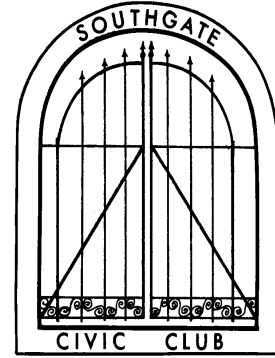


Southgate News

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2260 West Holcombe Blvd.
Box 162
Houston, Texas 77030
E-Mail: SgateCivClub@aol.com



- September Meeting: Tuesday, September 28**, 2004, 7:30 pm, at the Plaza Hilton Hotel, 8th Floor, on Travis between Addison and Swift. Reception and cash bar begin at 7:00 pm. Parking is available in the hotel garage for a fee!
- o **Candidates Forum: State Legislature Candidates Jim Dougherty and Martha Wong will share their separate ideas on what's wrong and how to fix it and what doesn't need fixing.**
 - o **The Deed Restriction Development Committee of Blaine Hollinger, Randy Villasana, and Ken McClain will provide a brief progress report.**
 - o **Other Items of Interest.**

Fourth of July Parade A Red, White, and Blue Festival

Southgate's Fourth of July Parade has been held since the Bicentennial Year of 1976, and this year's parade showed that neighborhood families still enjoy a good one. Some 104 people covered themselves and small vehicles in red, white, and blue to demonstrate their patriotism and enjoy each other's company. **Amber York**, who does such a splendid job of organizing the parade each year, wants to be sure to thank everyone who participated as a rider, walker, biker, viewer, or contributor. Special thanks to **Sally Luna** and Heritage Properties for donations of prizes and drinks to ward off the morning's heat. Special thanks to **Chris Newlin** who provided music and sound. Special thanks, too, to **Michael Brisch** who tattooed an inspiring beat on his snare drum and led the children along our streets. Special thanks also to **Don and Mary Tobin** for their extra valuable help.
And thanks again to you, Amber!

Summer Projects

The Towers Is/Are Down and Away! We Await New Construction by MetrOntario.
Greenbriar Has Been Resurfaced & Recurbed Between Rice Blvd. and Main, & All Of Rice Blvd., Too.
ADA-Compliant (& Bike- and Stroller-Friendly) Ramps Have Been Installed at Most Curbs Along the Rice Circuit.

Kirby Reconstruction Will Begin Any Month Now.

Parking On Our Streets

With Rice University now requiring paid parking, Medical Center employees, joggers, and others rekindle their efforts to find free parking in Southgate and Southampton. Our recourse is to increase the hours prohibiting parking on those streets which now have No Parking or Permit Parking periods or to institute No Parking Anytime zones. The North-South streets -- Lanier, Stockton, and Montclair -- are especially vulnerable because they do not qualify for permit parking (technically, no residents have official addresses on those "side streets"). Any resident near one of these "side streets" can circulate a petition to other nearby residents and formally request that the City designate that/those block(s) as No Parking Anytime. Also, any resident can circulate a petition to other block residents to request the hours be extended (earlier in the morning and/or later in the afternoon).

For anyone wishing to initiate Permit Parking on her or his block, or if you're a new resident, to obtain permits/forms are available on the Planning and Development Department's website:

http://www.ci.houston.tx/department/planning/planning_dev_web/index2.htm
(Search for "decal parking" to access and download the forms.)

For more specific information, contact Gigi Chan or her assistant Jason Jeffries in the Planning and Development Department (713-837-7701).

September Meeting Highlights:

More than **65** members and guests attended.

o Rice to Ticket Cut-Through Traffic

Richard announced that he received a heads-up from Greg Marshall that **Rice University will begin ticketing cut-through traffic.** Signs at the primary campus entrances have proclaimed Rice's relatively new policy of "No Through Traffic" for several months, and campus police will now be enforcing it.

o Thanks to Kim O'Reilly and Byron Morris for Ice Cream Social

Richard acknowledged **Kim O'Reilly for her, as usual, outstanding efforts in organizing the May 2 Ice Cream Social. Byron Morris was thanked also for arranging for fresh ice cream from benjy's restaurant.**

o Kim O'Reilly Resigning as Vice President

Kim O'Reilly has resigned as vice president due to the press of other commitments, and Richard asked for **names of anyone interested and willing to fill Kim's vice president role through the end of the year.** (Nominations for 2005 officers will open in November, with elections at the February meeting.)

o Property Owners Association

Richard introduced **Reid Wilson and Peggy Felder** whom the **Civic Club has hired to develop and propose the optimal approach to allowing Southgate to change our deed restrictions.** Reid emphasized the history his law firm has had in focusing on helping older established neighborhoods, for example in the Heights and in the Rice/Med Center area. He usually recommends setting up a Property Owners Association, or POA, in which the POA becomes a governing body for the whole neighborhood, and every property owner has a vote. **He is recommending Southgate establish a POA.**

Membership in the POA is mandatory, that is, all property owners pay dues to support the organization. **Why mandatory? Why not voluntary?** It's an issue of fairness. Everyone has a say in the outcome. Everyone stands to benefit from what the organization does, and those who don't "pay the freight" obtain the same benefits as those who do.

