vehicles that are checked and ticketed on a daily basis city-wide that would create a tremendous amount of traffic on the emergency communications center and their operators."

SCHILLING: Is there a way to make a call to a non-emergency number? I'm looking for a low-tech solution because I don't like any of the ones proposed so far. Can we set up a separate line?

LONGO: "Well, it wouldn't necessarily be a rare occurrence because it would require every ticket we issue for the, whether there's no decal, for the traffic control officer, parking control officer to run that tag. It could create a significant amount of phone traffic that would be a staffing issue for emergency communications center. And I could not make that decision unilaterally. We could pursue talking with Mr. Hanson and his staff" and come up with something.

SCHILLING: I would appreciate it.

Councilor Kendra HAMILTON: There was a reference to repeat offenders. Are people getting tickets over and over again? University students?

KELLY: I believe there are. Some students and visiting parents from Va. Beach, football games and other events account for repeat visits.

Mayor David BROWN: Would it be helpful when we issued a ticket, we could provide information on how a citizen could deal with this, perhaps a flyer attached to the ticket. printed on the envelope or something to mitigate this process and avoid creating new work for anybody.

LONGO: "It would not likely be practical, Mr. Mayor, because the ticket is generated by a hand-held device that's electronically generated. I suspect that adding any language on those citations, as you suggest, would come with a significant price tag."

SCHILLING: Could we have some kind of a sticker to notify police that the car is registered in Va. Beach?

LONGO: If a significant number of these vehicles are university related, then the university is in a position to issue some kind of decal during orientation. Such a decal would be less problematic for the police, more problematic for property owners, but less problematic for the city treasurer.

HAMILTON: "That's an excellent suggestion... I get traffic tickets all over the place. I either pay them or challenge them. Then if it's too much trouble to challenge them, I pay them. So I question shifting the burden to city staff or our officers...I think the burden needs to be on the people incurring the violation."

BROWN: Do you think that continuing with status quo may result in a legal challenge and create even more than we were anticipating?

KELLY: "I'm not sure there is an option that may not result in that problem." One challenge could be whether police have the authority to pull you over for not displaying the decal. Another problem is Va. Beach residents may not want to pay for the decal when they don't have to pay in Va. Beach. "If we continue the status quo, the Va. Beach city attorney and commissioner of revenue have indicated that they think we are behaving unlawfully...I'm not sure there is an option that won't result in a challenge. So we should do what's best for us."

HAMILTON: How flexible are the Va. Beach officials in helping us work this out? What is their attitude?

KELLY: So far they insist we stop issuing the tickets.

LYNCH: Charlottesville can't be the only place where Va. Beach residents visit. Have you spoken to other communities, like Blacksburg with a large student population?

KELLY: Charlottesville has an "ordinance that prohibits you from operating a vehicle on a city street without the required decal and also an ordinance that prohibits the parking of a vehicle on city streets without a decal. Some localities just have one or the other." "I suspect a substantial number of our violations are being generated by the parking issue and not the operating or moving issue."

BROWN: If the city treasurer can create a new decal or permitting system and the university could educate their people, we could work something out.

KELLY: Va. Beach wants to know from us which direction city council is headed.

HAMILTON: Can the treasurer simply issue a decal or one at reduced rate to a Va. Beach visitor?

KELLY: Two problems with that: the decal indicates where your car is garaged and has to match up with state registration if the state license plate is run. If we issue a city decal to someone, our computer system will automatically generate a personal property tax assessment for that vehicle, then we have to go into the software and cancel it out. So there is some expense.

LYNCH: Can we get more information on how many tickets we're talking about. Dozens a month, hundreds a month?

KELLY: Still doesn't know. Will find out, sense that it's less than a dozen a month.

LYNCH: Maybe we should stick with status quo for 2 years until we get the hand-held ability to run a vehicle check.

City manager Gary O'CONNELL: "It's beyond hand-held. It's every police officer having access. And you've got the traffic people that are doing it, then the police officers that are doing it. So you're into hundreds of thousands of dollars...So a low-tech solution is the way to go." Let's give notice to the university before we create a special decal.

LYNCH: But only the traffic cops are doing the parked cars, right? The regular police run the license anyway in a traffic stop.

LONGO: It's a little more complicated than that. You're talking about infrastructure and thousands of man-hours.

BROWN: Brought the discussion to a close.

SCHILLING: I want to stick with the status quo and look for mitigating low-tech work-arounds. "We're using a sledge hammer to kill a fly here", he said of the proposals so far.

HAMILTON: Can we say to Va. Beach, in about 2 years, this will not be an issue? Will they work with us?

KELLY: "My guess is yes." If we go with option 2, that takes care of repeat offenses but you have more expense but a permit fee may be able to cover that. We're thinking it would cost the same to issue a separate decal as it does for the usual one, about \$25 per decal.

... a few more requests from the councilors and city attorney for more specifics and numbers. Council took no action, indicating that status quo is preferable to alternatives of actually having to do something. Councilor Blake Caravati was absent on a junket to France.

Charlottesville Independent Media, September 8, 2004.

Charlottesville Council resolves support of gay civil rights: Dice urban renewal vote postponed

The Dice project has every element of urban renewal for which Charlottesville is infamous. A private developer partnering with the government to purchase, improve at taxpayer expense, then resell private property to a different owner for a profit. Tax value of the property is promised to increase dramatically. Monday evening, City Council passed by 4-1 a resolution expressing the body's desire that the General Assembly, in its next session, repeal House Bill 751, the Marriage Affirmation Act, which became law on

July 1 and can be interpreted to nullify civil contracts between same gender couples who are not related by blood or "marriage." (Gay Rights Rally at Old Lane High School [Jun 30]: http://cvilleindymedia.org/newswire.php?story_id=638)

The chamber was near full and enthusiastic but dwindled by the time the resolution came to a vote. The public comment at the beginning of the meeting, with a few notable exceptions, spoke to the proposed resolution.

- Then followed the pre-kickoff of the city budget battle which officially kicks off in March and takes effect July 1. Council delayed adoption of the long-term budget guidelines.

- The Downtown Recreation Center, built as a National Guard Armory in the 1930s, was renamed after Herman Key.

- Council exempted proposed Linden Town Lofts on Linden Avenue from the zoning ordinance by allowing 26 townhouses on one acre instead of 21 allowed by zoning. The developer promised that 5 of the condominiums would be "affordable."

- Council resolved to support 8 of 9 bullet point recommendations, setting the "housing strategy" aside for later. One part of the strategy is to make the housing task force permanent. Councilor Kendra Hamilton wondered if the wording of number 6 could be changed "so that it doesn't sound like the city is proposing to get in the business of competing with the private sector to redevelop property." The irony here is that, by funding Piedmont Housing Alliance, a private developer with non-profit status, the city has created an unfair environment for competition and is, and has been for a long time, in the business of redeveloping property. The next agenda item illustrates the point, followed immediately by the gay rights resolution.

RESOLUTION AUTHORIZING FUNDING FOR DICE STREET HOME IMPROVEMENT

Jim TOLBERT, Neighborhood Development Services Director:

"Several months ago, actually earlier this year, Mr. Huja, I believe, came to the Council and talked about a project that would partner with PHA to do some improvements in the Dice Street area and in transition, that's been working through a few issues but it's ready to come back before you now."

There is a proposal that would purchase 4 structures and 2 vacant lots in the 400 block of Dice Street. 2 structures would be demolished and 2 rehabilitated. There would be a new apartment in a basement, 3 new units for a total of 6 housing units when completed. This project would be similar to partnerships for revitalization on Hinton Avenue and Starr Hill.

"The proposal is that the city would invest \$148,250. The PHA would directly invest \$215,000 plus additional loans and grants for \$471,000 for the acquisition, demolition, rehab and new construction and there would also be 350 linear feet of new sidewalks built on the west side of 4th Street which is an area that's had drainage problems affecting these properties for a while. PHA has agreed that these would be provided for home ownership, and that their estimate is that a family earning \$32,982 a year, which is 57 percent of the metropolitan median income, would be able to afford these that would have a net mortgage of \$128,000 and a gross sales price of \$185,000."

"These have a current assessed value of \$143,000 and it's projected that would increase to \$875,000 when this project is complete. Again it would leverage 148,250 of city dollars with \$686,000 coming from various sources that PHA has under its control and provide 6 affordable units. I would also add, excuse me, that PHA has agreed that these would, when the deeds are done, these would go into a capital gains sharing formula and that the monies, if they were resold, would go back into the housing trust fund for the city of Charlottesville."

Councilor Kevin LYNCH: Is anyone from PHA here?

TOLBERT: Stu Armstrong was here but had to leave.

LYNCH: You've called this the Dice Street Home Improvement, but 3 houses are on 4th St. and 1 on 5th St.

TOLBERT: It's part of the Dice Street neighborhood.

LYNCH: I thought it was the Fifeville neighborhood.

TOLBERT: The neighborhood and police department call it that.

LYNCH: Can you give us an update on the Piedmont Housing Alliance progress on 10th St and 9th/10th? I'm concerned we're getting too far ahead.

TOLBERT: I don't have the numbers. Anderson St. is almost finished and other spot houses. Problem with replanning the property at 10th and Page intersection. They are resolved and moving forward.

LYNCH: In total there were 26 or 28 houses. Anderson is 4 houses.

TOLBERT: At least half the houses are built and occupied, "probably closer to two thirds."

City manager Gary O'CONNELL: We'll get a status report.

Mayor David BROWN: Any other questions?

Councilor Kendra HAMILTON: What is the status of the houses you plan to demolish?

TOLBERT: Under condemnation or in and out of citations, continual problems. Much cheaper to rebuild than rehab.

Councilor Rob SCHILLING: Disturbed that property sale prices are so far above fair market assessed value. For example, one property assessed at \$3,800 is to be purchased at \$25,000, 670% over the assessed. Cumulative under-assessment of \$112,000. Why is there such a discrepancy in one? Why are we paying so much more than assessed? For that reason I cannot support this.

LYNCH: Good point about under-assessment of some properties.

HAMILTON: Some neighborhoods have consistent under-assessments, some properties selling for triple the assessed value.

LYNCH: Wants PHA to explain progress on 10th St. before approving this. I'm concerned because they demolished a number of houses on 10th St. that have not been replaced as promised.

TOLBERT: Mr. Armstrong would have that information.

Councilor Blake CARAVATI: I find it ironic that some councilors are complaining about under-assessments related to real estate taxes. Three concerns: the houses not be sold to a family earning more than 57.6% of Charlottesville median income, 3-year deadline, and would like to see the "profit recovery mechanism in writing" since we are about to codify the contract.

BROWN: We need a mechanism to prevent affordable housing from becoming market housing. Perhaps we should postpone this decision.

CARAVATI: I withdraw the motion.

LYNCH: Motion to postpone for 2 weeks.

The Council voted unanimously to postpone the funding of this subsidy.

RESOLUTION OPPOSING HOUSE BILL 751

The Council discussion and vote on this controversy was anti-climactic. Caravati introduced the resolution and read it. A couple paragraphs were removed. Hamilton expressed her support. Schilling said the topic was beyond the business of Council. The proclamation passed with only Schilling voting no.

ANALYSIS:

Perhaps not since 1775 has the irony been so great. That's when Patrick Henry gave his "Give me liberty or give me death" speech to the Virginia House of Burgesses. Not only did the speech claim that the colonies were already in a state of war with Great Britain, but also that, by restricting citizenship rights, Britain desired to enslave the colonists. Patrick Henry himself was a slave owner.

At Monday's Council meeting, the audience seemed unconcerned that property rights were being trampled before their eyes. It may have been a different story if the Dice neighborhood property owners were gay.

The Dice project has every element of urban renewal for which Charlottesville is infamous. A private developer partnering with the government to purchase, improve at taxpayer expense, then resell private property to a different owner for a profit. Tax value of the property is promised to increase dramatically. The desire by one councilor that the purchase price be limited to fair market assessed value brings in the issue of eminent domain, otherwise someone would have pointed out that these higher prices are simply the prices set by the owners. To pay less than what they are asking, you have to invoke eminent domain.

Through its partnership with the city, is the Piedmont Housing Alliance asking Council to take this land and give it and taxpayer money to the PHA in the hope that assessments sky rocket? Is PHA petitioning Council because the PHA cannot acquire the land in any other legal manner? If the PHA told me they could force me to sell my house at their price so they can resell the property to someone else, I would definitely believe them.

Last spring, city native Kenneth Jackson ran an unsuccessful bid for City Council on the Republican ticket. On WINA radio, he informed the public that old-fashioned urban renewal is alive and well today while his Democratic opponents remain in a bizarre denial.

In the summer, the Michigan Supreme Court ruled that economic development is not, and never has been, a Constitutional justification for use of eminent domain. The power to take private property is restricted by due process and eminent domain. Economic development is neither one of those. (Michigan Supreme Court rules: Economic development is not eminent domain [Aug 2]: http://cvilleindymedia.org/newswire.php?story_id=715)

The US Supreme Court announced on September 28 that it will hear an urban renewal case in New London, CT, where the city wants to use eminent domain to take land from homeowners so developers can build oceanfront condos and office parks, employing the same logic and methods used here in Charlottesville. I heard about it at noon on CBS radio news on WINA. (<http://www.wina.com>)

Will the highest court in the land follow Michigan's example and rule that eminent domain real estate manipulation schemes have been unlawful ever since the Constitution was ratified in 1789? How ironic is it that the Number 1 city in the USA would have no regard for property rights for one minority but care about civil rights of a minority that is even more hated?

The Council holds regular meetings the first and third Mondays in City Hall at east end of Downtown Mall. The meetings run from 7pm until about 10pm. These meetings are open to the public but closed sessions are not uncommon. The open meetings are broadcast live on Adelphia Cable channel 10. I hope Adelphia will decide to replay the meetings a few times in between the live broadcasts so interested people can have a better opportunity to become involved and prepare for the next meeting.

The gay resolution is over. But Dice urban renewal is up for a vote at the next meeting.

Links:

Piedmont Housing Alliance: <http://avenue.org/pha/>

Neighborhood Development Services:
<http://www.charlottesville.org/default.asp?pageid=61ECAB81-A36C-482A-9A85-42A5A6DD8391>
Office of Economic Development:
<http://www.charlottesville.org/default.asp?pageid=F1418E46-163C-4854-813F-E9C4E88AF99C>

Numerous related articles by this CvilleIndy contributor:
http://cvilleindymedia.org/newswire.php?search_text=blair+hawkins



Dice Street between 5th and 4th



10th Street NW

Charlottesville Independent Media, November 17, 2004.

Council Beat: Meredith Richards cameo, Elections report: distrust and disdain

The highlight of the Monday evening meeting was the radiant Meredith Richards and her public comment. She has drafted a letter in support of a regional rail system.

The highlight of the Monday evening meeting was the radiant Meredith Richards and her public comment. She has drafted a letter in support of a regional rail system. She asked Council to endorse the petition and forward it to the governor and transportation officials. Richards failed to receive the city's Democratic nomination for a third term last year, but received seven hundred writein votes. And she subsequently voted for the Council Elections Task Force before leaving office on June 30. (Photo on her last day as a city councilor: "Gay rights rally at old Lane High School", http://cvilleindymedia.org/newswire.php?story_id=638)

The most anticipated moment of the meeting was the ward-mayor study. The speech by the task force chairman and Council discussion acted as a counter-balance to the remainder of the 4-hour session. The desire to change the local form of government stems from the perception that the system is broken and needs to be fixed. The task force was commissioned by Council in a 3-1-1 vote (for: Maurice Cox, Meredith Richards, Rob Schilling; against: Blake Caravati; abstain: Kevin Lynch) on Apr 5 2004.

While the report dealt with the community's mutual distrust of city government, the bulk of the meeting illustrated the parts of the machine that need repair and foster distrust. These broken pieces take the form of policy statements and guidelines, ordinances and resolutions, subsidies and exemptions. The good working parts are consistent with our core values and promote them. The broken parts, the misaligned

priorities, seemed to be on display to begin the new year.

Let's get to it.

An open Council meeting starts with the Pledge of Allegiance and roll call of council. The city clerk calls the roll and takes notes that serve as the official record of voting. The mayor is appointed by a Council vote, sets the agenda and presides over the meetings. The appointed city executive and city attorney also sit at the legislative table and give advice but have no votes. Then follow awards and public comment for 30 minutes, 3 minutes per speaker with some flexibility.

The meeting is called to order.

Pledge of Allegiance

Councilor Blake CARAVATI: Made a plea that people donate to the tsunami relief efforts in southeast Asia. He will donate to Catholic charities.

Awards and Recognition

1. VSA Arts, formerly Very Special Arts, with a long list of affiliations and subsidy sources, to promote the creative potential in people with disabilities, presents to each councilor a copy of their 4th poetry book and invites the general public to their 5th annual arts exhibit opening on Jan 14, 6-8pm, at Martin Luther King Performing Arts Center, Charlottesville High School.

2. Poem "If I were President" delivered by the author, a handicapped, speech-impaired woman.

3. Mayor David BROWN recognized Mildred Spicer for heading up the city's therapeutic recreation department for 30 years. The Daily Progress recognized her as one of the year's distinguished dozen. She stood to applause.

MATTERS BY THE PUBLIC

1. Charles Weber. On Mar 17 2003 City Council voted to raise real estate taxes 9.5%. On July 17 2003 Hugh Spencer, an elderly gentleman, appeared before Council to say the tax hikes were out of line with cost of living and hurts the elderly on fixed incomes. On March 16 2004, Council voted to raise real estate taxes by another 10.7%. In the past 4 years, an elderly neighbor, a woman on a fixed income, had to move because her rent continues to rise. In the last 6 years, the assessment of the ranch-style house located between Weber's and councilor Kevin Lynch's residence in the Recreation precinct, has more than doubled. "City Council needs to take a long hard look in the mirror." On Dec 6 2004 City Council voted to continue these policies, said Weber. The speaker connected the real estate policy with sentiments of distrust as expressed in the elections task force report.

2. Carl Ackerman. Advocate for city subsidy of pre-school as a way to close the achievement and economic gaps.

3. Peter Kleeman. Opposes opening East 5th Street to vehicular traffic to substitute for the closing of 7th at Fridays after Five amphitheater construction. Was disappointed that West 2nd was opened to traffic for the Regal Cinema dropoff. He wants the pedestrian mall to be pedestrian and wants more communication and public input on changes.

4. Walt Heinike. Has a son in city schools and continued his criticism of the school board from his last appearance before Council. He wants an elected school board. Against federal micromanagement of education, against too much testing. Wants school board to be more accountable. Wants parents to keep their kids home on Flanagan testing days as a protest.

5. Stratton Salidis. Developing for people or developing for cars? A lecture on how the government can ameliorate many problems not often thought connected to transportation.

6. Meredith Richards. Advocate for a regional rail system.

CONSENT AGENDA (where Council passes a list of legislative acts in a single vote)

- A. Minutes of Nov 30 and Dec 6.
- B. Appropriation of \$15,000 for Highway Safety Initiatives grant, 2nd reading.
- C. Appropriation reprogramming Community Development Block Grant funding, 2nd reading.
- D. Appropriation of \$224,977 for the city's share of the MCD system, 2nd of 2 readings.
- E. Appropriation \$140,747 to Victim Witness Program grant, 1st reading.
- F. Appropriation \$197,000 to Regional Hazardous Marterial Response Unit grant, 1st reading.
- G. Appropriation \$59,179 reimbursement of sewer line damage at Paramount Theater, 1st reading.
- H. Appropriation \$7,076 reimbursemt for sheriff's overtime, 1st reading.
- I. Appropriation \$6,929.84 Bullet Proof Partnership grant, 1st reading.
- J. Appropriation \$68,500 for Housing Inspector funding from UVA, 1st reading.
- K. Resolution to accept Burnet Street into the city street system, 1st of 1 reading.
- L. Ordinance rezoning corner of Palatine Ave and Avon St from R1S to PUD, 2nd reading.
- M. Ordinance closing a portion of Rougemont Ave, 2nd reading.
- N. Ordinance closing an alley off Rialto Ave, 2nd reading.
- O. Ordinance rezoning 701-707 Palatine Ave, the Blinko tract PUD, 2nd reading.
- P. Ordinance to grant telecommunications franchise to Telco of Va. LLC, 1st reading.

