



# SOUTHWYCK

COMMUNITY ASSOCIATION  
OFFICIAL COMMUNITY NEWSLETTER – Q1-2022

## **NEW BOARD OF DIRECTORS**

### **2022**

President, John Fisher (2025)

V. President Rick Nelson (2023)

Secretary, Vanessa Williams (2024)

Treasurer, Sangeeta Bakshi (2024)

Director, Helen Bilyeu (2023)

**Board meetings are the 1<sup>st</sup> Thursday of the month.**

**Check our website for Zoom information.**

**[www.SouthwyckTexas.com](http://www.SouthwyckTexas.com)**

### **Community Management Solutions, Inc. (CMSI)**

2615 Bay Area Blvd.  
Houston, Texas 77058

Property Manager: Kathy Dooley  
Phone: 281-480-2563  
Fax: 281-480-2608  
Email: [Kathy@CMSIsolutions.com](mailto:Kathy@CMSIsolutions.com)

## **Update on Legal Action with Section IV**

From our lawyers at The Nichols Firm PLLC

### Statement on Litigation with Section IV

Southwyck Community Association (SCA) is pleased to announce that, on November 4, 2021, the judge of the 239<sup>th</sup> District Court of Brazoria County determined that there was no evidence to support any of Sec. IV's claims of wrongdoing against SCA as outlined in the most recent and second lawsuit filed in September of 2019.

As background, Southwyck Section IV Homeowners' Association, Inc. (Sec. IV) and SCA litigated their respective rights and obligations under the Southwyck governing documents in a case decided in the 412<sup>th</sup> District Court of Brazoria County on November 20, 2015. The Houston Court of Appeals ruled that the trial court's decision was correct on October 19, 2017.

Then, on September 5, 2019, Sec. IV filed a second lawsuit against SCA, claiming accounting irregularities in the collection and processing of assessments by the master association going back to the year 2014. In the lawsuit, Sec. IV claimed the master association was wrongly collecting assessments, wrongly calculating its share of the assessments, and tendering the wrong residual amount to the village association. Sec. IV also claimed that SCA violated the Declaration and failed to accurately maintain and produce financial records related to its obligations under the Declaration and

various state statutes including the Texas Trust Code, the Texas Business Organization Code, and the Texas Property Code. In the lawsuit, Sec. IV also asked the court to strip SCA of its exclusive authority under the Declaration to levy, collect, and disburse assessments in the Southwyck development.

After this case was filed and in response to requests from Sec. IV's attorneys, SCA produced its financial records related to collecting assessments including i) audit reports verifying that all money collected by SCA was accounted for; and ii) monthly cash balance sheets and income/expense statements from the years 2014-2021 that were already published on SCA's website. After giving Sec. IV the opportunity for two years to build its case, and after thousands of dollars in legal defense costs, SCA's attorneys eventually filed a no-evidence motion for summary judgment against Sec. IV.

The no-evidence motion for summary judgment required Sec. IV to file sufficient evidence with the court to prove that SCA committed the wrongful acts as stated in its lawsuit or its lawsuit would be dismissed. Even after having two years to do so, Sec. IV was unable to submit any credible evidence to prove to the court that SCA or its board committed any wrongdoing. Since the court found there was no evidence that SCA or its board committed any of the wrongful acts claimed in the lawsuit, the court dismissed Sec. IV's entire lawsuit against SCA.

SCA is pleased with the court's decision and pleased to close the door on this two-year distraction and waste of financial resources. Sec. IV will have the right to appeal the judge's decision dismissing its lawsuit. However, SCA's attorneys believe that the judge made the right decision, and

in their opinion, an appeal would be unsuccessful and just be a further waste of Sec. IV homeowners' money.

## Annual Meeting Results

Thanks to all those who took the time to attend our annual meeting and find out what the association is up to and what improvements we are working on. At our January annual meeting, Sangeeta Bakshi and Vanessa Williams were re-elected to the Southwyck CAI board for a 3-year term. The annual meeting presentation is available at our website, <http://www.southwycktexas.com/records-minutes-publications.html>. Scroll down to Annual Presentations and click on 2021.

At February's board meeting, we will be selecting officer positions.