If someone doesn't or doesn't wish to or cannot (e.g. a senior citizen hardship situation) pay annual dues, those dues can be deferred, with interest. The property owner is expected to file a request for deferral. For a Southgate POA. **The only legal fees that**

would be assessed on deferred dues would be if the property owner refuses to pay and also refuses to sign the deferral form, the Southgate POA would file documentation every four years in Small Claims Court. No other legal fees would be added to deferred dues and interest.

Dues would ultimately be collected by the POA at the time the property changes ownership.

An owner of a multi-family dwelling, such as a duplex, fourplex, eightplex, **would pay dues for that property and would receive one vote.** If an owner owns several properties (dwellings), she or he could well receive one vote and pay one set of dues for each of those properties, depending on whether the State defines contiguous properties as one property.

Why can't we change deed restrictions within the current Civic Club structure? State Statute 201, Chapter 11, does provide for filing a petition to change deed restrictions within our current structure. **75% of property owners must vote to accept the changes. Anyone who opposes those restrictions can choose to opt out,** so the deed restrictions will not necessarily apply universally through the neighborhood. There are **significant procedural requirements** for this process -- for example, the petition, opt out letters, votes, and other formal documentation must be transmitted via certified mail.

What is the provision for electing a Board of Directors? Reid recommended that members covering **all significant facets of the neighborhood be included** -- for example, representatives from all four sections, representatives from the periphery and the interior, representatives of multiple-family dwellings and single-family dwellings, and so forth.

Although Richard and other members of the current Board have emphasized they do not want the authoritarian power of the typical Home Owners Association that has gained notoriety for establishing liens and foreclosures on homes, imposing onerous dues, and other practices, how can that be prevented in the future? **By-laws will establish who, how many, and the range and limits of powers of the Board members, including the president.** By-laws for a Southgate POA have not been drafted. The ultimate by-laws should be crafted in such a way as to prevent behavior the neighborhood residents do not wish to see now or in the future. For example, **specific language can be written that prevents liens and foreclosures.** Further, the Board will not be empowered to change deed restrictions, only members can do that through a majority vote.

Richard encouraged anyone with ideas or issues about deed restrictions, by-laws, or the POA should feel free to communicate them through the

neighborhood e-mail system.

What new restrictions for new and remodeled houses would we want to incorporate into deed restrictions? Skip Christy, who is head of the Architectural Review Committee stated that currently the neighborhood only has requirements for side and back setbacks (which vary among the sections) and a requirement for 50% brick or stucco (and, by inference, other fire-resistant materials). He also comments on the roof overhang if it appears that water runoff would impact adjacent owners, recommending that the builder install drainage to avoid that impact. He sometimes suggests to designers/builders/owners some "style concerns", such as how a proposed design and materials might fit or not with the neighborhood, but there is no coercion or enforcement with these.

The issue that brought to the fore the concept of wanting to effect deed restriction change is that of **establishing a minimum lot size** to prevent breaking up small and medium-size lots into two or three smaller lots. **Making the side setbacks uniform** through all the sections is one idea that has been discussed a lot. Another is **limiting height**. Another is **changing the materials designation**. Some residents stated that one of the interesting aspects of Southgate was that there was not the uniformity one sees in certain other neighborhoods and hope **restrictions would not impose color, architectural style, and similar factors**.

What is the time frame for developing the paperwork and voting on this? The neighborhood would have **a year** from the time of filing a formal petition to set up the POA in which to obtain the required **60% approval of the property owners in each section**. (If any one section does not achieve the 60% approval, that section does not become part of the POA!) If an owner approves and later moves out of the neighborhood, her/his vote will no longer count; the new owner's vote must be formally obtained. Further, if someone votes in favor of the POA and later changes her mind, she can do so -- until the document is formally filed.

Richard stated he would like to initiate the process late summer/early fall.