After the mayor read the consent agenda, councilors can remove items to be considered at the end of the meeting. Schilling lifted out J and suggested changes to Dec 6 Minutes. Caravati removed L. The Council voted unanimously for the remaining actions on the list including changes to the minutes.

PUBLIC HEARING AN ORDINANCE CONVEYING A PORTION OF 7TH STREET RIGHT-OF-WAY

Councilor LYNCH wanted this item moved to later in the meeting after the sale of city land policy and closing of streets and alleys policy discussions, since those policies could affect this decision. Councilor CARAVATI objected but was persuaded by Council to go along with the change. Mayor BROWN said item 2 has been moved until after item 5, which brings us to the task force report.

COUNCIL ELECTIONS TASK FORCE REPORT:

<http://www.charlottesville.org/content/files/52D48797-1792-4F6C-8E44-5484A0199B91.pdf>

Councilor Kendra HAMILTON: Mumbles "Let's get it out of the way" as task force chairman readies to deliver the report.

Sean O'BRIEN, Council Elections Task Force chairman: Thanks to everyone. The changes studied in the report, last studied in the 1980s, would have profound implications. He said the task force was surprised at the low turnout at the 8 public forums given that the civic study was well-publicized. He attributed this apparent low interest to disillusionment lingering from last attempt at major reform, the perception that those in power won't do anything to threaten that power, and general apathy of the public reflected in declining voter turnout. Two camps of participants: those who feel everything's okay and those who feel totally ignored. Communication seems to be the underlying problem. He sees this report as a starting point.

BROWN. Thanked the committee. Wants to have a work session.

CARAVATI: Thanked the committee for its hard work. November just saw the largest voter turnout in a while.

LYNCH: Since we seem to have a high school class here, getting a copy of the report might be worthwhile. Talked about the proposal that councilors have additional staff to help them serve the constituents.

O'BRIEN: Thought it was a meritorious idea.

HAMILTON: Thanks for creating an enjoyable, accessible and brief report. Does mixed ward-at-large create a two-tier system?

O'BRIEN: The option increases access to public office for more people.

SCHILLING: Read lengthy remarks and entered them into the record. Invited O'BRIEN to sit for the remarks. (Those high school students all got up and left at this point, to the delight of CARAVATI and HAMILTON at the timing.) Schilling's remarks gave some historical perspective for discussing these issues. He ended by mentioning the experience in Richmond with its new strong mayor, former governor Doug Wilder.

CARAVATI: If you went to an elected mayor, the form of government would have to change substantially.

O'BRIEN: This study only considered if the mayor were directly elected with no other shifts in power.

BROWN: Is there evidence that elections by ward increase voter turnout?

O'BRIEN: The evidence is mixed.

LYNCH: When campaigning, especially on southside of town, many people can't vote because they are exfelons.

O'BRIEN: Restoring voting rights is a state issue.

HAMILTON: Would like to raise 2 issues. Who showed up at the meetings? The activist minority or the silent majority? Looking over the sign-in sheets of the meetings, it appears that the participation involved the "usual suspects" that are always vocal.

O'BRIEN: Some people came to the forum just in their precinct and one person came to every forum. "Just because you're vocal doesn't mean you should be ignored." Because of the level of participation, we expected a higher turn-out.

HAMILTON: Another issue lacking was a class analysis. In the last few decades, Recreation and Walker precincts had the most candidates and councilors, while Clark and Tonsler had the fewest. Recreation is the most populous, Walker the most affluent. On the southside there is a wealth gap, contacts gap, and education gap.

O'BRIEN: Just because you are elected to a neighborhood doesn't mean you "represent" the neighborhood or even know the historical problems that affect Belmont, for example. We did talk about African-American representation as well as socioeconomic issues.

HAMILTON: "One final thing is that the voice of the people has been ringing my line. And the people that I have been hearing from, 90% of whom are African-American, have been urging us to keep things as they are. So you're evidently talking to different people, Mr. Schilling."

SCHILLING: "Yes, I evidently am."

BROWN: Wants us to keep in mind there will be a work session on this subject.

LYNCH: Went to all but one of the forums. There seems to be a myth about how approachable Council really is. All of us are in the phone book. Don't call me after midnight. We are happy to hear from people.

HAMILTON: My number changed so I'm not in the phone book. After being prompted, she called out her new contact number, 245-0241.

LYNCH: Another theme was communication. People want advance notice of changes.

O'BRIEN: Some people seem to be intimidated by elected official and don't want to bother them.

CARAVATI: While mayor, he had office hours and talked to over 500 people. So, if you make yourself available, people will talk to you.

The discussion came to a close. There was no vote resolving to endorse or support the study.

POLICY OF STREET CLOSING presented by Lisa Kelley, assistant city attorney.

SALE OF CITY LAND presented by Craig Brown, city attorney.

These two subjects were tedious and difficult to follow but were not acted on by Council. They will resurface at a future meeting when staff have done more work. The city attorney did define fair market value as the price a willing buyer will pay to a willing seller, neither one being under any compulsion. It's taken me 5 days to produce this report in my spare time. So I'm going to file this story and hope to come back to these governmental powers later.

..... Commentary

Let me start by saying that 2004 was my best year yet, professionally and in my personal life. I feel the hand of God protecting and guiding me. Each new day is a reward for the honest hard work of the previous day. My new year's resolution is to keep doing whatever I can. Here are my resolutions for City Council.

Share the information with the audience: During this meeting, a number of documents were referred to on substantial topics. But only the speaker and Council were able to see the information. But a developer before the Council had blueprints and graphics posted on the wall. The camera zoomed in on the documents during the discussion. To foster better communication, the Council should adopt some system like C-SPAN has when they're discussing newspaper quotes.

Properly introduce the speaker every time: If the effort to increase civic participation is succeeding, then new people will be tuning into every meeting. It may only be a few dozen people a year. They may not be familiar with the "usual suspects."

Assigned seating: There seems to be ongoing antagonism between councilors Caravati and Schilling. At one point, the mayor asked them to behave in a professional manner as they bickered back and forth. These two sit at opposite ends of the dais. They should be reassigned to sit next to each other. After the last Council election, a new seating pattern placed Schilling and Lynch side-by-side, which has calmed down their disagreements.

Cut out the snide comments: I hope the Council will take up a resolution that councilors remain silent when it's not their turn to speak. This goes for interruptions and grandstanding, but also for the brief moment between agenda items. I think it was a bad move by Hamilton to mumble "Let's get it out of the way" as the Council Elections Task Force chairman was called to the podium to deliver the report. Kendra, I love you and you are very charismatic. But being rude didn't work for Al Gore. Maybe Hamilton was communicating to her constituents that she has already dismissed the report before hearing the speaker. The remark provided evidence that Council is not only not listening, but actively disregarding citizen concerns.

How is it that two people can listen to each other but remain unaware of what the other has said? Are they speaking different languages? Is it necessary to ignore people in order for the status quo to perpetuate itself? Is it institutional denial? When do you feel you're not being listened to? How do you pretend to listen?

At one point, Hamilton said the constituents who have called her don't want any of the changes discussed in the report and Mr. Schilling must be talking to different people. Of course, she is exactly right. How is it

that these two representatives have entirely different constituencies in an at-large system, where each councilor represents everyone? Do you have to call every councilor or can you just call anyone one of them and expect your concern to be raised at the appropriate time?

In the age of cynicism, several people have asked me what this study is really all about. I said the political opposition was flexing its muscle, using this opportunity to build a communications network and base of support. And that base doesn't have to be very large to get you elected. In the last Council election, Democrats received a clear majority of the votes. But that comprised a small minority of all the voters. Most people stayed home. In that election, a challenger could have easily won with less than 20% of eligible voters and city government would be representing a different small minority. The next step in this process of reform is to elect pro-reform candidates. I predict more shakeups.

A last note to illustrate the communications gap: Near the end of the meeting, Hamilton suggested that each councilor could give a report at Council meetings of the activities of the boards and commissions on which they serve. In a brilliant move, Mayor Brown asked that Hamilton give the first such report at the next meeting since she serves on the Housing Task Force. Perhaps she will explain why, after a request 9 months ago, the Housing Authority still has not released its historical archives onto the internet as promised then. I don't mean to pick on Kendra. Any of the councilors, city manager and city attorney can take the initiative to release this harmless information to public scrutiny or explain the compelling public interest to keep it secret. Have the records been destroyed?

Housing Authority archives out on loan for preservation(Mar 30 2004):
http://cvilleindymedia.org/newswire.php?story_id=325

Charlottesville Redevelopment and Housing Authority:
<http://www.charlottesville.org/default.asp?pageid=1A1AEE71-4CFA-4FAB-9C20-0012BD4FFACB>

Notes of continuity: On Dec 6 Council did approve the Dice Street urban renewal project. I missed that meeting.

The US Supreme Court will hear argument in an eminent domain/economic development case on Feb 22 2005.

Charlottesville Independent Media, January 8, 2005.

COMMENTS

CRHA's intellectual exclusion policy

by Blair

CRHA's Quarterly Newsletter January 2005

Excerpt from page 1:

"Our organization is not perfect, no organization is! What makes any organization great is not what went wrong, or what was painful in being a part of it, but instead what it does with the lessons learned from the hard times. If we sit and bring up all of the pain, and discuss what is wrong with the organization until the sun goes down, without looking at what went right with what has been done, and without looking towards the future with great anticipation, then we are dead as an organization. There are many, including myself, who choose life over the death of this organization, and you can either choose to be a part of its life, or you can bring all the negativity into it to kill it. Which will you choose? Will you remain in the past or walk into the future and grow?

At an award ceremony on Wednesday, December 15th, we decided to shine the spotlight on those who have chosen life. We honored ourselves and the good that we have done, both as an organization and as individuals. We wanted to let everyone know that there was more to us than what has been said."

<http://www.charlottesville.org/content/files/04688C0F-A068-4E2D-B7F6-37639E469B96.pdf>

Remarks of Rob Schilling at Council Jan 3 2004

by Blair

In reviewing the Report of the Charlottesville Elections Study Task Force, I am pleased with the information you present us tonight. I'd like to thank Sean O'Brien for doing an admirable job in what was often a thankless and difficult position. I'd also like to thank the members of the task force for their participation in this report, particularly those who did choose to participate substantially.

I'd also like to acknowledge and thank Sheri Iachetta and her staff for the tireless hours spent, above and beyond the call of duty, in assembling this report and in the staffing of this Task Force.

Finally, and perhaps most importantly, I'd like to thank the members of the public who participated in this process through their many correspondences to and appearances before the Task Force, often in spite of great pressure or duress to remain silent.

Without getting into the specifics of the report, although I urge interested citizens to read the report, and it's available in its entirety on the city website: www.charlottesville.org; and at City Hall. I would like to comment generally on a few areas of the information presented and then make some concluding remarks:

The History of the Convention of the Elections Task Force:

In the context of a discussion about moving the City's elections to November in order "to increase our low voter turnout," I called for a study of three items that I believed would be more effective ways to raise voter turnout, if that was in fact the reason for moving our local elections from May to November. The suggestions for additional areas of study were:

- 1) Direct election of Mayor
- 2) Move council to a ward-based system
- 3) Increase the number of councilors

By a majority vote of the previous council, these ideas were not taken up in the context of the original study to move elections (although they are intricately related to the issue of voter turnout and thus, they should have been), they were, after much discussion and dissention among the previous council, given to this Elections Task Force for exploration and evaluation.

Perceived Problems:

I would like to note that the word "perception" should be considered equally in this report. Just as those people who noted problems are described as "perceiving" them, so should those who noted "no problems" and thus favored the status quo be referenced as "perceiving" their stated positions. If there are "perceived" problems then it is merely the perception on the part of some that our current electoral system is fine just as it is.

Concerns Over Low Turnout:

I attended every public task force hearing, and I do take issue with the report's description of the turnout as being "low" and statements that there was a "lack of interest" among the citizens of Charlottesville. In fact, when compared to the most recent public hearings held by this body to discuss moving the elections to November (at which 3 or 4 citizens commented at the two opportunities given), the attendance and participation at the Elections Task Force hearings can be considered quite substantial. I would also note that there were more people in attendance for the entire meeting at many of these public hearings than there are in attendance at many of our City Council meetings.

Disenfranchisement of Minority Community:

I was disheartened, but not surprised to read the quote from an African-American citizen explaining the “low” turn-out of African-Americans at the public hearings, as follows: “We’ve tried to change the system so many times; we’ve just grown tired of trying.”

Another section of the report, entitled: “City government is not responsive to the needs and inquiries of the citizens,” goes on to say that many felt there was no point in attending the hearings, that nothing was going to happen—just like the last time (when the City Council disregarded the results of a referendum, which passed in 6 of the city’s 8 precincts, to move to a mixed-ward/at-large system).

The reason that this sentiment did not surprise me is that after I brought the concept of this Task Force forward, I had calls and contacts from several members of Charlottesville’s minority community, encouraging me to continue, but fearing that once again, their desires for fair representation in city government would fall on deaf ears.

This troubling perception of institutionalized disenfranchisement calls for decisive action on behalf of this council, in order to remedy ongoing issues of equity and access.

Opening the System:

In the broad context of the elections discussion, brought forth by former Vice-Mayor Meredith Richards was the idea of non-partisan elections. This idea is discussed at some length in the report. Notably, the report states that while Charlottesville and seven other cities in Virginia allow parties to nominate candidates to the ballot, most cities require candidates to obtain petition signatures as the only means to be listed on the ballot. Although implementation of this practice does not necessarily preclude party involvement in the election process, it will open our Council elections up to far greater competition, thus increasing voter interest and ultimately, voter turnout.

It is interesting to note that no independent candidate has been elected to the Charlottesville City Council since the 1930s, and that no Independent African-American has even attempted to run for a City Council seat since 1984. While there have only been five individual African-Americans ever to serve on Charlottesville’s City Council, it seems unlikely that, with roughly 25% of our voting-eligible population identifying themselves as African-American in the recent census, so few have been elected or even afforded a nomination to run for Council office.

Moving to a solely petition-based system of ballot inclusion for candidates will open up the process to more people in general and will allow for more diverse representation on City Council as opposed to the “engineered appearance” of succession visible over the past 35 years. I call on this council to explore a charter amendment similar to those adopted in Portsmouth, Virginia Beach, and Hampton, as referenced by our City Attorney in the report’s appendix, wherein Charlottesville’s charter, in conformance with State law, can be changed to allow only one method for Council candidates to get on the ballot and that is by collecting enough signatures to do so.

Recommendations:

When I originally proposed the formation of this Task Force, I asked that its charge be structured similarly to the charge of the Citizen’s Committee to Study Council Changes, which had been commissioned by council nearly 25 years earlier, to study similar issues and concerns. As was that prior Task Force, I asked that this current Task Force be charged with making recommendations, so that we, as a council, could act, or choose not to act, upon these recommendations. Unfortunately, the immediately prior council to this one specifically denied my request, and in fact, prohibited this Task Force, by charge, from making any recommendations to Council, presumably because Council did not want to be in the untenable position experienced by the infamous council of 25 years ago, wherein the Task Force’s and the citizens’ expressed will was thwarted.

Nonetheless, the last line of the third paragraph on page 4 of the Task Force’s report states: “we believe that the discussions do reflect important concerns of citizens about City Government that need to be addressed by City Government.”

The final paragraph on the same page goes on to state: "We ask the citizens of the City of Charlottesville and the members of the City Council to explore and evaluate the work of the Task Force and develop recommendations for improvements to City Government."

Implicit in these statements is a recommendation, although none was called for. Many of the problems of 25 years ago still persist today—no "system of patronage," no "organizational agreements" between political and demographic groups, and no noble defense of the status quo will remedy the ills of our current system and bring a more fair and representative form of government to Charlottesville.

The wait for justice and equity has been long; the time to act is now.

[End of Schilling's Remarks.]

Council Beat: Parade of grievances, Housing Authority report

At the Tuesday meeting, a day later than usual due to the Martin Luther King holiday, the Charlottesville Redevelopment and Housing Authority said it wants to resume the "redevelopment" part of its mission as well as continue its public housing charge.



Levy Avenue parking lot rents for \$1 a year

At the Tuesday meeting, a day later than usual due to the Martin Luther King holiday, the Charlottesville Redevelopment and Housing Authority said it wants to resume the "redevelopment" part of its mission as well as continue its public housing charge. Executive director since the summer, Paul Chedda said the agency needs to become more like a private developer in response to declining federal funding and should seek various sources of funding, similar to the Piedmont Housing Alliance model.

CRHA board chairman Howard Evergreen said the agency rents out the former 600 block of Levy Avenue as a parking lot to the city for one dollar a year and that this land should be sold for development of mixed-use condos. Several of the councilors agreed that more urban renewal is called for. The agency did not identify the true owners of the parking lot. (CRHA: <http://www.charlottesville.org/default.asp?pageid=1A1AEE71-4CFA-4FAB-9C20-0012BD4FFACB>)

None of the councilors asked how the agency plans to deal with a Supreme Court ruling expected later this year on the Constitutionality of forced land transfers from one private party to another for the purpose of economic development and increasing real estate assessments. The city attorney did not offer advice. If the court rules in favor of property rights, federal funding of urban renewal would be halted altogether. The urban renewal of Garrett Street was funded by a \$3 million federal grant approved in 1970. The high court will hear oral arguments in a Connecticut urban renewal case on February 22.

None of the councilors inquired about the status of the Housing Authority historical archives despite an email last week informing them that the agency had ignored a request from the public since last March. Councilor Blake Caravati did respond by email that he will investigate. Councilor Rob Schilling responded by email thanking me for my interest in this important issue. I forwarded a copy of the petition to the Institute for Justice. (<http://www.ij.org>)

Near the end of the meeting, Mayor David Brown anticipated the comprehensive drought management plan. Presumably, any such plan would seek to learn from the past in order to avoid repeating the same mistakes in the future. The Rivanna Water and Sewer Authority, created in 1972, has many of the same problems as the Redevelopment Authority, created in 1954. Rivanna has also ignored a request from the public for information, this time on the 1977 drought. This failure to allow access to archival data was made public last April on a WINA call-in show. Both agencies are quasi-governmental with unusual powers. And both agencies have at least one unresolved eminent domain controversy. Rivanna acquired land near Free Union in 1983 for a Buck Mountain Reservoir that never will be. If we can't trust these agencies at their word, how can we allow them to move forward with any new project without significant reform? (Water Forum Thursday 6pm at Monticello High School http://cvilleindymedia.org/newswire.php?story_id=1233)

I tuned in to the Council meeting at 6:50pm on Adelphia channel 10. City Council was about to conclude the interactive budget forum. The mayor asked if anyone else would like to ask a question or speak regarding the budget.

Bob Hodous: Over time, you gradually build up anomalies in the budget that go back historically and should be looked at from time to time. Possible areas for cutbacks: City underwrites ACAC for its employees, rooted in the 1970s partnership with YMCA. Can city employees use city facilities to save money? Three or four programs of duplication of preschool and daycare and duplicate subsidies. Traffic calming sometimes makes it more difficult to get around and could be more limited to save money. Should be easier to get to Water Street parking garage. If you can't cut back, maybe you can stop the growth of subsidies. (<http://www.flawedlaws.com>, Chairman of Charlottesville Republican Committee, active locally on boards and commissions since the 1970s, including Housing Authority)

Councilor Kendra HAMILTON: Thanked Hodous for offering concrete suggestions.

Councilor Rob SCHILLING: Maybe we should rethink this call-in format since no one has called in. Perhaps we should link tax increases to the consumer price index. We should prioritize spending. Gordon Walker from JABA and Noah Swartz from MACAA are concerned about the possible blanket 10% across-the-board cut across agencies. City manager's projection for next 5 years is a \$15-25 million budget deficit. We can't continue on the path we're on.