## Southwyck CAI Landscape Updates

After last year's freeze, Southwyck CAI worked with a landscape company to replace and update some of our entrance beds. We have worked with some Southwyck homeowners to develop the updates, so expect to see changes besides our spring mulching, color change, and lawn crew starting up again after winter. We would also like to thank the homeowners who took time out from their schedules to walk each entrance and helped plan the updates and replacements.

# Stella Roberts Recycling Center

5800 Magnolia Pkwy – 281-489-2795 - <https://PearlandRecycles.com/>

As a reminder, as of September 1, 2021, the center is open **by appointment only** Tuesday-Friday from 9 am – 4 pm, and Saturday from 9 am – 1 pm. Visit their website to book your appointment, <https://PearlandRecycles.com/>.

Perhaps you did not know, but for some hazardous waste items, the recycle center assesses a fee while at others, the center will responsibly destroy them for you. This diverts the material from landfills, which protects the environment by ensuring that chemical and other potentially harmful emissions are captured. Recycling differs from hazardous waste disposal, which has been a fairly complex concept to illustrate for public consumption. For the majority of recycling, no fees are charged.

- ❖ Materials should be pre-sorted before dropping off at the center, into the categories shown below in green, and put inside a container/receptacle that is easily opened so that the contents can be visually inspected without having to first remove from the container/receptacle. This is to help reduce contamination, as well as to protect the attendants from materials that may be harmful such as sharp items, broken glass, or biohazardous materials.
- ❖ Materials should be cleaned to help reduce recycling contamination. Empty and rinse your containers if at all possible. No food scraps, residues, or liquids should be on or in plastic or paper receptacles before bringing to the facility, and glass containers should be rinsed.
- ❖ Do not bag recyclables. Please put them in a tote or cardboard box.
- ❖ Do not dump your recycling outside the center. It is considered illegal dumping. The center does have cameras that monitor the center 24 hrs/7 days.

## General Recycling:

- Paper
- Plastics #1-5 & 7 (Cleaned and free of contaminants)
- Cardboard (Pre-flattened and dry)
- Clear Glass
- Colored Glass
- Aluminum Cans
- Tin, Steel, & Other Scrap Metals
- Heavy metals like mercury are considered hazardous materials and may incur a fee. Please call the center before bringing heavy metals to the center.

## Hazardous Waste:

Please note that some items may incur a charge depending on your location. Please call ahead before booking your appointment if your material is not listed or if you have questions - (281) 489-2795.

No cost for any individuals to drop off the following hazardous household waste material:

- Antifreeze
- Batteries (All Sizes and Types)
- Cooking Oils & Fats
- Electronics (Radios, Computers, Cell Phones, etc.) – excluding televisions
- Neon and Fluorescent Lightbulbs

### Automotive Fluids:

Fee- \$5.00 up to 10 gals

- Gasoline, Oil & Diesel, brake fluid

**\*No charge for Brazoria County, City of Brookside Village, or City of Manvel residents with proof of residency.**

Hazardous household waste Fee \$1.50/lb for all individuals.

- Brake Fluid
- Household Chemicals and Cleaners
- Paints & Stains-Max of 50 Cans(1-5 gal combine)
- General Chemicals and Adhesives
- Lawn and Pool Chemicals (Fertilizer, pesticide, herbicide, chlorine, etc.)
- **\*No charge for City of Brookside Village, City of Manvel, and Brazoria County Residents (Does NOT include City of Pearland Residents) with proof of residency. There is no charge for antifreeze disposal.**

### Televisions:

CRT Tube & Rear Projection TV- \$15.00 per unit

LED, Plasma, & Flat Panel TV- \$5.00 per unit

**\*No charge for City of Manvel or City of Brookside Village residents with proof of residency.**

### Paper Shredding:

Household/Personal Shredding - \$5.00 Flat Fee (Up to 4 boxes)

Business/Contractor Shredding - \$0.50 per lb

Foreign Objects Removal - \$0.79 per item OR \$20, whichever is less (So make sure the foreign objects are removed before you have your documents shredded unless you want to pay someone to remove them)  
Includes: batteries, binders, craft works, credit cards or ID cards, envelopes with plastic windows, glossy or plastic folders, laminated paper, magazines, mail, newspapers, paper clips or binder clips, paper towels or tissues, photographs or x-rays, rubber bands, spiral notebooks, thermal paper receipts (gas station or fast food receipts).

