

Dear Council Member,

As you have likely heard, the Planning Department is going to present their recommendations regarding the reconsidering historic districts next week. We respectfully request your careful consideration and evaluation all of the evidence regarding the transition process for the existing and pending districts. The controversy and divisiveness of this issue has been created because there is NOT wide spread support in these districts.

I have been contacted by preservation groups in other cities. They too support preservation efforts in their community but are very concerned about the process by which these districts are being created. They have asked me to put together a task force to correct these problems and ensure that the property rights of homeowners are protected. There is 100% agreement among all of these groups across the state of Texas that historic preservation efforts must be community driven and supported by a super majority of the affected property owners. Without this level of support, preservation efforts ultimately will not be successful. They are watching what happens in Houston with our districts. We have an opportunity to be a good example for the rest our state.

I am providing information for your review as you prepare to deliberate the recommendations from Planning. Please find the attached:

1. An article published in the Houston Chronicle last week detailing a voting process very similar to the one we were given where a NON-VOTE had previously been considered a vote for the opposition. This method of NON-VOTE voting is not a legitimate process employed for any other type of democratic voting or election process and the decision to abolish this method has been applauded in other related news releases. While this article relates to voting methods for a different type of issue, it accurately conveys the problems with a NON-VOTE. In our case, property rights are sacrosanct in the United States and should not be dissolved through a process by which there is not documented evidence of overwhelming support by the community. (Excluding public concerns for health and safety.)
2. A copy the Texas Property Code 208, which was specifically created for Houston (cities over 1.6 million) along with an affidavit from 2003 from the Heights Association regarding Property Code 208. The Heights Association, a civic association made up of the community residents, clearly supported and advocated for 75% SUPPORT to amend historic designations and the State Legislature responded by creating Property Code 208.
3. Responsible Historic Preservation's position paper regarding the reconsideration process. Many homeowners in the communities affected will provide additional detailed information regarding the level of opposition and other serious concerns regarding the ballot process at the Public Comment session.

The residents of the historic districts who oppose the new ordinance are well aware that Council Members believed they were supporting a process that would ensure a democratic, fair vote in our communities. However, the Transition Ordinance which defines that voting process was presented with only 5 minutes for review and consideration and turned out to not fulfill what we believe was your intent regarding the Transition process. For that reason, along with the resulting very serious problems it created, we strongly encourage you to reject any recommendations that do not include a concrete, documented, valid show of continued support for historic designations in districts which requested reconsideration as well as the pending districts still under the provisions of the previous ordinance.

We believe it is the role of every Council Member to preserve and protect the rights of all Houstonians equally and to further ensure that your intent to preserve and protect the property rights of homeowners in historic districts are not circumvented by a manipulation of the Transition Ordinance through a reinterpretation of the plain language contained in the Ordinance in an effort to prevail at all costs.

Respectfully submitted,

Kathleen Powell
Co-Founder
Responsible Historic Preservation