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCILORS (all 5 councilors present)
(David Brown, Blake Caravati, Kendra Hamilton, Kevin Lynch, Rob Schilling)
(also present: city manager Gary O'Connell and city attorney Craig Brown)

RECOGNITIONS:

1. Mayor David BROWN: City of Charlottesville has been awarded by the Center for Digital Government Fifth Place in the 30,000 to 75,000 population category. We're one of top ten digital cities in America.

2. Mayor's Proclamation: January 2005 is mentoring month.
3. Another proclamation postponed until later in the meeting.

MATTERS BY THE PUBLIC

BROWN: Please limit your comments to 3 minutes.

1. Jim Neale: Real estate tax burden on homeowners. His real estate taxes have doubled in the last 6 years. Over past 8 years, Charlottesville real estate tax has increased on average 53%, trending up from 4.4% in 1999 to 10.5% in 2004. Over last 5 years, real estate tax has comprised 43% of all new budget revenues. From the '04 budget, real estate tax accounted for 51.5% of new revenues. In '05, this same tax will account for 63% of new revenue. Overall, real estate, the largest single source of city revenue, accounts for 33.5% of the total budget. "Using the '95 city budget of \$54 million as a base, the current city budget of \$105 million exceeds inflation-adjusted budget by \$31 million." Charlottesville does not have a revenue problem. It has a spending problem. Good stewardship requires hard decisions.

2. Cathy Galvin: Allow tax abatement ordinance to be applied to homes that have an accessory apartment. Ironical that most people benefitting from the current abatement don't need the accessory apartment for supplemental income.

3. Ben Bates: "You guys are scaring me to death" in your talk of increasing the tax burden on residents on a fixed income. Concerned about Council's attitude of not making the hard decisions and pushing the burden onto taxpayers. "I haven't talked to anyone around town who isn't kind-of quietly outraged at the way these trends are continuing."

4. Joan Fenton: Help Downtown. A sign is misdirecting people to old visitor's center. Should be directions to downtown and distinct mall entry. There are vacant businesses downtown and exemption from parking garage fees for employees might bring them back. Mall ordinance regarding cafe seating should be more flexible for outdoor seating on warm winter days to increase revenue. (Served on Board of Architectural Review, has businesses downtown, failed to win city Democratic nomination in 2002)

5. Charles Weber: Two excuses not to reduce taxes: Dead-beat dad theory- budget problem is caused by unfunded mandates. We're #1 theory- how could we make any mistakes since we're number one? He spoke at the previous meeting.

6. David RePass, member of Council Elections Task Force: Wants to correct SCHILLING's statement criticizing the task force. There was no pressure for citizens to remain silent at the forums. The Democratic nominating process is not engineered, but unpredictable and suspenseful. Said Council has proportionately represented the black community with one-fifth of black councilors since last few decades. (Spoke again at the end of the meeting and continued where he left off. The mayor asked him not to question any councilor's veracity. RePass concluded by saying that the communications gap is not a perceived problem: it is real.)

SCHILLING: Stands by his statement.

7. John Pfalz: We should focus on expenditures, not revenues. Cole Hendrix, city manager in the '70s, was able to keep spending under control. Has a 3-fold increase in neighborhood development spending led to improvements in your neighborhood? Has a 50% increase in social service spending made a significant change in the lives of our less affluent neighbors? Have the 42 new positions at Public Works, even as we outsource trash collection, made our lives any better? Council should not try to micromanage spending items but instruct the city manager to produce a budget within defined limits. (UVA professor, member of Council Elections Task Force, Republican candidate for Council in 2000)

8. Jock Yellot: There should be followup on the strings attached when sale of city land is for less than fair market value. Council seems to be varying its procedure for putting things on the agenda, 2 councilors for sale of city land, but Robert's Rules of order require a majority or maybe two-thirds in this case. "Since I

have seen parliamentary shenanigans on real estate sales before, I thought you'd like to clarify that."

Mayor's Proclamation: Board of Architectural Review recognizes Joan Fenton for her service on the board for 8 years.

CONSENT AGENDA (where Council passes a list of legislative acts in a single vote)

REPORT FROM CHARLOTTESVILLE REDEVELOPMENT AND HOUSING AUTHORITY

<http://www.charlottesville.org/default.asp?pageid=1A1AEE71-4CFA-4FAB-9C20-0012BD4FFACB>

City manager Gary O'CONNELL: Announced the Council Report reform. From now on, councilors will, from time to time, report on the boards and commissions on which they serve. These reports will normally occur at the end of the meeting. But the first such report will be given by Hamilton in conjunction with the Housing Authority report since she serves on the Housing Task Force. The purpose of the informal reports is to foster better communication.

Councilor Kendra HAMILTON: Housing Authority has a \$5.5 million budget, the vast majority from HUD (Housing and Urban Development federal subsidy program) for public housing and Section 8 subsidized rental housing. CRHA manages 376 public housing units and 345 Section 8 apartment units. Most familiar public housing would be Westhaven and Crescent Halls elderly highrise on South First Street. CRHA manages 2 other programs for first-time or low-to-moderate income home buyers: down payment and closing cost assistance program funded by HUD and HOP(Housing Opportunities Partnership) that provides a loan up to \$15,000 to fund the gap between house cost and what you can afford if you qualify. It's basically a small authority. I was appointed to the Housing Task Force in June and we first met in July.

Previously, the authority had been "limping along" under part-time director and assistant city manager Rochelle Small-Toney and a national search for a full-time executive director was underway. There were significant problems: the building and property maintenance operation appeared to have ceased to function at some point. Simple repairs were difficult to get done. Apartment turnovers were taking too long. Managing the authority and managing the staff were difficult. Relationship between staff and residents had deteriorated. "At the first meeting I attended, I have to say I was astonished. I had never seen such a level of hostility and vitriol in a public setting. And I was seriously wondering what I had gotten myself into."

Capital improvements did not take place over the life of the facilities and there has been serious neglect. CRHA faces budget cuts because it relies heavily on federal funding which is being cut. In 6 months so far, she has seen significant positive changes. We completed a national search and hired an executive director in August 2004. The first thing the new director did was go out into the community and talk to people, residents, service providers, staff, finding out where the overlap is, how Housing Authority fits in. The director instituted a series of cost reductions and staff reorganization. What that means is the troubled maintenance department was basically gutted, reduced to 2 employees, and everything outsourced such as apartment turnovers and work orders. We're in the midst of hiring a permanent maintenance director who would oversee maintenance and direct the redevelopment effort.

"This was one of the big lacks, is that the Redevelopment portion of the Housing Authority's title had been neglected over the years." Now we're in a state where work orders actually result in repairs. Apartment turnovers have been reduced to a more appropriate level. The new director had an innovative idea in bridge building and plans are underway to build a new accredited state-of-the-art early childcare daycare facility where public housing kids and market rate kids could go in partnership with the United Way, Parks and Recreation, PVCC, Charlottesville city schools, UVa, MACAA, Westhaven clinic, Department of Social Services, and so on.

These are some exciting things. But we still face challenges. The previous interim director commissioned a full facilities audit to assess current resources and create 20 year capital maintenance plan. The figures for deferred maintenance needs are staggering: \$1 million for South First Street site, \$1.7 million for Crescent Halls, \$1.3 million for all of our scattered sites, \$5.5 million for Westhaven. We have an ongoing challenge to maintain our funding. CRHA survived the 2002 funding cuts. There are plans to "slice and dice" community block grant we depend on in all neighborhoods.

Councilor Rob SCHILLING: Thanks to Kendra for her report and her service. Would the \$5.5 million for Westhaven upgrade be better spent to redevelop the site?

Paul CHEDDAR, executive director of Charlottesville Redevelopment and Housing Authority: The infrastructure of Westhaven has big problems. But where would the residents go during construction? We have challenges with funding. Can we afford to rebuild that structure? Needs to be conversation with residents, staff, and city at large.

Howard EVERGREEN, chairman of CRHA oversight committee: The figure we got for redeveloping Westhaven is closer to \$10 million. We want to sell the Levy Avenue parking lot, that we rent to the city for a dollar a year, for mixed-income mixed-use private and commercial development. We want to put the redevelopment back in our name and ensure some affordable component.

Councilor Kevin LYNCH: Anything left of HOPE VI funds?

CHEDDA: The funds are being phased out. If we are to do anything, we need to look for funding elsewhere.

Councilor Blake CARAVATI: "I've got a few scars that I don't show" from when he served. Concerned about future funding streams that simply maintain present level of service. Concerned about housing vouchers that go unseated, when a house cannot be found in the city to satisfy a voucher.

CHEDDA: First step is to tighten our own belts, do more with less, cutbacks and layoffs, streamlining. Second, we cannot rely on federal funding alone. Do we become more like a private developer and diversify funding streams? Third thing is partnership. It is clear that Housing Authority cannot do this alone. As a community, we need to put our money where our mouth is.

BROWN: Thanked the speakers and moved on to next agenda item.

Charlottesville Independent Media, January 19, 2005.

Update on Serial Rapist

Tara discovers an intruder upstairs and a tussle ensues. Her friend comes to her aid and suffers abrasions on her face. The two of them along with the intruder tumble down the stairs. A standoff develops: Tara in a strangle-hold by the intruder and her friend standing ready to resume the struggle.

At the Belmont Safety Meeting in the Clark School gymnasium, the victim of attempted sexual assault on December 4 went public and defiantly told her story to a crowd of two hundred citizens as well as news media. Tara Murray moved from Chicago to this area 15 years ago. While visiting a friend in September 2002, she fell in love with and purchased a property in old north Belmont near her hair salon.

Tara purchased and moved into a house in the 1100 block of Montrose Avenue several months ago. Vividly, she described the events of December 4. Around 9:30pm on a Saturday night, she arrives home with a female friend. Tara discovers an intruder upstairs and a tussle ensues. Her friend comes to her aid and suffers abrasions on her face. The two of them along with the intruder tumble down the stairs. A standoff develops: Tara in a strangle-hold by the intruder and her friend standing ready to resume the struggle.

A negotiation begins. The two women make it clear that they do not intend to submit. Tara offers \$300 if the intruder will just go away. He finally agrees, then drags her to another room where the money is located. The intruder did not release his strangle-hold until he took the money and ran. The police responded within moments of the call. When the adrenoline rush subsided, Tara realized that half of her face was bruised and swollen, her eye nearly swollen shut.

Nearly two months after the attack, Tara said she feels like the "victor, not the victim" because she had

successfully fought off the attack. When Police Chief Tim Longo began his remarks, he thanked Tara for putting a face on this problem. This could have been any of us. The chief said "we are all anxious, angry, and a little bit afraid" and will be until the serial rapist is caught.

He said the first serial attack occurred in 1997, 30 miles from here over in Waynesboro. A woman had a motel room, went out to the car to get something, and was assaulted when she returned to the room. In November 2002, a Charlottesville woman was assaulted while she was home alone eating a bowl of cereal. In April 2003 another local woman was assaulted while alone at a friend's apartment. Chief Longo said these attacks were linked to the same guy through DNA. He said he didn't know if these more recent attacks were related, including the assault last week near Belmont Park.

The chief said there are 2 full-time investigators working on this case, along with help from UVa, Albemarle, and state police. Federal authorities have developed a composite sketch, behavioral profile and geographic profile. There are 119 sworn police officers in the city. He was pleased to see a good turnout at the meeting, indicative of a community coming together. He said the police force has a sense of commitment and a sense of urgency.

In response to the first of 14 questions from the audience fielded by a panel of speakers, Longo gave more detail on the rapist's profile: physical description ranges from 5'6" to 6'2", 140 to 250 pounds, black male, clean--no odor, well-dressed, coordinated in attire, articulate. The position and lighting during the attack account for the varied descriptions. The assailant has plenty of free time or doesn't have to account for his time, possibly his work involves travel. Attacks have occurred at 2-3am. The one at Willoughby was 8-9am, the one in the county at 3pm. Most of the attacks have occurred in the UVa area, which is "target rich." To the question of whether the rapist has used a weapon, the chief said any household item can become a weapon but wouldn't elaborate.

In response to a question about dark streets and alleys, the chief said that patrol officers are encouraged to get out on foot and walk the alleys. He also said that police are in "surveillance mode" in certain, undisclosed parts of town.

A resident near Belmont Park asked why it took 10 days for the description of the suspect to be released. The chief said it depends how fast the investigation proceeds. In a different question, he responded that the sketch of the serial rapist was created in April 2003 only after a victim got a good look.

Other speakers included officers Paul Davis and Mike Dean, the two full-time detectives on the case. Both officers attended Clark School as children. Davis offered crime prevention tips: lock doors and windows, deadbolt, report peeping toms and prowlers. Dean talked about neighborhood watch programs, and said Belmont is the perfect neighborhood watch model, with small blocks and streets. The police want to build a longterm relationship with residents in partnership with neighborhoods. "Communication is the key to our success," said Dean.

Jessica McGraine, outreach coordinator for SARA, said 85% of sexual assaults are committed by someone you know. Most sexual assaults occur between members of the same race, but most of the serial rapes have been black on white, a few black women assaulted as well. She said rape was about power and control, not lust.

The Belmont Neighborhood Association meets the 2nd Monday of the month at 7pm in the Clark School library.

Belmont Safety Meeting notice (Jan 25 2005): http://cvilleindymedia.org/newswire.php?story_id=1280



Defiantly tells her story



The panel



Heather Higgins moderated the forum



South entrance to George Rogers Clark Elementary School since 1931

Charlottesville Independent Media, February 1, 2005.

Council Beat: Rivanna water update, Matters by the public

"ArtInPlace came from the junkyard. It looks like it ought to be returned to the junkyard. And rearranged junk is still junk." -- Virginia Amiss.



South Rivanna dam the day after Hurricane Isabel, Sep 19 2003

Monday, Feb 7 2005, 7pm, City Hall Council Chambers

MATTERS BY THE PUBLIC

John Gaines said that under our city manager form of government, the City Council appoints the school board, which presents the school budget to Council for approval. It appears that one or more of the councilors is trying to micromanage the budgetary duties of the school board. During his time as president of the 10th and Page Neighborhood Association, the city has shared information with the association. A significant number of our children in our poor and predominantly black neighborhoods are under performing. He and acquaintances support Superintendent Scottie Griffin's budget and expect the Council to approve it.

Martha Levrin said, in the 4 years she has lived in her house, taxes have gone up at an alarming rate and that the increases should be linked to something like the inflation rate. Council sets the tax rate, not the city assessor. If taxes continue to rise as they have been, she said she would be forced out of her home.

Jim Moore criticized the recent real estate assessment notices sent out to property owners for not clearly stating the amount of the tax. As it stands, you need a calculator to figure out how much you owe. He offered his time and money to make these improvements. He said the tax bill was a "missed opportunity for quality communication."

William S. Johnson told an old African proverb: when the elephants fight, the grass suffers. There's a big elephant fight going on in Charlottesville. And the grass is our children in the school system. But I hope the better man wins. Now is the time to come together in a time of crisis. The schools have not improved in 20 years. There is a tsunami of despair, poverty and hopelessness overwhelming our black and poor children. He trusts Superintendent Scottie Griffin and her expertise to turn the schools around. Johnson

received applause for his public comment written by his daughter.

Peter Kleeman spoke about the Meadowcreek Parkway request for proposals to go out for consultants to conduct the first phase of engineering to determine if the parkway is to move forward. (See also: "City set to spend \$1.5 million on key Meadowcreek design," Feb 8 2005, The Daily Progress)

Virginia Amos said, "I stopped in to tell you folks that we have got to stop ever relying on increased property taxes to pay for everything in the budget. When you say you've got a 9.9% increase, that is not true because you've got 9.9 based on the 20 or 30 or 40% increase of the previous year. And you call that compounded. So we feel it greater than if you hadn't had an increase the previous year.

"I have paid taxes in my home for 50 years. I intend to live there. And the fair market value of my property means nothing to me because I have no intention of selling it. Now, I came across someone recently and he asked about my husband. And he said to me, 'are you still in your home?' And I said, yes I am and I intend to stay there. And he patted me on the shoulder and he said, 'I sold mine. And I moved into retirement.' And he was very sad. I don't want to make a mistake like that.

"When you ask what can you cut out of the budget. And you start looking at line items. Someone said to me, the amount you pay for ArtInPlace is just \$5,000. Well, I don't think ArtInPlace needs that money every single year because, in my opinion, you should give them nothing. And when you say that's a very little bit of money, what does it take to start toward the first million? It's a step in that direction. And I want to say this because it's my opinion. Every time I ride down the street, to me, ArtInPlace came from the junkyard. It looks like it ought to be returned to the junkyard. And rearranged junk is still junk." Amos received some applause for her stern and sincere advice.

Curtis Crawford, in his home for 30 years, said several days ago real estate assessment notices were received by the people. The Council has to decide whether to keep the tax rate the same, which would mean about a 13% tax increase because of increased assessments. Or the rate could be lowered, so the increase would not be that much. To hold the real tax amount where it is now, you'd have to reduce the rate by 13 cents from where it is now.

He said, during the recent real estate boom, the city has never lowered the tax rate to offset the actual tax increase. And so it appears that taxes are not being raised. He does not dispute if the tax increases were necessary, but has a problem with not calling a tax increase a tax increase. "To disguise or evade this crucial fact would undermine the governmental responsibility of the Council, of the city administration who reports to you, and of the electorate to whom you report. I hope what I have heard is mistaken, that you have been straightforward...To go with the flow is not to govern."

REPORT FROM RIVANNA WATER AND SEWER AUTHORITY

Tom Frederick, the agency's executive director since last summer, presented the briefing. The process has moved further forward since he last spoke to Council on November 1. Since then, the agency has focused on 4 options that seek to comply with federal regulations and respond to public input and concerns. In a series of outreach forums, each option was presented and discussed. The feedback from those meetings was highly positive both in the amount of information shared and opportunity for public input.

The goal of the process, as defined by the federal regulators, is to identify the alternative that is least environmentally damaging, practical, and allows us to take into account our overall cost purposes and feasibility. From the perspective of logistics, all 4 alternatives pass the test, are able to provide the new water to either the Rivanna or Observatory Hill treatment facility. For technical feasibility, a similar conclusion. In technical memoranda, consultants go into a fair amount of detail on the Rivanna website. We're not at preliminary or final design stage, but currently at the concept level of detail.

"Each of the 4 concepts is technically feasible. They can be implemented. And they can be implemented in a way that will meet the supply deficit for this community with the exception that 2 of the concepts do not supply the entire deficit. Dredging supplies 5.5 MGD (million gallons per day), and the 4 foot crest

would supply 3.3 MGD." If these 2 alternatives were selected in combination, you'd still need a third option to add up to the 9.9 MGD deficit projected in the 50-year planning period.

Environmental impact is given the heaviest weight by the regulators for permitting. At this point, a survey shows that none of the 4 options would be stopped by a threatened or endangered species. The James River Spiny Mussel was found in a tributary of the Rivanna but is outside the foot print of the expansion. Cultural and historical impacts are considered part of environmental impact. There are such issues with each alternative but not threatening to the project.

Two other impacts considered by regulators are wetlands and streams. Dredging of South Rivanna has minimal impacts to wetlands and streams. James River Intake concept has minimal impact on wetlands. The pipeline would have 30 stream crossings, which are considered temporary impacts. And the regulators look at temporary impacts with less importance than permanent. The Ragged Mountain option has very low impact on wetlands but moderate impact on 9,300 linear feet of streams. The Rivanna crest gate has 30 acres of wetland impact, which is the greatest of the 4 concepts and 18,000 linear feet of stream impact, which is also the greatest of the 4 concepts.

The other big issue is cost. We should have updated figures in time for the March 3 joint work session, to include effects on water rates. At this point, the Ragged Mountain expansion would be the lowest cost and dredging the Rivanna the highest cost.

There's been considerable public comment to us at each of the meetings. In an unusual show of active listening, the director summarized some themes of public input for these 4 concepts:

- interest from the public on how the decision will be made locally and by the regulators
- watershed management
- growth and development
- instream flow
- maintaining existing resources
- water conservation

Mr. Frederick concluded his report and invited questions from Council.

