

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MARGOT FLINN, <i>et al.</i> ,)	
)	
<i>Plaintiffs,</i>)	Case Number: 24-cv-04269
)	
v.)	Hon. John F. Kness, District Judge
)	
CITY OF EVANSTON,)	
)	
<i>Defendant.</i>)	
)	

PLAINTIFFS’ OPPOSITION TO DEFENDANT’S MOTION TO DISMISS

Plaintiffs, by counsel, respectfully submit this opposition to Defendant’s motion to dismiss pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6).¹

I. Introduction.

Evanston’s Rule 12(b)(1) motion boils down to disputes of fact about the city’s \$20 million reparations program and the eligibility requirements for the program, not any dispute about Plaintiffs or their injuries. Plaintiffs have alleged all facts necessary to state a timely claim that, but for their race, they are eligible to participate in the program and receive \$25,000 direct cash payments. The program’s eligibility requirements are simple, straightforward, and easy to satisfy, and Plaintiffs have alleged that they were and are “ready and able” to satisfy them at all relevant times. They need not allege anything more to invoke this Court’s jurisdiction.

Because the factual disputes about the program and its eligibility requirements relate to

¹ As addressed herein, Evanston factually attacks Plaintiffs’ complaint by mischaracterizing its own reparations program. Plaintiffs not only dispute Evanston’s assertions but also submit substantial evidence to support their factual allegations contained in the complaint. To the extent the Court believes the evidence has not been sufficiently pled – including the facts related to the September 5, 2024 Reparations Committee Meeting and the ongoing and imminent injuries to Plaintiffs – Plaintiffs respectfully request the opportunity to amend the complaint accordingly.

the merits of Plaintiffs' Equal Protection lawsuit, not Plaintiffs or their injuries, these disputes cannot and do not provide a proper basis for a Rule 12(b)(1) motion. Alternatively, Evanston's own records and statements about the program provide compelling evidence that the program is as Plaintiffs allege, not as Evanston seeks to misconstrue it. Evanston's Rule 12(b)(6) motion lacks merit as well because Plaintiffs' complaint is timely under multiple theories.

II. Evanston's Reparations Program.

Through a series of resolutions adopted by the city council, Evanston created a program that provides \$25,000 in direct cash payments to persons who lived in Evanston between 1919 and 1969 and their children, grandchildren, and great-grandchildren. Compl., ¶ 10. The program, entitled "City of Evanston Local Reparations Restorative Housing Program," uses race as a requirement for receiving the payment and purports to remedy housing discrimination experienced by Black and African American residents 55 to 105 years ago. *Id.* Evanston committed an initial \$10,000,000 when it created the program in 2021 and committed an additional \$10,000,000 in November 2022. *Id.*, ¶ 10. The option to receive a direct cash payment did not exist when the program was originally adopted but was added in March 2023. *Id.*, ¶ 17. Evanston has stated that additional applications will be accepted on a rolling basis following an initial set of applications. *Id.*, ¶¶ 11, 13, 18-21.

Three groups of persons are eligible for the program. *Id.* at ¶¶ 13, 14, and 16. The first group is current Evanston residents who identify as Black or African American and were at least 18 years of age between 1919 and 1969. *Id.*, ¶ 13. Evanston refers to this group as "Ancestors." *Id.* The second group is persons who identify as Black or African American, are at least 18 years of age, and have at least one parent, grandparent, or great-grandparent who identifies (or identified) as Black or African American, lived in Evanston between 1919 and 1969, and was at

least 18 years of age at the time. *Id.*, ¶ 14. Evanston refers to this second group as “Direct Descendants.” *Id.* A Direct Descendant need not be an Evanston resident. *Id.*

Persons in the first and second groups are not required to present evidence that they or their ancestors experienced housing discrimination between 1919 and 1969. *Id.*, ¶ 15. Persons in the third group must make such a showing, however, albeit for the period after 1969. They must also show that they are current Evanston residents and are at least 18 years of age. *Id.* The third category is not relevant to Plaintiffs’ claim.

But for their race, Plaintiffs fall within the second group: Direct Descendants. *Id.*, ¶ 22. Each of them had parents and/or grandparents who lived in Evanston between 1919 and 1969 and were at least 18 years of age at the time. *Id.*, ¶¶ 3-8. At all relevant times, other than their race, Plaintiffs satisfied and continue to satisfy all eligibility requirements for participating in the program as Direct Descendants. *Id.*, ¶ 23. But for the program’s race-based eligibility requirement, Plaintiffs would be in line to receive \$25,000 cash payments. *Id.*, ¶ 24.

III. Argument.

A. Evanston’s Rule 12(b)(1) Motion Conflates Merits with Jurisdiction.

“The Supreme Court has cautioned against deciding merits questions when evaluating challenges to jurisdiction.” *Boim v. Am. Muslims for Palestine*, 9 F.4th 545, 557 (7th Cir. 2021). Among other reasons, when the merits of a claim are at stake, Rules 12(b)(6) and 56 afford protections to the non-moving party that Rule 12(b)(1) does not. *Boim*, 9 F.4th at 559; *Craftwood II, Inc. v. Generac Power Sys.*, 920 F.3d 479, 480 (7th Cir. 2019). Both *Boim* and *Craftwood II* overturned Rule 12(b)(1) dismissals where the lower courts conflated the merits of the cases with their authority to hear them. Doing so “transgressed these allocations of authority.” *Craftwood II*, 920 F.3d at 481.

As in *Boim* and *Craftwood II*, Evanston's motion improperly conflates the merits of Plaintiffs' Equal Protection claim with the Court's jurisdiction to hear the claim. According to the complaint, the only requirements for participating in the program as a "Direct Descendant" are that an applicant demonstrate that he or she is (1) Black or African American; (2) at least 18 years of age; and (3) have (or had) at least one Black or African American parent, grandparent, or great-grandparent who lived in Evanston between 1919 and was at least 18 years old at the time. Compl., ¶ 14. Plaintiffs plainly pled facts satisfying these requirements except for the race components. *Id.*, ¶¶ 3-8, 22. Plaintiffs are injured because they are being denied an equal opportunity to participate in the program and receive the program's benefits based on their race.

Evanston claims that, in addition to the simple eligibility requirements alleged by Plaintiffs, an applicant also must reside in or own real property in the city. Def's Mot., ¶¶ 1, 15-16. Evanston also claims that applicants can only spend program money for housing-related purposes in Evanston, such as purchasing property, paying down a mortgage, or improving an existing property in the city. *Id.*, ¶ 15. Plaintiffs dispute these assertions. Plaintiffs deny that there is any residency requirement for Direct Descendants, and Evanston's claim about using program funds conflates the program's eligibility requirements with the available benefits. These are merits disputes, not disputes about the Court's authority to hear the case.

The case on which Evanston primarily relies, *Carney v. Adams*, 592 U.S. 53 (2020), could not be more different. First and foremost, *Carney* was decided on summary judgment, after the parties had completed discovery. At issue was a legal challenge to a provision in the Delaware Constitution requiring partisan balance in the state's judiciary. *Id.* at 55. The plaintiff, a lawyer, claimed he was injured because he was a political independent and therefore could not apply for a judgeship without joining either the Democratic or Republican party. *Id.* Unlike

here, no factual disputes existed about the relevant eligibility requirements, and the Court was not asked to resolve any such disputes. In affirming the summary judgment ruling, the Court focused on evidence gathered in the course of discovery, including the fact that the plaintiff had changed his party affiliation from being a registered Democrat to an independent only days before he filed suit, making himself ineligible for the judgeship he claimed he wanted, and that he did not seek a judgeship three years earlier when judgeships for Democrats were available. *Id.* at 61-64. In what it described as a “highly fact-specific case,” the Court found that the evidence “suggest[ed] an abstract, generalized grievance, not an actual desire to become a judge.” *Id.* at 63. In contrast, Plaintiffs cannot change their race, age, or ancestors; and Evanston offers no reason to challenge these straightforward allegations. Evanston’s program also was new. Plaintiffs could not have applied previously, even if it were not futile to do so. *Carney* offers no reason not to accept Plaintiffs’ well-pled factual allegations about their eligibility.

Plaintiffs’ claim is more like the claim in *Boim*. In *Boim*, a judgment enforcement action, the defendant denied the plaintiffs’ factual allegation that it was the alter ego of entities against which the plaintiffs had a judgment. *Boim*, 9 F.4th at 550. The Court reversed the trial court’s decision granting the defendant’s Rule 12(b)(1) motion, finding that the trial court’s ruling impermissibly examined the merits of the plaintiffs’ claim, not whether the plaintiffs were injured. *Id.* at 554-55. The Court reasoned that, if the plaintiffs succeeded in proving the facts they alleged, they could prevail and that was sufficient for jurisdiction. *Id.* at 555. The same is true here. If Plaintiffs can prove factually that Evanston’s program is as they allege, then Plaintiffs are injured because they are being denied equal treatment under the program based on their race. Their injuries are directly traceable to Evanston’s use of race, and their injuries can be redressed by judicial relief directing Evanston to stop taking race into account.

Evanston's argument about a purported November 5, 2021 deadline for applications is no different. While Evanston asserts that Plaintiffs "do not allege they were 'ready' to apply for the program" (Def's. Mot., ¶ 18), that assertion is plainly incorrect. Compl., ¶ 23. Evanston also disputes Plaintiffs' factual allegations that further applications will be accepted on a rolling basis and that the program is not closed. *Compare* Compl., ¶ 11 *with* Def's Mot., ¶ 18. Also plainly disputed is Evanston's claim that "there has been no expressed intention to reopen the application period." *Id.* These factual allegations are material because, even if Plaintiffs were not "ready and able" to apply for the program in 2021, they still only need to be "ready and able" to apply in the foreseeable future to have cognizable injuries. *Carney*, 592 U.S. at 63. Evanston's argument is, in effect, a statute of limitations defense that the city seeks to transform into a standing challenge. But a party need not anticipate or plead around its opponents' potential defenses, even for standing purposes. *Craftwood II*, 920 F.3d at 482. The Court in *Craftwood II* reversed the defendant's Rule 12(b)(1) motion for that reason. *Id.* Evanston's argument about the purported, limited timeframe for submitting applications "looks like the makings of a material factual dispute, which a district judge could not resolve at the pleading stage." *Id.* It also lacks merit, as demonstrated *supra*. Neither *Carney* nor any other case Evanston cites stands for the proposition that "ready and able" means being "ready and able" to meet an initial application deadline in a rolling application process as opposed to being "ready and able" to satisfy all substantive eligibility requirements, especially where the benefits change after the initial period passes.

Another line of cases provides an alternate path forward. In *Markle v. Drummond Advisors, LLC*, Case No. 19-2789, 2020 U.S. Dist. LEXIS 26906 (N.D. Ill. Feb. 18, 2020), the plaintiff sued two entities that she alleged were her employers for allegedly unpaid overtime. One of the defendants disputed as a factual matter that it was the plaintiff's employer and argued

in a Rule 12(b)(1) motion that the plaintiff had no standing. The Court, citing *Crawford v. United States*, 796 F.2d 924, 929 (7th Cir. 1986), denied the motion, finding that “[b]ecause a factual dispute exists as to not only standing but the merits of Plaintiff’s case, this Court provisionally finds that Plaintiff possesses standing and reserves the ultimate determination of standing until later in the proceedings when this Court may benefit from a fuller factual record.” *Markle*, 2020 U.S. Dist. LEXIS 26902 at *10. Indeed, the Court in *Crawford* declared, “Maybe in some cases the jurisdictional issue will be so bound up with the merits that a full trial on the merits may be necessary to resolve the issue.” 796 F.2d at 929. If the Court does not deny Evanston’s motion outright because the factual disputes it raises in its Rule 12(b)(1) motion are bound up with the merits of Plaintiffs’ Equal Protection claim, it should provisionally find standing and reserve the ultimate determination until later in the case.

B. Plaintiffs Easily Overcome Evanston’s Erroneous Factual Allegations.

Even if the Court chooses to delve into the parties’ merits dispute about the program, Plaintiffs can supply ample proof demonstrating that the program is as they allege and therefore that they have standing. *Apex Digital, Inc. v. Sears, Roebuck & Co.*, 572 F.3d 440, 444 (7th Cir. 2009). Plaintiffs’ allegations are supported by Evanston’s own records and statements.

i. There is no residency requirement for Direct Descendants.

According to the program guidelines, formally adopted by the Evanston City Council in Resolution 37-R-21, to be eligible as Direct Descendants applicants must only prove their (1) age, (2), race, and (3) relationship to Ancestors.² *Bekesha Aff., Ex. A (Guidelines)* at p. 4. This

² The Court may take judicial notice of “matters of public record,” including city ordinances, resolutions, meeting minutes, and agendas. *See Newcomb v. Brennan*, 558 F.2d 825, 829 (7th Cir. 1977); *see also Jones v. Markiewicz-Qualkinbush*, 842 F.3d 1053, 1062, n.24 (7th Cir. 2016). *See Exhibits to the Affidavit of Michael Bekesha.*

is in direct contrast to the eligibility requirements for the two other categories, for which proof of residency is required.³ *Id.* The program applications also confirm that there is no residency requirement for Direct Descendants. *Bekesha Aff., Ex. B.* Statistics published by Evanston provide further confirmation. According to a January 2024 Reparations Committee memorandum, of the approximately 452 verified Direct Descendants, at least 7.1% of them (approximately 32 individuals) are not Evanston residents. *Bekesha Aff., Ex. C* at p. 2. Nor do any of these records mention an “owns real property in Evanston” requirement.

ii. There is no housing-related requirement.

Evanston’s argument about program money being spent on housing-related expenses in Evanston confuses the program’s eligibility requirements with the benefits that the program offers. There was and is no such eligibility requirement. The only requirements for Direct Descendants are those that Plaintiffs have identified *supra*. The applications do not state that spending program money on housing-related expenses in Evanston is a requirement; they only ask applicants to identify which of three housing-related expenses they are interested in. *Bekesha Aff., Ex. B.* An expression of interest is just that. It is not a requirement.

Evanston’s own actions also refute its claim that spending program money on housing-related expenses in the city is an eligibility requirement. At some point before March 2023, Evanston provided \$25,000 payments to at least two verified and approved Ancestors to use for purposes other than housing-related expenses in Evanston. *Bekesha Aff., Ex. D* at pp. 2-3 and *Ex. E* at p. 2. The March 2023 amendment formalized this practice by adding another way verified and approved applicants could receive program money—the direct cash payment

³ Resident or Residency is defined as “[a]n individual with an ownership or rental interest in real property in Evanston or otherwise legally occupies real property in Evanston.” *Bekesha Aff., Ex. A (Guidelines)* at p. 4.

options. Specifically, on March 27, 2023, the Evanston City Council adopted Resolution 27-R-23, which states:

WHEREAS, Evanston Council previously directed that recipients of benefits from the Local Reparations Fund were able to choose whether they receive said funds through home improvement, mortgage payment, grant to beneficiaries or decline said funds if they did not meet the requirements for the other options; and

WHEREAS, City Council recognizes there is a need to expand upon this the (sic) Program and allow beneficiaries to choose direct cash payment as an option.

SECTION 1: Evanston Council hereby amends the Restorative Housing Program to include direct cash payment as an additional option for payment.

Bekesha Aff., Ex. F. The resolution does not state that the requirements for participating in the program were being changed. It simply provides another benefit option from which already verified and approved applicants can choose.

Evanston's implementation of the cash payment option further confirms that recipients are not limited in how they use the money. The city tracks and reports on the different benefit options recipients choose. Bekesha Aff., Ex. G at p. 2. The options are: (1) Home Improvement Benefit; (2) Home Improvement Benefit and Mortgage Assistance; (3) Mortgage Assistance; (4) Home Purchase Benefit; and (5) Cash Benefit. The cash benefit is tracked and reported separately from the other benefits. If the direct cash benefit were the same as the other four housing-related benefits, the city would not track and report it separately.

Evanston also noted that "some recipients have divided their \$25,000 reparations funds amongst the four Restorative Housing Program benefits. A recipient, for example, might separate their benefit between the Home Improvement benefit and the Cash benefit." *Id.* As of September 5, 2024, 83 of the 132 Ancestors who have selected a method of payment have chosen the cash benefit. *Id.* at p. 1. As of that same date, 67 of the 71 Direct Descendants who have

selected a method of payment have chosen the cash benefit. *Id.* at p. 4.

Moreover, at a June 6, 2024 Reparations Committee presentation, a committee staff member read a letter from a direct cash payment recipient describing how the recipient used \$11,000 of her \$25,000 payment to pay her son's college tuition and the remainder for her own educational pursuits, including tuition at the Moody Theological Seminary in Chicago. Bekesha Aff., ¶ 13. Reparations Committee Chair Robin Rue Simmons fought back tears and expressed joy at hearing how the recipient had spent program money. *Id.* She did not reprimand, rebuke, or otherwise suggest that the recipient had been ineligible for the program because she used program funds improperly. *Id.* Clearly, once an applicant is verified and approved, he or she has different options for using the benefit, including, since March 2023, the direct cash payment option. How he or she uses the benefit is not an eligibility requirement.

iii. The application period is not closed.

Evanston claims that it “has no current plans to reopen applications” for the program. Thompson Aff., ¶ 6. But the program guidelines, adopted as part of the resolution that created the program, say otherwise:

Initial applications will be accepted, reviewed, and funded in the following order:

1. An Applicant applying as an Ancestor.
2. An Applicant applying as a Direct Descendant.
3. An Applicant that does not qualify as either an Ancestor or Direct Descendant, however, experienced housing discrimination due to Evanston's policies/practices after 1969.

Applications thereafter will be accepted on a rolling basis.

Bekesha Aff., Ex. A (Guidelines) at p. 6 (emphasis added). Neither the guidelines nor the resolution creating the program say anything about a final end date for accepting applications or

for the program's termination. *Id.*, Ex. A. And while Evanston's website states that applications were *made available* from September 21 to November 5, 2021, it says nothing about a deadline for *submitting* applications or that the program is closed to anyone who did not apply by November 5, 2021.⁴ Any such assertion also would be contrary to Evanston's own official statement that additional applications would be accepted on a rolling basis. *Id.*

Evanston's Reparations Committee also has repeatedly told the public to stand by for information about when new applications will be accepted. *See* Bekesha Aff., Exs. H at p. 6, E at p. 13, and I at 4 (encouraging persons who did not previously "sign up for reparations" to join the Reparations Committee listserv for updates). It did so again as recently as September 5, 2024,⁵ when City Councilmember and Reparations Committee member Krissie Harris stated that the city is still dispersing the funds for the first set of applications and will open a new round of applications once the first set is completed (Bekesha Aff., ¶ 14, Ex. J at pp. 6-7), as Plaintiffs have alleged. Compl., ¶ 11. Such statements are anything but evidence that Evanston is not going to accept additional applications in the foreseeable future. Even if all currently approved applicants (141 Ancestors; 454 Direct Descendants) are each paid the full \$25,000 (\$14,875,000 total), Evanston will still have \$5,000,000 in funds left over from its \$20 million commitment to pay additional applicants. Accordingly, Plaintiffs' injuries are reasonably foreseeable if not actual already. *Carney*, 592 U.S. at 63.

In short, except for their race, Plaintiffs satisfy all eligibility requirements for the

⁴ In this regard, Evanston's assertion in its declaration that applications were accepted only from September 21 to November 5, 2021 appears to contradict the website statement about the applications' availability. *Compare* Thompson Aff., ¶ 6 with Def's Mot., ¶ 18.

⁵ The Chicago Tribune also reports, based on information from Councilmember Harris, that new applications will be accepted when applicants from the first round have been paid. Bekesha Aff., ¶ 15, Ex. K.

program. At all relevant times they were and are “ready and able” to apply but for their race.

C. Evanston’s Jurisdictional Discovery Is Improper.

Evanston’s proposed interrogatories are irrelevant because none addresses the current dispute – the program’s parameters and its eligibility requirements. But for Plaintiffs’ names and ages, which Evanston has not disputed, the interrogatories are largely irrelevant because Direct Descendants need not live in, own real property in, or seek to own real property in Evanston to qualify for the program. The interrogatories are also irrelevant because they conflate the program’s eligibility requirements with the benefits, and, as Plaintiffs have demonstrated, those benefits changed significantly during the approval process to include the direct cash payment option. Interrogatory 6 is irrelevant because, as Plaintiffs have demonstrated, applying is futile so long as the program is race-based. Interrogatory 7 is irrelevant because it concerns Plaintiffs’ status as Direct Descendants, which Evanston has not challenged. It is just harassment.

To the extent the Court determines that Plaintiffs’ factual allegations and the evidence they have submitted to support those allegations is insufficient, Plaintiffs respectfully submit that discovery concerning the following subjects, among others, would be necessary: (1) the 7.1% of verified Direct Descendants who do not reside in Evanston but have been determined to be eligible; (2) the use of the cash payments by the Ancestors who chose that option; (3) the anticipated use of the cash payments by those Direct Descendants Ancestors who chose that option; (4) Evanston’s policies ensuring that recipients of the cash payments use the money for housing-related expenses within Evanston; (5) the dates every application was received and has been verified to receive payments; (6) all policies and guidelines about receiving applications; and (7) all discussions about re-opening the application process. Plaintiffs believe such focused discovery can be accomplished through limited depositions and written discovery. Of course,

much of this discovery would be indistinguishable from merits discovery, which highlights why Evanston's attempt to cut short Plaintiffs' case at this early stage is improper.