## Textile Recycling:

NEW - Beginning Friday, January 14, 2022, on-call textile recycling will be provided by Green City Recycler. Drop-off located at the Stella Roberts Recycle Center. The previous 'orange bags' are no longer offered or picked up. The center is negotiating with a new vendor for doorstep collection, and they are hoping to bring back doorstep collection in March 2022.



## Pearland Animal Services and Adoption Center

<https://www.pearlandtx.gov/departments/police/divisions/animal-services-2422>

2002 Old Alvin Road – 281-652-1970

Services provided to the community include:

- Educate and promote the benefits of spaying/neutering pets
- Hold impounded animals that are stray, abandoned, or quarantined
- Provide support to residents and their pets during times of disaster
- Offer pet adoption services to local pets
- Microchipping to protect pets and ensure they always find their way back home



## Looking for Volunteers

Southwyck CAI is looking for volunteers to help with the newsletter. If you have time to help with ideas and writing

articles for our quarterly newsletter, please contact us at [directors@southwycktexas.com](mailto:directors@southwycktexas.com).

From time to time, Southwyck CAI also needs some homeowner input. Would you have some time to be able to help and be considered when we need assistance? We have projects going on all the time. Being able to call upon a group of volunteers to get their input from is priceless to the association, and we do not always have a lot of time to locate volunteers. If you are interested in helping your community, contact us at [directors@southwycktexas.com](mailto:directors@southwycktexas.com) and let us know if you are interested in helping with the newsletter or being a part of the homeowner's input.

# City of Pearland Garage Sale

The application for a garage sale within the City of Pearland can be found at

<https://www.pearlandtx.gov/residents/get-connected/garage-sales>. Click on the Permit Application link at the bottom of the page.

**Cancellation** - If a garage sale is canceled for any reason, the City must receive written notice of said cancellation prior to the beginning of the “Event.” Failure to properly notify the City shall constitute an “Event” pursuant to City of Pearland Ordinance No. 842.

**Refunds** – No refunds will be made for any reason.

**Procedures** – Each residence shall be allowed (2) garage sales per calendar year & not more than (1) per quarter. Each event shall be for a duration not to exceed (3) consecutive days. Garage sale permit application must be received no later than (3) days prior to the garage sale event. Each residence shall be allowed (3) signs per garage sale event. Signs will be provided by the City of Pearland during the application process, and only such signs may be used to advertise the garage sale. No more than 3

families per event. Each participant in a community-wide garage sale is required to have an individual permit.

**Sign Display** – All signs shall be displayed in an appropriate manner. No signage shall be allowed in the City rights-of-way, attached to utility poles, trees, public buildings, or any street/traffic control signs. Signs shall be displayed no earlier than 5 a.m. on the first day of the event and must be removed by 8 p.m. on the final day of the event. Signs shall not be altered in any way.

**Permit Fee** \$20



REMINDER



Be a good neighbor and human and pick up after your dog when out walking it.

## SOUTHWYCK SECTION 4

### FENCE REPAIRS

In the coming months, Southwyck CAI will be working on repairing the Southfield Village brick and wood fencing on Cullen, Magnolia, and Morgan. Perimeter fence homeowners in Southfield Village will be notified by CMSI when work is to begin and instructed on how to prepare their property for the work to be done.



REMINDER

We have an ‘Assessment – Dues information’ page where you can learn when dues are, our collection policy, how to pay your assessments online through the C-PropertyPay site, and what you will need to make your payment.





## REMINDER

Do not fall for text scams asking for your passwords or Social Security number. Reputable businesses and government agencies do not ask for these in a text message.



## Connect2Pearland App

<https://www.pearlandtx.gov/residents/get-connected/connect2pearland-app>

<https://www.youtube.com/watch?v=fuyuf12IJ4> – Video from the City of Pearland about the app.