Councilor Blake Caravati asked if the \$127 million cost for dredging is to dredge the entire Rivanna reservoir or just a portion. Frederick said it was for all that is feasible to be dredged. Caravati then asked, how do you maintain existing assets if you don't dredge? Frederick replied that, if dredging is not selected as a water supply option, it should not be ruled out as a maintenance need.

Frederick recommended that a maintenance program be established for the South Fork Rivanna reservoir to ensure we collect data on where the sediment is, how much is being added over time, physical and chemical tests so we understand the water quality and if it's in anyway being impaired, physical surveys to look for qualitative affects such as on vegetation. There are creative ideas on how to use the silt but no sense of how that use could bring down the cost of dredging.

Mayor David Brown asked for an idea of startup cost for dredging, with costs declining as it becomes more routine. Frederick said he will make inquiries but didn't know the figures.

Councilor Kendra Hamilton asked how quickly does the reservoir siltate and how often would we have to dredge. Frederick said there are ways to mitigate erosion from agriculture and development, but some amount of siltation may be beneficial.

Councilor Kevin Lynch said that dredging would have to be a maintenance activity. He said he was less than convinced with the figures because the numbers have been changing, would like a second opinion, and the community has suggested that dredging could be much less costly than presented. He feels we're being steered toward the James River option because it's the cheapest, which may not be the most sustainable option. And its cost has dropped from \$100 million a few months ago to the current estimate of \$50 million.

Frederick said the costs presented are for raw water and do not include the cost of treatment or delivery to the treatment plants or maintenance. The figures presented in July included all those costs. This is not "apples to apples" comparison with what you saw in July.

Lynch said he has noticed that the cost for the South Rivanna expansion has gone up just as dramatically. In August 2002 Council sent Rivanna a letter saying it wanted to go with the Rivanna expansion option, "the most bang for our water rate buck." At the time we thought the 4-foot crest would bring 7 MGD. We now know it's 3.3 MGD. The price in 2001 was \$2.2 million and now we're looking at \$25 million. We may have to spend \$6 million to replace the Earlysville Road bridge over the reservoir. A 3-foot bladder may be a better idea. The \$18 million for environmental remediation costs seems "ridiculous." He said he was frustrated that an option funded 2 years ago is still an option, and not a project that has already been decided upon. The James River option is a 50-year solution. The bladder option is a 10-15 year solution.

Councilor Rob Schilling asked how far into the future does the 3.3 MGD of the 4-foot crest get us? Frederick replied 15-20 years, one third of the 50 years. The instream flow might give us less available water than before. Frederick said that the process requires the permit to be applied for and then the regulators would say if flow satisfies the permit. The regulators could deny the permit if the flow is too small or too great. The Nature Conservancy, with their own money, is collaborating with Rivanna to study the watershed and hopes to determine what stream flow is appropriate.

<http://www.rivanna.org>

Related Information:

RWSA executive director Tom Frederick responded today to an email I sent yesterday for information on the 1977 drought. This inquiry was first made right after mandatory conservation was enacted in 2002. It has taken two and a half years, exposure in the press, a new chairman and a new director for RWSA to respond to this request.

"In general, Rivanna is not required to store documents dating back to 1977, and many of them that old are no longer being stored by the agency. However, I will have someone look to see if we still have a file on the 1977 drought and get back to you. Thanks for your inquiry." -- RWSA, Feb 8 2005

The inquiry:

Subject: drought management plan

Dear Tom,

It was nice to meet you last night at the city council meeting.

Please tell me the official process for requesting archival data from your agency (the process that gets a response). I'm interested in information on the 1977 drought, one of the top 3 droughts nationally and locally in the past hundred years. This drought prompted mandatory water conservation in Charlottesville/Albemarle. A yahoo search of the internet returns 117,000 articles mentioning 1977 drought. A yahoo search of the Rivanna website returns no articles referencing this well-documented drought.

Thanks,
Blair Hawkins

All about "The Last Drought," Sep 3 2002,
<http://www.geocities.com/healingcharlottesville/letters/1/index.html>

"Drought Perspective," Sep 18 2002, <http://www.geocities.com/healingcharlottesville/letters/2/index.html>
(comparison of droughts 2002, 1977, 1930)

South Fork History

1962 South Fork Rivanna Reservoir land purchased and still owned by the City.
1966 SFRR filled and water production begins in August.
1968 First Albemarle zoning allows high density development.
1969 Four fish kills at night possibly due to low oxygen. Hurricane Camille in August.
1970 SFRR closed for two weeks after fish kill attributed to Endrin discharge at Crown Orchards.
1972 Fish kill at Lickinghole Creek attributed to ammonia spill at Morton Frozen Foods. RWSA formed.
Clean Water Act. Hurricane Agnes in June.
1973 RWSA forms advisory committee on reservoir pollution.
1974 City asks county to downzone near SFRR. UVa says SFRR is "sick."
1975 EPA says accelerated pollution is occurring.
1976 Albemarle begins downzoning. Nature Conservancy, City, County, and Virginia Commission on Outdoor Recreation purchase 80 acres as Ivy Creek Natural Area.
1977 Clean Water Act tightens restriction of discharge of toxins. Worst drought on record. First mandatory water conservation for 35 days.
1979 Watershed Manager official created. Hurricane David in September.
1980 Downzoning appealed to Virginia Supreme Court, Albemarle prevails.
1981 81.5 acres added to Ivy Creek Natural Area.
1983 Land purchased for possible future Buck Mountain Creek Reservoir.
1988 Hydro power plant installed. Virginia bans phosphates in detergents.
1995/ Major flooding in region.
1996 Sugar Hollow Reservoir placed on dam failure alert after heavy rains. Blizzard of '96 in January, Hurricane Fran September.
2002 Second mandatory water restrictions begin August 23. Letters of Charlottesville will compare the two droughts' daily demand versus water supply when authorities release the data."

"Thomas L. Frederick Jr., 47, will replace interim RWSA executive director Lonnie Wood, who was appointed after the previous permanent director Larry Tropea left in June, who replaced interim executive director Cole Hendrix, who replaced permanent director Author Petrini early in 2001. Wood will return to his post as director of finance for both authorities." ("More local leaders from faraway lands", May 2004, <http://www.geocities.com/healingcharlottesville>)

"A consultant for Arcadis G&M in Greensboro, N.C., Frederick manages various professional teams in engineering and utility management services. Before that, he served as director of water resources for three years in Asheville, N.C., where he managed a department of 106 employees providing water to more than 110,000 people." ("Rivanna appoints executive director," May 14 2004, The Daily Progress, http://www.dailyprogress.com/servlet/Satellite?pagename=CDP%2FMGArticle%2FCDP_BasicArticle&c=MGArticle&cid=1031775450838&path=!news)

Charlottesville Independent Media, February 9, 2005.

UVa alumnus talks about eminent domain

"Government should get out of the land business" -- Steven Anderson, attorney.



Steven Anderson at Maury Hall

The day after Valentine's and a week before the issue goes before the Supreme Court, an attorney for the Institute for Justice came to Charlottesville to talk about eminent domain abuse. Steven Anderson is a UVa alumnus and coordinator of the Castle Coalition. And about 30 people were in attendance.

Anderson's speech focused on the 'public use' requirement of eminent domain, with a brief discussion of 'just compensation' issues.

He said eminent domain is a "sovereign power" that predates the Constitution. The king could take land for any or no reason. The Constitution limits this "despotic power," as the Supreme Court described it two hundred years ago.

He said there were 3 main exceptions to the public use restriction against private transfer of property:

- Public necessity of extreme sort, such as canals and railroad
- Government retains strict control, such as utilities, power, water
- Facts of independent public significance

This third group of exceptions include urban renewal, which the Supreme Court ruled Constitutional in the 1954 *Berman v. Parker* case in southwest Washington, D.C. At the time, cities were thought of as organisms with diseased or blighted parts. Justifications for blight removal were health, safety, and morals. In southwest D.C. there was an outbreak of a sexually transmitted disease. The approach to blight was not piecemeal. You could tear down a nice house next to a blighted house. But southwest D.C. is no better today than it was 50 years ago.

Anderson went on to say that the tide of eminent domain for private purposes may be turning. Last summer, the Michigan Supreme Court overturned its own 1981 decision to allow a neighborhood be cleared for a General Motors auto plant. This was the first case where economic development and increased tax revenue justified eminent domain for purely private use. This project also fell short of its promises. The Michigan court reversed itself in an 8-0 ruling. (Michigan Supreme Court rules: Economic development is not eminent domain (Aug 2 2004): http://cvilleindymedia.org/newswire.php?story_id=715)

Before the U.S. Supreme Court next Tuesday at 10am, attorneys for 7 people who own 15 properties in New London, Connecticut, will argue that their land should not be transferred to a "10,000 pound gorilla," Pfizer Pharmaceutical who has been thinking about moving their headquarters here since 1988. (<http://www.pfizer.com/main.html>) The locality is bound by the public use guarantee through the 14th Amendment of equal protection.

The attorneys will argue this seizure does not fit the 3 exceptions, continued Anderson. In this case, there is no pretense of blight. Since the city has no control over any aspect of the development and no recourse if developer's promises are not kept, the "lack of certainty" means it is not a public use taking. The attorneys will also argue that the compensation is not just. There are other losses such as memories, physical stress, relocation expenses, new mortgages because the compensation is not enough to maintain the standard of living. People have suffered illnesses and even died while condemnation negotiations have dragged on.

Anderson further said that, if the high court rules in favor of the city of New London, every property in the country is at risk. The people most at risk are "overwhelmingly minority and elderly." Friend of the court briefs have been filed by the NAACP, the Southern Christian Leadership founded by Martin Luther King Jr., the AARP, Rutherford Institute, farm bureaus, and others.

He listed a few "bogus blight designations." In one area, a house over 40 years old was defined as blighted. The White House would qualify. In Lakewood Ohio, the story on 60 Minutes Sep 28 2003 and replayed July 4 2004, a house was blighted if it didn't have an attached garage. Since then, a referendum has rejected the blight designation and the mayor was voted out of office. In Norwood, Ohio, the neighbors, who sold out early thinking no one would fight, have directed anger at the few holdouts against a shopping mall expansion. The true anger is at the worse financial situation they now find themselves in, having to take out second mortgages to sustain a lower standard of living.

He reported that "clear cutting" is widespread in Philadelphia and Camden just across the river. In Riviera Beach, Florida, the city wants to transfer 1,700 acres where 5,100 people live. The Southwest Illinois Development Authority rented out its eminent domain power. You could pay them to take someone's land for you and the agency even used the words "private use."

In his final remarks before the question period, Anderson said "government should get out of the land business."

I asked, if the court rules in favor of property rights, what happens to land seized 30 or 40 years ago, that remains open space. Still nobody wants to buy the property because of the intense controversy. Anderson said it's too late. The court's decision will not undo what's already happened. There would have to be legislation to have the land returned to its rightful owners.

Eminent domain speech at UVa (Feb 14 2004): http://cvilleindymedia.org/newswire.php?story_id=1349

More on eminent domain in Charlottesville, Virginia:
http://cvilleindymedia.org/newswire.php?search_text=eminent+domain

Charlottesville Independent Media, February 16, 2005.

Council Beat: Habitat for Humanity land grab, 64 signatures in opposition

"Habitat is not a nonprofit organization that the city can give, or sell, or donate land to. So as a result of this, the Piedmont Housing Alliance has agreed to receive the land and convey it later to Habitat" -- Mr. Higgins, city planning manager.



To become Habitat houses, 1232 & 1230 Holmes Avenue

Tuesday February 22, 2005, City Hall Council Chambers

MATTERS BY THE PUBLIC

Peter Kleeman spoke on Meadowcreek Parkway and Hillsdale Drive extension issues. Meadowcreek was proposed 30 years ago and there has been much discussion in last 10-15 years. Jim Tolbert, Neighborhood Development Services director, gave the anti-parkway position 2 weeks ago despite a growing public clamor for the project to move ahead. Kleeman would like to see any kind of sketch or drawing of the project, even "back of an envelope" type studies.

Mayor David Brown announced that, since Councilor Kendra Hamilton is absent due to foot surgery, agenda items 5 and 6, Meadowcreek and Hillsdale, will be discussion items instead of action items. Council could set these projects in motion at the next meeting on March 7.

Robert Metzger, president of Brookmill Neighborhood Association in the county just behind Hillsdale Drive, said that a steering committee to study the options was split over the options of no-build and alternate route C, endorsed by Councilor Kevin Lynch. At all public neighborhood meetings, the residents have voted unanimously for the no-build alternative. This position was unanimously supported at the public hearing, although 3 people from outside the community spoke in favor of building the connector road. Albemarle has just received a \$300,000 grant to improve the Brookmill neighborhood. The posted speed limit should be reduced to 25 mph now and if the extension goes forward. "For years, the city and county have argued over the Meadowcreek Parkway. It is time for something to be done for this road. Build it." Hillsdale extension originally would cost under \$20 million; that's up to \$26 million. We need the Meadowcreek Parkway, a bypass around the city, traffic relief at Pantops and Free Bridge. The city and county will not improve without these 3 roads. "Please do not waste our money" on the Hillsdale

extension.

Stratton Salidis addressed the \$1.5 million to be spent on the overpass that would be necessary at US250 and Meadowcreek Parkway. He opposes the Parkway because it would cut through our central park, increase traffic in the city, subsidize sprawl. Autocentric growth causes development, which pollutes the water, air, and has a disproportionate impact on those less economically advantaged. Autocentric development is inefficient in terms of energy expenditure. Americans use 5 times more oil than the average world citizen. Building more roads create congestion, except on a larger scale. Now is not the time to spend this money on the parkway because a senior city administrator said in the Daily Progress that 250 is one of the best roads we have. At the current rate of funding, this thing wouldn't get built for another 20 years. The \$1.5 million could be spent immediately for transit, Sunday bus service. "Why not spend that money on the people here in the city instead of subsidizing sprawl in the county." There are also legal issues involving federal money spent for roads on park land.

Richard Collins spoke to transportation issues, the \$1.5 million for a design study of an interchange at 250 and McIntire Road. He found out about the expenditure after being out of the country for a few days. If you googol "section 4F", top of the list is the Maryland Department of Transportation, which calls into question the legality of this use of federal funds. "I was struck, in fact, by going to a meeting that Stratton had called, that many of the people who are against the parkway have been here just recently, and are not in any way aware of what had gone before...We ought to have the public informed..." Collins was chairman of the board for the Charlottesville Redevelopment and Housing Authority when the parkway proposal was shot down the first time 3 decades ago.

John Pfalz spoke as a member of CHART, Charlottesville Albemarle Regional Transportation committee of citizens. Then he turned his back to Council to inform the audience that the commission meets every 3rd Wednesday at 7pm in the Thomas Jefferson Planning District. Peter Kleeman is also a member of the commission. Pfalz ran for City Council in 2000 on an anti-parkway platform. "I have changed my mind." The original Meadowcreek design proposal 30 years ago included a grade-separated interchange but it was "knocked down" by Nancy O'Brien, Charlottesville mayor 1976-78. Pfalz said the Hillsdale extension is part of a regional plan for many low-speed connector roads. He hopes the Council will approve the project at the next meeting.

Kenneth Jackson said, "I'm here about questions, not answers. Most of you have been here going on a year now. You took the job because you said you could handle it. But still the high, rising cost of living looms over Charlottesville citizens. The average person making \$45,000 actually ends up \$3,500 in debt, with realistic statistics for debt in this city...There was a question on the ward system. And you put together a task force. Their findings are in. We'd like to know them ("Council Beat: Meredith Richards cameo, Elections report: distrust and disdain", Jan 8 2005, http://cvilleindymedia.org/newswire.php?story_id=1222)...CityLink, a very expensive project for the city. \$18 million. Is it up and running? Is everyone trained on it? Did it cost us an extra \$2 million?...Law enforcement and public safety: are they properly and adequately, fully funded?...

"Are we trying to close the achievement gap, which has loomed over this city for 30 years?" On water issues, recently "you got slapped in the face" with the fact that we need a new reservoir or water source. "You have failed to move swiftly. And your failure to move has cost the citizens money, time, and it's hurting this city. In regard to statistics, we have 4,400 students in the city school system. When I was in school, we had almost 2,000 students. That was in high school alone. We're losing things. And we don't have another 4 years of trying to leave a legacy and kill the city."

Virginia Amiss said, "I have remarked before that you are attentive but you don't hear. I have asked you to eliminate the \$5,000 that you give to ArtInPlace as this would be the first step toward saving a million dollars. Evidently you did not hear me because, after I left, you decided to spend another \$5,000 on art." (At the last meeting, her immortal words rang out: "Rearranged junk is still junk." http://cvilleindymedia.org/newswire.php?story_id=1328)

She asked Council to put aside plans for the connector road from Greenbrier to Hydraulic and redirect resources in case of a "catastrophic event" if we are ever under attack. She proposed that Profitt Road

become an eastern bypass to relieve traffic throughout the city. If this eastern connector were built, you could build a one-grade intersection at Meadowcreek and 250 because of reduced traffic. She lives near 250 and the Rivanna river and crosses Free Bridge daily. She has observed fender benders, and a water main break under the road which caused a massive traffic jam. "I have observed a rescue squad having to drive on the median." The nearest 2 crossings of the Rivanna are Profitt Road and the I-64 with an interchange at Route 20. She proposes a second connector bridge across the Rivanna in case one bridge is blocked by an accident or terrorist attack.

ORDINANCE TO CONVEY SURPLUS CITY LOTS ON HOLMES AVENUE

Mr. Higgins said, "This is a project we've been working on since last spring. We were asked to look at a number of the city surplus lots. We've acquired lots over the years for utility easements, service lines and what have you, and looked at a number of them to see if they could be used for single family housing. We were asked to do this by Habitat. They had approached us about a half a dozen lots to see if any of them could be built on. We discovered 3 lots, 2 on Holmes Avenue...and one on Bering Street which is actually at 5th Street Extended, were suitable for single family development."

There was a meeting with the Ridge Street neighbors, who said they could support the Habitat development. The Holmes Avenue neighbors had concerns whether the subsidized houses would be compatible in appearance and assessment value. "We believe they would be." 70% of existing homes on Holmes are larger than the would-be Habitat houses. "We feel the best use of the property would be to convey it," continued Higgins.

"Habitat is not a nonprofit organization that the city can give, or sell or donate land to. So as a result of this, the Piedmont Housing Alliance has agreed to receive the land and convey it later to Habitat for the purpose of Habitat developing and their program to single family houses." Higgins further said there were other options such as doing nothing, leaving the land vacant and publicly owned, or selling the land on the open market at market rate. An auction is possible.

City attorney Craig Brown said the land could not be donated to Habitat because the nonprofit is a "self-described ecumenical Christian organization." State code seeks to preserve a separation of church and state, except the YMCA, YWCA and Salvation Army are specifically exempted from the law. There was a bill moving through the General Assembly to add Habitat to the list of those operating outside the law, and will likely become state code on July 1.

Overton McGee, executive director of Greater Charlottesville Habitat for Humanity, spoke as Princess Long, one of the organization's "approved partners," stood next to him. "Thank you for considering giving us these 3 lots. This obviously will help us build more houses this year, because we won't have to spend as much on land this year. I hope you'll view it as an investment in affordable housing." When the homes are finished, they will be appraised, and the value will go into a 3rd mortgage. "If the house is sold, that money will come back to the city, the city affordable housing trust fund, or Piedmont Housing Alliance, or whomever the city designates for that money."

He said Habitat selects families that earn between 25 and 50% of area median income. The families help build one another's homes and their own homes. "The families purchase the homes with an interest free loan" made possible primarily by individual contributions. Two families have selected these lots on Holmes Avenue. Miss Long and Mr. and Mrs. Scott have worked hard on other families' homes and completed the 18-month Homebuyers Club which includes budget counseling. They have the down payment and are ready to become responsible homeowners and good neighbors.