D. Plaintiffs' Claim Is Not Barred by the Statute of Limitations.

A motion to dismiss on statute-of-limitations grounds is a motion to dismiss for failure to state a claim. *Ennenga v. Starns*, 677 F.3d 766, 773 (7th Cir. 2012). Accordingly, the Court must accept all well-pleaded factual allegations as true and draw all reasonable inferences in Plaintiffs' favor.⁶ *Reynolds v. CB Sports Bar, Inc.*, 623 F.3d 1143, 1146 (7th Cir. 2010). "A statute of limitations creates an affirmative defense, and only when the plaintiff's submissions reveal a defense to be airtight will dismissal at screening be appropriate." *Hayes v. Hile*, 527 Fed. Appx. 565, 566 (7th Cir. 2013). Evanston's argument is anything but airtight.

Plaintiffs are injured because they are being denied equal treatment based on their race. *Ne. Fla. Ch. of Associated Gen. Contractors of Am. v. City of Jacksonville*, 508 U.S. 656, 666 (1993). Those injuries did not accrue on November 5, 2021, as Evanston alleges. At that point, Evanston had only received an initial round of applications. It had not begun evaluating them. As of November 2021, Evanston had not verified or approved a single application or made a single payment to anyone. It was still verifying Direct Descendant applications on October 5, 2023, and did not approve a single Direct Descendant application until sometime between October 5, 2023 and January 11, 2024. Compl., ¶¶ 18-19. Presumably, Evanston's verification and approval process involved confirming that applicants were Black or African American. Thus, Plaintiffs were not treated unequally, and their claims did not accrue at the earliest until Evanston completed its verification and approval of Direct Descendant applications, which occurred sometime in late 2023 or early 2024, a period well within the two-year limitations

⁶ The Court may also consider information that is properly subject to judicial notice. *Williamson v. Curran*, 714 F.3d 432, 436 (7th Cir. 2013).

period. *See, e.g., Webb v. Indiana Nat'l Bank*, 931 F.2d 435 (7th Cir. 1991).

Moreover, a statute of limitations defense cannot succeed when at least one act of the challenged conduct occurs within the limitations period. *Selan v. Kiley*, 969 F.2d 560, 564 (7th Cir. 1992). “In determining the timeliness of the plaintiff’s claim, the court treats the linked acts as one continuous act that ends within the limitations period.” *Lewis v. City of Chicago*, 2000 U.S. Dist. LEXIS 7304, *13 (N.D. Ill May 25, 2000). Three fact patterns or theories exist under this “continuing violation” doctrine. *Id.* The first two apply here. The first concerns when a defendant’s decision-making process takes place over time. *Id.* The second, referred to as a “systemic continuing violation,” concerns cases where a defendant has an express, openly espoused policy that is alleged to be discriminatory. *Id.*

Plaintiffs’ claim is timely under both theories. Evanston’s decision-making process clearly has taken place over time. Evanston doubled down on the program by committing an additional \$10,000,000 in November 2022. Compl., ¶ 10. It added the direct cash benefit in March 2023. *Id.*, ¶ 17. As demonstrated *supra*, it was still verifying Direct Descendent applications in October 2023 and did not complete its verification and approval of Direct Descendant applications until sometime between October 2023 and January 2024. *Id.*, ¶¶ 19-20. Should the Court find that the statute of limitations began to run in November 2021, then these additional acts of committing more funds, expanding the payment options, and verifying and approving applicants—all of which were within the limitations period—constitute a continuing injury. And through all these same acts, Evanston continued to openly espouse—and advance—its plainly race-based program. By either of these measures, Plaintiffs’ complaint is timely.

Evanston’s program is similar to the hypothetical provided by Judge Easterbrook in *Palmer v. Bd. of Education*. In that case, the Court held, “A wrongful act does not mark the

accrual of a claim. ... [T]he time begins with the injury rather than with the act that leads to injury.” 46 F.3d 682, 685 (7th Cir. 1995). To illustrate his point, he explained:

Suppose the school board had voted in 1980 to provide white pupils, but not black pupils, with school books. A child whose parents neglected to sue during his first two years in school would not be doomed to another 10 years of education without books. Each time the teacher passed out books to white children while withholding them from blacks would be a new injury and start a new period to sue. That the school district had committed similar wrongs in the past would not give it an easement across the Constitution, allowing it to perpetrate additional wrongs.

Id. The same applies here. A new injury occurs every time Evanston approves or distributes a \$25,000 direct cash payment to a black Direct Descendant but not to a non-black Direct Descendant. Evanston has no statute of limitations defense here.

C. The Program is Unconstitutional.

Evanston’s unnecessary “reservation of rights” at the end of its motion neither seeks relief from the Court nor demonstrates that any relief is appropriate, but instead purports to defend the constitutionality of its race-based program. As set forth in the complaint, however, the program’s use of a race-based eligibility requirement is presumptively unconstitutional, and remedying societal discrimination is not a compelling government interest. Compl., ¶¶ 37 and 38. Nor has remedying discrimination from as many as 105 years ago or remedying intergenerational discrimination ever been recognized as a compelling government interest. Among the program’s other fatal flaws is that it uses race as a proxy for discrimination without requiring proof of discrimination. Plaintiffs look forward to offering a more fulsome response to Evanston’s attempted defense of the program at an appropriate time and place.

WHEREFORE, Plaintiffs respectfully request Evanston’s motion be denied, or, in the alternative, held in abeyance.

Dated: September 18, 2024

Respectfully submitted,

/s/ Michael Bekesha

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**IN THE UNITED STATES DISTRICT COURT
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<i>Defendant.</i>)	
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AFFIDAVIT OF MICHAEL BEKESHA

I, Michael Bekesha, being duly sworn, deposes, and says:

1. My name is Michael Bekesha. I am over the age of eighteen and have personal knowledge of the facts set forth below.

2. I am a Senior Attorney at Judicial Watch, Inc. and am one of three attorneys representing Plaintiffs in this lawsuit.

3. Attached as Exhibit A is a true and correct copy of City of Evanston Resolution 37-R-21 (and Guidelines), which I downloaded from the City of Evanston’s website on September 12, 2024. The link I used is:

<https://www.cityofevanston.org/home/showpublisheddocument/63401/637907172322730000>.

4. Attached as Exhibit B are true and correct copies of the applications for the Evanston Local Reparations Restorative Housing Program, which I downloaded from the City of Evanston’s website (albeit using the Wayback Machine) on September 12, 2024. The links I used are:

<https://web.archive.org/web/20211003110645/https://www.cityofevanston.org/home/showpublisheddocument/66186/637677439872830000>;

<https://web.archive.org/web/20211003110645/https://www.cityofevanston.org/home/showpublisheddocument/66200/637677526043000000>; and

<https://web.archive.org/web/20211003110645/https://www.cityofevanston.org/home/showpublisheddocument/66202/637677526409430000>.

5. Attached as Exhibit C is a true and correct copy of the January 11, 2024 Memorandum from the Assistant to the City Manager to the Members of the Reparations Committee, which I downloaded from the Reparations Committee's website on September 12, 2024. The link I used is: <https://cityofevanston.civicweb.net/document/388094/>.

6. Attached as Exhibit D is a true and accurate copy of the minutes for the Reparations Committee's April 7, 2022 meeting, which I downloaded from the Reparations Committee's website on September 12, 2024. The link I used is: <https://www.cityofevanston.org/home/showpublisheddocument/71859/637890789995400000>.

7. Attached as Exhibit E is a true and accurate copy of the minutes for the Reparations Committee's April 6, 2023 meeting, which I downloaded from the Reparations Committee's website on September 12, 2024. The link I used is: <https://www.cityofevanston.org/home/showpublisheddocument/91119/638261484668470000>.

8. Attached as Exhibit F is a true and correct copy of City of Evanston Resolution 27-R-23, which I downloaded from the City of Evanston's website on September 12, 2024. The link I used is: <https://www.cityofevanston.org/home/showpublisheddocument/88928/638163909926200000>.

9. Attached as Exhibit G is a true and correct copy of the September 5, 2024 Memorandum from the Assistant to the City Manager to the Members of the Reparations

Committee, which I downloaded from the Reparations Committee's website on September 12, 2024. The link I used is: <https://cityofevanston.civicweb.net/document/405390/>.

10. Attached as Exhibit H is a true and accurate copy of the minutes for the Reparations Committee's March 2, 2023 meeting, which I downloaded from the Reparations Committee's website on September 12, 2024. The link I used is <https://www.cityofevanston.org/home/showpublisheddocument/89890/638211317230930000>.

11. Attached as Exhibit I is a true and accurate copy of the minutes for the Reparations Committee's April 4, 2024 meeting, which I downloaded from the Reparations Committee's website on September 12, 2024. The link I used is: <https://cityofevanston.civicweb.net/document/398031/>.

12. On June 6, 2024, Reparations Committee Chair Robin Rue Simmons provided an update about this lawsuit in lieu of a Reparations Committee meeting. The update was provided virtually via Zoom and was accessed by visiting <https://content.govdelivery.com/accounts/ILEVANSTON/bulletins/3a07171>. I virtually attended the session. The session was recorded. I have looked on the City of Evanston's YouTube page (<https://www.youtube.com/@cityofevanston/videos>), and, as of September 17, 2024, the video from the session is not publicly available.

13. The following paragraph is based on my recollection. Chair Simmons provided an update about this lawsuit during the session. Of relevance to the pending motion to dismiss, Chair Simmons asked a committee staff member to read a letter from a direct cash payment recipient. Chair Simmons stated that she could not read it herself because she was overjoyed with the letter's content and was fighting back tears. In the letter, the recipient described how she used \$11,000 of her \$25,000 payment to pay her son's college tuition and the remainder for

her own educational pursuits, including tuition at the Moody Theological Seminary in Chicago. After the letter was read, Chair Simmons did not reprimand, rebuke, or otherwise suggest that the recipient had been ineligible for the program because she used program funds improperly.

14. The Reparations Committee held a meeting on September 5, 2024, which was recorded. The recording of the meeting is posted on the City of Evanston's YouTube page (<https://www.youtube.com/watch?v=U0nh-Kft9lY>). Attached as Exhibit J is a true and accurate transcript of the meeting, which I had prepared by a certified court reporter on September 16, 2024.


15. Attached as Exhibit K is a true and accurate copy of the Chicago Tribune article entitled *Evanston has paid out just over \$5 million in reparations so far*, which I downloaded on September 16, 2024 from <https://www.chicagotribune.com/2024/09/14/evanston-has-paid-out-just-over-5-million-in-reparations-so-far/>.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 17, 2024


Michael Bekesha

Subscribed and sworn to
before me this 17th day
of September 2024.


Notary Public

STEPHEN F. WILSON
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires January 31, 2026



Exhibit A
To Affidavit of Michael Bekesha

3/22/2021

37-R-21

A RESOLUTION

Authorizing the Local Reparations Restorative Housing Program

WHEREAS, In 2002, the City Council supported US House Resolution 40 (HR-40), calling for a Federal Commission to study slavery and its vestiges, and to make recommendations for reparations, with the adoption of Resolution 43-R-02, “Slave Reparations”; and

WHEREAS, In November 2019, the Evanston City Council adopted Resolution 126-R-19, “Establishing the City of Evanston Reparations Fund and the Reparations Subcommittee”; and

WHEREAS, City Council committed the first ten million dollars (\$10,000,000.00) of the City’s Municipal Cannabis Retailers’ Occupation Tax (3% on gross sales of cannabis) to fund local reparations for housing and economic development programs for Black Evanston residents; and

WHEREAS, In passing Resolution 58-R-19, “Commitment to End Structural Racism and Achieve Racial Equity”, the City of Evanston government recognizes that like most, if not all communities in the United States, the community and the government allowed and perpetuated racial disparities through the use of many regulatory and policy-oriented tools; and

WHEREAS, The Local Reparations Restorative Housing Program (“The Program”) acknowledges the harm caused to Black/African-American Evanston residents due to discriminatory housing policies and practices and inaction on the part of the City; and

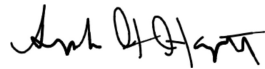
WHEREAS, The Program is a step towards revitalizing, preserving, and stabilizing Black/African-American owner-occupied homes in Evanston, increasing homeownership and building the wealth of Black/African-American residents, building intergenerational equity amongst Black/African-American residents, and improving the retention rate of Black/African-American homeowners in the City of Evanston.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS THAT:

SECTION 1: The City Council hereby adopts the City of Evanston Local Reparations Restorative Housing Program attached as Exhibit A.

SECTION 2: The City Council hereby directs initial funding in the amount of \$400,000.00 from the Local Reparations Fund for the purpose of this program.

SECTION 3: Resolution 37-R-21 shall be in full force and effect from and after its passage and approval in the manner provided by law.



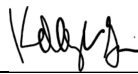
Stephen H. Hagerty, Mayor

Attest:



Devon Reid, City Clerk

Approved as to form:



Kelley A. Gandurski, Corporation Counsel

Adopted: January 11 , 2021

EXHIBIT A

The City of Evanston Donation Policy

City of Evanston

Local Reparations: Restorative Housing Program



City of
Evanston[™]
Program Guidelines

2100 Ridge Avenue, Evanston, Illinois 60201

PHONE: 847-448-4311 | EMAIL: Reparations@Cityofevanston.org

RESTORATIVE HOUSING PROGRAM GUIDELINES

Table of Contents

Section 1	Program Purpose
Section 2	Definitions
Section 3	Program Eligibility
Section 4	Application Submission and Approval Procedures
Section 5	Program Descriptions
Section 6	General Rules and Terms of Eligibility
Section 7	Property and Occupancy
Section 8	Eligible Use/Disbursement of Funds
Section 9	Disbursement Process
Section 10	Policy Modifications
Section 11	File Maintenance

Section 1 - Program Purpose

In 2002, the City Council supported US House Resolution 40 (HR-40), calling for a Federal Commission to study slavery and its vestiges, and make recommendations for reparations, with the adoption of Resolution 43-R-02, "Slave Reparations."

In November 2019, the Evanston City Council adopted Resolution 126-R-19, "Establishing the City of Evanston Reparations Fund and the Reparations Subcommittee." The resolution committed the first ten million dollars (\$10,000,000.00) of the City's Municipal Cannabis Retailers' Occupation Tax (3% on gross sales of cannabis) to fund local reparations for housing and economic development programs for Black Evanston residents.

In passing Resolution 58-R-19, "Commitment to End Structural Racism and Achieve Racial Equity," the City of Evanston government recognizes the government allowed and perpetuated racial disparities through the use of many regulatory and policy-oriented tools.

The Restorative Housing Program ("The Program"), the first Program of the Evanston Local Reparations Fund, acknowledges the harm caused to Black/African-American Evanston residents due to discriminatory housing policies and practices and inaction on the City's part. The Program outlined in this document is a step towards:

- Revitalize, preserve, and stabilize Black/African-American owner-occupied homes in Evanston;
- Increase homeownership and build the wealth of Black/African-American residents;
- Build intergenerational equity amongst Black/African-American residents; and
- Improve the retention rate of Black/African-American homeowners in the City of Evanston.

Section 2 - Definitions

1. Ancestor: African American or Black resident of the City between 1919 and 1969 who may have children, grandchildren, great-grandchildren, or other issue defined as a "Direct Descendant."
2. Applicant: Black or African-American person seeking compensation based on the criteria outlined in this guideline.
3. Black or African-American: A person having origins in any of Africa's black racial and ethnic groups.
4. Co-Owners: Persons who own or intend to own real property as joint tenants or tenants in common. Co-owners must occupy the property as the principal residence.

5. Contractor: The party responsible for overseeing construction, improvement, or rehabilitation project(s) and entering into a contract with the property owner.
6. Direct Descendant: A blood relative in the direct line of descent of an African American or Black resident of the City between 1919 and 1969.
7. Principal Residence: Primary home where the Applicant lives and not the second home of the Applicant. The primary home may include a multi-unit structure.
8. Program Manager: An employee of the City who has the responsibility for overseeing the Program.
9. Resident or Residency: An individual with an ownership or rental interest in real property in the City or otherwise legally occupies real property in the City.
10. The City: City of Evanston, Illinois, within the municipal boundaries.

Section 3 - Program Eligibility

Eligibility for the Program, the Applicant must be able to provide sufficient proof of the following:

1. If the Applicant is an Ancestor as defined in Section 2, proof of:
 - a. Age
 - b. Race
 - c. Residency as defined in Section II
2. If the Applicant is a Direct Descendant as defined in Section 2, proof of:
 - a. Age
 - b. Race
 - c. Relationship to Ancestor
3. If the Applicant does not qualify as an Ancestor or Direct Descendant as defined in Section 2, but otherwise meets the eligibility criteria outlined in Section 4, proof of:
 - a. Age
 - b. Race
 - c. Residency as defined in Section II
 - d. Any City ordinance, policy, or procedure that served to discriminate against the Applicant in the area of housing.

Sample List of Documents Residency, Race or Age¹		
<ul style="list-style-type: none"> ● Contract to purchase a home in Evanston ● Rental contract or lease ● Home Insurance Declaration ● Mortgage Agreement ● Property Closing Statement ● Voter's Registration Card ● Voter's History (online) ● Property Deed ● Enumeration record 	<ul style="list-style-type: none"> ● Paycheck stub ● Tax return ● W-2 ● Social Security Statement ● Vehicle Registration card ● Grade school/High School records or yearbook(s) ● Obituary ● U.S. Census 	<ul style="list-style-type: none"> ● Bills <ul style="list-style-type: none"> ○ Gas ○ Electric ○ Telephone ○ Water ● Installment Loan Document ● Library Card (must include name and address) ● Bank Statement

Sample List of Documents of Ancestry²
<ul style="list-style-type: none"> ● Birth certificate/announcement or other family genealogy records ● Adoption records ● Marriage record ● Hospital or physician's record of birth or death ● Baptismal record ● Family bible record ● School record/yearbook ● Government/ military records ● Obituary ● U.S. Census enumeration record ● Insurance documents ● Court records

¹ This list of documents is not complete, exclusive, or exhaustive. Other records, such as Evanston History Center and Shorefront Legacy documents, may be acceptable so long as they provide sufficient proof. There may be costs associated with certain documents and databases.

² This list of documents is not complete, exclusive, or exhaustive. Other records, such as Evanston History Center and Shorefront Legacy documents, may be acceptable so long as they provide sufficient proof. There may be costs associated with certain documents and databases.

Section 4 - Application Submission and Approval Procedures

The City Manager's Office has primary responsibility for overseeing the administration of the Program. The Program Manager will keep, at minimum, applications and all required documents to verify eligibility with program requirements and would be responsible for application intake.

The application process includes the following:

1. The Applicant submits the completed application form.
2. The Applicant submits documentation showing sufficient proof as discussed in Section 3.
3. Program Administrator verifies application and documentation for completeness.
4. The Reparations Committee determines eligibility for the Program based upon these guidelines.
5. The Reparations Committee shall be responsible for creating a randomization process to identify approved Applicants should there be more approved Applicants than available funds.
6. The Reparations Committee will then notify the Program Administrator of approved Applicants.
7. After the Reparations Committee's determination, the Program Administrator will notify the Applicant in writing of approval or denial. Approval letters shall include the amount of award and language indicating the availability of funding can assist Applicants in securing further funding if necessary.

Initial applications will be accepted, reviewed, and funded.³ in the following order:

1. An Applicant applying as an Ancestor.
2. An Applicant applying as a Direct Descendant.
3. An Applicant that does not qualify as either an Ancestor or Direct Descendant, however, experienced housing discrimination due to the City's policies/practices after 1969.

Applications thereafter will be accepted on a rolling basis.

³ Funding is subject to application approval and availability of funds.

Section 5 - Program Descriptions

1. Home Ownership Benefit
The Home Ownership benefit provides down payment/closing cost assistance to purchase real property located within the City.
2. Home Improvement Benefit
The Home Improvement benefit provides funds to repair, improve, or modernize real property located within the City.
3. Mortgage Assistance Benefit
Mortgage Assistance benefit provides funds to pay down mortgage principal, interest, and/or late penalties for real property located within the City.

Section 6 - General Rules and Terms of Eligibility

Applicants must meet the criteria outlined in these General Rules.

1. The Applicant must submit an application for eligibility as stated in Section 5.
2. The Applicant must be:
 - a. At least 18 years of age;
 - b. Of Black/African American ancestry;
 - c. An Ancestor that experienced housing discrimination due to the City's policies/practices; or
 - d. A Direct Descendant of an Ancestor (e.g., child, grandchild, great-grandchild, and so on);
 - e. An Applicant does not qualify as an Ancestor or Direct Descendant, however, experienced housing discrimination due to City ordinance, policy, or practice after 1969.
3. An approved Applicant may qualify for up to \$25,000 for any benefit described in Section 5, which may be used for a single benefit or multiple (e.g., \$15,000 for Home Improvement and \$10,000 for Mortgage Assistance).
4. An Applicant may transfer Program funding to a Direct Descendant. The Direct Descendant recipient shall be bound by all other rules and regulations governing the Program.