Have you used the Connect2Pearland App to report issues within the City of Pearland like water leaks on the city side, potholes on city streets, downed stopped street signs, traffic signal issues, and more? It is an easy app to use and free, and by reporting incidents within the city, you help get the

incident resolved quicker than by assuming someone else is taking care of it. The app is available on Android and IOS for Apple AND if you do not have a Smartphone, you can also report the issue online

<https://www.pearlandtx.gov/residents/resources/submit-a-request>. Anyone can help report issues and get problems solved quickly. The app also lets you:

- view interactive GIS maps – click on the icon that looks like a stack of paper to turn off and on the different layer data; the four squares lets you select historical aerial images; the rules lets you measure distances

- pay your water bill online (username and password required and your account needed to create login information which is found on one of your bills)

- read City news like ‘Prepare for Winter Weather’ or monthly happenings. You can be a part of the solution by downloading the app and creating a ticket for the issue you see yourself and help get issues resolved quicker. You can attach a picture,

enter is a description of the details on the subject, and provide a location from a map to help the city locate the problem quickly. You will receive a follow-up email letting you know the city has received the information on the situation, and I have even received a phone call asking for more information or letting me know an issue has been repaired. We hope you will take the time to become familiar with the app and use it for city issues in our area.

- Launch the app.
- Click on the **Request** icon with the tools on it.
- Select **Create a Request**. The Service Request window appears.
- Click on **Select a Report Type**. You are shown a list of options. Select the item that most represents your issue.
- Click on the maps to locate the approximate location of the issue by zooming and scrolling to the area, then using your finger, touch the spot on the map, and then click **Done** at the top on the right-hand side.
- Under the **Tell us more detail**, give specifics to help workers know where and what the

situation is, and then click **Done** at the top on the right-hand side.

- Next, you can add a photo showing the problem. The picture can be taken now or selected from your photos library. Multiple images can be added. The old adage, a picture is worth a thousand words, really is true.
- Click on the green **SUBMIT** button.

It is that simple to report issues, and it can be done at any time, night or day, rain or shine. Help our community, within the city limits, by using the app when you see an issue that needs to be taken care of. Please don't assume someone else is going to take care of it.



animals commonly mistake balloons for food, which can harm or even kill them. In addition, many animals can become entangled in balloon strings, which can strangle them or hurt their feet and hands. Besides harming animals, these releases pollute our environment. They land as litter on beaches, rivers, lakes, oceans, forests, and other natural areas. The National Oceanic and Atmospheric Administration identifies balloons as a commonly reported source of marine debris.

## Balloon and Sky Lanterns Releases Are Not Ecologically Friendly

Balloons are great at birthdays, weddings, graduations, and more, but once they are released, balloons do not just disappear. They can pose a threat to many animals. Birds, turtles, and other



Alternative ways to celebrate without releasing balloons:

- Plant a tree in memory of a loved one. This will grow and become a source of shelter for birds, and it will be one more tree that can remove carbon from the air around it. Just remember to check that the tree is indigenous to the country you plant it in.
- Throw a seed bomb. Wildflower seed bombs are also a great way to create beauty without pollution. Once again, use wildflowers that are indigenous to your area. It is as simple as rolling the seeds in

air-dry clay and letting it dry. The clay balls will disintegrate in the next rain, and the seeds will begin to germinate.

- If you want something more sturdy, you can donate a bench or birdbath; you can build a birdhouse or paint rocks and leave them in places that mean something.
- Blow bubbles.
- Float your loved one's favorite flowers or petals down a stream.

## Southwyck CAI Assessments – A MUST READ

Our assessments are due at the same time every year, twice a year. The 1<sup>st</sup> half of homeowner assessments are due July 1 and are late if received after July 31. The 2<sup>nd</sup> half is due January 1 and is late after January 31. If you do not receive your assessment, please make sure you contact our property manager, Kathy Dooley, at 281-480-2563 to get your payment information. We also have assessment information available at our website, [www.SouthwyckTexas.com](http://www.SouthwyckTexas.com), on the Assessment – Dues Information page. It is suggested that you keep your account information stored somewhere in case you need it in the future. You will need to know the Management ID, Association ID and

Property/Account Number which is available on your assessment statement or by contacting Kathy Dooley. Collection costs will be assessed for all payments not received by February 1 or August 1, depending on which half of the assessments are due. We are not responsible for mailing delays or failures. If you have signed up for eblasts, you will be sent a friendly reminder before assessments are due. We also post this notice on the Southwyck Community Association, Inc. Facebook page.

**If you feel like you are struggling to pay your assessments, we can offer you a payment plan. Contact Kathy Dooley, and she will work with you to find a solution. The worse thing you can do is ignore or do not respond to late notice. It will cost you MUCH more if we have to make numerous attempts to collect your assessments.**