Some neighbors are concerned that the new houses will adversely affect property values. Habitat offers 11 models to choose from so the house should fit in. A front porch would require a variance because of the cliff at rear of property. A back deck near the cliff is easier to handle. The two-story Habitat houses would have 1,200 finished square feet and 600 unfinished. The average home on Holmes is 1,400 and 400 respectively, said McGee. If the homeowners do not maintain the exterior of the house and the property, Habitat has a covenant in the deed where Habitat will clean or fix the house and bill the family. If they don't pay, Habitat has the right to foreclose.

In response to the concern that the families won't be able to afford rising costs, McGee said the mortgage is to be paid over a longer term than typical. Habitat believes their families should not pay more than 25% of their income for mortgage, taxes, and insurance. Some neighbors have said they want the land sold on the "open market" but Habitat prefers the transfer be thought of as "an investment in affordable housing."

PUBLIC HEARING

Adam Peters moved into the Holmes neighborhood 2 years ago with his wife and 2 small children. He has been in and out of some of the houses on Holmes. He's also a longtime volunteer with the Charlottesville Habitat for Humanity since 1996. He's proud of Habitat and the community it fosters, the positive effect it has on people's lives and neighborhoods as a whole. In support of the proposed land transfer, he said the size and design of the houses would fit right in. He's proud of the quality of Habitat houses, more solid because volunteers use "twice as many nails" than a regular construction company would. Many of the houses he has volunteered on have amenities his own home does not, such as central air conditioning, central heat, modern windows that filter out UV rays. He observed that Habitat houses are better maintained than their neighbors' houses. Habitat selects only families of exceptional quality.

Thomas Norford lives directly across the street from the 2 vacant lots. He and his wife have lived at this address for 26 years. Both of them have worked 2 jobs at times to be able to afford this house. Over the years, he has inquired about the lots and was first told that the lots were unbuildable, not suitable for housing. More recently the city said the lots would remain open as access to open space behind the lots to be developed in the county. "Then we suddenly find out the city is considering donating these to Habitat for Humanity for affordable housing."

Has the City Council determined that, in the Woodhaven neighborhood, only lower income people can have ownership of these lots and other community members are not given a chance to own them? "We have invested in preserving our neighborhood as a planned development community. Toward that interest, we have gathered 64 signatures on a petition showing our disapproval to City Council." The group does not believe transfer to Habitat through PHA would be the best use of the land. The land is currently appraised at \$64,000. These funds could be used to renovate homes that would be affordable to the working poor. Property values are from \$200,000 to \$250,000 and assessments rose by 11-14% this past year alone. The average working wage is up 6%. So you're looking at 5% in the hole every year.

According to an AP story, owners of northern Virginia Habitat homes are unable to pay the taxes. The working family would never be able to afford the homes on Holmes Avenue to be valued at \$170,000. In northern Virginia the localities have had to use tax abatements and utility abatements so the families could afford to remain in the Habitat home.

Sharon Bishop owns the house adjacent to the property in question. She moved into the Woodhaven neighborhood in 1996. The typical Woodhaven house is a 2,000 square foot brick rancher. The average annual tax is at least \$1,500. The Habitat houses would be at least \$1,200 a year. Are these potential homeowners set up to fail if they are unable to afford all the expenses? The lots are only 40 feet wide, bordered by a 60 foot cliff. The new houses would not meet the 30-foot setback required by zoning. There could be no back yard, so kids would have to play in the front yard, which is not consistent with the neighborhood. Digging the foundation could jeopardize nearby houses. In closing, she asked that the parcels be put on the open market.

Princess Long, a single mom with 2 sons, would live on one of these lots. She asked that neighbors give her the same opportunity to feel proud of a home she has worked hard for.

Richard Price, by request of the Habitat director, came to speak about the market rate housing project being developed in the Woolen Mills neighborhood to include 2 affordable units. He asked that Council approve the land transfer to Habitat.

Kenneth Jackson said he's "never heard such institutional discrimination in my life." You can serve my burger and wipe my butt but you can't live beside me--to paraphrase Jackson. "Low income people are

people too."

The Council then discussed the proposal but postponed a decision until the next meeting on March 7. Councilor Rob Schilling shared that he had already informed Habitat that he opposes the gift transfer, but would support sale at fair market value and otherwise supports the work of Habitat. Mayor David Brown said, "I think unequivally we should" convey the land to Habitat through PHA for affordable housing.

ANALYSIS:

Institutional discrimination? Who's being discriminated against?

1. The neighbors who sought to purchase the abandoned public lots and then pay taxes on the land. Everyone in the community, except Habitat and the Habitat family, is discriminated against.
2. The Habitat family because they are not allowed to enjoy the financial benefits of their hard work and rising assessments. If they sell, the profit goes back to finance more discrimination.

Who benefits from the discrimination?

1. Habitat gets free land and gets to say they helped a needy family. Why doesn't the city give the land directly to the family so they would have collateral to get a loan to build a house?
2. The city's housing trust fund takes back a lifetime of built-up equity if the Habitat house is ever sold.

What institution is discriminating?

1. The city against working poor trying to rise out of poverty without the "help" that perpetuates a disadvantaged class of citizens.
2. Habitat against Princess Long and the Scotts by writing into the deed that they cannot benefit from their investment the way their neighbors can.

Who are the accomplices?

1. Piedmont Housing Alliance by acting as a middle man for a transfer otherwise prohibited by state code.

Perhaps the city should wait until July 1 when a new law is expected to add Habitat to a list of entities exempted from the law prohibiting transfer of public assets to religious organizations. How much meaning does a law have if everybody's exempted? What does it mean for the people who are not favored enough to be designated above the law?

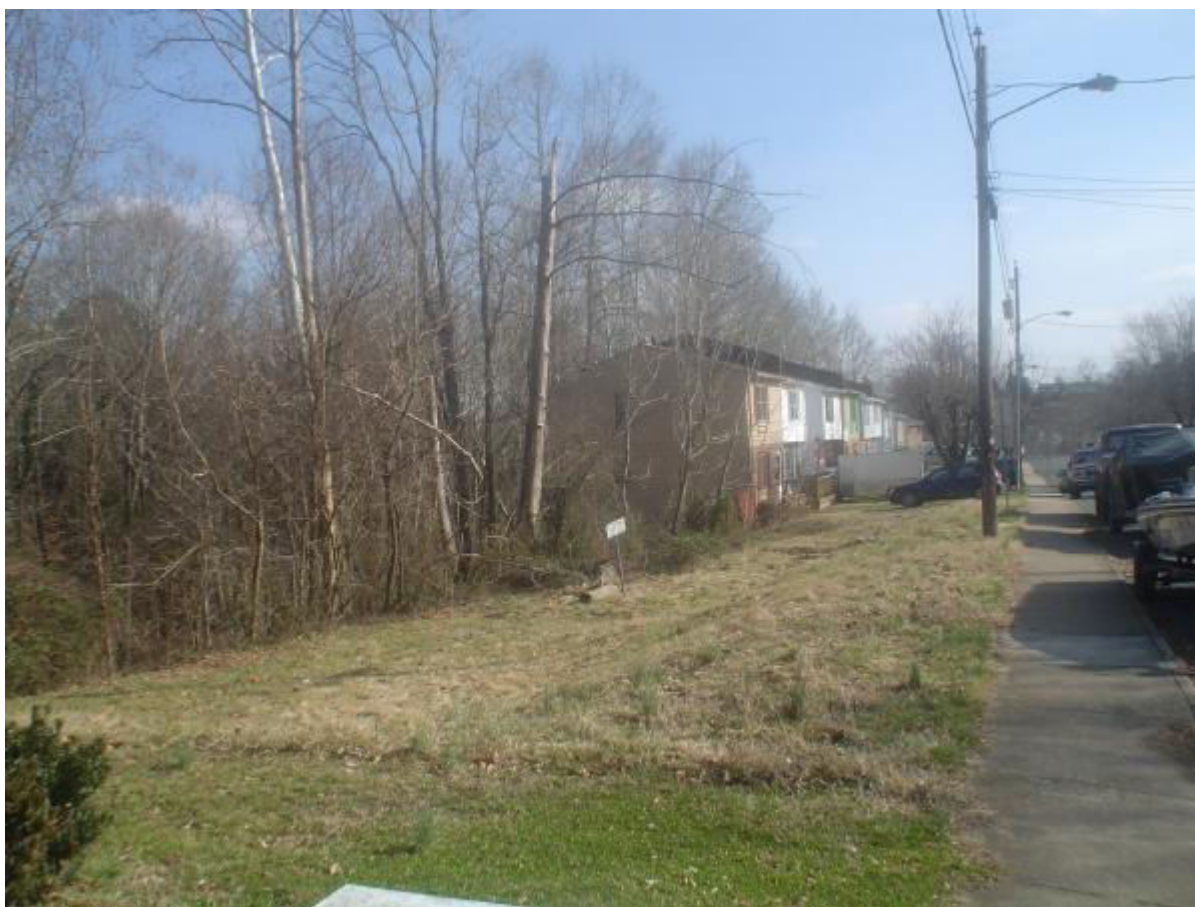
Just as you can write into the deed permanent restrictions on the new Habitat owners, it's possible that the city is bound by restrictions it assumed when the land was taken. Almost all public land today was private land at one point. If the land was purchased on the open market, the city would be free to sell or give it away.

But if the land was taken for a specific use, what happens when that use no longer exists? In this case, the city claims the land was acquired for utility easements. If that's the case, the city may not even own the land, but simply be using it for a public purpose. If so, the land should be returned to its rightful owner at no charge who can then sell the parcels in the clear. If the land was taken for a specific purpose and never used for that purpose, it should be returned to its rightful owner along with a penalty for breach of contract.

Ironically, this Council meeting was on the same day the Supreme Court heard a case about land transfers under the guise of eminent domain, better known as urban renewal. At issue is whether government can take property for a public use and then not be bound by that covenant. What the nation needs is for the court to explain the rules of the real estate game clearly and reaffirm that these rules apply equally to everyone.

"UVa alumnus talks about eminent domain" Feb 16 2005

http://cvilleindymedia.org/newswire.php?story_id=1357



Closer look at surplus land



View in other direction

Charlottesville Independent Media, February 23, 2005.

Fridays after Five to be in urban renewal zone this year

A grassy knoll and Garrett Street will be the temporary home of Fridays After 5-- if Charlottesville approves Coran Capshaw's plan for an alternate location while the amphitheater on the Downtown Mall is under construction. -- The Hook

A grassy knoll and Garrett Street will be the temporary home of Fridays After 5-- if Charlottesville approves Coran Capshaw's plan for an alternate location while the amphitheater on the Downtown Mall is under construction.

Capshaw's group has purchased the name "Fridays After 5" for an undisclosed amount from the soon-to-be defunct Charlottesville Downtown Foundation, the nonprofit that began the popular warm-weather event in 1988.

<http://readthehook.com/stories/2005/02/24/newsFridaysAfter5TakingItT.html>

Garrett Street was developed in 1860 on Oak Hill farm after the death of Alexander Garrett. Urban renewal of the neighborhood was approved by referendum in 1967, funded by federal grant in 1970, and bulldozed in 1972. Ivy Industries opened 1979 and folded 2003. Dave Matthews Band manager Coran Capshaw, who now owns the property, plans to turn the Ivy Industries building into an ACAC athletic facility.

Charlottesville Independent Media, February 25, 2005.

Urban renewal icon to retire after 37 years

Legacy of Mitch Van Yahres: Steal from the poor. Give to the rich. Declare friendship with the poor. Blame the Republicans.

Facing a possible repeat of the grassroots campaign 2 years ago to expose his record of eminent domain abuse, Mitch Van Yahres announced at a Democratic spaghetti dinner March 5 that he will retire after 37 years in politics ("Van Yahres announces retirement", Mar 6 2005, The Daily Progress).

The event, attended by two hundred supporters, was held at the Monticello Event and Convention Center in the very neighborhood Van Yahres worked to destroy. Journalist Bob Gibson, Progress reporter since the 1970s, made no mention of Van Yahres' role in opposing property rights of the poor, elderly, and minorities.

On February 22, the U.S. Supreme Court heard arguments in a New London, Connecticut, urban renewal case that mirrors what's happened in Charlottesville repeatedly since the city's redevelopment agency set a precedent by obliterating the predominantly black neighborhood of Vinegar Hill in 1964 in the hope of selling the land to private developers. The Charlottesville Redevelopment and Housing Authority has promised to release what remains of its historical archives onto the internet sometime this spring. The high court is expected to hand down its ruling by the end of June.

Mitch Van Yahres served on Charlottesville's City Council 1968-1976 and was mayor 1970-1972. Van Yahres was elected to the House of Delegates in 1981 as the Democratic representative of the 57th District, which includes Charlottesville and the urban ring of Albemarle County.

The front page Daily Progress story continues:

"Three Democrats in the room Saturday night...said they are considering a bid for the party nomination to succeed Van Yahres: former Charlottesville Mayor David J. Toscano, former city councilor Meredith Richards and University of Virginia history professor Jeffrey Rossman."

Of these candidates, only Richards has said publicly that she opposes eminent domain abuse.

Bob Gibson quoted state senator Creigh Deeds: "Mitch has been a voice of reason...Mitch has been the conscience of the House of Delegates in a very difficult time the last several years...he's been talking about tough issues."

Actually, Van Yahres has remained silent on the issue of urban renewal, now before the Supreme Court.

Gibson goes on to quote various officials who contradict history:

Van Yahres is "relentless, concerned, involved and a true voice for the voiceless." -- Delegate Viola Baskerville, D-Richmond, candidate for Lt. Governor in the June 14 primary.

Van Yahres "has served very well." -- First black mayor of Charlottesville, Charles Barbour.

"Somebody else can come in and look at it in a different way and still be the right way," said Van Yahres of his successor.

In the partisan mind of Van Yahres, that can be true only if his successor does not call himself a Republican.

Related reports:

Van Yahres' only political opposition in 2003

<http://www.geocities.com/healingcharlottesville/Campaign2003/index.html>

History of the neighborhood Van Yahres helped to destroy (Mar 9 2004)
http://www.cvilleindymedia.org/newswire.php?story_id=226

Fridays after Five to be in urban renewal zone this year (Feb 25 2005)
http://www.cvilleindymedia.org/newswire.php?story_id=1400

UVa alumnus talks about eminent domain (Feb 16 2005)
http://www.cvilleindymedia.org/newswire.php?story_id=1357

Eminent domain issue in Council race for #1 City in USA: Get out the vote! (May 3 2004)
http://www.cvilleindymedia.org/newswire.php?story_id=472

More on the eminent domain issue from Charlottesville, Virginia
http://www.cvilleindymedia.org/newswire.php?search_text=eminent+domain

Charlottesville Independent Media, March 6, 2005.

Charlottesville gives public land to Habitat for Humanity

City Council voted 4-1 to donate 3 "surplus city lots" to the Greater Charlottesville Habitat for Humanity for development. Because the transfer is prohibited by state code, Piedmont Housing Alliance will act as middle man.

Tonight, the City Council voted 4-1 to donate 3 "surplus city lots" to the Greater Charlottesville Habitat for Humanity for development. One lot is on Bering Street in the Tonsler precinct on the less affluent south side of town. The other 2 lots are on Holmes Avenue in the Recreation precinct on the north side of town. A 64 signature petition was presented to Council 2 weeks ago in opposition to the Holmes Avenue transfer.

At the last Council meeting on February 22, city attorney Craig Brown said the transfer was prohibited by state law. He did not indicate tonight that he had been mistaken in his interpretation of the Code of Virginia that prohibits transfer of public assets to religious organizations. He did not cite the specific code. Unlike the YMCA, YWCA, and Salvation Army, Habitat is not yet exempted from this law.

In order to get around this legal hurdle, city planning manager Ron Higgins announced at the last meeting that a private developer has agreed to act as a middle man for the donation. "Habitat is not a nonprofit organization that the city can give, or sell, or donate land to. So as a result of this, the Piedmont Housing Alliance has agreed to receive the land and convey it later to Habitat," stated Higgins.

Bodily, the 4 approving Council members, all Democrats, referred to the transaction as if the property were being given to Habitat directly. Apparently, good intention is the basis of their decision to break this law. The sole Republican Rob Schilling opposed the transfer, not because it is illegal, but because he prefers to sell the land. He said the city cannot afford to give away land.

In an unrelated appropriation, the Council voted again along party lines to give Piedmont Housing Alliance \$30,000 to continue its redevelopment in the Page and 10th Street neighborhood. Rob Schilling opposed giving PHA the money because the project lacked details on how it would be spent.

Council Beat: Habitat for Humanity land grab, 64 signatures in opposition (Feb 23 2005)
http://cvilleindymedia.org/newswire.php?story_id=1390(with 3 photos)

I'm just a humble reporter. I report reality as I observe it. The only way I can hold our officials accountable is through freedom of the press.

Charlottesville Independent Media, March 8, 2005.

Not all political seasons the same

Calling his bid a David verses Goliath challenge, Koleszar said, "Rob Bell is this professional, polished, personable politician who everybody thinks is this giant ... I look around and I don't see anybody else coming forward to do this, so I am going to have to do it." ("Democrat to challenge Bell for 58th House seat", March 17 2005, The Daily Progress)

House of Delegates - 57th District

Democrat:

David Toscano (<http://www.toscano2005.com>) is running for the seat left open by Mitch Van Yahres who announced his retirement March 5. Every seat in the House of Delegates is up for election every two years.

Van Yahres' only opposition in his final campaign in 2003 was Blair Hawkins, who failed to win the Republican nomination for this seat. The biggest difference between now and then is that the issue Hawkins believed to be Van Yahres' tragic flaw is now before the Supreme Court (<http://www.geocities.com/healingcharlottesville/Campaign2003/index.html>). To those familiar with Greek tragedies, it came as no surprise that Van Yahres' retirement speech was given in the very neighborhood Hawkins' accuses him of helping to destroy in his official support of urban renewal on Charlottesville City Council 1968-1976.

To qualify as a candidate, "a Declaration of Candidacy, petitions with 125 signatures of voters in the 57th District, and a filing fee of \$352.80" are required. "These must be filed during the window of time from March 29, 2005 to April 15, 2005...The Nominating Committee will then have to verify the petition signatures, and I will file by April 20, 2005, a list of all candidates who have qualified to be on the ballot. That would effectively end our Party involvement -- the primary itself is administered by the Board of Elections on June 14, 2005, when the primaries for statewide office are being held" (Lloyd Snook, city Democratic party chairman, <http://www.cville Dems.org/57thselection.html>)

Meredith Richards, the only Democrat locally who opposes eminent domain abuse (urban renewal), is not a candidate (<http://loper.org/~george/archives/2005/Mar/933.html>)

Republican:

No candidate has officially announced. But Tom McCrystal, who considered but declined to seek the nomination 2 years ago, is rumored to be interested again.

"There will be a pre-filing requirement for both of the mass meetings. The deadline will be 5:00 P.M. on Friday, May 27, 2005, and the location for pre-filing is my house. The mass meetings will be held on Monday, June 6, 2005, at McIntire Park beginning at 6:00 P.M. There is no pre-filing fee for City Constitutional Officers. There is a \$200.00 pre-filing fee for the 57th House of Delegates nomination" (Bob Hodous, city Republican party chairman, <http://www.allhookedup.com/gop>)

Two years ago, the filing deadline and the mass meeting were announced only a few weeks before the convention despite a campaign for nomination already underway, and the filing fee was \$500.00.

House of Delegates - 58th District

Democrat: Steve Koleszar

Calling his bid a David verses Goliath challenge, Koleszar said, "Rob Bell is this professional, polished, personable politician who everybody thinks is this giant ... I look around and I don't see anybody else coming forward to do this, so I am going to have to do it." ("Democrat to challenge Bell for 58th House seat", March 17 2005, The Daily Progress, http://www.dailyprogress.com/servlet/Satellite?pagename=CDP/MGArticle/CDP_BasicArticle&c=MGArtic)

[e&cid=1031781637224&path=\)](#)

Republican: Rob Bell is the incumbent running for election to a third term.

Jefferson Area Libertarians are active

"All JAL members, prospective members, and friends of the JAL are invited to attend our annual convention. It will be held in the private dining room of the Asian Buffet on Rt. 29N in Charlottesville. We will have dinner at 6PM, and then the convention will start at 7PM, on Tuesday, April 5th.