5. The maximum investment in any single property is \$50,000. This will require two eligible Applicants that are Co-Owners of the property.
6. An approved Applicant and any Co-Owners must occupy the subject property as their Principal Residence.
7. Funding may be layered with other City or external programs for which the Applicant is eligible (e.g., down payment and closing cost assistance through the State of Illinois or United States Department of Housing and Urban Development (HUD) and CDBG Housing rehabilitation program).
8. The City will record a Memorandum of Grant (along with any other documents recorded if any, or separately if none) to ensure notice of sale, refinance, or other transfer of the property associated with the benefit.
9. The Program is subject to the availability of funding. Approved funds must be utilized within one year after approval.
10. Applicant participation or non-participation in The Program does not preclude future participation in other City of Evanston Local Reparations benefits, initiatives, or programs.

Section 7 – Property and Occupancy

1. Geographic Boundaries
Properties are located within the current city limits of Evanston, Illinois.
2. Eligible Properties
The property must be a single-family residence, condominium, townhome, or multi-unit dwelling(s).
3. Occupancy Requirements
The property must be the principal residence of the Applicant or Co-Owner(s).

Section 8 - Eligible Use/Disbursement of Funds

1. Home Ownership Benefit
 - A. The Applicant must provide proof of ability to purchase subject property, including but not limited to mortgage approval with an FDIC insured lending institution.

- B. Funds will be disbursed at closing to the title company.
- C. The Applicant must occupy the subject property as their Principal Residence.

2. Home Improvement Benefit

- A. If requested, up to \$10,000 may be released for pre-construction costs and/or payment to a contractor to secure materials/deposit for the work.
- B. The payment schedule and required documentation will be developed and approved based on the scope of work with the Applicant and Program Manager.
- C. The Contractor must be licensed and insured.
- D. Funds disbursed directly to the Contractor.

Home Improvement Projects Examples⁴
<ul style="list-style-type: none">● Interior or exterior remodeling or beautification (e.g., landscaping and external amenities);● Items that alleviate a physical hardship for disabled or elderly (e.g., egress ramps, grab bars, mobility modifications to kitchen and baths, etc.);● Structural, electrical, mechanical, plumbing, and fire prevention improvements or corrections;● Items that will lengthen the useful life of the structure (e.g., roof replacement, siding replacement);● Items that conserve energy and resources (e.g., .upgrading of dwelling's thermal protection, installing water-saving fixtures, installing energy-efficient furnaces or other major mechanical equipment, and/ or window replacement;● Creation of a new or additional habitable space.

3. Mortgage Assistance Benefit

All funds must be paid directly to the mortgage loan servicer, pending verification of any outstanding mortgage balance.

⁴ This list of documents is not complete, exclusive, or exhaustive. Other home improvement projects may be acceptable.

Section 9 - Disbursement Process

Upon approval by City Council, funds will be disbursed electronically or via check to the closing agent for disbursal when Applicant closes on a home purchase; to the Contractor upon receipt of an invoice; or the lender for a mortgage payment.

Section 10 - Policy Modifications

The Evanston City Council shall have the authority to modify this policy as necessary for the continued implementation of the Restorative Housing Reparatons Program.

Section 11 - File Maintenance

Files are maintained to ensure eligibility and meet all compliance requirements. Files will be kept in accordance with Illinois Local Records Act, 50 ILCS 205 et seq. and the Freedom of Information Act, 5 ILCS 140/1 et seq.

DRAFT

Exhibit B
To Affidavit of Michael Bekesha



CITY OF EVANSTON LOCAL REPARATIONS: RESTORATIVE HOUSING PROGRAM ELIGIBILITY APPLICATION

ANCESTOR APPLICATION DRAFT

Evanston Local Reparations: Restorative Housing Program Eligibility Application

Please read the information below carefully before starting your application.

Thank you for your interest in applying for the City of Evanston Local Reparations Restorative Housing Program. This program is the first initiative of the City of Evanston's multi-million dollar commitment to local reparations for Black Evanstonians in housing and economic development.

About the Restorative Housing Program

Eligible applicants may receive up to \$25,000 in funds towards the purchase of a home, home improvements towards an existing home, and/or mortgage assistance for a property within the boundaries of Evanston, Illinois.

Program Eligibility

To ensure an equitable process, applications will be prioritized as follows:

1. Applicants applying as an **Ancestor**: An African American or Black resident, at least 18 years old at the time, who lived in Evanston between 1919 and 1969.
2. Applicants applying as a **Direct Descendant**: Applicants with at least one parent, grandparent, or great-grandparent, who was African American or Black, at least 18 years old at the time, who lived in Evanston between 1919 and 1969.
3. Applicants who do not qualify as either an Ancestor or Direct Descendant, but **experienced housing discrimination due to the City's policies/practices after 1969**.

We expect more applications than funding available, if more applicants qualify within the categories than funding, applicants will be randomly selected to participate.

Required Documentation

The Applicant is required to upload files that demonstrate qualifying documentation.

Qualify as an **Ancestor** - An African American or Black resident, at least 18 years old at the time, who lived in Evanston between 1919 and 1969.

- Applicant's current driver's license or Government-issued ID
- One document to verify your residency in Evanston between 1919 to 1969. (See List A)

Qualify as a **Direct Descendant**: - Applicants with at least one parent, grandparent, or great grandparent, who was African American or Black, at least 18 years at the time, who lived in Evanston between 1919 and 1969.

- Applicant's current driver's license or Government-issued ID
- At least one document providing blood relations with a direct descendant who was a resident of Evanston between 1919 to 1969 (See List B)
- One document to verify direct descendant residency in Evanston between 1919 to 1969. (See List A)

Qualify as a **person who experienced housing discrimination due to the City of Evanston policies/practices after 1969**

- Applicant's current driver's license or Government-issued ID

- Written documentation that provides evidence that the applicant experienced housing discrimination due to the City's policies/practices after 1969.

List A: Proof of residency from 1919 to 1969

- Electric Bill Record
- Grade school/High School records or yearbook(s)
- Home Insurance Declaration
- Mortgage Agreement
- Paycheck stub
- Phonebook listing
- Property Closing Statement
- Property Deed
- Rental contract or lease
- Telephone Bill Record
- U.S. Census record
- Vehicle Registration Card
- Voter's Registration Card

List B: Direct blood relations documentation

- Adoption/Guardianship records
- Baptismal record
- Birth certificate/announcement or other family genealogy records
- Court records
- Family bible record
- Government/ military records
- Hospital or physician's record of birth or death
- Insurance documents
- Marriage record
- Obituary
- School record/yearbook
- U.S. Census record

REVIEW PROCESS

The Program Administrator shall verify the application and documentation for completeness. If an application is incomplete or if additional information is required, the Program Administrator shall notify the Applicant accordingly. The Applicant shall provide a complete application and provide all requested information within the stated time period or the application shall be deemed withdrawn. The Reparations Committee determines eligibility based upon the [Restorative Housing Guidelines](#). After the determination by the Committee, the Program Administrator shall notify the Applicant in writing if the application is denied or approved.

For questions and inquiries email: Reparations@cityofevanston.org or call 847-448-4311.

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CITY OF EVANSTON LOCAL REPARATIONS: RESTORATIVE HOUSING PROGRAM ELIGIBILITY APPLICATION

APPLICANT INFORMATION

Name*

First Name

Last Name

Current Home Address*

Address Line 1

City

State

Country

ZIP Code

Phone Number *

Email *

Do you identify racially as Black or African-American?*

Yes

No

Are you the age of 18 or older? *

Yes

No

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DRAFT



CITY OF EVANSTON LOCAL REPARATIONS: RESTORATIVE HOUSING PROGRAM ELIGIBILITY APPLICATION

PROGRAM ELIGIBILITY CATEGORIES

In order to be eligible for this program, one of the following must be true: *

I am an Ancestor (African American or Black resident, at least 18 years of age at the time, who lived in Evanston between 1919 and 1969)

I am a Direct Descendant (At least one parent, grandparent or great grandparent, who is African American or Black, at least 18 years of age at the time, who lived in Evanston between 1919 and 1969)

I lived in Evanston and experienced housing discrimination due to the City of Evanston policies/practices after 1969 and have documentation to show evidence of discrimination

I do not apply to any of the above categories

Select one of the categories above

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CITY OF EVANSTON LOCAL REPARATIONS: RESTORATIVE HOUSING PROGRAM ELIGIBILITY APPLICATION

SUPPORTING DOCUMENTATION

Provide proof of residency in Evanston between 1919 to 1969 (Select the file you'd like to upload)*

Electric Bill Record

Grade School/High School Records or Yearbook(s)

Home Insurance Declaration

Mortgage Agreement

Paycheck Stub

Property Closing Statement

Property Deed

Phonebook Listing

Rental Contract or Lease

Telephone Bill Record

U.S. Census record

Voter's Registration Card Voter's History

Vehicle Registration Card

I have no documents to prove residency

Other:

Attach document showing proof of residency*

No File Chosen

File uploads may not work on some mobile devices.

[Save and Resume Later](#)



CITY OF EVANSTON LOCAL REPARATIONS: RESTORATIVE HOUSING PROGRAM ELIGIBILITY APPLICATION

RESTORATIVE HOUSING PROGRAMS

I am interested in funding to:*

Purchase a home in Evanston

Make home improvements to existing home in Evanston

Reduce home mortgage balance for my primary residency property in Evanston

Check All

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CITY OF EVANSTON LOCAL REPARATIONS: RESTORATIVE HOUSING PROGRAM ELIGIBILITY APPLICATION

Direct Descendant

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We expect more applications than funding available, if more applicants qualify within the categories than funding, applicants will be randomly selected to participate.

Required Documentation

The Applicant is required to upload files that demonstrate qualifying documentation.

Qualify as an **Ancestor** - An African American or Black resident, at least 18 years old at the time, who lived in Evanston between 1919 and 1969.

- Applicant's current driver's license or Government-issued ID
- One document to verify your residency in Evanston between 1919 to 1969. (See List A)

Qualify as a **Direct Descendant**: - Applicants with at least one parent, grandparent, or great grandparent, who was African American or Black, at least 18 years at the time, who lived in Evanston between 1919 and 1969.

- Applicant's current driver's license or Government-issued ID
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- One document to verify direct descendant residency in Evanston between 1919 to 1969. (See List A)

Qualify as a **person who experienced housing discrimination due to the City of Evanston policies/practices after 1969**

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- Written documentation that provides evidence that the applicant experienced housing discrimination due to the City's policies/practices after 1969.

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CITY OF EVANSTON LOCAL REPARATIONS: RESTORATIVE HOUSING PROGRAM ELIGIBILITY APPLICATION

APPLICANT INFORMATION

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First Name

Last Name

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City

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Country

ZIP Code

Phone Number *

Email *

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No

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No

[Save and Resume Later](#)

Progress

DRAFT



CITY OF EVANSTON LOCAL REPARATIONS: RESTORATIVE HOUSING PROGRAM ELIGIBILITY APPLICATION

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In order to be eligible for this program, one of the following must be true: *

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I lived in Evanston and experienced housing discrimination due to the City of Evanston policies/practices after 1969 and have documentation to show evidence of discrimination

I do not apply to any of the above categories

Select one of the categories above

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CITY OF EVANSTON LOCAL REPARATIONS: RESTORATIVE HOUSING PROGRAM ELIGIBILITY APPLICATION

SUPPORTING DOCUMENTATION

What is your relationship to the family member that lived in Evanston between 1919 and 1969? *

Mother

Father

Grandmother

Grandfather

Great Grandmother

Great Grandfather

Other:

What is the Legal First and Last of your family member that lived in Evanston between 1919 and 1969? *

First Name

Last Name

What time period did the family member first lived in Evanston? *

1919 - 1929

1930 - 1939

1940 - 1949

1950- 1959

1960- 1969

1970 +

Provide evidence of family member's residency in Evanston prior to 1969 (Select the File you'd like to upload) *

- Bank Statement
- Census Enumeration Record
- Contract to Purchase a Home in Evanston
- Grade School/High School Records or yearbook(s)
- Home Insurance Declaration
- Installment Loan Document
- Library Card (must include name and address)
- Mortgage Agreement
- Obituary
- Paycheck Stub
- Property Closing Statement
- Property Deed
- Rental Contract or Lease
- Social Security Statement
- Tax Return W-2
- Utility Bills
- Voter's Registration Card
- Vehicle Registration Card
- No documentation to provide
- Other:

Attach proof of family member residency in Evanston prior to 1969 *

No File Chosen

File uploads may not work on some mobile devices.

Provide one of the following documentation to show proof of relations to family member (Select the File you'd like to upload)*

- Adoption Records
- Baptismal Record
- Birth Certificate/Announcement or Other Family Genealogy Records
- Court Records
- Family Bible Record
- Government/ Military Records
- Hospital or Physician's Record of Birth or Death
- Insurance Documents
- Marriage Record
- Obituary
- School Record/Yearbook
- Time Offered Interest
- U.S. Census Enumeration Record
- No Documentation to Provide
- Other:

Attach proof of relations to family member *

No File Chosen

File uploads may not work on some mobile devices.

[Save and Resume Later](#)



CITY OF EVANSTON LOCAL REPARATIONS: RESTORATIVE HOUSING PROGRAM ELIGIBILITY APPLICATION

RESTORATIVE HOUSING PROGRAMS

I am interested in funding to:*

Purchase a home in Evanston

Make home improvements to existing home in Evanston

Reduce home mortgage balance for my primary residency property in Evanston

Check All

[Save and Resume Later](#)

[Progress](#)



CITY OF EVANSTON LOCAL REPARATIONS: RESTORATIVE HOUSING PROGRAM ELIGIBILITY APPLICATION

Housing Discrimination

Evanston Local Reparations: Restorative Housing Program Eligibility Application

Please read the information below carefully before starting your application.

Thank you for your interest in applying for the City of Evanston Local Reparations Restorative Housing Program. This program is the first initiative of the City of Evanston's multi-million dollar commitment to local reparations for Black Evanstonians in housing and economic development.

About the Restorative Housing Program

Eligible applicants may receive up to \$25,000 in funds towards the purchase of a home, home improvements towards an existing home, and/or mortgage assistance for a property within the boundaries of Evanston, Illinois.

Program Eligibility

To ensure an equitable process, applications will be prioritized as follows:

1. Applicants applying as an **Ancestor**: An African American or Black resident, at least 18 years old at the time, who lived in Evanston between 1919 and 1969.
2. Applicants applying as a **Direct Descendant**: Applicants with at least one parent, grandparent, or great-grandparent, who was African American or Black, at least 18 years old at the time, who lived in Evanston between 1919 and 1969.
3. Applicants who do not qualify as either an Ancestor or Direct Descendant, but **experienced housing discrimination due to the City's policies/practices after 1969**.

We expect more applications than funding available, if more applicants qualify within the categories than funding, applicants will be randomly selected to participate.

Required Documentation

The Applicant is required to upload files that demonstrate qualifying documentation.

Qualify as an **Ancestor** - An African American or Black resident, at least 18 years old at the time, who lived in Evanston between 1919 and 1969.

- Applicant's current driver's license or Government-issued ID
- One document to verify your residency in Evanston between 1919 to 1969. (See List A)

Qualify as a **Direct Descendant**: - Applicants with at least one parent, grandparent, or great grandparent, who was African American or Black, at least 18 years at the time, who lived in Evanston between 1919 and 1969.

- Applicant's current driver's license or Government-issued ID
- At least one document providing blood relations with a direct descendant who was a resident of Evanston between 1919 to 1969 (See List B)
- One document to verify direct descendant residency in Evanston between 1919 to 1969. (See List A)

Qualify as a **person who experienced housing discrimination due to the City of Evanston policies/practices after 1969**

- Applicant's current driver's license or Government-issued ID

- Written documentation that provides evidence that the applicant experienced housing discrimination due to the City's policies/practices after 1969.

List A: Proof of residency from 1919 to 1969

- Electric Bill Record
- Grade school/High School records or yearbook(s)
- Home Insurance Declaration
- Mortgage Agreement
- Paycheck stub
- Phonebook listing
- Property Closing Statement
- Property Deed
- Rental contract or lease
- Telephone Bill Record
- U.S. Census record
- Vehicle Registration Card
- Voter's Registration Card

List B: Direct blood relations documentation

- Adoption/Guardianship records
- Baptismal record
- Birth certificate/announcement or other family genealogy records
- Court records
- Family bible record
- Government/ military records
- Hospital or physician's record of birth or death
- Insurance documents
- Marriage record
- Obituary
- School record/yearbook
- U.S. Census record

REVIEW PROCESS

The Program Administrator shall verify the application and documentation for completeness. If an application is incomplete or if additional information is required, the Program Administrator shall notify the Applicant accordingly. The Applicant shall provide a complete application and provide all requested information within the stated time period or the application shall be deemed withdrawn. The Reparations Committee determines eligibility based upon the [Restorative Housing Guidelines](#). After the determination by the Committee, the Program Administrator shall notify the Applicant in writing if the application is denied or approved.

For questions and inquiries email: Reparations@cityofevanston.org or call 847-448-4311.

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Progress



CITY OF EVANSTON LOCAL REPARATIONS: RESTORATIVE HOUSING PROGRAM ELIGIBILITY APPLICATION

APPLICANT INFORMATION

Name*

First Name

Last Name

Current Home Address*

Address Line 1

City

State

ZIP Code

United States

Country

Phone Number *

Email *

Do you identify racially as Black or African-American?*

Yes

No

Are you the age of 18 or older? *

Yes

No

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Progress

DRAFT



CITY OF EVANSTON LOCAL REPARATIONS: RESTORATIVE HOUSING PROGRAM ELIGIBILITY APPLICATION

PROGRAM ELIGIBILITY CATEGORIES

In order to be eligible for this program, one of the following must be true: *

I am an Ancestor (African American or Black resident, at least 18 years of age at the time, who lived in Evanston between 1919 and 1969)

I am a Direct Descendant (At least one parent, grandparent or great grandparent, who is African American or Black, at least 18 years of age at the time, who lived in Evanston between 1919 and 1969)

I lived in Evanston and experienced housing discrimination due to the City of Evanston policies/practices after 1969 and have documentation to show evidence of discrimination

I do not apply to any of the above categories

Select one of the categories above

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CITY OF EVANSTON LOCAL REPARATIONS: RESTORATIVE HOUSING PROGRAM ELIGIBILITY APPLICATION

SUPPORTING DOCUMENTATION

Provide documentation of the City's policy(s) or practice (s) that discriminate against you after 1969? *

No File Chosen

File uploads may not work on some mobile devices.

[Save and Resume Later](#)

DRAFT



CITY OF EVANSTON LOCAL REPARATIONS: RESTORATIVE HOUSING PROGRAM ELIGIBILITY APPLICATION

RESTORATIVE HOUSING PROGRAMS

I am interested in funding to:*

Purchase a home in Evanston

Make home improvements to existing home in Evanston

Reduce home mortgage balance for my primary residency property in Evanston

Check All

[Save and Resume Later](#)

[Progress](#)

Exhibit C
To Affidavit of Michael Bekesha



Memorandum

To: Members of the Reparations Committee
From: Tasheik Kerr, Assistant to the City Manager
Subject: Randomization of the Direct Descendant Reparations Applicants
Date: January 11, 2024

Recommended Action:

Staff recommends that the Reparations Committee accept and file the report on randomization of the Direct Descendant reparations applicants.

Committee Action:

For Action: Accept and Place on File

Summary:

In October 2023, the Reparations Committee sought input via a survey on the method to determine the funding disbursement order for reparations recipients in the Direct Descendant category. The survey was facilitated through Survey Monkey and was sent to all verified Direct Descendants. The majority of respondents selected an electronic method using a random selector that would return the reparations recipients' unique ID numbers in a random order.

As of January 8, 2024, the breakdown of verified Direct Descendants by Ward and City is shown in the chart below.

