

Date: 03 October 2014

To: Galveston City Council

Re: Poverty and Solutions

What can the City Council do?:

So far, we have had very little feedback from those of you on the City Council regarding this series on poverty. However, one Councilmember did ask us for suggestions on what the Council could do to reduce concentrated poverty in this city, so our suggestions follow.

Adopt a new Cooperation Agreement:

First, the City Council has to acknowledge and review the size and scope of the problem. When that is completed, the Council should adopt and pass a resolution that pledges that it will forever refrain from actions that increase concentrated poverty in the City.

The first order of business to implement that pledge should be to create a process to provide for the strict control and oversight of the Galveston Housing Authority, the primary engine of concentrated poverty, in this city. If you do not get control of the GHA, it will keep doing what is easy for it to do, and that which maintains the purpose for its existence; which is to nurture and increase concentrated poverty, and the City will never recover. The GHA sees the process of de-concentrating poverty as requiring too much effort, and as a threat to its existence and growth.

In other words, what is good for the GHA is NOT what is good for the City and what is good for the City is NOT what is good for the GHA.

Clearly, Galveston Mayors have done a very poor job of selecting GHA Commissioners and providing guidance and oversight for them, so the entire City Council must take on this responsibility. Some Commissioners probably wanted to reduce concentrated poverty, when first appointed, but quickly began "drinking the Kool-Aid" fed to them by the GHA staff, and their lawyers, which resulted in disastrous decisions and policies.

In addition, some Mayors have openly supported the Poverty Industry and have even had ideas of using the GHA to "transform the entire city", regardless of how much concentrated poverty it would import and trap in the City:

Before the storm, the housing authority took care of islanders who were customers of the housing authority, Mayor Lyda Ann Thomas said.

But Ike changed the housing authority just as much as it changed the island, she said.

Now the agency must become a partner with the city to build houses for everyone who lives on the island, she said.

“My intention is to recognize the housing authority as a partner of the city of Galveston, as an investor, a developer, an entity that can make Galveston a better place to live for all people,” she said.

HUD honors GHA at Ike anniversary event

By Leigh Jones

The Daily News

Published September 15, 2009

The Galveston Housing Authority has created and trapped an enormous amount of concentrated poverty in the City which has shut down its growth and greatly limits its options, so it can no longer be ignored by the City Council and left to the control of Mayors and their appointed Commissioners. Arguing that the City Council has no authority over the GHA is just an excuse; a method must be found to control this agency, or most who live here will pay the price.

The City Council could confer with other cities, that have developed methods to control their housing authorities, like Texas City, for guidance. A new Cooperation Agreement between the City of Galveston and the GHA, outlining these controls, will help a great deal. Changes in the City Charter may also be necessary. You must do whatever needs to be done!

The District Court in Walker v. HUD found that the City of Dallas was indeed responsible for the actions of the Dallas Housing Authority.

(i) *that the City of Dallas will be joined as a party defendant in this case; ". . . We believe that there is strong sentiment by all parties with whom we have talked that **the City has had an active, historical involvement in the DHA's operations and, therefore, bears some responsibility for the condition of public housing in Dallas.***

(ii) *the long, unbroken history of deliberate segregation and discrimination in public housing by DHA **and by the City of Dallas***

*"4) **The City of Dallas was a substantial cause of the creation and maintenance of racial segregation and discrimination in the housing assistance programs administered by the Housing Authority of the City of Dallas [DHA]."***

(iii) ***require the City to provide "the counseling and transportation services" necessary to help black families move to non-minority areas in Dallas and its suburbs under DHA's Section 8 assistance program; *fn7"***

"So while it is true that there are times when public officials in the City Council claim we have no direct responsibility or authority over that (DHA) board, that is not true. As a matter of fact, we make those appointments. And I have no doubt whatsoever that the policies and traditions which have been developed by the Dallas Housing Authority are a direct reflection of what has been the spoken or unspoken political climate in the city. I do not think that the DHA has been out on a limb in the development of those policies over many years."