Rice University owns several properties. What is their interest and role? Rice owns some 8 lots in the Annex and other properties. Richard has alerted Greg Marshall (Rice's community relations manager), and **Rice's legal folks are developing a recommended position**. As owners, Rice will certainly have both an interest and a few votes.

o New Neighborhood Directory

A new directory of neighborhood residents is being put together. **Anyone who wants/ is willing to have your telephone number and e-mail address included in the directory will need to sign** to that effect so that we have your permission to do so.

Southgate Neighbors E-Mail Group

To join 200 other residents as a member of this neighborhood e-mail group, you will need to set up a personal Yahoo profile (unless you already have one), which will allow you access to archives of past messages and to other links and information.

Set your personal profile at

http://groups.yahoo.com/group/southgate_neighbors/

When setting up your profile, specify your regular e-mail address for communications with the group. All membership requests are screened to prevent spammers & persons not part of the neighborhood from joining the group, so you may receive a request for your street address to confirm your Southgate residency. Once you've signed up, you can post and receive messages about crimes; developments at Rice, the Medical Center, and the City; request recommendations for painters and carpenters; inquire about opossums and other neighborhood wildlife; notify neighbors of a lost dog or cat; share opinions on **neighborhood** issues.

Southgate Web Site

<http://www.houstonsouthgate.org>

We still need volunteers to prepare a neighborhood history and to oversee ongoing maintenance of the site.

Roberts Corner

Roberts Elementary has proven its capabilities in **both sciences and the liberal arts**. For the third consecutive year, Roberts students won the HISD "Name That Book" competition on May 7. Team members were asked to identify books from a quotation or short clue. A day later, Roberts students were awarded 7 1st places, 5 2nd places, and a Best-in-Show award at HISD's Central Science Fair.

Congratulations to Our Neighborhood School!

We Extend Our Condolences to:

Paul Steinkuller (new McClendon resident) and family on the June 15 death of his wife **Dr. Joan Steinkuller**.

Lee Levit (University Blvd.) and family on the death of her husband **Milton Harris Levit**.

Cindy Roesel (Dryden) and family on the June 2 death of her husband **Dr. James F. Roesel**.

The family of **Elizabeth Martin** (Shakespeare) on Ms. Martin's death just last week.

Welcome To Our New Southgate Residents:

Addison: **Bradley and Domingue Paye, and Gavin**
Dryden: **Martin Hughes and Nadia Hijazi, and Fintan**
Mark and Veronica DeNicola
Goldsmith: **Krista Heidersbach, and Sasha**
Samy and Molly Khalil
Jeannette Kunz and George Halder
MacArthur: **Christian and Tanja Rosenmund**
Morgan and Kimberly Brown
McClendon: **Michael and Christine Lindsey**
Paul Steinkuller, and Fozia
Southgate: **John and Monique Boom**
Mark and Michelle McIntyre (from Swift)
Swift: **Linda Wilson and Susanne Bledsoe, and Thomas and Bess**

Please notify Bea King, 713-521-9390, if you are aware of new neighbors moving into Southgate. Bea has welcome packets containing lots of information about Southgate and Houston.

And Congratulations to:

Southgate Blvd. residents **Soud and Tom Kent**, who welcomed their new son, **Davis**, in July.

Addison resident **Ronda Wendler**, managing editor of *Texas Medical Center News*, who received five awards in the Public Relations Society of America's Excalibur Awards competition. Her award-winning stories have highlighted actors who help educate medical students by pretending to be ill, the critical emergency room situation in Texas, how stem cells are used to repair damaged hearts, and last fall's local flu epidemic in Houston.

Calendar:

Future Civic Club Meetings: November 16

Future Executive Committee Meetings: November 2

Note: Executive Committee meetings are open to residents. Please call for time and location.

Feel free to contact any of your Civic Club officers with neighborhood information or with your interests and concerns about your neighborhood and Civic Club.

President	Richard Merrill	713-961-0408 (office #)	2003 Swift
1st Vice President	Beatrice King	713-521-3171	2057 Southgate
2nd Vice President	Kim O'Reilly	713-523-1433	1936 Swift
3rd Vice President	Stan Druck	713-942-2347	2018 Southgate
Treasurer	John Pastore	713-218-9536	2244 Shakespeare
Secretary	Thomas Perry	713-660-9488	2130 Southgate
Architectural Review	Skip Christy	713-529-5844	2030 Southgate
RACS Representative	Todd Dittman	713-308-4568	2102 McClendon

Also, you can send an e-mail note to "SgateCivClub@aol.com" or to the Editor at "tomperry56@aol.com."

If you have **any suggestions about or information to be included in future newsletters**, let me know!

Thomas Perry, Editor