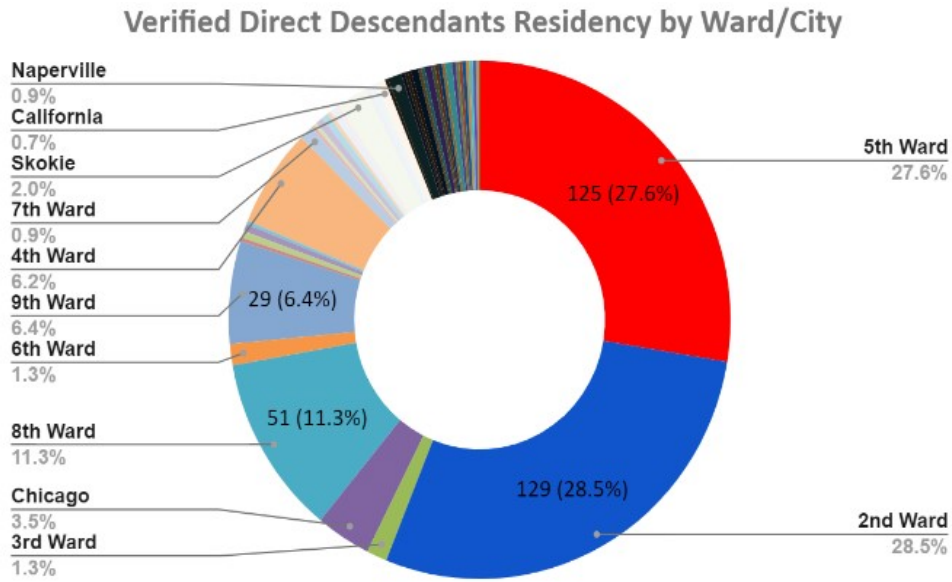


Exhibit D
To Affidavit of Michael Bekesha

Reparations Committee
Thursday, April 7th, 2022
Lorraine H. Morton Civic Center, G300 9:00 AM

Minutes

Present: Councilmember Peter Braithwaite, Robin Rue Simmons, Carlis Sutton, Bonnie Lockhart, Claire McFarland Barber, and Councilmember Devon Reid

Absent: Councilmember Bobby Burns

Others Present: Tasheik Kerr, Assistant to City Manager, and Audrey Thompson, Director of Parks and Recreation

CALL TO ORDER/DECLARATION OF A QUORUM

The meeting was called to order at 9:07 a.m. by Chair Councilmember Braithwaite.

PUBLIC COMMENT

Ndona inquired as to what would happen to the remaining \$25,000 if an Ancestor chose not to spend all their funds.

Mr. Johnson proposed placing his Freedom Plan on the next Committee meeting agenda.

Committee member Simmons introduced representatives from Devon Bank, Liberty Bank, and Self-Help Credit Union. Ms. Simmons noted the Committee has found support from financial institutions that have acknowledged the work toward reparations. These institutions have offered mortgage products that could complement and expand the existing reparations benefits. Ms. Simmons announced that this is not an endorsement by the City of Evanston and there is no requirement for beneficiaries to use any of the financial institutions.

Liberty Bank and Trust

Jonathan Wilson, Vice President of Mortgage, provided a summary and history of the Liberty Bank and Trust. Liberty Bank and Trust is the largest African American-owned bank in the United States. Liberty Bank has worked with the City of New Orleans and the City of Detroit.

Devon Bank

Dave Vance, Vice President of Mortgage Operations, announced Devon bank is excited to be part of the reparations efforts. Devon Bank is a diverse community bank located in Rogers Park. Mr. Vance announced that Devon Bank is one of few banks in the United States that offers Islamic Financing. Islamic Financing is a faith-based financing product that allows its members to pay no interest or to carry debt. The Islamic community has provided permission for Devon Bank to craft a program to complement the Evanston Reparations Program. Evanston reparations recipients would be provided with a quarter percent reduction rate and up to \$6,000 in down payment assistance. Devon Bank also assists those who would not qualify through traditional methods.

Self-Help Credit Union

Daniel Martinez, Director of Mortgage Origination, announced Self-Help Credit Union is a nonprofit headquartered in Durham, NC. Mr. Martinez noted that Self-Help Credit Union aids those who are often on the shortlist of traditional lenders. Evanston reparations recipients are eligible to apply for three subsidized loan products: Equity Boost, 100%LTV, and Safe Home.

APPROVAL OF MINUTES

It was moved by Committee member Simmons and seconded by Committee member Sutton to approve the March 3, 2022 meeting minutes. The motion carried (6 -0).

DISCUSSION

A. Update on Orientation (one-on-one) of First Sixteen Reparations Beneficiaries

Audrey Thompson, Director of Parks and Recreation, provided an update on the first 16 reparations beneficiaries. Six beneficiaries chose home improvement, five chose a combination of home mortgage assistance and home improvement, two chose home mortgage help, and one chose home purchase. Two beneficiaries are undecided. The City has processed two invoices from Community Partners for Affordable Housing (CPAH). CPAH and Rebuilding together met to discuss how they could collaborate for the benefit of the beneficiaries.

Councilmember Reid inquired about the beneficiary who is undecided. Director Thompson responded that the individual is still trying to decide how to use the benefit. Director Thompson noted the individual might not be able to qualify for a mortgage. Councilmember Reid mentioned he would like the Committee to explore ways of assisting the individual. Councilmember Braithwaite responded that the requirements of the program were clearly communicated. Committee member Barber added that having developed the program, informed the public, and made certain representations during the application and disbursement process, changing the process now would place the

City in legal jeopardy. Committee member Lockhart noted she has been approached regarding other remedies. Ms. Lockhart added that the Committee was tasked to distribute funds and to ensure a process for the program as voted on by the City Council. Committee member Sutton shared that the Committee has a legal and moral obligation to help those who suffered as a result of attempting to buy a home. The program does not discriminate against anyone that does not own a home. Councilmember Reid shared that part of the charge for the Committee is to improve the program. The Committee is also charged with expediting the pace of delivering repair. The Committee can create and deliver other programs. Councilmember Reid added that other seniors might face a similar issue. Councilmember Reid inquired of the Committee whether something can be done that still fits within the scope of the housing program.

It was moved by Councilmember Reid and seconded by Committee member Barber to accept and place on file the Update on First 16 Reparations Beneficiaries. The motion carried (6 -0).

Status of Direct Descendants Reparations Applicants

Tasheik provided an update on the verification process of the Direct Descendants. Tasheik reported that 146 descendants had been verified and 213 had been reviewed in total. 56 descendants require additional documentation and 11 are unverifiable. Staff will follow up with those descendants who require additional documentation.

COMMUNICATION

A. Reparations Financial Donation Report

Tasheik reported that as of April 1, 2022, the City received \$69,253.79 in donations to the Reparations Fund. It was moved by Councilmember Reid and seconded by Councilmember Barber to accept and place on file the Reparations Financial Donation Report. The motion carried (6 -0).

B. Special Thank You and Acknowledgment of First 16 Reparations Beneficiaries

Councilmember Peter Braithwaite announced that there will be a dinner to honor the first 16 Reparations Beneficiaries.

C. First Repair Update

Committee member Simmons noted a monthly report would be provided regarding efforts around reparations for those interested in learning and supporting the reparations efforts at the federal, state, and local levels.

ADJOURNMENT

It was moved by Committee member Simmons and seconded by Committee member Barber to adjourn the meeting. The meeting adjourned at 10:10 a.m.

Exhibit E
To Affidavit of Michael Bekesha



Reparations Committee
Thursday, April 6, 2023 @ 9:00 AM
Virtual

COMMITTEE MEMBER PRESENT:

Krissie Harris, Councilmember, Chair Robin Rue Simmons, Committee Member, Carlis Sutton, Committee Member, Bonnie Lockhart, Committee Member, Bobby Burns, Councilmember, and Claire McFarland Barber, Committee Member

COMMITTEE MEMBER ABSENT:

Devon Reid, Councilmember

STAFF PRESENT:

Tasheik Kerr, Assistant to City Manager; Mari Johnson, Deputy Legal Assistant

1. CALL TO ORDER/DECLARATION OF A QUORUM

The meeting was called to order at 9:06, and Chair Simmons made a declaration of quorum.

A Ancestral Acknowledgement

Councilmember Harris read the Ancestral Acknowledgement.

B TESTIMONIALS

Jennifer LovetteCephus: Jennifer inquired about their reparations status. They asked if they had to live in Evanston in order to be compensated. They moved from Evanston because they couldn't afford it.

Chair Simmons responded that those who have moved outside of Evanston are still eligible.

Charline Nyomo: Charline expressed their desire to engage in activities to bring the diverse community together. Charline suggested the creation of a Community Unity working group.

Chair Simmons agreed to the creation of a Community Unity working group.

Chair Simmons also clarified that the purpose of the testimonials is different from public comment. The Committee has allocated this time to hear about Black Evanstonian experiences, why they should be doing this work, and any reason residents feel they should expand on their work.

Reparations Committee
April 6, 2023

2. APPROVAL OF MINUTES

A. Approval of the February 2, 2023 Reparations Committee Meeting Minutes

Chair Simmons moved for the approval of the Feb. 2, 2023 Committee Meeting Minutes. Councilmember Harris seconded the motion. The motion passed unanimously.

B. Approval of the March 2, 2023 Reparations Committee Listening Session Minutes

Chair Simmons moved for the approval of the March 2nd, 2023 Reparations Committee Listening Session Minutes. Councilmember Harris seconded the motion. The motion passed unanimously.

3. DISCUSSION

A. Amendment to the Restorative Housing Program

Corporation Counsel, Nicholas Cummings, inquired of the Committee whether cash payments would be unrestricted and related to housing. Chair Simmons clarified that the added benefit is an expansion of the Restorative Housing Program and that the amendment is in line with the exception that was made earlier for the two siblings of the first 16 recipients.

Mr. Cummings explained that the City would not have the person power to police the ways recipients would use cash benefits. With the rest of the application, there is an affirmation that must be signed in terms of people committing to the terms of the application. Therefore, it would be based on an honor system on the part of the recipients to use cash benefits for housing specifically. Chair Simmons acknowledged, with the agreement of Committee member Sutton, that an honor system is sufficient.

Mr. Cummings also stated that the Restorative Housing Program aimed to keep residents or bring residents back to Evanston, with the cash benefit that is no longer part of the equation. He asked if the Committee was okay with this. Chair Simmons responded that the Committee is not looking to give direct oversight. The needs of the Program are still being met with the narrow tailoring, and discussion on a full-on Cash Benefits Program will be had.

Committee Member Barber provided an update on her presentation on "Estate Administration: How Assets Transfer When a Person Dies." Committee member Barber stated that a few families were looking for clarity on how to claim their deceased relative reparations benefit. The families were seeking ways on how to handle the asset in the probate process and on how to handle multiple beneficiaries/heirs of legatees.

B. Creation of a Reparations Cash Benefit Program

Counsel Cummings explained that in order to have race-based or race-conscious programming, sufficient evidence is needed to show the necessity for the remedy. Currently, they do not have the research to show that a cash benefit would be a narrowly tailored remedy for those harmed. The type of research needed has to quantify the harms to a dollar amount. He expressed that he does not think the City will ever be able to afford whatever number is concluded. However, they would have the evidence to say that Evanston's

Reparations Committee
April 6, 2023

discrimination caused this much harm to this dollar amount. This would allow a cash benefit program to have sufficient evidence if challenged in court.

Chair Simmons stated that she has reached out to partners that can provide such a report and explained that Counsel Cummings had started his own process as well.

C. Establishing Reparations Committee Working Groups (5 or 7 members?)

Chair Simmons recommended that the Committee reestablish working groups with Committee members as chairs and community members and experts beyond the community that have experience in the three areas. Chair Simmons also recommended the Committee add "Community Unity" (name subject to change) as a working group.

The Working Group chairs will set the meetings and will have 5 or 7 members from the community. Committee Member Barber offered to chair the Economic Development Working Group committee.

It was noted that the Housing Working Group could put together a database for folks who want to volunteer their time or labor to recipients of the reparations program. This Housing Working Group could also assist Connections for the Homeless on zoning equity. Councilmember Burns and Committee Member Lockhart volunteered to chair this working group.

Education Initiatives Working Group: Councilmember Harris and Committee Member Sutton volunteered to chair this Working Group. Chair Simmons also volunteered to assist as well.

Community Unity Working Group: Charline Nyomo and, in the absence of a volunteer, Committee member Barber will chair the group. Councilmember Reid will also be filled in if they want to chair this group. Chair Simmons recommended working with interfaith organizations.

Tashiek Kerr, Assistant to the City Manager, inquired about the application process for the working groups. Chair Simmons recommended that the working groups have open meetings, and Councilmember Harris suggested a Google form created for people to apply.

Counsel Cummings reminded the Committee members that no more than two members could work on the same working group at the same time; otherwise, that would trigger the open meeting act requirements such as minutes requirements, working groups being noticed, etc. Chair Simmons stated she would act as a backup person for the Education Initiatives Working Group.

D. Update on the Equitable Zoning Project

The Committee introduced Sue Loelbach. Sue is working with Connection for the Homeless and their equitable zoning project.

Objectives for the Equitable Zoning Project:

- Zoning to remove barriers to affordable housing

Reparations Committee
April 6, 2023

- Exploration of ways to reach those most impacted by the lack of affordable housing and by racial and socioeconomic inequity
- Contributions to repairing the harms by the City of Evanston through its zoning and housing policies

Supporters/Partners for this project:

- City of Evanston
- ZoneCo - consulting firm with an expertise in zoning
- Chicago Metropolitan Agency on Planning - Providing technical assistance and community outreach
- Funders: Chicago Community Trust, Cornerstone Foundation, Evanston Community Foundation. Money from the funders are mainly used for compensation.

Process:

- Zoning Diagnostic Review: Done
 - ZoneCo evaluated every line of the zoning code, which contributed to the hypothesis this equitable housing project is based on.
- Community outreach and input: Done
 - Partnered with organizations such as Center for Independent Futures, EC2C Advocates for Action, Evanston Latinos, Evanston NAACP, Evanston Own It, Laude Consulting, Radio La Difference, VAJM. Also, Connections for the Homeless channels
 - 500 responses, 110 focused groups
- Analysis of Data 1st round: April
- Stakeholder Discussions: May
- Analysis of Data 2nd Around: June
- Report Roll-Out: Beginning in July

The next steps involve data analysis and creation of key data points, with a presentation and feedback from key stakeholders. Loelbach asked if the Reparations Committee would be interested in being involved as one of these stakeholders.

Sue will send Tashiek dates and meetings.

4. COMMUNICATION

A. Update on the informational session with the families of deceased Ancestor Reparations Recipients

Chair Simmions shared that outside of Committee members Barber's committee work, she is an attorney that specializes in probates and estate. She also used to run free clinics for low-income seniors.

Committee Member Barber volunteered to have a workshop that was held the previous Tuesday for family members who were on the ancestor list and passed away before they could receive their distribution. She walked them through different ways to handle their deceased relative's estates. She began with assets administration 101, then broke off and spoke to families 1:1. Committee Member Barber clarified that the discussion is not part of

Reparations Committee
April 6, 2023

Evanston's legal department or marketing for her firm. Committee Member Barber has spoken with Tasheik to plan a general estate planning to give people more information because, for many, inherited wealth relates to real estate.

B. Reparations Financial Reports

- Donations this month: \$43,0777.26 USD
- Real Estate Transfer Tax: (thus far) \$524,882 USD
- Treasury Report - Reparation: Reasonable statistics can not be given at this time.

It was moved by Chair Simmons and seconded by Councilmember Harris to accept and place on file the April 6 Financial Report. The motion passed unanimously.

Chair Simmons hoped that the job of the Reparations Program Construction administrator would be posed soon. Counsel Cummings estimates it takes somewhere between 60 and 90 days for a candidate to be processed and onboarded.

Chair Simmons stated that with the new cash option, the City will make that transaction so another administrator is not needed for those transactions. Council Cummings explained that the City would need to collect minor financial information to determine which fund to pay from. He further explained that in order to have recipients receive this benefit tax-free the program would need to be based on need. But currently, the Restorative Housing Program is not based on need it's based on harm. To ensure the benefits are received tax-free, financial information will be needed to qualify the beneficiary.

Councilmember Burns raised the question: what other fund do we have to provide benefits other than the Reparations Fund? Counsel Cummings replied, the General Assistance Fund. Councilmember Burns also asked when money is available is the City going to allow people who opt for direct cash benefits to receive their benefit as their money comes, even if they have a higher number than someone who wants to do rehab? Ms.Kerr responded that staff is going to make it clear to individuals who want a home improvement that it is going to take months for CPAH to get to them, their money will still be there, but staff would disburse funds to those who select cash benefits. Councilmember Burns followed up with it would be best to get through to as many people as they can, starting with the ancestors. Staff Tashiek responded that staff had been assigned to work on meeting with recipients, which will hopefully speed up time.

Councilmember Burns inquired whether the City and Council should be looking for more grants/funding for the program. Chair Simmons responds yes, continue thinking of how we sustain this program, what are different revenue streams, and how to fund administrative roles. She suggests they come up with a dream budget for the program so there is less reliance on partnerships.

5. PUBLIC COMMENT

Donna Walker: Is there going to be more opportunity for more funds to come in, as tax dollars, with another dispensary here?

Chair Simmons requests a report next meeting on the new dispensary and if there is a projected open date, and how that may accelerate receiving revenue.

Reparations Committee
April 6, 2023

Rodney Greene: For the elderly on fixed income and they are recipients of grandparents and parents who met the criteria for reparations, how do they receive the benefits, and how soon can it come through?

Chair Simmons clarified that the application process for this initiative has closed, but if they have applied, then they need to look for a notice that they have been accepted; otherwise, they need to look for future opportunities.

Charline Nyomo: Charline stated that when her children were younger, she was instrumental in stopping violence across gang lines, what helped her with that is her knowledge of African Culture. She stated she received an email from someone who has retired from the World Bank, and his brother is the Governor of Timbuktu. She stated all this to explain that is the piece of the puzzle she can bring to help with this work. Of her gifts, she hopes to use them to expand the wonderful work the Committee is doing.

Tina Payden: Glad to see moving towards cash payment. She hopes the seniors can get their money expeditiously as well as create a new program. Tina hopes the people on the zoning, as well as Connections For the Homeless, look for fair zoning in all the wards of Evanston and not just one or two wards. Also, she stated there should be a clear expectation of any new requirements for cash payment. Tina asked if the total number of donations and the money from the city is on the website. Additionally, Tina would like to see support from people who are getting harassed and unfair treatment in the City of Evanston and beyond.

Karli Butler: Their grandfather qualified as an ancestor then they passed away. Their dad qualified as a descendant then their father passed away. During the time of the application process, they had three generations of folks in the home who qualified, but because Karli wanted to respect the rule, they did not apply. They regret not applying because so much has changed. They inquired when there would be another opportunity for descendants to apply.

Chair Simmons responds it has not yet been determined when there will be a new application process. Still, she hopes their family was among those who attend attorney McFarland Barber's workshop, and if not, Butler can contact her directly.

6. ADJOURNMENT

Chair Simmons moves to adjourn, and Councilmember Harris seconds.

Exhibit F
To Affidavit of Michael Bekesha

3/27/2023

27-R-23

RESOLUTION

Amending the Restorative Housing Program to Include Direct Cash Payment as an Option

WHEREAS, In 2002, the City Council supported US House Resolution 40 (HR-40), calling for a Federal Commission to study slavery and its vestiges, and to make recommendations for reparations, with the adoption of Resolution 43-R-02, “Slave Reparations”; and

WHEREAS, In November 2019, the Evanston City Council adopted Resolution 126-R-19, “Establishing the City of Evanston Reparations Fund and the Reparations Subcommittee”; and

WHEREAS, City Council committed the first ten million dollars (\$10,000,000.00) of the City’s Municipal Cannabis Retailers’ Occupation Tax (3% on gross sales of cannabis) to fund local reparations for housing and economic development programs for Black Evanston residents; and

WHEREAS, In passing Resolution 58-R-19, “Commitment to End Structural Racism and Achieve Racial Equity”, the City of Evanston government recognizes that like most, if not all communities in the United States, the community and the government allowed and perpetuated racial disparities through the use of many regulatory and policy-oriented tools; and

WHEREAS, The Local Reparations Restorative Housing Program (“The Program”) acknowledges the harm caused to Black/African-American Evanston residents due to discriminatory housing policies and practices and inaction on the part of the City;

and

WHEREAS, the City Council previously directed that recipients of benefits from the Local Reparations Fund were able to choose whether they receive said funds through home improvement, mortgage payment, grant to beneficiaries or decline said funds if they did not meet the requirements for the other options ; and

WHEREAS, City Council recognizes there is a need to expand upon this the Program and allow beneficiaries to choose direct cash payment as an option.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS THAT:

SECTION 1: The City Council hereby amends the Restorative Housing Program to include direct cash payment as an additional option for payment.

SECTION 2: Resolution 27-R-23 shall be in full force and effect from and after its passage and approval in the manner provided by law.

Daniel Biss

Daniel Biss, Mayor

Attest:

Stephanie Mendoza

Stephanie Mendoza, City Clerk

Approved as to form:

Nicholas E. Cummings

Nicholas E. Cummings, Corporation Counsel

Adopted: March 27, 2023, 2023

Exhibit G
To Affidavit of Michael Bekesha



Memorandum

To: Members of the Reparations Committee
 From: Tasheik Kerr, Assistant to the City Manager
 Subject: Ancestor Reparations Recipients Disbursement Update
 Date: September 5, 2024

Recommended Action:

Staff recommends that the Reparations Committee accept and file the ancestor reparations recipients disbursement update.

Committee Action:

For Action: Accept and Place on File

Summary:

As of September 1, 2024, City Staff has contacted all Ancestor reparations recipients, and **132 recipients have** made a selection. At the recipients' discretion, most staff interactions took place in the recipients' homes. Recipients were provided with an extensive overview of the program benefits, additional City programs they may qualify for, and other partner programs that may assist in maximizing their reparations benefits.

