

Dear Mr. Hamby,

We are registering our public comments to the Analysis of Impediments (AI) issued Jan. 14, 2011.

We find the AI to be woefully inadequate. It lacks factual, empirical data. It fails to deliver concrete, measurable benchmarks to be met in order to affirmatively further fair housing (AFFH). These are imperative in determining the ability to host public housing, and they are lacking.

1) The consultants chosen to produce the AI, Southwest Fair Housing Council (SWFHC), are a housing advocacy group themselves. They are in the same category as Texas Appleseed and Texas Low Income Housing Service (TXLIHCS), which are the groups who brought the complaints against the state of Texas in the first place. This does not appear to be an independent group to conduct an objective analysis.

2) SWFHC's conclusions are highly subjective and unsubstantiated. They proffer a nebulous "Not in my backyard" (NIMBY) mentality as one of the primary impediments to AFFH in the city of Galveston, to the exclusion of other real and measurable factors. On the contrary, Galveston is the city with the most public housing already in its yard, in comparison to every other city in the region. (<http://www.galvestonogp.org/GHA/Statements-Versus-Facts-P5.html>)

3) SWFHC based much of their opinion on a single homogeneous focus group, consisting of almost 100% African Americans, including the president of the local NAACP, a former commissioner of the Galveston Housing Authority (GHA), and a contractor who works for GHA, among others. They failed to conduct similar focus groups with other invested parties, such as other citizens, the business community, and the school district, in an attempt to present a fair and balanced finding representing all parties involved.

4) SWFHC mistakenly concludes that the actions by the mayor and city council represent the wishes of the majority, based solely on the fact that "they were elected". Prior to his election, *Mayor Jaworski's published vision for Galveston was that "public housing numbers will diminish"*, <http://galvestondailynews.com/story/139040/>. It is fairly likely to conclude that the majority elected him on the basis of this statement, not what he has done since.

5) SWFHC claims that only "small numbers of citizens who are very vocal and organized" are the ones opposing the one for one replacement of public housing in Galveston. On the contrary, more citizens signed an online petition "No to the GHA" (2,125) than voted in the 2008 city election (2,046). Five independent grassroots groups presented alternate plans for public housing. Hundreds of articles, guest columns, and letters have been written over the last 2 1/2 years by citizens on this subject. Federal mediators were called in to try and broker

consensus between GHA and the public. This would not have been required had there been only a minority in opposition. When their recommendations determined that GHA was not listening to public input, GHA sought to block those recommendations from public view. The Texas State Attorney General had to be called upon to rule to release them. After the city council voted to give GHA \$25M of the recovery funds, over 1,000 people signed a physical petition demanding a vote of the people before any other taxpayer funds were committed to public housing. Council member Elizabeth Beeton recently remarked in a city council meeting that for every comment she receives in favor of public housing, she must receive 50 against. These are some of the many documented examples of majority opposition.

Our opposition is based upon facts. We respectfully submit the following list of impediments:

1) **Rebuilding public housing in a floodplain**, which violates Executive Order 11988, at a higher cost to taxpayers and greater risk to those served. Where are the results of carrying out the 8-step process to rebuild in a flood plain, required by law? Where are the flood plain map overlays for the city of Galveston and southeast Texas region?

(<http://www.hud.gov/offices/cpd/environment/review/qa/floodplainmgmt.cfm>)

2) **Concentrating poverty**. Galveston has a 20-30% poverty rate. Where are the statistics regarding census tracts and levels of concentrations of poverty in the city of Galveston? (<http://www.galvestonogp.org/GHA/Location-Of-Public-Housing-P1.html>)

3) **Segregating minorities**. Galveston is over 50% minorities. Where are the facts regarding the numbers and locations of minorities in the city of Galveston? (<http://www.galvestonogp.org/GHA/Location-Of-Public-Housing-P2.html>) (<http://www.hud.gov/offices/fheo/FHLaws/>) and Neighborhood and Site Standards (<http://www.GalvestonOGP.org/GHA/CFR941.202.pdf>). These figures are contained not only in the last census, are sure to be verified by the 2010 census, and are documented in the Galveston Housing Authority's own 5 year plan.

4) **Contributing to an over supply of housing**. Galveston has over 7,000 vacant homes. Many are already occupied by former residents of public housing. Building new housing will only exacerbate the situation, creating more vacant units. According to HUD Handbook 4010.1 Section 3-6C, it is the responsibility of HUD to NOT contribute to this oversupply. Where are the statistics reflecting these current conditions?

<http://www.hud.gov/offices/adm/hudclips/handbooks/hsg/4425.1/44251c3HSGH.doc+HUD+4425+Surplus+Housing&cd=1&hl=en&ct=clnk&gl=us>

5) **Employment Opportunities?** (<http://www.galvestonogp.org/GHA/Location-Of-Public-Housing-P3.html>)

6) **Educational Opportunities?** (<http://www.galvestonogp.org/GHA/Statements-Versus-Facts-P3.html>)

7) **Crime and Safety.** 21% of the crime in the city committed on 3% of the footprints of the public housing projects.
(<http://www.galvestonogp.org/GHA/Galveston-The-End-Of-The-Road.html>)

Trapping all of the county's poor on a barrier island, subject to natural disaster, with little economic or educational opportunity, high crime rate and declining population, and further concentrating poverty and minorities violates HUD's own rules and does not further fair housing. In conclusion, *the biggest impediment to fair housing is putting it all in the city of Galveston.* A regional approach to public housing is the obvious solution.

Respectfully,
Alan and Jul Kamen