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Plan to Join Us!! VOR 2007 Annual Meeting and Washington Initiative.  
See - <http://www.vor.net/VORAnnualMeeting2007.htm> for complete details, including a registration form.

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VOR is the only national organization advocating for a full range of residential and support options for people with mental retardation, including Medicaid-certified Intermediate Care Facilities for the Mentally Retarded (ICFs/MR) and home and community-based care. VOR supports choice.

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VOR Weekly E-Mail Update April 13, 2007  
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The Center Serving Persons with Mental Retardation Needs Your Help

1. Summary Background Information
2. You can help! Sign an Online Petition!
3. APRIL 11 - Big law firm helps center for mentally retarded in lease fight
4. MARCH 23 - The City of Houston notifies The Center of plans to seize the West Dallas campus

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1. Summary Background Information  
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In Texas, news reports recently announced that the City of Houston plans to seize the property of The Center Serving Persons with Mental Retardation and sell it to the highest bidder. The Center has 56 years remaining on its original 99-year lease, but the City now says the lease is invalid and wants the organization to move. The Center provides a home, work, and community for more than 600 people with mental retardation every day, including 180 residents. Articles detailing this situation are provided below.

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2. You can help! Sign an Online Petition!  
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Please help me SAVE THE CENTER! Go to their website at [www.savethecenter.org](http://www.savethecenter.org) to sign a petition and learn what else you can do to help. It also contains the contact information for the Mayor and City Council members, and I would urge you to let them know how upset you are by their intention to oust this wonderful organization. It's going to take all of us pulling together to make sure that people with mental retardation continue to have opportunities for growth and community involvement in Houston. Please help -- The Center Serving Persons with Mental Retardation and the broader advocacy community supporting choice need your help - I know we can count on you. Just access the website and lend your name in support by signing the petition. Thank You!

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3. APRIL 11: Big law firm helps center for mentally retarded in lease fight  
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Summary: This article emphasizes the good momentum the families and others supporting the Center are now enjoying. Relatedly, on April 10, Houston Public Radio covered a rally at City Hall to save the center. This report noted that both sides, the city and The Center, now expect negotiations will help resolve the dispute.

Big law firm helps center for mentally retarded in lease fight By MELANIE MARKLEY Houston Chronicle April 11, 2007

A major Houston law firm has agreed to represent the Center Serving Persons with Mental Retardation pro bono in its fight to remain on prime city property near River Oaks.

Baker Botts lawyer Irv Terrell confirmed Tuesday that his firm volunteered to represent the center after reading that city officials had declared the facility's 99-year lease invalid and were considering selling the land.

"We think the center should stay exactly where it is and continue to provide the services it is providing, and we hope the city agrees with that," Terrell said.

Also, a former city attorney who negotiated long-term agreements with other nonprofits in the early 1960s said the city contracts at the time were viewed more as service agreements rather than landlord-tenant leases, which the city charter limits to no more than 30 years.

John Wildenthal, who was city attorney for former Mayor Louie Welch from 1964-66, said he wasn't involved in the 1963 agreement with the center but negotiated others that allowed nonprofits to lease land for \$1 a year in exchange for providing much-needed social services.

Wildenthal said the city agreed to long-term contracts to allow the charitable organizations time to invest in facilities.

"My opinion is that these services were much more valuable to the citizens than the rent would produce on a landlord-tenant basis or a one-shot sale where you spend the money and it's gone," Wildenthal said.

4,700 sign online petition

But Assistant City Attorney Dennis Alexander said the agreement with the center has all the characteristics of a standard lease, which is limited by the charter. What's more, city officials argue, the charter also restricts service contracts to no more than five years.

In declaring the center's lease invalid, Mayor Bill White has said the nonprofit's board members must pay rent that is more in line with the land's market value if they want to remain there. Center officials say they can't afford market-value rent, although no definite figure has been discussed.

In an outpouring of support for the center, some 4,700 people have signed an online petition protesting the city's move. And U.S. Rep. Sheila Jackson Lee visited the center last week to express support.

"It has to be a choice of humanity over money," said Jackson Lee, D-Houston.

#### Rally at City Hall

On Tuesday, about 200 supporters and residents of the center rallied outside City Hall, carrying signs and chanting "save the center" before packing the council chambers and cheering the five who spoke on their behalf.

"The center is so important," said Elizabeth Deluca, the mother of a 9-year-old child with profound mental retardation. "I don't expect you to understand unless you walk an inch in our shoes."

White said he is meeting with representatives of the center and is working hard to bring the matter to a resolution.