Attached is a breakdown of the recipients' selections. It should be noted that four recipients have informed staff that they would like to take additional time to select their benefit/s. Some recipients, for example, have expressed to staff that they would like to confer with their financial advisors and other family members regarding their benefits before making a selection. The remaining recipients' statuses are as follows:

Ancestor Reparations Recipients Disbursement Update	
# of Total Qualified Applicants	141
# Ancestor Disbursements	132
Requested Hold	4
Deceased and Unable to Contact Family	2
Unable to Contact	1
Deceased, Small Affidavit Pending	2

Restorative Housing Program		
Reparations Benefit	Number*	Estimated Amounts**
Home Improvement Benefit (Repairs/Renovations)	30	\$743,702.24
Home Improvement Benefit & Mortgage Assistance	4	\$100,000
Mortgage Assistance (Mortgage Balance Reductions)	20	\$438,004.46
Home Purchase Benefit (Downpayment)	0	0
Cash Benefit	83	\$2,111,268.11
Total		\$3,392,974.81*

**The Committee should note the amounts above are disbursement estimates. Staff continues to process invoices as they are received from Community Partners for Affordable Housing for home improvement and mortgage assistance benefits.

*The Committee should note that some recipients have divided their \$25,000 reparations funds amongst the four Restorative Housing Program benefits. A recipient, for example, might separate their benefit between the Home Improvement benefit and the Cash benefit. See the breakdown attached.

Attachments:

[Ancestor Benefit Selection](#)

	Cash Benefit	Home Improvement Benefit		Mortgage Assistance		Home Purchase	Mortgage Assistance and Home Improvement Benefit		Mortgage Assistance and Cash Benefit		Home Improvement and Cash Benefit	
Total	83	25		16		0	4		4		5	
		CPAH/ Reparatons Construction admin Managed Construction	Homeowner Managed	Pre-Pay ment	Lump-Sum		CPAH- Managed Construction - 4	Homeowner Managed - 0	Pre-Payment	Lump-Sum	CPAH- Managed	Homeowner Managed
		20	4	4	12		Pre-Payment -2	Lump-Sum - 2	2	2	4	1
	74+9											



Memorandum

To: Members of the Reparations Committee
 From: Tasheik Kerr, Assistant to the City Manager
 Subject: Direct Descendent Reparations Recipients Disbursement Update
 Date: September 5, 2024

Recommended Action:

Staff recommends that the Reparations Committee accept and file the Direct Descendent reparations recipients disbursement update.

Committee Action:

For Action: Accept and Place on File

Summary:

As of September 1, 2024, City Staff has met with 71 Direct Descendant reparations recipients, and 71 recipients have made a selection. The committee anticipates disbursing reparations funds to at least 80 Direct Descendants for calendar year 2024.

Attached is a breakdown of the recipients' selections. Since the May report, one recipient has changed their benefit from home improvement to cash.

Direct Descendent Recipients Disbursement Update

2024 Direct Descendants Cohort	80
# of Disbursements	71

Restorative Housing Program		
Reparations Benefit	Number*	Estimated Amounts
Home Improvement Benefit (Repairs/Renovations)	4	87,000
Home Improvement Benefit &	0	

Mortgage Assistance		
Mortgage Assistance (Mortgage Reductions) Balance	0	
Home Purchase Benefit (Downpayment)	0	
Cash Benefit	67	\$1,588,000
Total	\$1,675,000	

*The Committee should note that some recipients have divided their \$25,000 reparations funds amongst the four Restorative Housing Program benefits. A recipient, for example, might separate their benefit between the Home Improvement benefit and the Cash benefit.

Exhibit H
To Affidavit of Michael Bekesha



Reparations Committee

Thursday, March 2, 2023 @ 9:00 AM

Lorraine H. Morton Civic Center, G300 (Hybrid)

COMMITTEE MEMBER PRESENT:

Councilmember Devon Reid, Councilmember Krissie Harris, Committee Member & Chair Robin Rue Simmons, Committee Member Carlis Sutton, Committee Member Bonnie Lockhart, and Committee Member Claire McFarland Barber.

COMMITTEE MEMBER ABSENT:

Councilmember Bobby Burns

STAFF PRESENT:

Tasheik Kerr, Assistant to City Manager; Damiloa Olabanji, Reparations Intern

1. CALL TO ORDER/DECLARATION OF A QUORUM

The meeting was called to order at 9:00 a.m by Chair Simmons.

A. Ancestral Acknowledgement

Committee Member Barber read the Ancestral Acknowledgement.

2. ANNOUNCEMENTS

Dr. Alvin B. Tillery, Director of the Center for the Study of Diversity and Democracy, provided an update on the Reparations Survey. The survey was launched and will be in the field in about 10 days. There will be 3 phases of the program. 1st phase: Convenience sampling - the city's communication office sends surveys with a digital link. 2nd phase: Surveys sent in the mail targeting addresses in areas of the city. 3rd phase: Field study with 20 young people, 10 Evanston Township High School students and 10 Northwestern students in the city to assist residents with filling out the surveys on a tablet. 3,200 surveys were collected in the first phase. In 2 weeks mail surveys will be sent out and surveys will be completely anonymous. Surveys will most likely close in early June

Questions: (all responses from Professor Tillery unless otherwise noted)

Question: How do you verify only Evanston residents have filled out the survey and filled it out one time?

Response: NORC, National Opinion Research Center (out of University of Chicago) collects the addresses the Northwestern (NU) team doesn't see any of the addresses

Reparations Committee
March 2, 2023

on the response. The address data verifies Evanston residency. There is a statistical matching with the sample on how many addresses are in each ward so they can see when something is off, which is an unlikely scenario.

Question: If there is 1 person per address but there are 3 adults in my home, how does that work?

Response: 1 per address in the first phase, if another adult is in the home and wants to fill out a survey, they can do so via the young people with the tablets during the field research phase.

Question: Is there a way to target churches and elderly homes to target elderly people?

Response: Absolutely plan to do that

Question: Is there a limitation on the age of who can complete the survey?

Response: No

Question: What is the purpose of the survey?

Response: The survey is a multi-prong approach to understand how reparations affects the community. Essentially an attitude survey.

Question: Qualm with Northwestern involvement in the Reparation survey

Response: Professor Tillery explains he is an employee at Northwestern but he is not the University at large. Northwestern as an organization is not involved with the survey and survey data.

Question: Profesor Tillery asked to explain how he came into this work

Response: Professor Tillery stated he is an anti-racist educator. He does this work across the country and runs a consulting firm titled 2040 consulting. He has volunteered to do racial Equity training for the City Council in advance of the reparation project.

Question: Does the survey impact payments for folks that are waiting for payments?

Response: No, the survey is just informational.

Question: What type of grassroots training will Professor Tillery do with the community because some people just do not understand reparations?

Response given by Chair Simmons: The committee intends to continue having public education sessions such as listening sessions, town halls, and informational sessions and bring in experts.

Question: When the survey is complete, what is the final report/scope of the report? Will the data be analyzed and will recommendations be submitted?

Response: Yes there will be analyses done. It is not their place to make recommendations but just to inform.

Reparations Committee
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Question: Once all the data has been collected what will Northwestern do with the data since they have historically been against reparations in the past?

Response: Professor Tillery stated he understands the mistrust of Northwestern, the President, the Provost, etc. of Northwestern is not receiving the data. The City of Evanston will be receiving the data. After the city has the data, the data will be disposed of. There is no intrinsic value of the data to Northwestern.

Question: If you have a multi-adult household will there be a notice that the surveyors will be in X neighborhood so you don't miss them?

Response: Yes

3. RESTORATIVE HOUSING PROGRAM AMENDMENTS

Chair Simmons shared that two recipients have not received their benefits since they are not homeowners, do not plan to purchase a home and do not have eligible descendants to pass the benefit to. Discussion ensued on how to assist the two recipients in the community.

Chair Simmons makes a motion to extend a cash benefit of \$25,000 to each of the two ancestors that are unable to otherwise use their benefit. Motion seconded by Committee Member Lockhart.

Councilmember Reid stated that instead of extending the program just for the two folks, it should be extended to at least all Ancestors if not everyone in the program.

Councilmember Reid calls for Roll Call Vote.

Ayes: Chair Simmons, Committee Member Sutton, Committee Member Lockhart, and Committee Member Barber.

Nayes: Councilmember Reid

Abstain: Councilmember Harris

(4-1-1 on a recorded vote)

Councilmember Reid moves to amend the housing program overall to allow direct cash benefits to all ancestors. Motion failed for a lack of second.

Councilmember Reid moved to return to this topic as soon as possible. Committee member and Chair Simmons suggests a hybrid meeting in one week and will have Staff Kerr coordinate members' schedules.

4. PUBLIC COMMENT

A. Listening Session

Andrea Pettius: *In the spirit of full transparency, residents would like a breakdown of how the initial 10 million dollars was spent.*

Chair Simmons responds that the first \$400,000 has been allocated. Funding has been received incrementally, and disbursements have been made incrementally. There is more work that needs to be done on identifying remedies for disbursement.

Reparations Committee
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Rose Goggins: *Do you accept Illinois Power of Attorney for health care? My mother will be 82 and does not feel she can travel to a notary.*

Committee Member Barber responded assuming the question relates to whether they can use their authority as an agent under a power of attorney for health care to execute or communicate with the city regarding the Reparations benefit. The answer is no. Power of attorney under health care deals with decisions about the body, health, residential placement etc.. In Illinois, power of attorney for property is needed. If the mother is still cognitively sound they can execute that. Additionally, there are mobile notaries that can be looked into. Councilmember Reid adds a reminder the committee has created a form to designate a beneficiary for the reparation program.

Resident Charlene: Charlene inquired about the state lottery. They would like the people attending to support them in allowing Black people to get a percentage of that money and if it's administered, the money should be distributed to the people here. Chair Simmons clarifies that Charlene wants lottery revenue to fund reparations. Chair Simmons recommended some possible next steps. She noted the state of Illinois is looking for members to participate on the state's reparations committee. Chair Simmons is open to any ways the Committee can support the resident in this effort.

Sherill Johnson: *Will this program stay active until all the registrants are funded?*
Committee Member Barber responds yes.

Michael Trapp: *When is the next round of reparations awarded and will the recipients be ancestors or descendants?*

Committee Member Barber responded funds would be distributed on a rolling basis. Benefits will be distributed to the ancestors until the list is exhausted, then benefits will be distributed to descendants.

Lisa Page: *Why didn't we spread the money out to more people by giving the first 16 \$15,000, that way more would have benefitted?*

Committee Member Barber and Councilmember Reid responded that's not how the program was designed. Committee Member Barber adds \$25,000 had been considered small as well, but hopefully, in the future, there will be more financial instruments for recipients.

Robin Sudduth: *Is this a loan?*

Chair Simmons responds no. This is a benefit; it's not like any other program in the city.

Ros Micken: *Would she be prepared to answer questions from other journalists and me?*

Chair Simmons responds that the committee is here and is available to answer questions.

Diana Logan: *When can reparations pay the people?*

Chair Simmons responds we are in the process of dispersing under the first program that was informed by people who showed up to the first meetings back in 2019.

Otis Griffin: *How and when will the program be expanded?*

Chair Simmons explains that is the purpose of the listening sessions. Additionally, an idea she has not yet brought up to her colleagues, she believes we should return to the

Reparations Committee
March 2, 2023

conversation on having subcommittees so we can do what is possible as it relates to economic and educational development. There were some recommendations made in 2019 that have been accomplished and should be documented.

Bennett Johnson: There should be somewhere for people to vent (Truth and Reconciliation Committee) and share their stories on the discrimination they have faced since money alone can not completely rectify all the insults and discrimination faced in a lifetime. Also, there should be venture capital and real estate investment trusts established to provide equity and work for housing, and nonprofit entities. These entities should be separate from the city and controlled by Black people, but the city can have representation in the organizations.

Donald Smither: *Why is a home loan repair program being passed off as reparations when it's not? This makes the program look more like a gift.*

Chair Simmons explains this program is reparations because it is a direct benefit that repairs a specific law, specifically zoning laws, and anti-Black housing policies. Building wealth through home equity is a direct remedy for that. Additionally, there are many forms of reparations that do not need to be a cash check to qualify as reparations.

Jain Marie Simmons: *Seems to be some confusion about who's eligible to request and receive funds – only homeowners? Tenants?*

Chair Simmons explains there is only one program that has been developed. What has been underestimated is the amount of time to operationalize this. There has been hard work to get it done. Eligibility for this program are residents who are Black and lived in Evanston between 1919 - 1969 and their descendants. Not only are homeowners eligible, you can be looking to purchase a home or give pass the funds to a descendant.

Sistarella Rella: *How is the committee recognizing people with enslaved lineage?*

Chair Simmons explains this is not a lineage-based reparations program based on slavery. This program is not limited to those who have come from XYZ country, it's based on harm. So if you are Black and harmed and fit the eligibility requirements, you can receive the benefit.

Bennett Johnson: The Freedom Plan

Chair Simmons reiterates her opinion that it is a great goal.

Kellie Pryor: NAARC/NCOBRA believes they are above reproach.

Chair Simmons responds that both organizations are legacy organizations that exclusively fight for reparations. Unsure what Kellie means about they are above reproach, but they can learn more about these organizations on their websites.

Ira Pettius: *How soon will the committee be administering its next payments to residents?*

Tasheik Kerr, Assistant to the City Manager, states that starting next week, we will be moving beyond the first 16 and the reparation team will be meeting with everyone on the ancestor list and report back to the reparation committee.

Ndona Nyomo Muboyayi shared she endorsed the idea of having Real Estate Investment Trusts to raise funds for reparations.

Reparations Committee
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Lafeare Ward: *Looking forward to seeing the dots connected on Reparations for who and why the committee sees fit on the 1965 families.*

Chair Simmons explains eligibility was based on Evanston's specific harm. There were laws in Evanston from 1919-1969 that were anti-Black that we are acknowledging as harm.

GeneveLou Wade: *With the attainment of the last reported financial status, when will funds be moved on to the second distribution*

Chair Simmons explains we have funds to continue dispersing.

Anthony Swope: *As an ancestor, a homeowner, and a business owner is that time 3 benefits? Additionally, my wife is a homeowner and has a son who would be a descendant. We all live in the same household. Who is eligible for reparations?*

Chair Simmons respond there is one eligibility for this program as a Black ancestor. If each person is eligible, two can combine their benefit on one property.

Michael Hicks: *Given the current numbers awarded, how was this program achieved the goals it was meant to address?*

Chair Simmons responded we are on our way, reparation is a process.

Gerald Johnson: *Is there any estimation of when the direct descendant's recipient will be processed?*

Councilmember Reid responded the allocation of funds would go to the ancestors than the direct descendants.

HNetu Sais: *When will Evanston address the PTSD aspect of reparations?*

Chair Simmons states they are hoping there is a partner working on trauma in the Back community. There is no direct answer, but something they are hoping for as well.

Meleika Gardner inquired how the reparations donations are being used. Meleika stated at the last Committee meeting it was stated that donations funds were used. Councilmember Reid clarifies the donation money has not been used for benefits to the ancestors. There are two separate funds, donations to the city and then donations to the reparation funds. Additionally, as of today, 14 have been awarded, and then today, the last two have been awarded.

Tina Padent: *If two people were able to receive cash payments, then everyone should be able to receive cash payments, and the application needs to be reopened again. Additionally, expenses should be reported publicly, where the money is coming from and how it is being used. Do you plan on paying CPAH? Asking no non-for-profits be able to hold any money. Ms.Kerr clarified for the reparation's youth art contest, the money was taken out of the city manager's contingency budget line. In the future, staff will add revenues and expenses to the agenda.*

Lisa Laude: *Many people did not sign up in the beginning because they weren't sure it was real. However, as we see now, it is real; when will applications reopen for people to apply?*
Chair Simmons responds that that is TBD (to be determined).

Reparations Committee
March 2, 2023

5. **ADJOURNMENT**
The meeting adjourned at 10:06 a.m.

Exhibit I
To Affidavit of Michael Bekesha



City of
Evanston™
MINUTES

Reparations Committee

Thursday, April 4, 2024

Hybrid - Lorraine H. Morton Civic Center, Parasol Room, 4th floor, Room 4900 9:00 AM

**COMMITTEE MEMBERS
PRESENT:**

Council Member Krissie Harris; Chair Robin Rue Simmons;
Committee Member Carlis Sutton; Council Member Bobby Burns;
Committee Member Claire McFarland Barber; Council Member Devon
Reid; Committee Member Bonnie Lockhart

**COMMITTEE MEMBERS
ABSENT:**

STAFF PRESENT:

Tasheik Kerr, Assistant to City Manager; Micheal Dykes Construction
Program Administrator; Alexandra Ruggie, Corporation Counsel

1. CALL TO ORDER/DECLARATION OF A QUORUM

The meeting was called to order; there was a quorum.

2. PUBLIC COMMENT - Listening Sessions

Public Comment One: Is there a way that people who did not previously sign up for reparations as recipients can still sign up just in case they may not be able to do so?

Chair Simmons responds that she recommends that they sign up for the listserv, which will be an email and physical newsletter. Committee McFarland Barber also suggests having family, friends or a support team sign up for updates and communicate with them.

Public Comment Two: Vanessa expresses gratitude to the committee and extends a special thank you to city staff, particularly Tashiek, who was missed during their absence. She also acknowledged Audrey, Carmen, and other volunteers who had stepped in to help while Tashiek was away. Moving on, Vanessa shares her excitement about the upcoming Community Black Wealth Building Day at her church on April 13th. The event aims to promote black home ownership and will feature representatives from the City Reparations

Reparations Committee
April 4, 2024

Committee and various professionals in the real estate industry. Vanessa encourages everyone to attend, emphasizing the importance of increasing black home ownership. Chair Simmons emphasizes the positive outcomes of their work in Evanston, including the creation of third-party homeownership opportunities and assistance with refinancing predatory loans. They mention upcoming presentations and tease discussions about banks later in the agenda, indicating ongoing progress.

Public Comment Three: They are expressing frustration because she and her husband were initially told they couldn't sign up for something in 2021 because they were no longer considered Evanston residents. However, upon speaking with Tashiek, she learned this wasn't true. Rita questions the inconsistency in the stipulations, as she knows people who no longer live in Evanston but are still receiving the initiative.

Chair Simmons clarifies that there was confusion regarding eligibility for the program. She explains that while there was never a requirement to be a resident in Evanston still, the initial terms of the program did not include cash as an option. However, this evolved over time due to input from legal departments. Chair Simmons emphasizes that even if individuals didn't live in Evanston, they were still eligible to apply. However, any benefits had to be utilized within Evanston, such as for a down payment, home improvement, or mortgage payment. She mentions cases where benefits were transferred to direct descendants, showing flexibility in the program. Robin concludes by highlighting the distinction between eligibility for the program and the use of benefits outside of Evanston. Robin clarifies that there was a separate cash benefit program before the \$25,000 direct benefit was introduced. They urge everyone eligible, including those 18 and Black in Evanston between 1919 and 1969 or a direct descendant, to stay informed about forthcoming programs. Although the application for the current program is closed, Robin advises seeking information directly from the City of Evanston's reparations website for updates on future initiatives. Chair Simmons underscores the significance of obtaining precise details from the City of Evanston's website or through direct communication with Tashiek and her team.

Public Comment Four: (Sent in via letter since they are unavailable in person and read by Chair Simmons) Meleika Gardner reaches out to Tashiek and the reparations committee regarding the Wesley building and the ongoing discussions about reparations. Due to prior commitments, Meleika Gardner cannot attend the meeting but is available for further discussion. They propose that the reparations committee purchase the Wesley building to prevent displacement of tenants and address their needs. Additionally, Meleika suggests exploring the purchase of other buildings to assist displaced Black residents affected by gentrification. They recommend a model where a percentage of home ownership in these acquired buildings is given directly to the displaced residents, aligning with the principles of reparations. Malica emphasizes that this approach should not involve loans but be given as reparations to address past injustices and create a more equitable future. They express commitment to supporting these initiatives and welcome further discussion with the committee.

Chair Simmons acknowledges Meleika's proposal regarding the Wesley building and refers it to the housing working group for consideration. They highlight the importance of addressing issues like gentrification and the displacement of the Black community, emphasizing the

Reparations Committee
April 4, 2024

committee's commitment to reparations work. Robin provides context about the Wesley building, explaining that it faced non-compliance and structural issues, leading to the displacement of residents. They mention the city's response with a grant in collaboration with Connections for the Homeless to provide housing opportunities for affected residents. Robin encourages residents to reach out to the city if they need housing resources. Finally, they express gratitude to Meleika for their recommendation and reiterate their intention to refer it to the housing working group. Council member Reed acknowledges the city's significant commitment to the situation, including rental assistance for up to three years, help with moving expenses, storage unit costs, and food expenses. They commend the city for setting a generous example of support in the Wesley situation.

Council member Burns directs people to the city's website, where they can find a dedicated landing page about the Wesley Apartments situation, providing information and answering questions. He encourages individuals to reach out to him for additional details, with his contact information available on the website.