*Similarly, DHA Executive Director Jack Herrington testified that, in his experience, **"members of the [DHA] Board have been responsive to the Mayor who appoints them."***

*In addition, under the **"Cooperation Agreement" between the City of Dallas and DHA, *fn10**" the City agrees to **"cooperate with [DHA] by such action as the City and [DHA] may find necessary in connection with the development and administration of the public housing" in Dallas. Accordingly, the City has described its relationship with DHA in this manner:***

"The Housing Authority of the City of Dallas was created by City Council resolution. It provides a specific public service in response to a need found by the Dallas City Council. State law recognizes this relationship as different from relationships the City has with other legal entities or governments. . . .

The Authority is, in effect, an 'arm of convenience' of the city government.' **fn11'*

The District Court clearly stated that the Dallas Housing Authority is an "arm of convenience" of the "city government"; not just the Mayor!

The City Council's first reaction will likely be that you already have enough to do without providing oversight for the GHA, but if you do not begin doing this, you are NOT going to have a viable, livable city to govern!

Strict oversight and aggressive actions are absolutely necessary to curtail the growth of concentrated poverty, because there is a very powerful constituency, with a sinister lobbying organization, that supports and promotes the maintenance and growth of concentrated poverty, in this city, so merely doing nothing allows and encourages concentrated poverty to grow. As long as the Council ignores this problem, and abdicates its responsibility, the Poverty Industry will keep expanding.

The Cooperation Agreement should make it clear that any GHA Commissioner who supports policies that increase concentrated poverty is guilty of neglect of duty and misconduct in office, and should be removed under Sec. 392.041 of the State Code. The problem is too far along to keep ignoring self-destructive policies originating from this rouge agency!

Sec. 392.041 REMOVAL OF A COMMISSIONER. (a) The mayor may remove a commissioner of a municipal housing authority for inefficiency, neglect of duty, or misconduct in office.

Specific Actions:

The following actions are listed in order of difficulty, with those requiring the least political courage and effort at the top and those requiring the most political courage and effort at the bottom:

1. Direct the City staff to focus very strict code enforcement efforts on all current Section 8 properties.
2. Direct GPD to focus very strict law enforcement efforts on all current Section 8 properties.

3. Pass and send a resolution to the TDHCA stating that the City of Galveston does NOT want any more Low-Income Housing Tax Credits (LIHTCs) issued in the City.
4. Direct the City Attorney not to fight the appeal of GOGP v. HUD.
5. Direct the City Attorney to fully support the appeal of GOGP v. HUD.
6. Make it very clear to the GHA Board that you want them to focus very strict "enforcement efforts" on all current Section 8 properties and their tenants.
7. Make it very clear to the GHA Board that you do not want them issuing any more Section 8 tenant-based vouchers for use in any census tract with more than 10% poverty. All current vouchers being used in unacceptable areas should be relocated ASAP.
8. Make it very clear to the GHA Board that you do NOT want them to fight the appeal of GOGP v. HUD.
9. Make it very clear to the GHA Board that you want them to fully support the appeal of GOGP v. HUD.
10. Begin discussions with the HUD Houston field office to get them to agree NOT to renew the project-based vouchers given to the owners of Sandpiper Cove.
11. File a petition for review with the Fifth Circuit Court of Appeals or the D.C. Circuit pursuant to 42 U.S.C. § 5311 to challenge HUD's ability to make disaster recovery funding dependent on concentrating poverty in the City.
12. File a lawsuit against HUD, and the GLO challenging their demands that the 569 public housing units be rebuilt in high-poverty neighborhoods.

Reaction:

Obviously, the majority on this City Council will NOT want to do any of the things listed above, but we listed them, anyway, so it could not be said that you have no idea of what to do to reduce the concentrated poverty in the city that you govern. If you choose to do nothing; it will be duly noted.

David Stanowski
President
Galveston Open Government Project, Inc.