We expect to have Al Aitken, chair of Virginians Over-Taxed On Residences (<http://www.votors.org>) speak at our convention. VOTORS is a grassroots group proposing alternatives to the current property taxation scheme in Virginia that will reduce the automatic budget increases local governments use the property tax for. Mr. Aitken is also an airline pilot, a former fighter pilot, and one of the people who led the fight after 9/11 to allow pilots to carry firearms in the cockpit.

Please RSVP to arin@jalibertarians if you plan to attend, we hope to see you there!"

<http://www.jalibertarians.org>

Virginia State Races

.. Governor

Democrat:

Tim Kaine <http://www.kaine2005.org> <http://www.tk4g.org>

Republican:

Jerry Kilgore <http://jerrykilgore.com>

George Fitch <http://www.georgefitch.com>

Independent:

Russ Potts <http://www.russpotts.com/main.cfm>

.. Lt. Governor

Democrat:

Leslie Byrne <http://www.lesliebyrne.org>

Chap Petersen <http://www.petersen2005.com>

Viola Baskerville <http://www.violabaskerville.com>

Phil Puckett <http://www.puckettfortgov.com>

.. Attorney General

Democrat:

Creigh Deeds <http://www.creighdeeds.com>

Republican:

Steve Baril <http://www.stevebaril.com>

Bob McDonnell <http://www.bobmcdonnell.com>

"NEXT ELECTION:

DUAL PRIMARY ELECTION

June 14, 2005

Books Close May 16th at 5 pm

Absentee Ballot Apps. by mail deadline
Thursday, June 9, 2005
Absentee Ballot Apps. in person deadline
Saturday, June 11, 2005

Polls open at 6 a.m. and close at 7 p.m."

(<http://www.charlottesville.org/default.asp?pageID=B6EBE132-4935-4040-940B-84315F949B2E>)

Council Candidate announces for 2006

"[Kenneth] Jackson, 38, said his change in affiliation is a reaction to an increasingly partisan political climate.

'After being in the political game and working on both sides, I'm sick of parties,' he said. 'They both have good ideas [but] they can't put aside partisan politics to do what's right for the people.'

Jackson was one of two Republican candidates who ran last year. The other, Ann Reinicke, said she does not plan to run again."

("Jackson turns independent for '06 race", Feb 25 2005, The Daily Progress, http://www.dailyprogress.com/servlet/Satellite?pagename=CDP/MGArticle/CDP_BasicArticle&c=MGArticle&cid=1031781234548&path=)

Charlottesville Independent Media, March 20, 2005.

Dueling Legacies for Charlottesville: Progressive or Racist?

A deep-seated mistrust of Charlottesville police within the black community so hampered the investigation into a recent police shooting, the city's top prosecutor said, that the only option was to seek the appointment of a special grand jury with subpoena power.

That jury cleared the officers of wrongdoing, but also returned an unusual 12-page report detailing ways to improve the city police department's relationship with black residents. The case, Commonwealth's Attorney Dave Chapman said, highlights the wide racial divide that city police must work to overcome.

... M. Rick Turner, president of the local NAACP, also used South Carolina as an example of a place that is openly racist. But he said the "toxic racial culture" in Charlottesville is even worse.

"We live among people who pretend to be liberal, people who pretend to be fair," said Turner, who is also dean of African-American affairs at the University of Virginia. "People in Charlottesville will smile and say everything's OK and then stab you in the back. You can get fooled in Charlottesville."

... The [police] department has 12 black officers out of 110 sworn positions.

[Police Chief Tim] Longo said a computer system will be set up in the next six months that will better track patterns in officer behavior, such as tendencies toward using force. The grand jury also recommended such monitoring.

As for the concerns that led to the formation of the special grand jury, Chapman said it is important that police continue reviewing policies such as when an officer should use a drug dog in a traffic stop. He referred to a letter to the editor in The Daily Progress that described how a black teenager was pulled over and forced to wait for the arrival of a drug dog, which found nothing.

"That ... is the type of subject people need to look at to get at the issues of concern in the African-American community," he said.

Longo said the decision to use a canine boils down to whether the officer has a reasonable cause for suspicion that he can articulate. "We're looking at these kinds of issues," he said.

Such incidents, many say, serve to inflame resentment fueled by past racism. Mayor David Brown said racial mistrust goes back to the razing of the black community of Vinegar Hill in the name of "urban development" in the 1960s.

"Trust is built gradually," he said, "and it can be lost fast."

("Report sparks race discussion" by Reed Williams, March 27 2005, The Daily Progress, http://www.dailyprogress.com/servlet/Satellite?pagename=CDP/MGArticle/CDP_BasicArticle&c=MGArticle&cid=1031781813304&path=)

(It is the modern-day policy of the Daily Progress that 1960s Vinegar Hill is the only urban renewal project ever to occur in Charlottesville even though this bias contradicts the paper's own archives. On Feb 22 2005, the Progress editorial condemned urban renewal in New London, Connecticut, on the day the Supreme Court heard the case. In the essay, the Progress made no mention of local cases, giving the impression that for Charlottesville the eminent domain debate is academic.

"Daily Progress continues black-out of urban renewal debate: One candidate aware of the issue", April 22 2004, http://cvilleindymedia.org/newswire.php?story_id=418

"Charlottesville Council resolves support of gay civil rights: Dice urban renewal vote postponed", Nov 17 2004, http://cvilleindymedia.org/newswire.php?story_id=1049

Council calls for more old-style urban renewal: "This was one of the big lacks, is that the Redevelopment portion of the Housing Authority's title had been neglected over the years" -- Kendra Hamilton. "Council Beat: Parade of grievances, Housing Authority report", Jan 19 2005, http://cvilleindymedia.org/newswire.php?story_id=1263)

Del. Mitchell Van Yahres, D-Charlottesville, is that rare politician who would carry an unpopular cause for many years if he believed in it strongly enough.

Few legislators from any political party have worked as hard to restore the voting rights of people who had committed a felony long ago, or to sponsor legislation creating a local public defender's office so that the young and poor charged with a crime could gain a more uniformly sufficient defense in court.

For five straight years, Van Yahres carried the public defender office bill to final passage and the governor's desk. The first four years the measure passed, it ran into vetoes from Gov. George Allen, but the fifth year it was signed into law by Gov. Jim Gilmore.

No one spent as much effort as Van Yahres trying to convince General Assembly colleagues to try to live for two weeks on the amount of money the poor get for food stamps.

Absolutely no one in office tried as hard to convince officials that industrial hemp would be a profitable enough replacement crop for tobacco farmers to allow many to keep farming. The federal government's zero tolerance policy for anything related to marijuana proved a higher barrier than even a determined retired arborist could hurdle.

Throw in legislation for farmers markets, a state office of consumer affairs equipped to handle complaints and the ability of small farmers to sell unpasteurized goat's milk and Van Yahres' legislative record is an eclectic mix marked by looking out for the little guy.

'Don Quixote' of the 57th

Call Van Yahres a patron saint of unpopular causes and the good-natured 78-year-old delegate can burst out laughing and joke that he is enough of a Don Quixote to have "a fair number of windmill scars on my hide."

Now that he is retiring at the end of the year, he looks back on his 24 years representing Charlottesville and portions of Albemarle County with the satisfaction of having spoken out for beliefs, causes and people that might not have had as much of a spokesman without him.

"It's not any necessarily great display of courage in this district because there is a great deal of support for some of the liberal causes I got involved with," Van Yahres said.

People who have known him for years say Van Yahres is unafraid to speak his mind and carries with him a genial outdoorsman's ability to speak plainly and easily with anyone.

"He cares deeply for people, including people who don't have much power, and I admire him for that," said Fred W. Scott Jr. of North Garden, a Republican who once ran for the House of Delegates...

("A look back before leaving" by Bob Gibson, March 27 2005, The Daily Progress, http://www.dailyprogress.com/servlet/Satellite?pagename=CDP/MGArticle/CDP_BasicArticle&c=MGArticle&cid=1031781813318&path=)

("Not all political seasons the same" March 20 2005, http://cvilleindymedia.org/newswire.php?story_id=1476)





Rick Turner



Police Chief Tim Longo



Mitch Van Yahres

Charlottesville Independent Media, March 28, 2005.

Charlottesville urban renewal director fired by board of commissioners

Chedda is the third housing chief in seven years to leave under unusual circumstances. His predecessor, Del Harvey, resigned unexpectedly in May 2003 after four years on the job. Her predecessor, Earl B. Pullen, served his last day in June 1998 after the authority's board voted to not renew his contract.



Paul A. Chedda takes office Aug 21 2004, dismissed May 11 2005 (photo by CRHA)

Housing director dismissed: Chedda to depart after less than year

By John Yellig / Daily Progress staff writer
May 12, 2005

Less than a year after taking charge of Charlottesville's public housing authority, Executive Director Paul Chedda was dismissed Wednesday.

City Hall sources said that he was served late Wednesday afternoon with a letter informing him that the Charlottesville Redevelopment and Housing Authority Board of Commissioners had decided to invoke an exit clause in his contract.

The city was to make a formal announcement today.

Chedda, a former real estate lawyer and director of housing for the Catholic Charities Diocese of Rockville Centre on Long Island, N.Y., had a frequently contentious relationship with the authority's board, outside organizations and his employees, several people familiar with the situation said.

Chedda and the board couldn't agree on priorities and goals after he started work Aug. 21 and he had trouble accepting criticism or advice, according to one commissioner and another source, both of whom spoke on condition of anonymity because the dismissal had not yet been publicly announced.

Chedda is the third housing chief in seven years to leave under unusual circumstances. His predecessor, Del Harvey, resigned unexpectedly in May 2003 after four years on the job. Her predecessor, Earl B. Pullen, served his last day in June 1998 after the authority's board voted to not renew his contract.

Chedda's dismissal follows the April 21 resignation of city schools Superintendent Scottie Griffin.

Chedda, whose telephone number is unlisted, could not be reached for comment Wednesday.

Maintenance on the city's seven public housing developments has fallen far behind, partly, some allege, because Chedda suspended or fired many of the maintenance staff.

The maintenance department was at one point reduced to two employees and was forced to use outside contractors to perform repairs, according to a City Council report.

Residents of the 40-year-old Westhaven development frequently went without heat or hot water last winter due to malfunctioning boilers.

The authority faces a \$9.5 million backlog in repairs, according to the report.

"He's executive director," community activist and past commissioner Joy Johnson said. "He can hire or fire anybody he wants, but the maintenance department, that's a critical part of the organization."

The authority manages 376 public housing units and 345 apartment units rented through the federal Section 8 housing assistance program. The authority has an annual \$5.5 million budget.

Relations between Chedda and the authority's board became increasingly acrimonious in recent months.

According to a source, Chedda greeted his recent performance review with a hostile eight-page response.

This, despite the fact that it noted Chedda's strengths and expressed the board's continued support in his leadership, the source said.

"He was just highly sensitive to criticism," said Karen Waters, director of the Quality Community Council, a nonprofit that works to improve the quality of life in city neighborhoods. "He wasn't someone who took advice well."

The Oldani Group executive search firm, which specializes in the public sector, was hired by the board to fill Chedda's position.

As part of his contract, Chedda will receive six months severance pay.

(

[http://www.dailyprogress.com/servlet/Satellite?pagename=CDP/MGArticle/CDP_BasicArticle&c=MGArticle&cid=1031782672209&path=\)](http://www.dailyprogress.com/servlet/Satellite?pagename=CDP/MGArticle/CDP_BasicArticle&c=MGArticle&cid=1031782672209&path=))

Related articles:

"Council Beat: Parade of grievances, Housing Authority report", Jan 19 2005:
http://cvilleindymedia.org/newswire.php?story_id=1263

Charlottesville Redevelopment and Housing Authority since 1954:
<http://charlottesville.org/default.asp?pageid=1A1AEE71-4CFA-4FAB-9C20-0012BD4FFACB>

CHARLOTTESVILLE REDEVELOPMENT AND HOUSING AUTHORITY BOARD OF COMMISSIONERS

1. Mr. Steven Blaine - Commissioner, Term Expires: 6/30/07
2. Ms. Cheri Bowling - Commissioner, Term Expires: 6/30/05
3. Mr. Howard Evergreen - Chair/Commissioner, Term Expires: 6/30/05
4. Ms. Kendra Hamilton - Commissioner, Term Expires: 6/30/05
5. Mr. Richard H. Jones - Commissioner, Term Expires: 6/30/07
6. Ms. Brynda Loving-Kotter - Vice-Chair/Resident Commissioner, Term Expires: 6/30/07
7. Ms. Audrey Oliver - Resident Commissioner, Term Expires: 6/30/05

(<http://charlottesville.org/content/files/A19CB2F7-219D-4412-A65A-FA2204DC4C2E.doc>)

A seven-member Board of Commissioners appointed by the City Council governs the Authority. Two of the Housing Commissioners are Housing Authority residents; at least one is a current or former resident of our high performing Housing Choice Voucher program; at least one is a City Councilor and the others are at-large appointees.

Commissioners are responsible for the policies of the Housing Authority as well as for the selection of the Authority's Executive Director. The Board of Commissioners holds its regular scheduled meetings each 4th Monday of the month beginning at 7:00 p.m. The Authority rotates its meetings among the various public housing sites in order to facilitate resident participation. For information about the agenda, location of the next scheduled meeting, or to contact the Commissioners please call (434) 970-3253. (<http://charlottesville.org/default.asp?pageid=D394FD09-C7EA-4D7B-A12F-A5CCFA4C1097>)

Former Housing Authority chairman, Rich Collins, is candidate for House of Delegates, advocates permanent disadvantage for low income people:

"How does a CLT [Community Land Trust] connect to the achievement gap? The gap has two parts: People don't believe you can achieve so they don't give you opportunities or ever accept you as an equal. You don't believe you can achieve so you don't try to prove them wrong. After all, why should you work so hard? The slave master owns the land but lets you sharecrop as long as you profit less than the master, as long as the master has more rights than you." (Complete essay: <http://loper.org/~george/archives/2005/May/924.html>)

Charlottesville Independent Media, May 12, 2005.

Response to Rich Collins' Community Land Trust Idea

We all want to help somebody. It makes us feel good.

And if our help makes things worse, at least we can say our intentions were noble. Then decades later, we can take pride in our good deeds and further propose the same programs that failed a generation ago and hope nobody remembers.

This is my take on Rich Collins, chairman of Charlottesville's urban renewal agency in the 1970s and

current candidate for House of Delegates 57th district. I have to give Mr. Collins credit: he is bold. I wouldn't have the nerve to support programs that bring us the achievement gap.

Here is Mr. Collins [bold new idea](#):

"A CLT [Community Land Trust] allows a non-profit or public entity to acquire land and then develop it for low and moderate income housing. A 99 year lease for the land at no cost, or low cost, allows the owner of the housing to acquire it at an affordable rate. (Land prices are a major reason that housing prices are rising.) The owner of a house on CLT owned land has the attributes of ownership which we most value: security of tenure, privacy, and the ability to bequeath the lease and house to others. If the owner, however, decides to sell the house, the CLT has the right to buy it. The owner will be paid for improvements and some percentage of the increase in capital value, but the CLT, which owns the land, and has a long term interest in affordability, has the means to keep the unit affordable for another low income buyer. . The CLT concept provides a creative compromise between home ownership and affordable ownership over the long term."

Here are my concerns:

(1) How will the land be acquired? Given his background, Collins would likely support use of eminent domain to acquire the land. But he doesn't describe the process or address eminent domain fears of city residents and property owners. He leaves out this part as if to imply that the affordable housing goal is so lofty that any means necessary is justified. The U.S. Supreme Court is expected to rule in June whether it's Constitutional to use eminent domain to take land for the purpose of transferring ownership. Last session, 40 eminent domain related bills were offered in the General Assembly. I'd hate to see Charlottesville send to Richmond someone who would make it easier for your property to be taken away.

(2) Why can't a private, for-profit entity participate in a CLT? What special status must a developer possess in order to build affordable homes? Non-profits suffer from a credibility problem from the start because its profits (donations to salaries, operating expenses, surplus reinvested in the company) are exempted from the burden of taxation. Then it's a short road to believing you're exempted from all laws. If you're not specifically exempted, you can petition government and surely be exempted. You can also ask for corporate welfare in the form of grants and not even blush. In the recent city budget process, at a council meeting, someone asserted that the subsidy increases being requested by local charities (MACAA, JABA and others) were for pay raises, not to provide a new service or buy more food, for example. If charity is your source of income, you face a major conflict of interest.

(3) How can you be a homeowner and not own your home? If you have a 99 year lease, do you own anything? Can you cash out equity in your largest investment? Can you bequeath the property to anyone or does a bureaucrat have to verify that the transfer is within the rules? Can you put up the house as bond to get your child or grandchild out of jail? What other rights and privileges would you have to give up in order to take advantage of the trust?

How does a CLT connect to the achievement gap? The gap has two parts: People don't believe you can achieve so they don't give you opportunities or ever accept you as an equal. You don't believe you can achieve so you don't try to prove them wrong. After all, why should you work so hard? The slave master owns the land but lets you sharecrop as long as you profit less than the master, as long as the master has more rights than you. Well, you do have to live somewhere.

Why would Mr. Collins propose a program that does not seek to elevate low and moderate income people to full citizenship, equal rights, and equal treatment? Why should poor people not be able to profit from their investments just as their affluent neighbors do? If you want your children to grow up expecting to be denied full participation, "buy" a house in a government-owned "neighborhood." The poverty industry needs rethinking and reinventing, not retooling and repackaging.

Here's my idea. 15 minutes a day -- a house in 15 years. No matter where you work, keep a daily work journal. Keep track of your own time, duties, contacts. Verify that your pay is the correct amount. Writing a resume becomes easy as pie: just look through your journal and pick out the relevant accomplishments. Take ownership of your career by documenting it. Organize your bills, expenses, rent receipts. If you can record and document your work, you become more valuable as the documentation grows.

As your writing skills improve, begin to charge more money. (Remember: the employee sets the wage, not the employer.)

Then one day, when you're ready, take some of this documentation to a bank and ask for a loan to buy a house. Shop around for a used house or condo. Then begin paying a mortgage just as you've been paying rent all these years. This way, if property values go up, you can benefit fully. You can sell the house anytime to anyone (owner sets the price, not the buyer) and not have to share the crops with a slave master who "helped" you 15 years ago.

Electronic mail, May 11, 2005, <http://loper.org/~george/archives/2005/May/924.html>

Vision to close the achievement gap: Letter to LWV

Tuesday May 31, 2005

Dear League of Women Voters:

I am honored to participate in this public forum for school board applicants. My vision to build good will and begin to close the achievement gap has three main parts:

Free Lunch for Everybody

The most visible and easiest change with the greatest return on the investment would be to make a nutritious lunch free for all students. Free lunch is not a reward for being poor or a punishment for being rich. It's a reward for going to school. We shouldn't stigmatize any of our students based on family income.

What if you lose your lunch money on the way to school? You go hungry? What if a bully takes your lunch money? The teacher has to buy your lunch? Kids shouldn't be bringing money to school in the first place.

How would we pay for universal free lunch? It may be as simple as asking City Council for more funding. Perhaps the position of free lunch administrator could be eliminated with the savings to buy more food. Or, members of the community would donate money so they could tangibly participate in closing the achievement gap. Or, the program could be phased in with elementary students not having to worry about lunch. Would it be that expensive? If a class or school is 80% free lunch already, why not give everybody free lunch?

The world is full of inequities and inequalities. But at lunch time, we should be able to forget about all that and enjoy the fellowship of a good meal.

Vocational Classes for Everybody

VoTech is not for the poor kids or the low achievers. Interactive learning is for any student who wants a solid, well-rounded education. We should move away from the mindset that certain classes are for certain classes of people. We want to be able to say that all of our classes are for all of our students.

Why can't you learn trigonometry in the morning, take measurements in the afternoon, do calculations in the evening, write a half page report and discuss the results the next day? If you're taking auto-mechanics, how is it you don't need computer classes given the technology? If you take a carpentry class, who says you can't go to college?

