

CAROLYN CHAPMAN, ESQ.
PO BOX 13477
MEXICO BEACH, FL 32410
619-916-8420
850-867-0371



February 10, 200

Director of the Office of Civil Rights
U.S. Environmental Protection Agency
Mail Code 1201A
1200 Pennsylvania Ave NW
Washington, DC 20460

Dear Gentlepersons:

I am filing the attached claim for environmental discrimination on behalf of my clients who are all African American residents of historically segregated North Port Saint Joe. They have suffered the effects of blatant discrimination for years, but have been too poor to assert their rights. The attached statement of facts give a summary of the pervasive discrimination and disenfranchisement of the African American residents of North Port St. Joe. I am prepared to file the Federal complaint within thirty days. The Defendants have been using intimidation and coercive actions in order to get my clients to back off of this lawsuit, which is way overdue. Furthermore, the Defendants are disseminating private information such as social security numbers and drivers' license numbers in violation of my client's first amendment rights in retaliation for filing the Claim against the City of Port St. Joe. I am a sole semi-retired attorney who spent almost 40 years in San Diego after being raised and educated in Oak Park, Illinois. The blatant racism in this town is intolerable. I could use any assistance the Federal Government can offer in order to protect the civil rights of the residents of North Port St. Joe.

Sincerely yours,

Carolyn Chapman, Esq.
Carolyn Chapman, Esq.

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FACTS TO SUPPORT VIOLATION OF CIVIL RIGHTS AND DISCRIMINATION CLAIM

North Port Saint Joe [NPSJ] is a historically segregated black neighborhood. The residents of NPSJ have suffered pervasive and historical housing, economic, and social discrimination from 1938 when the St. Joe Mill was completed to the present time. Physically, NPSJ is sandwiched between the railroad tracks. The railroad tracks are laid in such a manner that if box cars were placed end to end on the tracks, NPSJ would be completely enclosed and shut off from the rest of the City. For decades the St. Joe Company, with the knowledge and acquiescence of the City of Port St. Joe, dumped toxic waste in this area. The St. Joe Company then sold the land to their Black workers for housing. His area became known as the Black "Quarters", Millville, and eventually North Port Saint Joe.

In the 1940's the Florida Housing Company was created to provide low interest loans to mill employees for the purpose of encouraging home ownership. The unwritten rule, thought, was that if a Black person attempted to buy a home outside of "The Quarters" [i.e. NPSJ] and move to the White side of the City, the Banks would not loan them money for a house. The Black residents of NPSJ could get a loan for a house in NPSJ, as long as they had co-signers: a requirement that was not imposed on the White residents of Pt. St. Joe [PSJ]. This practice apparently continued until the mill closed in 2000. And, similarly, if a private White person discovered that a Black person was attempting to purchase their land, the land was suddenly "off of the market". These practices are still present, but not to the extent that they were prior to 2000. Presently, there are only about 5 Black families living in the South side or White side of PSJ.

In 1989, the City of Port St. Joe passed Resolution No. 579. This Resolution stated "there exists within the City of Port St. Joe, one or more blighted areas as defined in Florida Statute Section 163.360 . . . There is a need within the City of Port St. Joe, a Community Redevelopment Agency as defined in Florida Statute 163.356. . . the 1989 Port St. Joe Downtown Redevelopment Plan . . . is hereby adopted as the official plan for the Community Redevelopment Agency created in Port St. Joe, Florida" Dated December 13, 1989. It is unclear as to whether or not NPSJ was included in that resolution and entitled to TIF funds. Regardless, no tax money or grant money has been spent to improve housing in NPSJ since approximately 1989. There are no amenities in NPSJ. On the other hand, the South or White side of the City has, for example, baseball parks, lakes, a proposed second soccer field, and cemeteries that are being newly landscaped at a cost of over \$30,000.00 and fenced in at a cost of over \$36,000.00. Police protection is non existent in NPSJ. There are no Black police officers in the City Police Department. There are no sewers for storm water drain off. Sidewalks, curbs, street lighting are practically nonexistent. This situation does not exist on the South or White side of the City.

The City's comprehensive plan was amended in 1990. Again, it is unclear as to whether or not NPSJ was included in that 1990 Comprehensive Plan. It is interesting to note that on page 12 the Comprehensive Plan states: "There are currently no identified 'blighted'

areas within the city limits.” But, Exhibit E-1 indicated that the houses on Avenue A through Avenue F from 98 to Royal contained substandard housing [i.e. NPSJ]. This statement is also contrary to the 1998 Resolution finding of “blight”. This Report put the City on notice of the substandard housing conditions in NPSJ, but nothing was done to improve this condition in NPSJ. On the other hand, the City put substantial monies [tax monies and/or grant money] into improving the South or White side of the city, resulting in preferential treatment toward the White community.

