

14 December 2009

Sent via email to: [GreenSus@cityofgalveston.org](mailto:GreenSus@cityofgalveston.org)

Susie Green  
City Attorney  
City of Galveston  
823 Rosenberg  
P.O. Box 779  
Galveston, TX 77553

Dear Ms. Green:

Despite our previous correspondence regarding the 2005 decision in [Thompson v. HUD](#) that required de-segregation on a countywide or regional basis, and the 2009 decision in [United States of America ex rel. Anti-Discrimination Center of Metro New York, Inc., v. Westchester County](#) that exposed an inadequate Assessment of Impediments, which required the County to redo their AI and pay fines; the Galveston Housing Authority (GHA) plans to vote on a redevelopment plan tonight that ignores these cases.

Texas Appleseed filed an [Administrative Complaint](#) with HUD calling attention to the fact that the AI's for the State of Texas in general, and the City of Galveston in particular, were "substantially inadequate". HUD agreed with the Appleseed complaint, and sent a [letter to the Governor](#) notifying him that CDBG funding would be put on hold until the situation was corrected and revised AI's were completed.

The [Governor replied](#) that he felt some of HUD's instructions were contradictory, but that new AI's would be filed once HUD had issued its new guidelines after the first of the year. One of the foundations of GHA's redevelopment plan is the "City of

Galveston, Texas 2005 Consolidated Plan". The AI for the city is contained within this plan.

Since the State's and the City's AI's have been found "substantially inadequate" the legality of the GHA redevelopment plan is in serious doubt, because neither GHA nor the City of Galveston can certify that the plan "affirmatively furthers fair housing".

Since following the ruling in the Thompson decision would put the future of GHA in jeopardy, because it would most likely be dissolved in favor of a county Housing Authority; we can not expect or rely on the GHA to take the appropriate actions. Therefore, the GOGP believes that someone in authority at the City needs to direct the GHA Commissioners to refrain from any further voting on redevelopment plans until:

1. The City of Galveston develops a new AI.
2. This AI is used to revise the City's Consolidated Plan.
3. The City Council and the County Commissioners agree on establishing a countywide housing authority that will act within the rulings cited above.

It is apparent that the GHA is ignoring the directions of the Secretary of the Department of Housing and Urban Development for the State of Texas to revise and update its AI's, and the reply by the Governor that this would be done next year. Pushing forward in the face of these cited court rulings and deficiencies in AI's is very ill advised!

For further documentation go to: [GOGP on the GHA](#)

Thank you for your wise counsel and assistance,

Best regards,

David Stanowski and Chris Toombs  
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409-356-6553

Cc: Governor Rick Perry, sent via fax to: 512-463-1849

Cc: Ellen Witt, the Governor's Director of the Division of Disaster  
Recovery and Renewal, sent via fax to: 512-936-4318