In this new paradigm, you wouldn't take a biology class. You would take a biologist class. Instead of physics, you would take a class on what it's like to be a real-world physicist. You would learn basic concepts as you need them to get the job done. Upon graduation, you wouldn't know it all but you would be an expert on how to learn.

Greater Emphasis on Writing

The more you write, the more paperwork you do: the more money you will make. That's the reality we live with. You don't get paid to read books. You get paid to write books. You are rewarded for what you have to say, not for what other people have said.

Students should be required at all grades to keep a school journal. They should get in the habit of documenting events over time. Test scores, upcoming tests, time spent on homework, and anything out of the ordinary, such as a fight or losing your lunch money.

Then once in a while, take a look at the journal and read what it has to say. A school journal for every student would set in motion a self-correcting mechanism, where children themselves could tell us what we're doing wrong. We can stop doing the wrong things and whatever's left over is the right thing.

What are the first two words a child typically learns to write? His name and how to begin a letter, Dear So-and-so. The first thing a person learns to write is a letter. We want to graduate young people who can read. And we want them to have the courage to tell us what we don't want to hear. As a side effect, the more you write, the more your test scores will improve.

Am I the right person for the job?

In many ways I am not the most qualified candidate. I'm not always diplomatic. The art of diplomacy is talking without saying anything. Since I have ideas, I have something to say. I try to express myself in the most polite manner possible while still being direct.

Being single without any kids in the schools might be seen as a disqualification. But on the other hand, single people pay as much, if not more, taxes than families. Having a kid in the schools could be seen as an inherent conflict of interest, influencing decisions that should be made with all students in mind.

But in some ways, I may be the best candidate at this time in history. If an elected school board is on the ballot in November and the people vote for it, I will have offered my time to serve on the last appointed school board in Charlottesville's history.

Journal: Announcement on Cvillenews.com May 5. Application submitted May 17. Deadline for applications and appearance on WVIR-29 6:00 News May 19. On WINA AM-1070 at 7:20am May 26. Name in Daily Progress and Cville Weekly.

Sincerely,

Blair Hawkins
www.cvilleindymedia.org
www.landmarkmasonry.com

Charlottesville Independent Media, May 31, 2005.

Second school board hearing scheduled: Republicans nominate McCrystal

There will be a second public hearing on school board applicants June 20 during the Council's regular meeting.

Following tonight's public hearing on school board applicants, Councilor Rob Schilling offered two motions that passed:

There will be a second public hearing on June 20 during the Council's regular meeting to hear the public's thoughts on the applicants. Tonight's meeting coincided with Charlottesville's High School's graduation.

In a 3-2 vote, Council decided to make the upcoming, closed interviews of the candidates open to the public. The applicants must be appointed on or before June 30 but not less than 7 days after the public hearing. Councilor Kendra Hamilton may postpone an out-of-town trip previously scheduled for June 25 to July 10 so she can participate in the process.

Almost all of the public speakers spoke in support of applicants who happen to be their friends. Most, but

not all, speakers endorsed candidates who have the most experience dealing with the achievement gap, which would bring much-needed continuity. This was the pro-achievement gap public hearing even though every speaker spoke against the achievement gap. Only a few spoke in favor of change.

57th House Republicans nominate Thomas McCrystal at McIntire Park

This was a bizarre experience for me because, two years ago, I failed to get the nomination to oppose Mitch Van Yahres by missing the deadline by a day. But at the mass meeting, WVIR-29 interviewed me as soon as they arrived and I handed out my nomination speech.

I didn't feel like a loser. I felt like Ralph Ellison's invisible man. People were watching me but looked away when I looked at them. I don't know if they were ashamed for not standing up for the ideals they espouse or whether they just don't like to associate with people like me.

This may be the achievement gap in action. I don't know why party chairman Bob Hodous didn't recognize in front of the group that one of their members is applying for the school board. Maybe everybody already knew and was embarrassed enough.

It's funny how we have so many rules of exclusion. Then we wonder why people don't want to be in our group. I'd have more respect for them, and they for themselves, if they just voted me out of the party. If you knew someone in the party was taking on issues like I have, wouldn't that reflect credit on the group as a whole?

In his acceptance speech, McCrystal, resident of the Tonsler precinct in the city, spoke to cliches and platitudes, reflecting that he has no real ideas, which seems to be a requirement for public service. He did not say how he would vote on eminent domain property rights.

Charlottesville Independent Media, June 6, 2005.

Viewing of Housing Authority archives permitted

10 unidentified close-ups + few aerial photos of Vinegar Hill = the remains of photographic archives at the Housing Authority.



photo 1

On Tuesday, 15 months after the initial inquiry, the Charlottesville Redevelopment and Housing Authority permitted me to view its photographic archives. In addition to photos scanned by the Institute for Advanced Technology in the Humanities (<http://www.iath.virginia.edu/>), the following photos constitute the Housing Authority's entire 51-year record of structures demolished by the authority.

Rochelle Small-Toney, acting Housing director at the time of the first request, acknowledged that unknown numbers of documents have disappeared from the agency's files. She did not show me the text documents or newspaper clippings but has requested the city purchase a museum-grade scanner to capture the archival record for publication on the internet.

The 10 remaining photos of targeted structures would represent about 3% of the buildings torn down in the Vinegar Hill and Warehouse (Garrett Street) districts alone. This number does not include the clearance of Kellytown or the clearance for public housing in other parts of the city such as Westhaven.

The U.S. Supreme Court will likely rule on June 30 whether eminent domain for redevelopment (re-ownership) is a public use.

Related:

1960 Aerial photo of Vinegar Hill: <http://www.iath.virginia.edu/schwartz/credit/aerial1cr.html>

2004

Mar 9-- Timeline of urban renewal in Charlottesville: http://cvilleindymedia.org/newswire.php?story_id=226

Mar 30-- Housing Authority archives out on loan for preservation:
http://cvilleindymedia.org/newswire.php?story_id=325

Apr 30-- Former urban renewal / water board chairman endorses Democrats for Council:
http://cvilleindymedia.org/newswire.php?story_id=464

2005

Jan 19-- Council Beat: Parade of grievances, Housing Authority report:
http://cvilleindymedia.org/newswire.php?story_id=1263

Feb 16: UVa alumnus talks about eminent domain: http://cvilleindymedia.org/newswire.php?story_id=1357

May 12-- Charlottesville urban renewal director fired by board of commissioners:
http://cvilleindymedia.org/newswire.php?story_id=1585

Jun 6-- Thomas McCrystal nominated as Republican candidate for House of Delegates 57th district.

Jun 9-- Firing back: Axed exec a whistleblower?
<http://readthehook.com/stories/2005/06/09/newsFiringBackAxedExecAWhi.html>

Jun 12-- WNRN 91.9FM. Rich Collins seemed to say he opposes Vinegar Hill urban renewal but supports the authority to do it again if the same circumstances repeat. The question was: Will you make it easier or harder (through state legislation) for another Vinegar Hill to happen again somewhere in Virginia (if elected)?

June 14-- David Toscano is elected Democratic candidate for the House of Delegates 57th district.



photo 2



photo 3



photo 4



photo 5

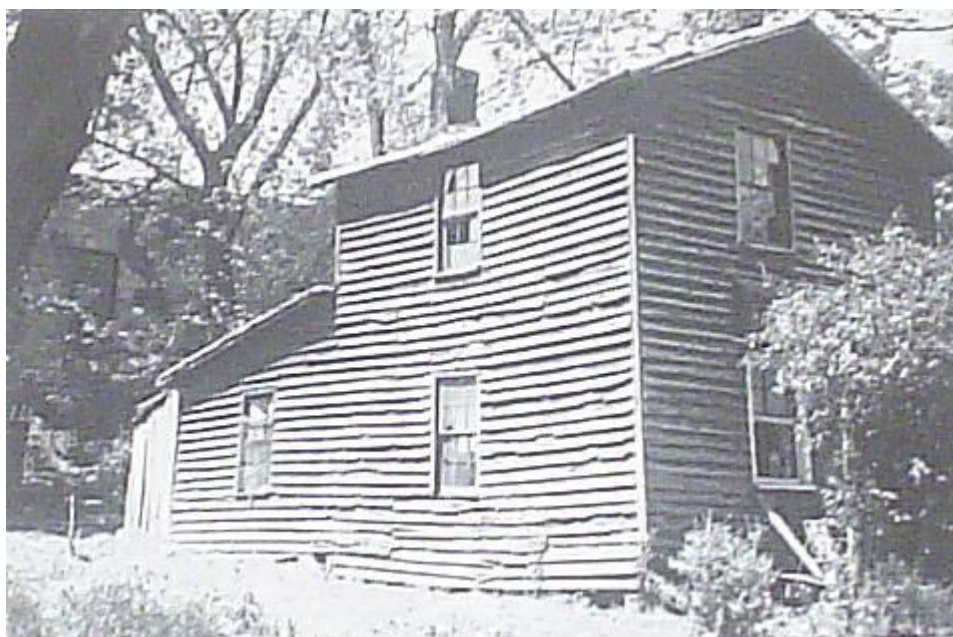


photo 6



photo 7



photo 8



photo 9



photo 10

Charlottesville Independent Media, June 22, 2005.

Charlottesville parties in seized neighborhood the day after Eminent Domain ruling

"I can't imagine us justifying taking away someone's property to sell another property" -- Charlottesville Mayor David Brown.



American Dumpster plays Fridays after Five June 24 2005

"Region debates seizure ruling"

By James Fernald / Daily Progress staff writer

June 26, 2005

<http://www.dailyprogress.com/servlet/Satellite?pagename=CDP%2FMGArticle%!=!news>

A Supreme Court ruling that local governments can seize homes and businesses for private development has sparked debate around the nation, but Mayor David Brown said he doesn't expect it to have "ramifications on Charlottesville."

"I can't imagine us justifying taking away someone's property to sell another property," he said.

Other members of the City Council said the law would be applied only for public benefit, while Arin Sime, chairman of the Jefferson Area Libertarians, said it threatens a core liberty.

"The concept that someone could just come up to my house and bulldoze it for something else in a free country is incredible," Sime said. "It's disgusting in a free country that this can happen."

John W. Whitehead, president of the Rutherford Institute, an Albemarle-based civil liberties group, said that the ruling "delivers a strong blow to homeowners' rights."

"Our founding fathers believed that the principal function of government should be to protect the property rights of its citizens," Whitehead said in a statement. "They certainly didn't intend for eminent domain to be used to justify government officials laying claim to private property in order to build shopping complexes or high-rise condominiums."

The Supreme Court voted 5-4 to approve the eminent domain law, which would allow property seizure to

boost local economic development. Dennis S. Rooker, chairman of the Albemarle County Board of Supervisors, said that the guidelines for how the law is used must be clearly defined.

"It certainly creates a situation where the local officials need to exercise reasonable discretion and apply that latitude," Rooker said. "The issue here is, what is a public purpose?"

Councilor Kevin Lynch said the law may be used if there is a "clear public benefit, but a shopping mall is not one of these."

Another councilor, Blake Caravati, said he didn't think Charlottesville residents would allow local government to use the law improperly.

"The criteria for doing it would be very high because it's a very serious thing to do," he said. "I know in Charlottesville that the chances of the citizens letting the legislature run amok are very small."

Caravati justified using eminent domain in situations where slumlords refuse to sell poorly maintained homes to build affordable housing. He said that in Charlottesville there are many people who try to maintain and restore buildings, including Coran Capshaw and Wade Tremblay, who do it "for themselves and the good of the community."

Sime said that the current City Council "doesn't think there's a need, but we don't know what the next City Council will do."

The people who are the most vulnerable to this law are the poor, because they have less political influence than do the wealthy to protect their property, Sime said.

"No local bureaucrat is going to use this against a rich neighborhood," he said.

Sime said he believes the stance that future politicians will take on this new law could determine elections. "It could be one of those litmus tests," he said.

<http://www.dailyprogress.com>

Supreme Court June 23 2005: Eminent domain for redevelopment is public use
http://www.supremecourtus.gov/oral_arguments/argument_transcripts/04-108.pdf

Also: <http://www.supremecourtus.gov/index.html>

Most recent related article and timeline:
Viewing of Housing Authority archives permitted (Jun 22 2005):
http://cvilleindymedia.org/newswire.php?story_id=1687



Hole in the ground where people once lived at street level



This site first developed 1860s, cleared 1972, Ivy Industries 1979, ACAC 2005



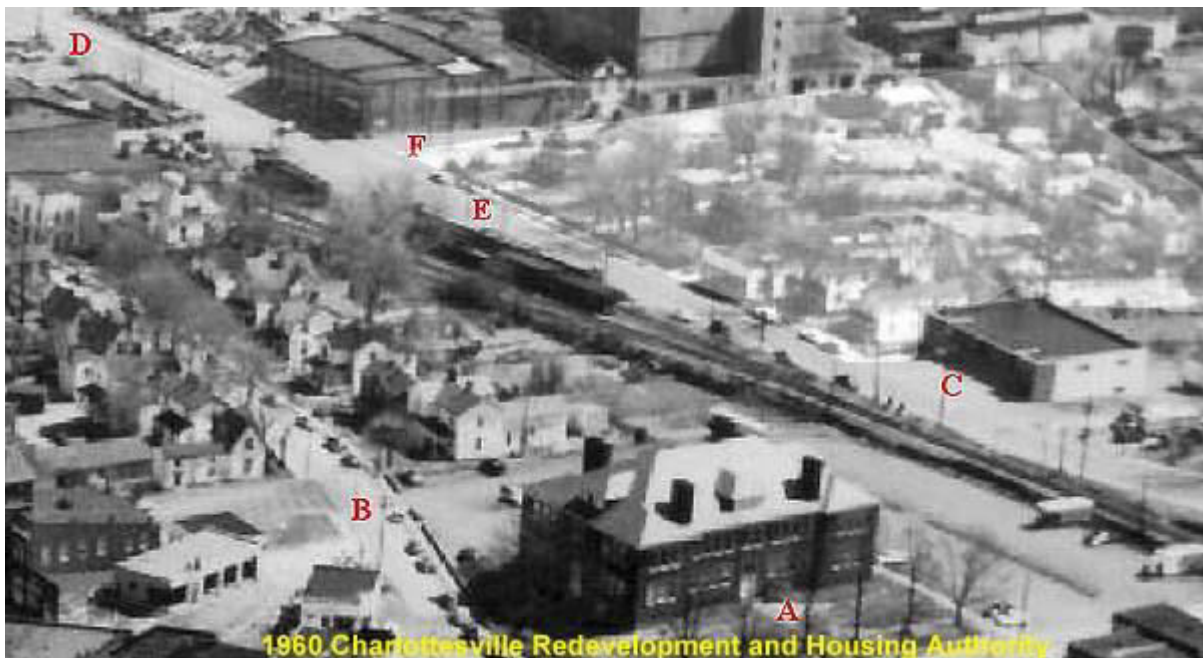
Irony of "We Change Lives" slogan for Coran Capshaw's latest venture



Looking east down railroad tracks



Thongs turn out to celebrate on land seized for redevelopment



1960 Charlottesville Redevelopment and Housing Authority

What this area looked like in 1960 - lightened section upper right will be site of ACAC complex



1967 street map: ACAC site (yellow), Vinegar Hill cleared 1964 (blue), modern extent of downtown pedestrian mall (red)

Charlottesville Independent Media, June 26, 2005.

COMMENTS

At least some were on the side of right

by franco williams

address: Charlottesville, VA

At least Justice Clarence Thomas and three others were on the moral side of this issue. Too bad one more didn't join them.

Officials flipflop on eminent domain, new urban renewal director from Connecticut

"I think the likelihood of it happening in Charlottesville and Albemarle County now are pretty slim," but governments change and other localities may not be as reluctant to seize property for private development, Toscano said.



Former Charlottesville mayors who have long supported eminent domain for private development identified below (WINA photo Apr 29 2004)

"Candidates vow seizure overhaul"

By Bob Gibson / Daily Progress staff writer
June 28, 2005

http://dailyprogress.com/servlet/Satellite?pagename=CDP%2FMGArticle%2FCDP_BasicArticle&c=MGArticle&cid=1031783536132&path=!news

Assaults on the U.S. Supreme Court ruling that allows local governments to seize homes or businesses for private development continued Monday as House of Delegates candidates pledged rewrites of state law.

Former Charlottesville Mayor David J. Toscano criticized the high court's decision in *Kelo v. City of New London* and suggested legislation is needed to tighten Virginia's legal definition of "public use."

Toscano, a lawyer and the Democratic nominee in the 57th House District, said Charlottesville must remember and not repeat its Vinegar Hill experience in which many low- and moderate-income black residents had their downtown property taken through eminent domain in the 1960s as part of a city-engineered redevelopment effort.

"This decision does raise that specter again," he said in a telephone interview. The Vinegar Hill redevelopment project was approved in a June 1960 city referendum by the narrow margin of 23 votes.

"I think the likelihood of it happening in Charlottesville and Albemarle County now are pretty slim," but

governments change and other localities may not be as reluctant to seize property for private development, Toscano said.

"I am very concerned that Virginia law is vague on what qualifies as a 'public use,'" Toscano said. Current state law defines public uses to "embrace all uses which are necessary for public purposes," he said.

Last Thursday's 5-4 decision in the Kelo case "opens Pandora's box by permitting a locality or other public entity, under certain circumstances, to condemn private property and transfer it to private developers," said the Democrat who served on City Council from 1990 to 2002. He issued a statement calling for legislative action and added, "You have to do it carefully because you don't want to open up another Pandora's box in order to close this one."

Charlottesville Republican Tom Mc-Crystal, who faces Toscano in the Nov. 8 election, said he has discussed the case with GOP legislative leaders and predicted quick action in the 2006 General Assembly session to undo the decision in Virginia law.

"I think it's going to be dead very quickly," McCrystal said. "We just need to set the rules prohibiting eminent domain for private use. I think you will see a move afoot to see that that happens in January."

"Eminent domain is an important tool for government, but it should be rarely used," McCrystal said.

He agreed with Toscano that there should be no repeat of the Vinegar Hill property seizures.

"I think what happened to the African-American community [there] was bordering on sinful," McCrystal said.

[...]

"MACAA head ready to lead city housing"

By John Yellig / Daily Progress staff writer
June 28, 2005

http://dailyprogress.com/servlet/Satellite?pagename=CDP%2FMGArticle%2FCDP_BasicArticle&c=MGArticle&cid=1031783536150&path=!news

Noah Schwartz, the executive director of the Monticello Area Community Action Agency, will lead the Charlottesville Redevelopment and Housing Authority beginning July 25.

The authority's Board of Commissioners voted unanimously Monday to approve his employment contract.

Schwartz, a Connecticut native, came to Charlottesville in June 2001 after working as director of the Middlesex County branch of the Community Renewal Team, an anti-poverty group similar to MACAA.

Howard Evergreen, outgoing chairman of the housing authority board, credited Schwartz's experience with low-income housing and his work bringing order to MACAA after it underwent a tumultuous 10-month search for an executive director before he signed on.

[...]

"Orange names new manager: Hendrix takes post on interim basis"

By Kate Andrews / Daily Progress staff writer
June 28, 2005

http://dailyprogress.com/servlet/Satellite?pagename=CDP%2FMGArticle%2FCDP_BasicArticle&c=MGArticle&cid=1031783536357&path=!news

ORANGE - Cole Hendrix, the longtime city manager of Charlottesville, was appointed Orange's interim town manager Monday night after the Town Council's top candidate turned down the job.

Hendrix agreed to an indefinite contract, a move praised by developers and councilors alike. He has stepped in to help localities and other governmental bodies at crucial moments, working as acting town manager twice in Gordonsville and the acting executive director of the Rivanna Water and Sewer Authority.

[...]

"Fix law and Constitution"

Anita Shelburne / Editorial Page Editor
June 28, 2005

[...]

Previously, eminent domain had been allowed for development that was owned or used by the public. Roads, schools, parks - places that were truly public spaces - were granted higher importance than private property. Government also was allowed to invoke eminent domain to clear blighted neighborhoods, which can be a public danger, and replace them with better development.