3. APPROVAL OF MINUTES

A. Approval of the December 7, 2023 Reparations Committee Meeting Minutes

The motion to approve the meeting minutes, Items 3A, 3B, and 3C have been moved and seconded. The motion was unanimously agreed upon

B. Approval of the January 11, 2024 Special Reparations Committee

The motion to approve the meeting minutes, Items 3A, 3B, and 3C have been moved and seconded. The motion was unanimously agreed upon

C. Approval of the February 1, 2024 Reparations Committee Meeting Minutes

The motion to approve the meeting minutes, Items 3A, 3B, and 3C have been moved and seconded. The motion was unanimously agreed upon

4. Reparations Committee: Economic Development Working Group

A. Presentation - Twyla Blackmond Larnell

The proposal aims to identify racial patterns in Evanston's business activities, particularly focusing on black-owned businesses. Dr. Larnell highlights the enduring impact of historical redlining practices on current disparities and stresses the need to address these issues in Evanston. Dr. Larnell discusses the need to address economic disparities in Evanston, particularly for black-owned businesses. She references a comprehensive study conducted in the early '90s, which focused on the city's use of minority, women, and black entrepreneurship funds. Despite substantial business programs available, many black business owners are unaware of them. Dr. Larnell aims to expand on the previous study by examining how economic disparities have evolved over time and the effectiveness of past

Reparations Committee
April 4, 2024

interventions. She outlines five key questions the new study will address, including the status of racial economic disparities, the evolution of the issue over time, and the advantages and disadvantages of earlier interventions. Additionally, she highlights the costs associated with being a black business owner in Evanston, including access to capital, operational expenses, market disparities, networking, securing government contracts, and community engagement. The new study will utilize various data sources to provide a comprehensive analysis and inform policy recommendations to support black-owned businesses.

Dr. Larnell discusses the use of spatial analysis to understand economic disparities in Evanston. She highlights the availability of data on the city's open portal and plans to utilize ArcGIS software to create detailed maps. These maps will overlay various datasets, including census data, business licenses, demographics of business owners, and business activity, to analyze factors influencing black-owned businesses. Dr. Larnell emphasizes community input, particularly from black business owners, to gain insight into challenges and opportunities. The study aims to provide evidence-based recommendations, considering both race-based and race-neutral policies, to support black-owned businesses. Dr. Larnell also discusses the importance of adhering to governmental stipulations around diversity programs to ensure their effectiveness and legality. The proposed timeline includes data collection, analysis, and drafting the report, with a focus on providing equitable opportunities for black residents and businesses in Evanston.

Burns expresses enthusiasm for the upcoming work on reparations, recalling a conference in Hampton, Virginia, where the importance of such efforts was emphasized by a speaker. He sees this work as vital not only for legal protection but also for better serving the community. As chair of the MWBDE committee, he requests a presentation from the speaker to further understand the work and offer support. He suggests coordinating offline for details.

Larnell is urging anyone present to provide information about black-owned businesses in Evanston, including those that may be closed, new, or operating without permits. They emphasize the importance of supporting not only established businesses but also potential ones, aiming to transition smaller operations into full-fledged storefronts or online ventures, thereby engaging youth in the process.

Chair Robin suggests accessing a black business directory compiled for a past event containing valuable information. They recommend reaching out to the Weavers and the Murphys, who are involved in the Black Business Consortium or Association. Chair Simmons encourages visiting Yo Fresh Yogurt on Chicago Avenue to meet and learn more about their initiatives for black businesses.

Council Member Reid moves that the committee accept and recommend approval of the contract with Dr. Larnell to conduct her study. The motion was seconded and the committee agreed unanimously.

Reparations Committee
April 4, 2024

5. DISCUSSION

A. Reparations Home Improvement Update - Micheal Dykes

Mr. Dykes, as the construction program administrator, shares his experience collaborating with recipients who opt for home improvements using the reparations funds. He emphasizes his willingness to assist regardless of whether recipients choose to use the funds for home improvements or take them as cash. Mr. Dykes mentions that some recipients initially intend to take the money and run but often change their minds after learning about the benefits of the city covering some costs.

He reports that out of 17 people who chose the home improvement option, 16 scopes of work have been listed on the website, with four projects over 50% complete and 7 more starting soon. Mr. Dykes highlights the value of employing local black contractors, all of whom are qualified and licensed with the city. He stresses the importance of these contractors being visible members of the community, enhancing accountability and economic benefits within the black business community.

Finally, Mr. Dykes expresses his commitment to keeping the money circulating within the community by hiring local contractors and ensuring the projects benefit the neighborhood.

All contractors are all local, Black, and qualified. There are about 20 contractors signed up and since they are local it's likely for residents to see them within the community.

B. Ancestor Reparations Recipients Disbursement Update

As of April 1st, City staff have reached out to all ancestor reparations recipients we could contact, and 129 ancestor recipients have made their selections, totaling approximately \$3 million dispersed.

C. Direct Descendent Reparations Recipients Disbursement Update

For direct descendants, staff has met with 70 out of an estimated 80 for this year. Of those, 64 recipients have made their selections, totaling \$1,587,589.

Motion to place records on file is moved by Council member Reid and seconded by Committee woman Claire McFarland.

For Discussion: Council member Reid states as the committee moves forward to keep in mind an Evanston residency requirement for the Reparations program

6. COMMUNICATION

A. 2024 Evanston Community Day - Building Black Wealth Through Homeownership

Reparations Committee
April 4, 2024

Saturday, April 13 from 10 am - 2pm. It is a family event and all are welcome. Chair Simmons recommends Economic development and MWDBE should be staffed there as well to share resources with the community. It would be ideal.

- B. Reparations Committee Working Group Updates
Educational working group is in the process of planning a meeting with D202
- C. Reparations Financial Report
As of April 1, 2024, the City has received \$52,457.22 in donations to the Reparations Fund.

Real Estate Transfer Tax: As of April 1, 2024, \$350,050 has been transferred to the Reparations Fund.

Chair Simmons shares that the funds for Reparations will be held in a Black-owned bank. The funds will be in Liberty Bank; the closest branch is in Lake Forest, Illinois.

7. CONSIDERATION

8. ADJOURNMENT

Chair Simmons adjourns the meeting.

Exhibit J
To Affidavit of Michael Bekesha



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Transcript of Reparations Committee Meeting (9/5/2024)

Date: September 5, 2024
Case: Transcription Services

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WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

Conducted on September 5, 2024

<p style="text-align: right;">1</p> <p>1 TRANSCRIPT OF VIDEO-RECORDED 2 REPARATIONS COMMITTEE MEETING 3 SEPTEMBER 5, 2024 4 5 https://www.youtube.com/watch?v=U0nh-Kft9IY 6 7 8 9 10 11 12 13 14 15 16 17 18 Job No.: 553801 19 Pages: 1 - 59 20 Transcribed by: Christian Naaden 21 22</p>	<p style="text-align: right;">3</p> <p>1 black ancestors. We honor those enslaved African 2 peoples whose forced labor was exploited for 3 generations to help establish the economy of our region 4 and the United States. We honor those black ancestors 5 who persevered despite the discriminatory laws and 6 practices that create a racial caste system, 7 legitimizing anti-Black racism and continue to plague 8 our community today. It is only by recognition and 9 understanding of these errors begun during our nation's 10 origins, and continue continuing today, that we can 11 hope to correct our path. 12 13 We acknowledge this exploitation of not only minds and 14 labor, but of our humanity. We grieve for those black 15 ancestors who, despite their contributions to the 16 city's wealth and freedom, were never recognized, 17 fairly compensated, nor allowed to fully realize their 18 own sovereignty. Because of their work, we are here, 19 and we invest in the descendants of that legacy. And 20 through this process, we work to repair some of the 21 harms caused by the city of Evanston. We also hope our 22 focused attempts at reparations will serve as an</p>
<p style="text-align: right;">2</p> <p>1 PROCEEDINGS 2 ROBIN RUE SIMMONS: Good morning and welcome to the 3 September 5th Reparations Committee meeting. We do not 4 have a quorum at this time. We are going to go ahead 5 and work through our agenda, avoiding any items for 6 action, and will either table them to our next meeting 7 if we don't have a quorum at that time. Hoping everyone 8 has enjoyed and is enjoying the end of summer. 9 10 Before we move on to our agenda, I want to make sure 11 everyone has seen the fliers that were on the table 12 over there and pick them up and engage in community 13 opportunities for reparations. And as usual to set the 14 tone and priorities for our work on the Reparations 15 Committee and to honor the work and the legacy of that 16 in this city, we're going to start with our ancestral 17 acknowledgment. In a moment. 18 19 KRISSIE HARRIS: Oh, here it goes. Good morning, 20 everyone, and thank you for your patience. Good 21 morning. With great humility and deep gratitude, we 22 honor the strength, endurance and sacrifice of our</p>	<p style="text-align: right;">4</p> <p>1 example to the United States government and prompt 2 other institutional accomplices to begin the -- the 3 process of repair. 4 5 ROBIN RUE SIMMONS: Thank you, Council Member Harris. 6 And I would like to add on the last part of that, the 7 inspiring others, other communities, this nation and 8 other institutions. I would just like to report back -- 9 we've been gone for a couple of months over summer 10 break, that our work continues to inspire national 11 efforts. And there are many highlights to mention, but 12 one I have to lift up is Tulsa, Oklahoma. 13 14 So, Tulsa, Oklahoma is a city that has recently signed 15 by a mayoral executive order, the implementation of a 16 reparations task force, and the work will begin. They 17 have been very inspired and learned from Evanston and 18 are looking to craft their initial steps in the way 19 that Evanston has. So, if you do not know about the 20 Tulsa Race Massacre, please do learn more about that 21 and honor it in any way appropriate. 22</p>

Conducted on September 5, 2024

5

1 And we're going to skip to A now, and we're going to
 2 move on to item three. So, our public comment today is
 3 moved up to the front of the meeting, because today is
 4 actually scheduled for a listening session. We want to
 5 make sure that the work continues to be informed by the
 6 community. This work is to be community led and
 7 informed, and it was starting in 2019 with community
 8 meetings that led to the introduction by initially the
 9 Equity and Empowerment Commission that went to the City
 10 Council and was accepted and approved by the City
 11 Council.
 12
 13 So, in that same vein, it is a best practice of the
 14 process of reparations that it is informed,
 15 particularly by the harmed community. But we are a
 16 diverse and inclusive community here, and we'd like to
 17 take this time to hear from the community on anything
 18 that you would like to share in informing, any sort of
 19 critique, reports, testimonies, questions, advice. And
 20 this is unlike public comment where we are not able to
 21 engage in dialogue. You can't expect a response at this
 22 time.

6

1
 2 And we have a list here. This is who signed up. Okay.
 3 Oh, awesome. So, we'll start with the online list. We
 4 have Joe Montgomery, and next we'll have Marjorie --
 5 Leon. Yep, Jody. Next, we have Sari Kadison Shapiro,
 6 Edith Woodward -- Wooldridge. Edith Wooldridge. Tracy
 7 Jones Richardson, Gloria Reese, Carol Bowen. Awesome.
 8 Thank you for being here, Ms. Bowen. If you could
 9 unmute yourself, please.
 10
 11 CAROL BOWEN: Good morning.
 12
 13 ROBIN RUE SIMMONS: Good morning.
 14
 15 CAROL BOWEN: I think -- hello?
 16
 17 ROBIN RUE SIMMONS: Yes. Good morning. We can hear you.
 18
 19 CAROL BOWEN: I'm sorry, good morning. I didn't really
 20 -- I had a question. Do you know when the new
 21 applications will be out for previous residents of
 22 Evanston to apply so they can come back to Evanston?

7

1
 2 KRISSIE HARRIS: Good morning. Good question. Thank you
 3 so much. So, at this time, we are in a holding pattern
 4 to disperse the funds of the first program -- first set
 5 of program. So, until we complete that program, we will
 6 not be looking at creating a new process. And we
 7 understand that that process will have to be refined
 8 and worked on, and we're doing that, but until we get
 9 through the almost 500 residents that completed the
 10 first process, we can't really open up a new process.
 11
 12 CAROL BOWEN: Okay. Thank you so much. Okay. Thank you.
 13
 14 ROBIN RUE SIMMONS: And let's add that there's working
 15 groups that are working on additional ways of redress
 16 that may not be programed in the way of our initial
 17 program. And so please follow the economic development
 18 housing -- Housing and Education, the Housing Working
 19 Group and the Education Working group. There is a
 20 Housing and Education resource expo that's happening
 21 this Saturday, September 7th, 9:30 a.m. to 2 p.m. at
 22 the high school. You can go online to register and

8

1 there will be more discussion about that later in the
 2 meeting. But there are other ways that the Reparations
 3 Committee and partners and friends to this work are
 4 looking to be a resource to the community in the
 5 meantime.
 6
 7 Diana Martin Logan. Virginia Garrison. Virginia
 8 Garrison, if you can unmute yourself, please. Thank you
 9 for being here.
 10
 11 VIRGINIA GARRISON: Can you hear me?
 12
 13 ROBIN RUE SIMMONS: Yes.
 14
 15 VIRGINIA GARRISON: Good morning to the committee. As
 16 you all know, my issue with this whole situation was
 17 that I tried to sign my mother up and was unable to do
 18 so, and I'm not understanding why. And when I brought
 19 it to the committee and Ms. Carr [ph], I was told that
 20 I would -- my mom would be taken care of. I was lied to
 21 for three months, gone back and forth with some of the
 22 committee members, I've been ber -- berated, I've been

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9	<p>1 lied to, I've been accused of trying to get in front of</p> <p>2 other people, and I'm just not understanding why this</p> <p>3 issue came up with me.</p> <p>4</p> <p>5 Because I have my mom's power of attorney, and I have</p> <p>6 the right to sign her name on the application, and also</p> <p>7 my name as a power of attorney. And you know, get the</p> <p>8 information to you all because -- because the</p> <p>9 information that I signed up for myself, which was</p> <p>10 really for my mom, because I was told I couldn't put</p> <p>11 her name on the application, would have verified her</p> <p>12 also. So, I'm not understanding why all this rignarole</p> <p>13 and lying and accusing by the committee to me. Hello?</p> <p>14</p> <p>15 ROBIN RUE SIMMONS: Yes. Thank you for being here. This</p> <p>16 has been an ongoing challenge, and I share your</p> <p>17 disappointment that there is no resolution, but I think</p> <p>18 it is unique in that you were looking to apply on</p> <p>19 behalf of your mother. None of us were there to</p> <p>20 understand why the application didn't -- wasn't</p> <p>21 submitted, and I can only recommend that you continue</p> <p>22 to work directly with the committee. I understand you</p>	11
10	<p>1 did apply though, yourself?</p> <p>2</p> <p>3 VIRGINIA GARRISON: I had no choice but to apply for</p> <p>4 myself, which was really for my mother, because I was</p> <p>5 told by the person who took my application that I could</p> <p>6 not put my mother's name nowhere on the application,</p> <p>7 but legally, as her power of attorney, I could have put</p> <p>8 her name on the paper, signed it as the power of</p> <p>9 attorney, and then verify the information which I was</p> <p>10 told I could not do by the person who took my</p> <p>11 application. Then I tried to speak with Ms. Simmons. I</p> <p>12 had texted her and called her and I got no return.</p> <p>13</p> <p>14 I also spoke with Ms. Carr several times right after</p> <p>15 this happened. I did come -- and do the application</p> <p>16 with a cousin of mine, which I was told by one of the</p> <p>17 committee members that we were in cahoots together, and</p> <p>18 that she would be a viable person as a witness for me.</p> <p>19 So, I'm not understanding all of this that was said to</p> <p>20 me and done to me. And I just -- I just don't get it,</p> <p>21 because I don't think at this point that the ancestors</p> <p>22 are really proud of the committee and how they are</p>	12
9	<p>1 conducting their business and how they are leaving out</p> <p>2 people.</p> <p>3</p> <p>4 My mother is an ancestor. She's still living, she's</p> <p>5 still in her home, and she really needed the help. I</p> <p>6 wasn't looking for anything for myself. I wasn't going</p> <p>7 to apply personally for myself. I was only applying for</p> <p>8 my mother. And to be lied to by the city manager's</p> <p>9 assistant is really -- you know, and berated by other</p> <p>10 committee members and told that, oh, well, this</p> <p>11 committee member is going to handle you. Nobody handles</p> <p>12 me. This whole situation was really wrong, and it</p> <p>13 doesn't seem like you all want to rectify it</p> <p>14 whatsoever. You just keep pushing me off and saying</p> <p>15 things to me that are just unbelievable and very unfair</p> <p>16 and just doesn't look good, period.</p> <p>17</p> <p>18 ROBIN RUE SIMMONS: Thank you. I'm going to thank you</p> <p>19 again for participating in the process. Virginia, I'm</p> <p>20 going to speak up for myself and in my responses to</p> <p>21 both texts and emails and conversations in person and</p> <p>22 your application. You are a direct descendant, and I</p>	11
10	<p>1 know this committee looks forward to your disbursement</p> <p>2 that is forthcoming. Any further questions?</p> <p>3</p> <p>4 I think we'll have to go to the law department at this</p> <p>5 time, but your application is in. I know that you have</p> <p>6 a number, I don't know what it is, but with that</p> <p>7 number, you will receive your reparations benefit</p> <p>8 direct, and you have the option to give it to your</p> <p>9 mother, since you were only applying for your mother.</p> <p>10 And that sounds like the best option right now. But any</p> <p>11 further comment about this needs to go directly to our</p> <p>12 law department. Thank you.</p> <p>13</p> <p>14 VIRGINIA GARRISON: -- to the law department and get in</p> <p>15 touch with them, and of course, they're not returning</p> <p>16 my call either.</p> <p>17</p> <p>18 SPEAKER 1: Thank you. Thank you, Ms. Garrison. You can</p> <p>19 contact the law department if you have a phone number.</p> <p>20 We can also put it in the chat. It's (847) 866-2937.</p> <p>21 And you can ask for Alexandra Rudy. Thanks.</p> <p>22</p>	12

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13

1 ROBIN RUE SIMMONS: Thank you. Next, we have Layla
 2 Lomas, or Leila. Tina -- Ms. Tina Peyton is in front,
 3 and we're going to -- we have one more person, Ms.
 4 Peyton, on the virtual list. Noel Cole?
 5
 6 TINA PEYTON: Here.
 7
 8 ROBIN RUE SIMMONS: Oh, perfect.
 9
 10 TINA PEYTON: Good morning.
 11
 12 ROBIN RUE SIMMONS: Perfect. So, we will actually move
 13 to our in-person list, and we'll start with Ms. Tina
 14 Peyton. Okay.
 15
 16 TINA PEYTON: Good morning.
 17
 18 SPEAKER 2: Good morning.
 19
 20 TINA PEYTON: I'd like to talk about several things
 21 today. First thing is black people register to vote.
 22 And vote after you register. Our ancestors died for our

14

1 right to vote. Use it. You complain about what's
 2 happening or not happening, but you're not voting.
 3 Participate in your own fate. If you don't like
 4 something in the nation or even in your city in
 5 Evanston, then you need to vote. Get on a committee.
 6 Maybe you can become alderman or mayor and share your
 7 ideas.
 8
 9 But if you don't play the game, get in the game. You
 10 won't win. That's what they say for lottery. It's the
 11 same thing. Also, I would like to talk about Liberty
 12 Bank, and I hope the committee will say how many loans
 13 they have provided to black Evanston residents since
 14 the transfer of their money -- of the money for the
 15 reparations. Also, how do we access Liberty Bank since
 16 they're far away?
 17
 18 Some of us don't have transportation or means to get
 19 out to Forest Park. We need brochures and information
 20 on how to obtain the money, accounts, CDs, loans,
 21 whatever they have to offer. I purposely advocated for
 22 our money to go to the black bank. So, the black bank

15

1 should be helping us. There was a discussion of a
 2 location possibly coming to Evanston. I hope that's
 3 still true. So, we can be right here for our residents
 4 to use.
 5
 6 So, since the reparations applications is not going to
 7 open again, we need to start using other alternatives.
 8 I know we've been having meetings, but here are some
 9 suggestions. How about some Evanston grant money for
 10 black people? A lot of black businesses that are in
 11 business and startup do not get help from the city of
 12 Evanston. Reparations in Evanston is to repair the harm
 13 by the city of Evanston. Then we need to repair. So how
 14 about some grant money for businesses and startups?
 15
 16 Although we love Hecky's, Good To Go, and C&W, they are
 17 not the only black businesses in Evanston that
 18 continuously receive grants from the city. Therefore,
 19 reparations should step in. No disrespect to any
 20 housing opportunities, maybe on Saturday, but we need
 21 more than that. Housing is very expensive nationwide,
 22 but especially in Evanston. So, we need more support,

16

1 education. We need training and trade schools,
 2 vocational, for our black men and women. We need to --
 3 mentorship starting in high school and beyond.
 4
 5 Some of our black youth get lost during high school and
 6 after high school, and some do not elect to go to
 7 college, and maybe it's not for them. And they could be
 8 productive citizens in this community and elsewhere
 9 with a little help. The Fifth Ward school is nice that
 10 you're discussing, but by the time that the school is
 11 built, the black population in the Fifth Ward and in
 12 Evanston will be almost obsolete. We need to take
 13 charge, Reparations Committee and the City of Evanston
 14 right now.
 15
 16 The question that I have been asking to our city
 17 officials for a long time, who in the city of Evanston,
 18 downtown Evanston, owns and operates commercial real
 19 estate in downtown Evanston, besides the Robinsons?
 20 Let's pay attention to that. In all of downtown
 21 Evanston, commercial property, including tall
 22 skyscrapers, besides one family, who black person owns