The 1990 Comprehensive Plan contained stated objectives and policies regarding rehabilitation of the homes in the substandard housing area. “These areas shall be the target of revitalization and assistance programs, including the provisions or improvement of public services, information and state/federal housing assistance programs and City participation in and solicitation of financial assistance from state and federal programs intended to improve the condition and supply of housing.” The City did not implement any of these policies or objectives as they pertain to NPSJ.

In 1996 the City created a “City Wide Vision Plan” which states, in pertinent part: “To the east of the mill and north of the downtown is the black residential community. To the south of the downtown are the white residential neighborhoods.” [Pg 2]. On Page 16 of the City Wide Vision Plan, states: “WASHINGTON NEIGHBORHOOD [i.e. NPSJ] . . . There is an inherent conflict between the residential uses of this neighborhood and the surrounding industrial and railroad related uses. Every attempt should be made to buffer these neighborhoods from the public hazards of these uses. These neighborhoods are physically isolated from the downtown and all other parts of the city. Every attempt should be made to make physical connections to other parts of the city for these residents. [i.e. NPSJ residents]. In addition, there should be an effort to encourage new neighborhood businesses into the old Main Street area of the neighborhood so that these residents have walking access to shopping.” On Pages 20-21, this Report also states: “This historic [NPSJ] Main Street commercial village is an excellent opportunity to revitalize a turn of the century black community village center. Some of these buildings still stand. Unfortunately the majority of these buildings are vacant at the present time and are in desperate need of renovation and rehabilitation. . . . The district needs major streetscape project as well as a public crafts and performance space to attract new businesses and shoppers. There should be some excellent grant opportunities available for this section of the City to help facilitate its recovery. . . .” “Many of the houses in these neighborhoods have a large quantity of housing code violations. The City needs to act on the violations and take a very pro-active stance on the revitalization of these neighborhoods.” As these recommendations relate to NPSJ, nothing has been done. Whereas, on the White side of the tracks the business district has been revitalized, and is still being further improved with newly landscaped parking lots, new buildings, pedestrian walks, bike trails, etc.

The 1996 “City-Wide Vision Plan states, on page 40, that the North Port St. Joe Main Street would be eligible for a Main Street designation and financial support. The City did not attempt to write any grants or apply for such designation for NPSJ. [In fact, the DRA director and the board chairperson have specifically stated that they applied for the South

side to be designated as a Main Street project but were declined. The declination response indicated that NPSJ would qualify, but apparently they never filed an application for NPSJ to be designated as a Main Street project]. Instead of writing grants and using tax monies to improve NPSJ, the City applied for, and received, grants to build a new 3 million dollar City Marina in approximately 2002. In 2006 the City sold the City Marina to the ST JOE Company. The City has not taken the profit from that sale to improve NPSJ.

In approximately 2001 residents of NPSJ brought a private civil lawsuit against the ST JOE Company for contaminated soil and water conditions. This lawsuit is public knowledge. Yet, the City of Port St. Joe has done nothing to protect the residents of NPSJ from daily contamination. To this date, the City has no plans to build even temporary housing for the residents while their land and water is decontaminated.

NPSJ is ideally located between the Gulf of Mexico and the Intercoastal Canal. It has recently become prime land and a target for development of high end housing. The West and South side of NPSJ is adjacent to ST JOE land. ST JOE plans to build a town center and a huge resort/high end residential district next to NPSJ. Once this land is decontaminated it will become very valuable. In anticipation of these future planned events, in September of 2006 the City passed a resolution finding that NPSJ was a "blighted" area within the meaning of FL ST 163.360. With that designation the City expanded the Downtown Redevelopment Area to include the residential area of NPSJ, and renamed the DRA the Port St. Joe Redevelopment Agency [PSJRDA]. Since the new CRA was created under FL ST 163.360, the residents of NPSJ are now subject to eminent domain for the purposes of economic development. This September 2006 resolution was passed in violation of Florida Statutory requirements of due process, notice, and meaningful opportunity to be heard. In January-February of 2007 the Port St. Joe Redevelopment Agency presented their proposed Master Plan. This plan contains the following proposals, in pertinent part: 1) Have the City [PSHRA] buy vacant land in NPSJ with TIF monies [and land from anyone else who wants to sell]; 2) Market that land to developers; [whereas NPSJ residents want that land to be placed in a community land trust in order to ensure affordable housing in perpetuity]; 3) Allow administrative rezoning for multi-purpose use in this residential area; and 4) Eventually create a PUD [Planned Urban Development] that will ultimately result in the residents of NPSJ being displaced from this historic African American neighborhood. The PSJRDA plan indicates that only \$250,000.00 is budgeted for affordable housing in NPSJ within the next ten years.

The discrimination in housing against the Black community in Port St. Joe is so pervasive that its residents pray that their Federal Government will come and protect them from any more future injustices, racism, and discrimination.

Submitted by:

Rosalyn Chapman Sr.

DATED:

2/14/07