But the New London neighborhood wasn't blighted.

It also wasn't rich. So when Pfizer came along with a better deal, New London simply said the company could have the owners' property. Even though the redevelopment wouldn't create a public space, even though it wouldn't end blight, the city said the redevelopment was for a "public purpose." That purpose was creating new jobs and bringing in new tax money.

But "public purpose" is a new definition for eminent domain.

The New London case also represents the first time eminent domain has been invoked simply to hand private property over to a new private owner.

Under these two precedents, no one's property is safe.

If government wants more tax revenue from your property and someone comes along with a good deal for your property, few safeguards could prevent a transfer of ownership.

Supporters of the high court decision say safeguards do exist. Public hearings. Public opinion. Voter control over city councils or boards of supervisors. Good ol' democracy.

Puh-leeze. None of those worked for the dissenting homeowners of New London.

[...]

<http://www.dailyprogress.com>

Notes of omission:

David Toscano served on Charlottesville City Council when the city seized non-blighted property on West Main Street in the 1990s to hand over to Marriott Hotel for economic development. He was also present at

the Sally Hemings public hearing on June 5 2000 when Blair Hawkins gave a speech asking then Mayor Virginia Daugherty to investigate eminent domain abuse in Charlottesville. Toscano took no action. (The speech: <http://www.geocities.com/healingcharlottesville/discuss/3.html>)

As Toscano tells it: "As Charlottesville Mayor, Toscano championed economic opportunity and worked to revitalize the city during times of fiscal stress in the 1990s. As a member of the House of Delegates, he will continue to promote economic development while advocating for modifications in Virginia law that are now necessary in light of Kelo." (June 27 2005, <http://loper.org/~george/archives/2005/Jun/892.html>)

On June 6, Thomas McCrystal implied his support of Mitch Van Yahres' lengthy voting record using eminent domain for private development. Two years previously, Blair Hawkins sought the Republican nomination to oppose these abuses. Instead, the 57th House Republican Party offered no candidate.

"Before I begin, I'd like to take a moment and add my voice to the many thanking Mitch Van Yahres for his service to the Commonwealth of Virginia, and to the people of our community." (Thomas McCrystal, <http://loper.org/~george/archives/2005/Jun/983.html>)

Bob Gibson has been a reporter for the Daily Progress since the 1970s but chose to talk about Vinegar Hill instead of the great urban renewal program he personally witnessed.

Cole Hendrix, Charlottesville city manager in the 1970s, also has a record of supporting eminent domain for private development.

Related sources:

Eminent domain campaign against Mitch Van Yahres:
<http://www.geocities.com/healingcharlottesville/Campaign2003/index.html>

Christopher S. Combs. "A Community in Turmoil: Charlottesville's Opposition to Public Housing." The Magazine of Albemarle County's History, 1998.

Write-in Meredith Richards campaign is real: Ex-mayors endorse party line-up (Apr 29 2005): (Maurice Cox, David Toscano, Charles Barber, Mitch Van Yahres, Nancy O'Brien, Francis Fife, Virginia Daugherty, Blake Caravati)
http://www.cvilleindymedia.org/newswire.php?story_id=453

"Charlottesville parties in seized neighborhood the day after Eminent Domain ruling" (Jun 26 2005):
http://www.cvilleindymedia.org/newswire.php?story_id=1693

Viewing of Housing Authority archives permitted (Jun 22 2005):
http://www.cvilleindymedia.org/newswire.php?story_id=1687

Search for eminent domain on Charlottesville Independent Media:
http://www.cvilleindymedia.org/newswire.php?search_text=eminent+domain

Time machine to heal the wounds of urban renewal:
<http://www.geocities.com/healingcharlottesville>

Institute for Justice: <http://ij.org/>

WINA AM-1070 radio: <http://www.wina.com>

Charlottesville Independent Media, June 28, 2005.

Charlottesville debates eminent domain

Essay by Lloyd Snook

As is often the case in reading Supreme Court decisions, there is both more and less to this opinion than meets the eye. You have to understand some of the doctrinal trends in the courts before you start trying to make sense of it.

At one level, the case was a continuation, or at least a spur off the trunk line, of the cases that deal with governmental takings. The Due Process Clause has long required that government compensate private property owners if their property is "taken" for a public purpose. A "taking" can be complete, as in the situation where the government buys your house, or it can be partial, as in the situation where the government's actions significantly reduce the value of the property. In the latter category have been situations such as where your access to the property is denied (pretty clear), where your customers can't get to the property to shop there because the access road is blocked off (almost as clear), where access is still available but your customers don't want to brave the traffic jams caused by the construction (you lose), or where changing zoning or environmental regulations mean you can't do what you used to be able to do (maybe yes, maybe no).

Private property advocates -- like Antonin Scalia, most bitingly -- have been inclined to allow property owners to sue governments for almost any diminution of property value caused by governmental action. Though that is not the law at this point, it is where the private property advocates want to drive the law. And it is where the Supreme Court really does not want to go, because the Court has been generally hostile to suits against governments for doing what governments do. But it has been hard for them to figure out where to draw the line.

Another consistent background theme of the Supreme Court's jurisprudence of late has been to leave decision-making authority with state and local officials rather than to make federal judges the place where everyone runs to solve problems. The Court has said on a number of occasions that some decisions are best made by administrators close to the action rather than by judges far removed from it. If we set up a system that says that everyone disgruntled by a government action can run to federal court to either reverse that action or get paid for it, then administrators can't do their jobs and the courts will be clogged. Thus decisions over things like health care for prison inmates, or police practices, are increasingly left to administrators, with little oversight or second-guessing by the courts. This principle is sometimes referred to (overly broadly) as federalism; it can also be seen as a matter of judicial economy and decentralization.

The majority opinion was written by a group of judges whom many call the "liberal" bloc of the Court, while the dissent was written by the side that many would call the "conservative" wing of the Court.

Now, let's take a look at just how the labels "liberal" and "conservative" have no meaning here.

Those whom we tend to call "liberals" are uncomfortable with the staunch private property activists; those whom we tend to call "conservatives" are more comfortable with them. On this level, the "liberal" majority seems to have written a "liberal" decision.

But those whom we tend to call "liberals" are more receptive to new claims and to seeking compensation for governmental wrongs, whereas those whom we tend to call "conservatives" generally want to limit lawsuits, particularly those against governments. On this level, the "liberal" majority seems to have written a "conservative" opinion, and the "conservative" dissenters would seem to be taking a more "liberal" line.

And those whom the Republicans at the moment are calling "activist judges" are generally more willing to use the courts to invalidate governmental actions, whereas those whom the Republicans at the moment are calling "strict constructionist" judges are generally less willing to use judicial power to strike down government action. On this level, the "liberal" majority would seem to be the "strict constructionists" and the "conservative" dissenters would seem to be the "activists."

Finally, when it comes to the federalism/decentralization analysis, it would seem that the "liberal" majority has written a "conservative" decision upholding the power of the state and local governments, while the "conservative" dissenters have written a "liberal" opinion that would lead to increased court supervision of state and local governmental decisions.

Ultimately, what the Court has said in this decision is that they will not attempt to decide what constitutes a valid "public purpose"; they will leave that decision to the elected officials.

So when David Toscano and others say that the answer is to write legislation that limits the kinds of public purposes for which takings will be permitted, that is absolutely what the Court intends. When the Code of Virginia says that the eminent domain power may be used for any legitimate public purpose, that provision of the Code needs to be amended to limit the kind of "public" purpose for which it may be used.

Lloyd Snook

June 29, 2005

<http://loper.org/~george/archives/2005/Jun/874.html>

Rebuttal by Blair Hawkins

The essay above doesn't talk about the issue at hand but is educational in showing rhetorical devices you can use not to answer a question someone may ask you.

The first rhetorical device is bait and switch. Say you're going to talk about Kelo, then talk about something related. Acknowledge that Kelo is a complete taking, then talk about partial takings. Give historical perspective on the court. Discuss how liberal and conservative have no meaning. Then draw a conclusion based on a false premise.

The false premise: "The Due Process Clause has long required that government compensate private property owners if their property is taken for a public purpose." The Fifth Amendment due process clause does not contain the phrase 'public purpose.' It contains the term 'public use' whereas the essay does not.

The question before the court was not whether taking the Kelo property satisfied a public purpose, but whether the taking was for a public use needed to satisfy the eminent domain clause at the end of the due process clause. The court ruled that a public purpose can, but doesn't necessarily, qualify as a public use.

Another device is to mis-state the opposing argument. The writer says property advocates want to drive the law to allow property owners to sue governments for almost any diminution of property value caused by governmental action. Isn't that the status quo? Can't you sue the government for wrongful action? But once again, a diminution of property value is a partial taking and not the issue in this case. And of course, anyone who wants to limit eminent domain to public use really wants to eliminate eminent domain entirely.

Slippery slope: If we allow property owners to sue for legitimate grievances, we would have to allow anyone disgruntled by any government action to run to court and get paid. This is a non sequitor and assigns greed as the motivation of those seeking justice. At this point in the essay, you should begin to have a negative impression of anyone contesting any governmental taking of any kind, complete or partial.

Another device: declare that certain words have no meaning, then redefine those words to fit your needs. Conservatives (a) side with staunch private property activists and (b) want to limit lawsuits, particularly against government. There are no reasonable property advocates, only staunch activists. The effect of the ruling by the liberal justices is to limit lawsuits against government.

Liberals are more receptive to new claims to compensation for governmental wrongs, according to the writer. And somehow, the liberal majority on the court seem to be strict constructionists, since they interpreted public use to be public purpose. Yes, I'm scratching my head.

These logical and semantic acrobatics are required to arrive at this conclusion: the liberal majority has

written a conservative opinion. Liberal = good. Conservative = bad. But since liberals made the decision, it must be a good decision. The only work left is for the General Assembly to decide what public purpose should justify a property transfer from year to year as public purposes evolve. You know you can trust your elected officials.

But I do agree with the writer on this point: elected officials don't have to worry about balancing power with the judiciary. The court has said it will not second-guess the legislature on matters involving the Bill of Rights.

The writer does not cite any example in world history where eminent domain for economic development or blight redevelopment has been successful, or even attempted other than in New London. He can only speak about this issue in the abstract.

Blair Hawkins
July 2, 2005

Essay by Rich Collins

I am surprised to see so little support for the Supreme Court's decision in *Kelo vs Connecticut*. Everything seems so topsy-turvy ideologically and politically. Right wing property groups have liberals falling all over themselves to change the law because the Supreme Court majority upheld a use of eminent domain for a public use in a manner that upheld traditional precedent, left room for Supreme Court jurisdiction in cases where the public use could be a cover for private advantage, deferred to state and local government courts and legislatures to establish property policy, and conducted a thorough review of the particulars.

The publicity and interpretation of this decision in the press, such as the Daily Progress editorials and headlines, creates an impression of the Supreme Court somehow creating or enabling the arbitrary "seizure" of private homes for big corporate interests. People are surprised that I, as a skeptic about economic development, enthusiastically approve of the decision. But put the particulars aside, and consider the ramifications of a decision which upheld *Kelo's* claims. This would reverse existing precedent, amount to an enlargement of the role of the Supreme Court in state and local decisionmaking, and invite judicial review without any obvious principle.

Kelo is sound constitutional law, it is only a slight increment to settled property law, an appropriate division of property policy labor between the federal courts and state and local courts and legislatures. It will help to bring to the public a fuller discussion of constitutional law and federalism. At least I hope so. As it is, the current coverage provides a great public relations victory for the right wing property rights advocates. This case and its attendant media attention can only be understood in the context of two decades of advocacy by the so-called property rights movement. This movement is closely allied with other right wing groups pushing their free market ideology.

As an urban and environmental planner I have a professional long-standing interest in how the courts balance the governments' rights to protect and enhance the public health, safety and welfare and the claim of a "right" to property. Most everyone knows that the property rights groups have been carrying out a well-financed, litigation and political strategy to limit the authority of government to regulate property. Eminent domain as in *Kelo* is only a target of opportunity in their quest to limit government regulation of property. These groups major goal has been to reverse the historical understandings on the so-called "takings" issue.

Let's be clear: the decision in *Kelo* will protect the property owner from transfers of property from one owner to another without a careful scrutiny of the public purpose and with assurances that the use is not a disguise for one property owner to benefit at the expense of another. If one reads the decision it is very clear that this was no "seizure" but a carefully developed, arms length plan, to convert a depressed area into a mixed public and private development.

One of the most interesting things about the Kelo case is the tremendous publicity it has received for such a modest addition to existing constitutional law respecting the authority of state and local governments to define a "public purpose" on behalf of legitimate public purposes. A 1954 decision interpreted the 5th Amendment takings clause which reads "nor shall private property be taken for public use without just compensation" to clearly include "public purpose". This case involved a compulsory sale of property to the D.C. government by an owner who claimed that his property although within a blighted area, was not itself, blighted. The difference between that situation and the Connecticut case is that there is no finding of "blight", and that the plan is not a federally funded urban renewal program, but a state and local development scheme designed to reduce unemployment and reinvigorate the economy of a clearly economically depressed community.

It would appear at first glance that it is the right wing property rights guys arguing against economic development as a public purpose. But with some sense of the well-financed and organized efforts of property rights groups (ie development interests) in this country to weaken the authority of government to protect the environment and to limit development based on reasonable public plans, one draws another conclusion. The concentrated ownership of land in this country is not well appreciated, particularly when many of us possess a homestead, and little else. So as a political recruiting tool for pro-property rights supporters this case is a bonanza. And this bonanza is what motivated the litigation, not the homeowners. If the Kelo case been decided the other way, it would have encouraged Justices Scalia, Thomas, and Rehnquist that their views of property rights would be advanced by Supreme Court edicts. Most of the property cases these same Justices and the litigators have supported have been aimed at suppress environmental and land regulations which are arising throughout the nation. A pro-Kelo decision would have represented a Supreme Court willing to go back to the 1930's in terms of its authority to oversee social and economic legislation and strike it down when it didn't match their economic prejudices or theories.. It would have reversed the understandings of 50 years of constitutional law. It would have given even more ill-informed media coverage to well-financed, right wing, think-tank and litigation units that sanctify markets and property rights as bulwarks against progressive change.

The factual situation exploited by the property rights groups in Kelo will arise again: it will play out when another elderly woman will become the symbol of over-reaching government when she will be unable to build a house on her lot near Lake Tahoe. She will claim that her property was "taken" just as Kelo's was "taken" All of the ecological planning, political skill, and ingenious compromise that has been committed to saving Lake Tahoe's truly unique qualities will be threatened. And the same lawyers with the same groups will be defending her, too. I hope and believe the Court will defer to the political and ecological expertise of California and Nevada in the emerging Lake Tahoe case. I support Kelo because it will strengthen the capacity of democratic planning legislation in future cases. Kelo is a victory for the environment, not for economic development.

Rich Collins

July 1, 2005

<http://loper.org/~george/archives/2005/Jul/993.html>

Rebuttal by Blair Hawkins

This former chairman of the Charlottesville Redevelopment and Housing Authority in the '70s and 80s does not disclose how many properties were seized or sold on his watch.

He cannot mention any detail of his relevant past because he would instantly discredit himself. He relies on an uninformed electorate to accept his theories blindly. But he gets points for clearly identifying his position in the opening sentence. He gets more points for clearly stating his opposition to free market principles. The opposite of a free market is an economy where government has unlimited power and control, and owns everything-- the benevolent landlord view of government.

Collins uses rhetorical techniques similar to Snook. Supporters of public use eminent domain are radicals motivated only by self-aggrandizement and a desire to destroy the environment through individual private actions.

Collins points out that this case and the media attention can only be understood in the context of two decades of advocacy. He's right. The eminent domain bulldozer sputtered to a crawl toward the late 1970s. The opponents from back then, and now their children, have been watching to see how the blight elimination experiment turns out. The evidence shows that the only benefit is that politicians get promoted as their developer friends get rich. In light of the data now available and the numbers of people who have witnessed the program's myriad ill effects, supporters of forced redevelopment should expect a terrific fight.

Collins claims he wants to protect the environment. His support for continued urban renewal is a call for more environmental catastrophe. Would a parking lot be better for the environment than a few houses, lawns and trees? Would a hole in the ground for weekly festivals be better for the environment than houses and trees (ACAC on Garrett Street)? Would mountain top removal be better for the environment if it was for a good cause (site of Friendship Court public housing)? Would the environment be better if neighborhood streams were channeled into underground culverts instead of flowing freely in the open?

You can't support blight redevelopment and the environment at the same time. At least not with any credibility. If blight redevelopment is such a good idea, let's start a list of successful projects to counter-balance the failed efforts. While he does mention southwest Washington, D.C. in the 1954 Supreme Court that moved by increment away from individual rights, Collins doesn't dare claim this area is better off than 50 years ago.

I'm sure Collins and Snook are nice people. They have friends and family who love them. I believe they have genuinely helped people. They're pleasant and charming at parties and charismatic. So were the segregationists and the slave owners. But their unjust policies were not allowed to prevail forever.

Blair Hawkins
July 2, 2005

Comment by Rey Barry

Rich Collins is one of the few who got it right. The Kelo decision was his decision, our decision, the Democrat decision.

Kelo put us face-to-face with one of our cherished party planks, the embracing of social planning to accomplish public good. Kelo affirmed the good of the community over the property rights of the individual.

Removing urban blight, protecting an unspoiled environment, and yes, tearing down private homes to replace them with something creating jobs and generating taxes - like it or not - are what our party stands for.

We Democrats have maintained for generations that forced sale of individual homes and business to enable broader economic development will, if done properly, benefit all. That's our trickle down theory. Help the overall community and the benefits trickle down.

Does it work? Did benefits trickle down after the Vinegar Hill and Garrett Street neighborhoods were bulldozed? I guess that depends on your point of view.

We should be aware that Democrats dominate the New London city council. Don't wring your hands and back-peddle from a Supreme Court decision that reinforces what the Democratic Party has stood for and fought for.

It has a dark side? Well now you know.

Rey Barry

July 1, 2005

<http://loper.org/~george/archives/2005/Jul/992.html>

Comment by Brendan Ferreri-Hanberry

I am very much disturbed that the Supreme Court has taken this country one more step towards fascism in its decision to allow the seizure of anyone's property with little or no justification. It was disturbing enough that ever since the Reagan administration, any citizen's property can be taken away by federal, state, or local authorities simply by accusing the *property* of a crime (I am not making this up), but now the authorities have the power of seizure without even an accusation? The idea that the government can seize property at all is disturbing enough, considering that such actions were originally banned by the Magna Carta, but the ability to seize property without even the previous flimsy requirement of *suspicion* of the *property's* involvement in criminal activity is truly frightening.

I thought this previously, but now feel obliged to say it with even more conviction: how can anyone in this country think that they own anything? Our Constitution and even the U.N. Charter ostensibly protect private property rights, but the authorities can take away anything you own at any time.

There is a rapidly decreasing distinction between this so-called "land of the free" (now a practically Orwellian phrase) and a country under absolute state control. Many things besides the Court's ruling prompt me to make this next statement, but I feel I might as well state what comes to mind though it is not strictly limited to the article to which I am responding.

It is sadly indicative of the seemingly cyclical (rather than progressive) nature of history that the U.S.A. has gone from fighting a long and bloody war against fascism in the 1940's to actively embracing the centralized power structure, warlike and megalomaniacal politics, and merciless disregard for individual rights which are hallmarks of the system which was once seen as the opposite of democracy.

Brendan Ferreri-Hanberry

July 1, 2005

<http://loper.org/~george/archives/2005/Jul/999.html>

Green Party Calls Supreme Court Decision on Eminent Domain a Legalization of Theft

<http://www.progress.org/2005/greenp34.htm>

Virginia Property Rights (June 30 2005)

<http://www.virginiapropertyrights.org/home.aspx>

Jefferson Area Libertarians give WINA 1070 AM radio interview on eminent domain (July 1 2005)

<http://www.virginiapropertyrights.org/content.aspx?acctid=158&contentid=268&ctypeid=1>

Charlottesville Independent Media, July 2, 2005.