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17

1 the building, not rent -- owns and operates the
 2 building. Something is wrong with that.
 3
 4 I've been at several meetings recently about new
 5 development. They're talking about all these apartments
 6 they're building. I was at one last night, and I was
 7 the only black person in the room. These rentals are
 8 not attainable for our community, and they have no
 9 intention on making it attainable. Reparations should
 10 be supporting equal and fairness. There should not be
 11 only white and Asian that's able to afford downtown
 12 Evanston ownership. What happened on Wesley with the
 13 three buildings that were condemned should not ever
 14 happen again. That should not happen again. That was a
 15 disgrace to this community.
 16
 17 Reparations should make sure that this does not happen
 18 again. The demise of Jackson and Emerson, with no plan
 19 to relocate people in the black community back to
 20 there, is a disgrace. Even though I nor anyone in my
 21 family has received reparations, I'm still here and I'm
 22 still advocating, and you need to do the same. My

18

1 neighborhood was taken at Emerson and East Railroad,
 2 just west of -- east of Ridge, was taken by the city
 3 for imminent domain. Imminent domain gentrification
 4 needs to stop now, and reparations should be behind it
 5 to stop it.
 6
 7 This should not happen again. Regardless of how you
 8 feel about me or my family, we have provided affordable
 9 housing for over 100 years. I say 50 usually when I
 10 talk, but it's over 100 years, my family has lived in
 11 the same place while they decimated the rest of my
 12 black neighbors. My grandmother used to rent to black
 13 students that went to Northwestern, because they did
 14 not have an opportunity to live anywhere else in the
 15 city.
 16
 17 We live on a legacy block with the Emerson Street
 18 black, white, and the first black livery butler
 19 building. And there's no remains. Some tall, tall,
 20 high-rise company, too. We took families and continue
 21 to take families, Black and Latino most, when white
 22 people wouldn't rent to them. We continue, even though

19

1 we've never had any support by the City of Evanston,
 2 any organization or to reparations.
 3
 4 The last thing I want to say, my father worked hard
 5 with my mother to make a way for black people in
 6 affordable units. And I'm going to say I honor his
 7 name. Rest in peace, my father. He's not -- not with
 8 us. Thank you.
 9
 10 ROBIN RUE SIMMONS: Thank you, Ms. Peyton, thank you
 11 for your time. Thank you for your leadership. Thank you
 12 for always representing. We have heard everything that
 13 you've said. I'll give a couple of remarks, and then
 14 I'm going to ask Council Member Burns to prepare to
 15 give any update on the Wesley matter, and
 16 Committeewoman Lockhart to give an update about the
 17 housing care. And as it relates to Liberty Bank, I
 18 don't think it's a bad idea to get any -- any type of
 19 report that is appropriate, at least updates on if the
 20 community has been engaging in the services that
 21 they're offering, and have more of a ongoing invitation
 22 to them to be in community spaces to share their

20

1 programs.
 2
 3 I have no clue about how many loans. That's not -- we
 4 don't endorse them or direct people to go to them.
 5 They've made themselves available as a resource for
 6 their financial products and services. So, we don't
 7 have that information, but I do think it makes a lot of
 8 sense to make sure they know about tabling
 9 opportunities in the community and so on. I also don't
 10 have any update about a local branch. I will follow up
 11 on that, but to your point about other forms of repair
 12 and ways that we could be doing work now, I want to say
 13 to see if you could get Economic Development at our
 14 next meeting, to make sure that they're updating the
 15 community on all the grants.
 16
 17 Because I even saw this when I was in office, that
 18 there are a lot of grants and opportunities and
 19 programs that are being underutilized and not accessed
 20 because we don't have the information. So, if we could
 21 have a report from Economic Development on all of the
 22 programs that are available to the community now,

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21

1 there's also a black business arm of the chamber. We'll
 2 see if they have any updates that they could share as
 3 well. And then, instead of holding our working group
 4 reports until the end, I think they all respond to your
 5 concerns. And so, I would love for our working group
 6 leaders to be prepared to give a update on the work
 7 that's happening within those committees. But first, if
 8 we could start with committee member Lockhart to let us
 9 know what to expect at the housing fair as it relates
 10 to some of those.
 11
 12 BONNIE LOCKHART: Testing. Well, good morning,
 13 everyone. the Housing Working Group Committee has
 14 worked very hard to bring forth this Housing, Education
 15 and Resource Expo this Saturday, September 7th from
 16 9:30 a.m. until 2:30 p.m. And there's going to be a
 17 myriad of resources, vendors. In fact, we have 20
 18 vendors that will be there. Anything from lending
 19 agencies to credit repair agencies to construction
 20 groups and many, many others. But what's also great
 21 about this event is that we're going to have breakout
 22 sessions, and I think there are five of them that will

22

1 talk about things like wills and trust and preparing
 2 for housing, buying a house and just a benefit to
 3 anybody who comes. So, I want to strongly encourage
 4 people to come. And also, just to thank the committee
 5 here for all of the hard work. And if you guys come on
 6 Saturday, you will not be disappointed.
 7
 8 ROBIN RUE SIMMONS: Thank you. Thank you for that. And
 9 Councilman Harris, can you give us an update on what's
 10 happening with education?
 11
 12 KRISSIE HARRIS: Thank you. So right now, we are in a
 13 stop pattern. We started a process -- we were looking
 14 at trying to connect with African day schools in the
 15 city and trying to figure out instead of recreating
 16 processes that are already out there. So, we're in a
 17 pause. We couldn't get in contact with a couple
 18 institutions, but we are looking at restarting. Again,
 19 we went down a kind of a rabbit hole and got stopped,
 20 so, we've been stop start, stop start. We don't have
 21 any progress -- we've learned some things, but we don't
 22 have anything to share at this time, so we apologize

23

1 for that. But we're still working.
 2
 3 ROBIN RUE SIMMONS: Awesome. Thank you. And then we
 4 have Committeewoman Attorney Claire McFarland. If there
 5 is an update to share from the working group that
 6 you're leading, and then next we will have Council
 7 Member Burns with any updates on the Wesley matter.
 8
 9 CLAIRE MCFARLAND: Yes, we similarly have had some --
 10 some false starts and -- with our group, and we're
 11 trying to sort of regroup and get direction, but I had
 12 -- I want to share with the committee and offer that we
 13 had from a member of our Evanston black community, from
 14 Steve Rogers, to hold -- if we had different events
 15 with our either the committee as a whole or with our
 16 subcommittees that we were welcome to use the meeting
 17 space that he acquired when he got the Christian
 18 Science church. I will try and find the address and
 19 share it with the committee members, but I just want to
 20 thank him for the offer of that resource. And I believe
 21 that's something that we will be utilizing with our
 22 Community Unity Group and the different events that we

24

1 have around there. Thank you.
 2
 3 ROBIN RUE SIMMONS: Thank you so much. And I'm actually
 4 going to be dropping in to all the working group
 5 meetings. So, she's going to work with me to get that
 6 scheduled. And, Ms. Peyton, you always inspire me with
 7 the way you push us and your heartfelt comment and your
 8 legacy relationship to Evanston. And I think that I can
 9 -- I'll even take responsibility, and I'll do more. So,
 10 I would love to reengage with the EB -- W-- MWEB
 11 committee. So, I don't know if you attend those
 12 meetings or not, but -- and I don't know if there's any
 13 positions open to apply, but I could participate just
 14 as a resident. And so, can anyone let me know when
 15 those meetings are?
 16
 17 KRISSIE HARRIS: -- 18.
 18
 19 ROBIN RUE SIMMONS: 18. Okay. Are they hybrid optional
 20 or -- okay. And so, to really second Ms. Peyton's point
 21 about civic engagement, that goes far beyond voting in
 22 this presidential election. These boards, committees

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25	<p>1 and commissions is where the work is done. It's where 2 policy is really developed, it's where the 3 recommendations come from. They don't start at the city 4 council. They are introduced at the City Council and 5 voted on at the City Council. Boards, committees and 6 commissions are every member's right. You can apply. 7 8 I recommend that you go online to the 9 cityofevanston.org and look up the list for special 10 interest areas. There's everything you could think of, 11 from equity and empowerment to environmental justice, 12 to police oversight -- so right, everything you could 13 think of, including -- this is a committee, so you have 14 the right to lend your voice. The process is -- is 15 pretty easy. It's a simple application. It goes to -- 16 the mayor actually, makes the appointment. We have -- 17 one thing that's been consistent in Evanston is the 18 professional courtesy between the mayor and the council 19 people and the community. 20 21 So, recommendations are very heavily considered by the 22 mayor. The mayor makes the appointment, the city</p>	27	<p>1 2 That's obvious what we're doing, but inclusion, 3 empowerment, sort of the live black experience or 4 whatever that is that is important to you, that voice 5 needs to be lifted up in Parks and Rec discussion, 6 like, how are we designing our parks? Which one are we 7 prioritizing to fund this? I mean, all these things 8 play a role in the ultimate outcomes and how we all 9 enjoy the lived experience in Evanston. And so that's 10 going to be my plea that the community does consider 11 that. 12 13 It was my first introduction to community leadership 14 was boards, committees and commissions, and they're 15 really undervalued, let me just say that. And I don't 16 know if there's a lot of openings right now or any -- 17 so there's a lot of openings I'm hearing from our 18 leaders, and I would love to hear from Council Member 19 Harris on more about the opening -- 20 21 KRISSIE HARRIS: So, I don't -- thank you. I'm not 22 sure, but if you go to our web page, each committee</p>
26	<p>1 council approves it. And then you have a voice. You 2 have a -- you are part of a governing body for that 3 committee that decides on what's happening with 4 economic development, what's happening with housing, 5 what's happening with block grants. That's even -- 6 isn't there a committee -- a committee for that? 7 8 SPEAKER 1: No. It's private. 9 10 KRISSIE HARRIS: Yeah. 11 12 ROBIN RUE HARRIS: But either way, you can lend your 13 voice, and it will go with a recommendation to the City 14 Council to be determined there, and you need to 15 exercise your vote ultimately, as Ms. Peyton has 16 stated. So please do consider your voice, especially as 17 we are looking at reparations, and we're looking at 18 equity and inclusion, and who is informing the way we 19 govern and what our values are. That only happens with 20 inclusion -- voices. So, we need as much participation 21 on boards, committees and commissions and not just on 22 reparations.</p>	28	<p>1 will tell you what seats are available. It's usually a 2 four-year term for most of them. Some are two. So, if 3 you go to each page, it will show you where there are 4 openings and how long that appointment is for. I know 5 there's at least three committees, I think parking -- 6 okay, so, it is up. It shows you the vacancies, the 7 ethics -- oh, go, go. Hold on one second. 8 9 So, it says Board of Ethics has three vacancies, Equity 10 and Empowerment has one. A library board has one 11 vacancy, the Public Safety Civil Service Commission has 12 five -- Reimagining Public Safety has seven, Social 13 Services has one. Housing and Community Development 14 Committee has two, Preservation Committee has one, and 15 Reparations has one. So those are opportunities to 16 further lend your voice. There's always opportunity 17 with public comment and listening sessions to lend your 18 voice and to also reach out to your council member, the 19 mayor, the city manager. But you then have the 20 opportunity, if appointed any of these seats, to sit at 21 the table and make decisions and vote. So that is a 22 more powerful way to use your voice.</p>

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29

1
2 ROBIN RUE SIMMONS: I just want to say, I don't know if
3 -- could you put that back up? I don't know if that is
4 -- if it's a dormant committee, but it's no way that
5 Public Safety, Civil Service and Reimagining Police
6 Safety Committees between them should have that many
7 vacancies, especially when there continues to be an
8 issue of over policing in black communities. I'm sure
9 it's much better than it was. I'm sure it is,
10 especially with our current leadership.
11
12 So, I don't -- I'm not talking about what's happening
13 now, but I can tell you in 2019, when we started this
14 work, 71 percent of the marijuana arrests in this city
15 were in the black community. At that time, we were 15
16 percent of the population. I doubt it's completely
17 changed; I hope that it has, but these are the
18 committees that really informs these types of processes
19 and these values. So, thank you. Thank you, Ms. Peyton.
20 our condolences to you, your sister, your entire
21 family. Our -- my prayers are with you. And if we have
22 -- Council member Burns could give us an update on the

30

1 Wesley project?
2
3 BURNS: Yeah. Just a few comments actually. The first
4 one is I don't want to contradict anything that was
5 said, but I've been telling people that we're not -- we
6 haven't made a decision on when or if we're going to
7 reopen the Restorative Housing Program, so, I just want
8 to make sure that we're all communicating the same
9 thing. So, chair, maybe you can --
10
11 ROBIN RUE SIMMONS: That -- that is accurate. So, there
12 -- I think it was a similar statement from Council
13 Member Harris. But ultimately there is no decision on
14 what is next. Those things all have to be determined at
15 a committee level. And right now, our priority is to
16 disperse the 454 direct descendants. We'll see a report
17 later that at least 70 of them have been dispersed and
18 we have more to go. So that's the final answer. More
19 work to come.
20
21 BURNS: All right. I just wanted to make sure that the
22 headline that comes out of this tomorrow is actually

31

1 what I've been saying is we -- you know, technically,
2 we will have money remaining even when we pay out all
3 the benefits to the remaining descendants. And so,
4 there's -- there's clearly more work to be done and
5 that a decision hasn't been made, you know, on whether
6 or not we're going to reopen the program, when we will
7 reopen it, or whether or not we'll -- you know, develop
8 a new program altogether. So, I just want to make sure
9 I'm providing accurate information for community
10 members.
11
12 So that's the first thing. Secondly, to Miss Peyton's
13 point, I think we all are in absolute agreement that
14 what happened in Wesley should not have happened and it
15 shouldn't happen again. The primary -- well, let me
16 give an update on -- on -- on the residents. So, there
17 were 19 households, I believe the last time I gave a
18 report, I mentioned that everyone was safely evacuated
19 from the buildings at that time. Some of the residents
20 were in an extended stay in Skokie, that we have a
21 relation -- that the city has a relationship with --
22 all paid for by the city, as well as being provided

32

1 food stipends, storage assistance paid by the city,
2 packing assistance, etc.
3
4 At this point, everybody is -- has been rehoused in
5 Evanston except for one person that has a VASH voucher,
6 which my understanding is a voucher that's provided to
7 people who have served in our military, and it's
8 through CHA2000 Chicago Housing Authority. And so, this
9 individual, my understanding is, had to move to Chicago
10 but will likely be able to report that voucher back to
11 Evanston if -- if that individual so desires. But
12 everyone else was rehoused in Evanston, some in the
13 Fifth Ward, some in the Eighth Ward, some in the Ninth
14 Ward.
15
16 I believe most everyone are -- were rehoused in those
17 wards. Everyone is under the city subsidy for at least
18 two years, which means that no one is paying any more
19 than they were previously paying in rent. Not \$0.01
20 more, and for some, they've seen a reduction in their
21 rent because we made sure that no one was paying more
22 than 30 percent of their income towards rent, which is

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33	<p>1 the standard of housing.</p> <p>2</p> <p>3 If you're paying more than 30 percent of your income</p> <p>4 towards rent, you're considered housing insecure. So,</p> <p>5 we have some people, especially our seniors, on fixed</p> <p>6 income that were paying upwards of 50 percent of their</p> <p>7 income towards rent, and so they've seen a reduction in</p> <p>8 their rent. Let's update on -- on the -- and we</p> <p>9 continue our health department and connections to the</p> <p>10 homeless, continue to work with each household to make</p> <p>11 sure that we ultimately place them at permanent</p> <p>12 subsidized housing.</p> <p>13</p> <p>14 Some have already found that because we were able to</p> <p>15 find them a unit that was affordable, and then some, we</p> <p>16 need to continue to -- to work with over the next two</p> <p>17 years. But we're confident that within that two years</p> <p>18 we'll find permanent affordable housing, quality</p> <p>19 affordable housing for everyone. But right now, they</p> <p>20 are rehoused, and they are under city subsidy for at</p> <p>21 least two years. What led to this primarily -- the</p> <p>22 primary issue that drove the need to evacuate the</p>	35	<p>1 think it's important that the city continues to both</p> <p>2 encourage people to file complaints when they see</p> <p>3 something in the building that's in the building that</p> <p>4 they live in that's a concern. That we encourage people</p> <p>5 to file complaints, but also that we make it more</p> <p>6 difficult for housing providers to retaliate against</p> <p>7 tenants who file complaints, because what we hear often</p> <p>8 is that people are always concerned -- some people are</p> <p>9 -- tenants are concerned to file complaints because</p> <p>10 they feel like either the lease won't be renewed, or</p> <p>11 there'll be some attempt to try to evict them.</p> <p>12</p> <p>13 And I will point to our just cause ordinance that's</p> <p>14 being discussed is -- is an ordinance, while we're</p> <p>15 still working on it and it's in draft form, but it's an</p> <p>16 ordinance that's trying to prevent in part, housing</p> <p>17 providers from being able to not only sign a lease, for</p> <p>18 example, just because someone has filed a -- you know</p> <p>19 warranted complaints in the past. So, I'll stop there</p> <p>20 and then answer any questions, but those are a few</p> <p>21 thoughts, and we continue to -- to discuss these issues</p> <p>22 in our Housing and Community Development Committee</p>
34	<p>1 residents of Wesley is that there's only one way --</p> <p>2 there was only one way -- one way -- one way in and one</p> <p>3 way out of these buildings.</p> <p>4</p> <p>5 And so, the concern that was identified by now, two</p> <p>6 separate independent structural engineering firms was</p> <p>7 that the stairs and balconies were in poor condition</p> <p>8 and at risk of collapsing, which, of course, could</p> <p>9 cause injury or death. And so, this would have been a</p> <p>10 big -- as much of an issue if there was another way</p> <p>11 into the building, if there was a back door, back</p> <p>12 stairwell, that wasn't the case. This is a California</p> <p>13 style walk up building. Most, if not all of them have</p> <p>14 one way in and one way out. And so that's what made</p> <p>15 this a very unique situation. Very early on in this</p> <p>16 process, I asked the Community Development Department</p> <p>17 and Buildings Division to inspect -- to proactively</p> <p>18 inspect all of the California walkup style buildings in</p> <p>19 the city of Evanston.</p> <p>20</p> <p>21 That work is ongoing and -- and they should have a</p> <p>22 report soon. And then the last thing I'll say is, I</p>	36	<p>1 about how to continue to strengthen you know, all the</p> <p>2 different aspects that led to this issue.</p> <p>3</p> <p>4 ROBIN RUE SIMMONS: Are there any questions for Council</p> <p>5 Member Burns? Seeing none. We're going to move on to</p> <p>6 Noel Cole.</p> <p>7</p> <p>8 NOEL COLE: Good morning, everyone.</p> <p>9</p> <p>10 ROBIN RUE SIMMONS: Good morning.</p> <p>11</p> <p>12 NOEL COLE: I have two quick questions. One was, I know</p> <p>13 the committee is working really hard to get the first</p> <p>14 80 recipients funded in 2024, and so, my question was,</p> <p>15 are you guys able to share projections on like how you</p> <p>16 think that the other recipients will be funded over the</p> <p>17 next couple of years? Based on like real estate taxes</p> <p>18 that you mentioned and the cannabis tax? That was my</p> <p>19 first question. The second was how do you think that</p> <p>20 the pending lawsuit will impact recipients that have</p> <p>21 already been approved to receive funds?</p> <p>22</p>

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1 ROBIN RUE SIMMONS: Okay. So, I'll -- I'll go ahead and
 2 answer. So, the first part of the question is I'll ask
 3 for an update on revenue projections and how we might
 4 disperse. And we had -- we started the program with
 5 that and didn't meet them, because sometimes things are
 6 outside of our control. And the initial case, it was
 7 the dispensary licenses rolled out slow. And so, we
 8 thought we would have three dispensaries. We were
 9 operating with one until recently. So, I'll ask finance
 10 to do -- and -- and legal together to do the best that
 11 they can to give us some projections.
 12
 13 We are fully funded to do the complete 80 of this year,
 14 so that'll happen. They're not pending because of
 15 money, but they're making their decisions and that sort
 16 of thing. And then the second question was regarding
 17 lawsuit. Fortunately, our corporation counsel is here,
 18 and -- but I'll say before she takes the mic, that
 19 disbursement has not been interrupted because of the
 20 lawsuit, and if -- I don't know that there's more that
 21 can be said -- so, yeah.
 22

38

1 So, the commit -- I have seen our law department. Our
 2 staff is business as usual, and the disbursements
 3 continue to go out. Of course, we all believe the
 4 outcomes of the lawsuit will be in our favor. And --
 5 but until that is determined, there's no further
 6 comment on it.
 7
 8 NOEL COLE: Okay.
 9
 10 ROBIN RUE SIMMONS: Yeah.
 11
 12 NOEL COLE: Thank you.
 13
 14 ROBIN RUE SIMMONS: Thank you for being here. And
 15 lastly, we have Ms. Vanessa Johnson Mccoy. Where are
 16 your pompoms?
 17
 18 VANESSA JOHNSON MCCOY: Hi, everyone. I'm -- what I
 19 originally signed up for has already been discussed,
 20 and is on the agenda, so -- which is to invite everyone
 21 on Saturday to our amazing Housing and Education Expo,
 22 all things housing.