But he said it's not fair for the city to give special treatment to one group while denying similar privileges to others.

Still, White said the city does value the center and the work it does for people in the community with special needs.

Councilman Adrian Garcia said he's confident that city leaders will find an acceptable solution.

But if the center and the mayor fail to reach an agreement, he said, he cannot vote to sell the property and force the nearly 200 residents to move.

Councilman Peter Brown assured the packed room that the center has the council's support. "We're not going to let the center down," he said.

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**4. MARCH 23: The City of Houston notifies The Center of plans to seize the West Dallas campus.**  
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On March 23, 2007, Forest R. Christy, Jr., director of real estate with the City of Houston, wrote a letter to The Center notifying us that the City plans to sell the property we recognize as the "West Dallas campus," located at 3550 West Dallas. The Center was asked to sign a short term lease of three years and agree to then leave the property. Board member Jack Manning is chairing a task force to work through the legal issues regarding the property on West Dallas. The task force includes Eva Aguirre, executive director, and members of the Board of Governors and the Foundation for the Retarded Board of Trustees. They are C.

Wayne Johnson, David Baldwin, president of the Foundation, B.Z. Lee and Chris Borreca. "We have a 99 year lease on five acres of property, which was signed in 1963, and which is still fully in effect. And, we have a preferential right to a 30 year renewal on the remaining one acre," states Jack Manning. "These leases have been honored by seven Mayors: Lewis Cutrer, Louie Welch, Fred Hofheinz, Jim McConn, Kathy Whitmire, Bob Lanier and Lee Brown -- all of whom were able to guide the City's financial affairs without seizing properties utilized to serve the City's disabled population. Only Mayor Bill White has suggested the eviction of the mentally retarded in order to enhance the City's revenue stream."

In fact, in 2002, the City presented The Center with a renewal lease for a term of 30 years; The Center signed the renewal lease and returned it to the City. But, the City, despite drafting and presenting the renewal lease, declined to sign it. C. Wayne Johnson, president of The Center's Board of Governors was shocked when he read Mr. Christy's letter. He stated, "Over the past two years The City has sent representatives to look at our campus and we have been very clear that moving from this campus would be very problematic. We were hopeful that the City of Houston would agree that the services we provide outweigh their desire to do some real estate housekeeping. As soon as we received Christy's letter we sought a meeting with the Mayor."

The task force met with the Mayor on August 24, 2006 to inform him that The Center is not willing to sign a three year lease and leave the West Dallas property. The Center then received an additional letter from the Mayor, dated October 25, indicating that his position remains unchanged and that "We intend to sell this property." Following receipt of this second letter a series of meetings with representatives of the Mayor's office has been completely unsuccessful. The Mayor's position remains unchanged. As set forth in Christy's most recent letter, he intends to terminate The Center and its programs.

"We need the families that we serve and our friends and supporters to understand the gravity of the threat we are facing," states Manning. "Our legal rights are clear. And with the unanimous support of the Board of Governors, we intend to resist this seizure by all available means."

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Tamie Hopp

#### REFERRAL/MEMBERSHIP/CONTRIBUTION FORM

THREE EASY WAYS TO SUPPORT VOR > REFER, CONTRIBUTE OR JOIN

THANK YOU FOR YOUR SUPPORT!

TO JOIN OR CONTRIBUTE: \$25 per individual, \$150 per family organization, or \$200 per provider/professional organization. Extra donations are welcome! You may pay by credit card or check.

TO REFER SOMEONE TO VOR: Use the form below, including the additional sections for referrals.

Mail the completed form (if joining or contributing) with payment to: Voice of the Retarded  
5005 Newport Drive, Suite 108 Rolling Meadows, IL 60008 847-253-6054 fax (for referrals or  
credit card payments) vor@compuserve.com (for referrals or credit card payments)

FOR REFERRALS:  The contact information provided is for someone I think would  
consider membership with VOR.

FOR REFERRALS:  You may use my name in any correspondence with this individual.

My name is \_\_\_\_\_.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address (if paying by credit card, use billing address). All forms must include complete address  
including zip code)

\_\_\_\_\_  
City                      St              Zip

\_\_\_\_\_  
Phone                                      Fax

\_\_\_\_\_  
E-Mail

\_\_\_\_\_  
Family/Professional Organization Affiliation (if applicable)

VOR now accepts Master Card and Visa. If paying by credit card, please provide the following  
information:

Amount to charge to card:  \$1,000  \$500  \$250  \$150  \$50  \$25

\$\_\_\_\_\_ Other amount

Master Card  Visa

Card Number: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

Cardholder Signature: \_\_\_\_\_