39

1
 2 And so, I won't say a whole lot more about that, except
 3 that like ditto that the committee has been working
 4 really hard to ensure that anything related to housing
 5 basically will be covered. Whether you rent and would
 6 like to -- consider preparing to -- to buy, there will
 7 be all kinds of resources and people there for that,
 8 including Liberty Bay. And -- or if you're a current
 9 homeowner, there will be someone there that can talk
 10 about taxes and appeals and fixing -- you know, money
 11 to fix it up and how to find a good contractor, etc.
 12 etc.
 13
 14 So, all things housing, even HUD housing counselors. So
 15 just all things housing. So please sign up on
 16 Eventbrite and come out. And I need volunteers. So, if
 17 you are willing to volunteer for a couple of hours
 18 between 8:30 a.m. and 3:00 p.m. that includes setup to
 19 clean up, then please reach out to -- to -- she --
 20 she's got a link that has all the duties and the time
 21 slots, so I won't take any more time, although there's
 22 many other things, good things that are coming, that I

40

1 will not disclose at this time that are closely related
 2 to the work being done by the city, and reparations
 3 that I'm super excited about, that I won't disclose at
 4 this time, but I am super excited. Only more good
 5 things to come for. Evanstonians. Black Evanstonians is
 6 especially. So, have a good day, thank you.
 7
 8 ROBIN RUE SIMMONS: Awesome. Thank you, Vanessa. And so
 9 now we get the highlight of this meeting. And so, we
 10 have a lot more business to go. But we have an absolute
 11 highlight. We have a special announcement. Item Four A
 12 is a celebration.
 13
 14 We have a committee woman that is a daughter to the
 15 Fifth Ward, a daughter to Evanston that has served in
 16 some way as a public servant. I accelerated her to 30
 17 years. It's not quite 30, but very close to 30 years.
 18 She has served in elected, appointed volunteer roles,
 19 even her employment role is a service to the community.
 20
 21 She is a model of what it looks like to -- to show up,
 22 to put your -- you know, to do the work, to do the work

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41	<p>1 and not just have grievances, but actually do the work.</p> <p>2 This woman, Ms. Bonnie Lockhart, was one of the very</p> <p>3 first to raise her hand to do this very heavy work on</p> <p>4 the committee here. I don't know how many committees</p> <p>5 she served for over the years at the city. She may not</p> <p>6 even remember, but we have been very fortunate to have</p> <p>7 her leadership on this committee.</p> <p>8</p> <p>9 One that is steady, that is collaborative, that is okay</p> <p>10 making hard, uncomfortable decisions, that is</p> <p>11 respectful, that is informed, and that actually shows</p> <p>12 up all the time and does the work. And I consider Ms.</p> <p>13 Lockhart a role model for me as a -- although we're</p> <p>14 probably the same age basically, but -- but I do</p> <p>15 consider Ms. Lockhart really an example of what it is</p> <p>16 to serve your city and your neighborhood.</p> <p>17</p> <p>18 We're neighbors right in the Fifth Ward, and I</p> <p>19 personally can't thank you enough as a chair of this</p> <p>20 committee. You have answered every call and request,</p> <p>21 and you have raised your hand even when we didn't know</p> <p>22 what we needed.</p>	43
42	<p>1 So, thank you so much. I know that this is not the</p> <p>2 moment that you're going to stay engaged, and we're not</p> <p>3 going to leave you alone, but really wishing you the</p> <p>4 best too, with the other endeavors that you're moving</p> <p>5 on to in your life. And thank you so, so much for the</p> <p>6 time that you have given to this committee and to the</p> <p>7 city and the larger community. Thank you. Bonnie.</p> <p>8</p> <p>9 ROBIN RUE SIMMONS: Any other comment?</p> <p>10</p> <p>11 BURNS: Yeah. Chair, if I can just add on to that.</p> <p>12 Bonnie, I just want to thank you for really setting an</p> <p>13 example here in Evanston. Whether people say it or not,</p> <p>14 we're all watching each other, learning from one</p> <p>15 another, and being motivated and inspired by one</p> <p>16 another.</p> <p>17</p> <p>18 And whether you realize this or not, I know that you</p> <p>19 have directly influenced a lot of people in Evanston</p> <p>20 and have made them want to work harder serve their</p> <p>21 community longer and more selflessly. And I want to say</p> <p>22 thank you for that, for -- for setting that example for</p>	44

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45

1 so long for always raising your hand to volunteer for
 2 different causes and to try to make a difference in
 3 your deficit.
 4
 5 This stuff doesn't work without volunteers. I always
 6 say that whether it's a city committee you know any
 7 volunteer effort, whether it's sports coaching like --
 8 this -- this city doesn't -- much of the good that
 9 happens in this community does not work if people like
 10 Bonnie don't raise their hand to volunteer and give it
 11 their all. So again, thank you for setting that example
 12 for so long.
 13
 14 ROBIN RUE SIMMONS: But before that, we just want to
 15 say that the City of Evanston Reparations Committee,
 16 all of us, hereby awards the Certificate of
 17 Appreciation to Ms. Bonnie Lockhart in recognition of
 18 her time, commitment and dedication and service on the
 19 Reparations Committee, and 30 years of community
 20 service to the Evanston community. It's signed the
 21 entire committee, all of us to Shiek [ph] as well. Did
 22 you have any -- yeah. So, thank you. Bonnie.

46

1
 2 BONNIE LOCKHART: Thank you, thank you, thank you,
 3 thank you, all of you so much. And I'm going to try not
 4 to be emotional because this is, you know, bittersweet.
 5 It has been an honor and a privilege to serve the
 6 residents and in the community of Evanston. I mean, it
 7 was like a bug that bit me way back in 1997, when I
 8 first ran for alderman. And then I had the privilege of
 9 also taking Leadership Evanston, which also shared so
 10 much of what Evanston's work does. And I just want to
 11 say how much I've enjoyed this.
 12
 13 This work is a part of me, and I am grateful for the
 14 time I've been able to serve. I just I want to also
 15 just thank this committee as the last committee I've
 16 been on, and just -- for some of you who don't know,
 17 I've also been on the Commission on Aging, on the
 18 Evanston History Committee, on the school board, on the
 19 CEDA committee, and all for long years, none less than
 20 five years.
 21
 22 But this committee, Reparations has been so near and

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1 dear to my heart, and I just thank all of the committee
 2 members for their support and their collaboration and,
 3 you know, no drama. I mean, we have worked well
 4 together, and Peter Braithwaite's memory, his
 5 leadership, and now Robin's has always steered us in a
 6 way where we are taking action and making some good
 7 decisions. And then I want to thank the residents of
 8 Evanston. I want to thank them for their support for
 9 this committee.
 10
 11 And for those people who have said thank you when they
 12 see me or, you know, we're so grateful that you're
 13 doing this. And I just am appreciative of all of that.
 14 And so, I don't like goodbyes. So, this really isn't
 15 goodbye, it's until we meet again. I have to go to
 16 work.
 17
 18 ROBIN RUE SIMMONS: Could someone take a picture of us?
 19
 20 BONNIE LOCKHART: Mic drop.
 21
 22 ROBIN RUE SIMMONS: Thank you, thank you. And I am

48

1 going to let you rest. I'm going to -- you're going to
 2 rest. Okay. Perfect. So, we're going to move on to our
 3 next agenda item. And we're going to breeze through the
 4 rest of -- this is -- there is a vacancy. So, the
 5 application is online. So, she showed you where to get
 6 it.
 7
 8 Please do reach out to Tashi [ph] directly if you have
 9 any more questions. We went through our working group
 10 updates, their discussion, we have our corporation
 11 counsel that is here, and we would like any update you
 12 can provide on the lawsuit.
 13
 14 SPEAKER 1: Thank you. Chairman Simmons. Just this is a
 15 quick update. The city did file a motion to dismiss the
 16 lawsuit. The plaintiff's answer or response is due
 17 September 18th, and then the city will have an
 18 opportunity to reply, which is due October 2nd. So
 19 those are the current deadlines set by the court, and
 20 there's no other update at this time.
 21
 22 ROBIN RUE SIMMONS: Awesome. Thank you. Any question

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1 from the committee that is online or Councilwoman
2 Harris? Okay. Moving on. We need to discuss dates for
3 our fall ancestral -- ancestor dinner that we have here
4 to honor our ancestors. We do it to honor the
5 recipients.
6
7 And it's a beautiful, very special occasion. Did you
8 have some proposed dates? Okay. I would say if you --
9 if you could give the committee -- Councilmember
10 Harris, you really organized it. Would November be
11 enough time to put something together like this and
12 fundraise for it?
13
14 KRISSE HARRIS: Yeah. I'm wondering, do we want to also
15 include our descendants to -- you know, who we just
16 discussed?
17
18 ROBIN RUE SIMMONS: So, we -- we've talked about that
19 because of the how many of them being 454 -- okay.
20 Yeah.
21
22 SPEAKER 2: Just for funding?

50

1
2 ROBIN RUE SIMMONS: Let's talk about -- I mean, I think
3 funding the dinner is -- I love the idea. So, let's
4 talk about it more. But do we want to look at dates?
5
6 KRISSE HARRIS: Yes. November. Now I have a city
7 conference I'll be going in November. I don't want to
8 put it too close to Thanksgiving, because everybody's
9 going to have a good Thanksgiving dinner.
10
11 ROBIN RUE SIMMONS: Is this something we could do
12 electronically or --
13
14 KRISSE HARRIS: Yeah, pick some dates.
15
16 ROBIN RUE SIMMONS: There's no like --
17
18 KRISSE HARRIS: Okay. Yeah.
19
20 ROBIN RUE SIMMONS: -- have more time.
21
22 KRISSE HARRIS: I'll send something out, yeah.

51

1
2 ROBIN RUE SIMMONS: Awesome. And then I do --
3
4 SPEAKER 1: Can I-- could I just ask a quick question
5 before the vote?
6
7 ROBIN RUE SIMMONS: Yeah.
8
9
10 SPEAKER 1: I noticed we're continuing to title it the
11 ancestor dinner, but my understanding is we're actually
12 celebrating the -- the descendant distributees at this
13 time as well. Is that correct?
14
15 ROBIN RUE SIMMONS: That was mentioned that maybe we
16 will.
17
18 KRISSE HARRIS: We haven't decided.
19
20 SPEAKER 1: And have -- how do we -- I know we were
21 doing limited groups because -- I'm sorry. We were
22 doing distinct groups because of the space. Have --

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1 have we -- have all the ancestors who are distributees,
2 have they all been included in a dinner invitation at
3 this point, or we're still working through that group?
4
5 ROBIN RUE SIMMONS: This will be the last dinner to
6 catch all of those that have not been invited for the
7 for the first group of the 141.
8
9 SPEAKER 1: Thank you.
10
11 ROBIN RUE SIMMONS: And more discussion to come on
12 that. You know, I really loved how you organized the
13 sort of launch of the direct descendants, and that was
14 kind of celebratory. So, we may even look to do
15 something like a one hit big thing for the descendants,
16 but more discussion to come on that.
17
18 And then I realized in my meeting with Tashi that we
19 actually are on five years of this work. It was in
20 November of 2019 that resolution one 126R19 passed the
21 city council, and it was actually in April of 2019 that
22 the first meeting happened on a on a public agenda at

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1 the Equity and Empowerment Commission in April and
 2 worked through a process through the summer.
 3
 4 And so, we really should acknowledge and celebrate the
 5 milestones that we've reached, understanding there's a
 6 lot more work to do. But I want to organize a
 7 committee. It's a great idea. So, we -- I want to
 8 organize a committee that comes up with some special
 9 way to recognize five years of that. And so, I would
 10 like to volunteer to be on that committee. Anyone else
 11 volunteers?
 12
 13 Even from the community at large, if you want to
 14 volunteer to help us think about this, I have some
 15 ideas. You'll have better ideas. Please do contact
 16 reparations at cityofevanston.org, and the message will
 17 get to me, and we'll send out dates for that. Perfect.
 18 So, we have council member Krissie Harris as well. And
 19 now we're going to move on to item -- seven A through
 20 C. Seven A through C to She please.
 21
 22 CLAIRE MCFARLAND: Yes. So as of September, city staff

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1 has contacted all ancestor recipients, and 132
 2 recipients out of 141 have made their selection. There
 3 are four, five, six, seven, eight, nine remaining, and
 4 I break that down why they are remaining. So, four have
 5 requested just city staff hold offs?
 6
 7 There are two that are deceased and we're unable to
 8 contact the family members. I did my research, contact
 9 community members, and one we're unable to contact and
 10 there are two that are there small affidavit are
 11 pending to claim their deceased ones.
 12
 13 ROBIN RUE SIMMONS: If you could reach every committee
 14 person with that one and that will find them, I hope.
 15 This worked in the past.
 16
 17 CLAIRE MCFARLAND: Okay.
 18
 19 ROBIN RUE SIMONS: Okay. And I'll find out who it is
 20 before we leave. Okay. Thank you. thank you, Attorney
 21 Claire. And, yes, the rest of the report.
 22

55

1 CALIRE MCFARLAND: So as for funding -- so, for all the
 2 ancestors thus far, it's about 3,000,392 we have
 3 disbursed to the ancestors' recipients. For the direct
 4 descendants, we have met with 71 direct descendants out
 5 of the first 80 for 2024, and they have all selected --
 6 made a selection and in total we have dispersed 106,
 7 about \$101,675,000 for the direct descendants. So, if
 8 you -- if you add the total -- so, three around 5
 9 million. Okay.
 10
 11 ROBIN RUE SIMMONS: Okay, thank you.
 12
 13 BURNS: I just have to say that, you know, I know once
 14 we put things in place in the city, put something in
 15 place, it just it becomes part of the background. But I
 16 just I want to continue to celebrate everything we're
 17 doing. That's a big number.
 18
 19 ROBIN RUE SIMMONS: Thank you for pausing to recognize
 20 that, because this has become our life. Like, it's --
 21 it's almost become routine for us. And how special that
 22 our whole city has embraced it in the way that it has.

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1 But it's still a very big deal, still unique in this
 2 nation, unfortunately.
 3
 4 KRISSIE HARRIS: Thank you. As Council Member Burns
 5 said, this is a big deal, and the city is doing their
 6 part. Of those nine, that's just on the community
 7 members making a decision, correct? So those nine
 8 people step up, make a decision, and we understand this
 9 background things.
 10
 11 But that's amazing that of 400, and what's the exact
 12 number? I would say 500. 454 residents. We've been able
 13 to disperse and get setting for 71 of those people
 14 immediately. The first round was slower because of
 15 funding. There hadn't been the resolution from City
 16 council to use real estate transfer tax dollars.
 17
 18 So that's amazing. I think it's a step in the right
 19 direction. It's not the only step that we're taking,
 20 but 71 of 80 is a big number and that's a big deal. And
 21 I hope our residents are pleased that we are doing the
 22 best that we can and making things happen. And we will

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1 continue to do that to get through the 454 people that
 2 we make promises to.
 3
 4 ROBIN RUE SIMMONS: Thank you. And with that may I have
 5 a motion to adjourn? Oh, I thought you did. Thank you.
 6
 7 CLAIRE MCFARLAND: So as -- as it pertains to our
 8 financial report, as of September, we have received
 9 \$55,956 in donations to the of Reparations Fund. One
 10 person made \$3,000 donation in April, and the real --as
 11 for the real estate transfer tax, the million dollars
 12 that was budgeted has been transferred to the
 13 Reparations Fund for 2024.
 14
 15 ROBIN RUE SIMMONS: Thank you. Is that all of our
 16 reports? Awesome. If there are no other comments from
 17 the committee, any? No? May I have a motion to adjourn?
 18
 19 KRISSIE HARRIS: I move for the adjournment of the
 20 September 15th.
 21
 22 ROBIN RUE SIMMONS: Okay.

58

1
 2 KRISSIE HARRIS: Well, we don't even really need to
 3 adjourn because --
 4
 5 ROBIN RUE SIMMONS: We have any business. All right.
 6 So, thank you all for being here. We hope to see you at
 7 the Housing Education Resource Expo. There's fliers
 8 over there. And please stay updated. Make sure that you
 9 sign up for updates at the City of Evanston for
 10 reparations updates, and apply for a board, committee
 11 or commission. Thank you.
 12
 13
 14
 15
 16
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 18
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 20
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1 CERTIFICATE OF TRANSCRIBER
 2 I, Chris Naaden, a transcriber, hereby declare
 3 under penalty of perjury that to the best of my ability
 4 from the audio recordings and supporting information;
 5 and that I am neither counsel for, related to, nor
 6 employed by any of the parties to this case and have no
 7 interest, financial or otherwise, in its outcome, the
 8 above 58 pages contain a full, true and correct
 9 transcription of the tape-recording that I received
 10 regarding the event listed on the caption on page 1.
 11
 12 I further declare that I have no interest in
 13 the event of the action.
 14
 15 September 16, 2024
 16 Chris Naaden
 17
 18 (553801, Reparations Committee Meeting, 9-5-24)
 19
 20 
 21
 22

A			
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able	acknowledgment	16:6	52:1, 52:2,
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Exhibit K
To Affidavit of Michael Bekesha

[www.chicagotribune.com /2024/09/14/evanston-has-paid-out-just-over-5-million-in-reparations-so-far/](https://www.chicagotribune.com/2024/09/14/evanston-has-paid-out-just-over-5-million-in-reparations-so-far/)

Local News | Evanston has paid out just over \$5 million in reparations so far

Richard Requena :: 9/14/2024



Armando L. Sanchez

A pro-reparations sign sits outside a home in the 5th Ward Tuesday March 23, 2021 in Evanston, Ill.



By [Richard Requena](https://www.chicagotribune.com/author/rrequena/) | rrequena@chicagotribune.com | Pioneer Press

PUBLISHED: September 14, 2024 at 8:49 a.m.

Evanston's Reparations Committee announced last week that the city has spent \$5.03 million on reparations for 203 individuals affected by unfair housing practices, including zoning laws, in Evanston from 1919 to 1969.

The committee met in September to approve records regarding how the first round of reparations has been spent. Of the \$5.03 million distributed to 141 people directly affected by unfair housing practices, which the program calls ancestors, and 71 people who are descendants of those who did, \$1.36 million will be spent on home improvement projects, mortgage assistance, or be used in the down payment for a home. The remaining \$3.69 million will be spent on direct cash benefits, with recipients eligible to receive a \$25,000 check from the city of Evanston. Recipients will not need to pay taxes on the benefit, according to 2nd Ward Councilmember Krissie Harris.

Harris said recipients who want to use the funds for home improvements will not be charged city permit fees and will be reimbursed by the city for the project.

“That’s a big deal,” said 5th Ward Councilmember Bobby Burns. “I know once when the city puts something in place it just sort of becomes part of the background. I just want to continue to celebrate everything that we’re doing because that’s a big number.”

The committee’s chair, Robin Sue Simmons, echoed Burns’ comments, saying “This has become our life, like it’s almost routine for us and how special that our whole city has embraced us in the way that it has, but it’s still a very big deal, and still unique in this nation, unfortunately.”

Earlier this year, non-profit conservative group Judicial Watch [filed a lawsuit against Evanston’s reparations program](#), which said the program was unconstitutional and violates the 14th Amendment, which states all Americans are given equal protection under the law. Simmons said the suit has not interrupted the city’s disbursements of reparations, describing the situation as “business as usual.”

The city’s Corporation Counsel, Alex Ruggie, said the city filed a motion to dismiss the case and that Judicial Watch has until Sept. 18 to submit a response. If the group responds by that date, the city will have until Oct. 2 to reply to Judicial Watch.

The city’s reparations program is funded by the real estate property transfer tax on properties sold with sales prices greater than \$1.5 million and by the city’s cannabis tax, a 3% sales tax on dispensaries in Evanston. The program also accepts donations and has received just under \$56,000.

In 2019 the city council approved a resolution to approve the first \$10 million of the city’s cannabis tax to fund reparations for housing and economic development programs for Black Evanston residents.

Simmons told Pioneer Press after the meeting that “Evanston has acknowledged a practice of anti-Black zoning laws that stripped away wealth and opportunity from Black communities and Black families, and we can measure that in our racial gaps in wealth and other areas of livability. Reparations is a targeted way to address the harms and unjust practices against the Black community.”

Simmons said she sees reparations as the first step in Evanston to repair the harms of the institution of slavery and the legacy it left behind. Simmons said, “my hope and vision is that it’ll always be expanding and evolving, but we had to start somewhere, because there hadn’t been a first attempt at reparations for the Black community.”

Harris said there are still 18 ancestors, or people directly affected by unfair housing practices, and descendants who need to make a selection on how they will spend the reparations. The recipients do not have a deadline to decide how they will use the funds, but they will need to make a decision in order to receive them.

The commission will work to continue to accept new applications for reparations once all of the reparations are disbursed in the first round, Harris said. "We understand that that process will have to be refined, and we're doing that, but until we get through the almost 500 residents that completed the first process, we can't really open up a new process," she said.