



March 2019

Volume 41 Issue 3

Garden Oaks Gazette

The newsletter of the Garden Oaks Civic Club

Have You Voted Yet?

Victor Seghers, GOMO President

The GOMO Bankruptcy Plan has been mailed and homeowners should have received it in mid-February. If you are a homeowner in Garden Oaks Section 1, 2, 3, or 5 and believe you should have received the bankruptcy package but did not, please contact the office of Johnnie Patterson, GOMO Bankruptcy attorney (phone 713-956-5577; email jjp@walkerandpatterson.com; mail P.O. Box 61301 Houston, TX, 77208). GOMO believes this plan addresses the majority of the problems that have negatively affected our neighborhood, but the final decision to approve the plan is up to you, the homeowner. **The Deadline to vote is April 1, 2019.** *I encourage you to read the mailed bankruptcy plan and cast your vote. The direction forward is now for individual homeowners to decide.*

While the content of the plan is important, the process used to create it should also be considered when contemplating your options. On April 11, 2018, GOMO filed for bankruptcy. The original rationale for entering bankruptcy was to address the outcome of the Section 3 litigation that ruled GOMO was improperly formed pertaining to a single homeowner. While only binding on the single homeowner, GOMO recognized the potential for future litigation by other homeowners, and bankruptcy was viewed as a vehicle to address potential creditor concerns.

During the April town hall meeting announcing the bankruptcy, a public appeal was made for neighbors to meet and discuss ways to move the neighborhood forward in parallel with the GOMO Bankruptcy process. This was a diverse group with participants identifying as either pro-change or pro-GOMO, but the group was unified by a communal desire to create a better future for the neighborhood. Self-titled GO Reform, this group met throughout the summer of 2018 and eventually designed a survey to solicit input from the neighborhood. (Survey results and April 2018 presentation are available on gardenoaks.org) When the GOMO Bankruptcy attorney advised the HOA formation issue could possibly be addressed via the bankruptcy process pending an affirmative vote of the GOMO members, the input from the neighborhood via the survey proved to be both timely and critical. Thank you to all who submitted a response. The survey results were eventually submitted to the bankruptcy court to inform the judge as insight into the neighborhood's desires and formed the core of the eventual bankruptcy plan.

At a hearing in October 2018, the bankruptcy judge strongly suggested the scope of the GOMO Bankruptcy Plan be expanded to include updated Deed

Garden Oaks Civic Club Meeting

Tuesday, March 5, 7 pm
Garden Oaks Montessori
901 Sue Barnett

Topic: Estate Planning -
Tonya Knauth

Upcoming Civic Club Meetings and Topics

April 2, 2019: Doug Waldrep
- Bike Houston

May 7, 2019: Lauren Simpson - St Julian's Crossing Wildlife Habitat

Deadline for Objections to the Creditor Committee Disclosure

Monday, Mar 25, 2019

End of Voting Period on GOMO Plan

Monday, Apr 1, 2019

Sidewalks. Sidewalks???

Joe Muscara, Gazette Editor

One of the draws of Garden Oaks is its rural, park-like design. Yes, I said design. Unlike other parts of Houston, Garden Oaks was designed to have narrow streets, wide easements, and open swales. Look down most streets in our neighborhood and take in the view. I think it's a really great look, the houses are set back, there's a narrow road, and there's all that green on either side. In quite a few spots, the road curves away like it would in the woods. You don't get anything like that in other neighborhoods.

As a person who frequently runs and walks in the neighborhood, I understand why some want sidewalks. Near and going to Garden Oaks Montessori Magnet is a great example of where a sidewalk can be justified. But what I can't understand is why some seem to want sidewalks everywhere. It would seem to me that if you were attracted to Garden Oaks, you were attracted to what we have without sidewalks such as the view I mentioned above.

That being said, I'm not crazy about Houston's "Sidewalks to Nowhere" program. The City has been terrible about consistently enforcing new sidewalks. For example, there has been a lot of new construction on Wakefield, and some of the developers have been allowed to build their developments without sidewalks and others have put them in. Spots that have no sidewalk in front of new developments will never get one unless the City puts one in, and in the meantime there are large gaps. I don't think most of the new sidewalks even line up. Another example is at Sue Barnett east of Alba, where they ended the sidewalk in the middle of the yards short of Alba. They didn't connect the sidewalk to anything, not even the street they paralleled. They are far enough off the street that it's not an easy step from the sidewalk, and they ended the sidewalk much further from Alba than the original one. Why did they even bother to go past the last driveway?

Let's talk about sidewalks in Garden Oaks where it's appropriate but let's keep in mind what's appealing about this neighborhood while we do so.

Civic Club Officers

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742 W. 41st vicepresident@gardenoaks.org

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1026 Althea secretary@gardenoaks.org

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827 Lamonte beautification@gardenoaks.org

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Constable Program – Terry Jeanes 281 236 8033
922 West 41st constable@gardenoaks.org

Home & Garden Tour – vacant
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Publication of any article or letter does not imply endorsement by the Garden Oaks Civic Club and is solely the opinion of the author.

President's Message

Joe Casarez, Civic Club President

Greetings neighbors! I hope that everyone is enjoying this mild winter. You have to love Texas where in a few days you can go from having the heater on to switching to the A/C and back and sometimes even in the same day!

I invite everyone to join us at our monthly Garden Oaks Civic Club meetings to meet your fellow neighbors and find out what is happening in our community. Every month we have a guest speaker and we try to keep the topics both timely and interesting. Last month our guest speaker, Trey Holm, spoke on the topic of identity theft. He had many good suggestions to keep personal information from being compromised.

We plan to announce the guest speakers at three month increments to keep the neighborhood better updated and hope that you will attend. If there is a topic you feel the neighborhood would be interested in hearing about, please let us know and we will see what we can do. Below is a list of our next three speakers.

March 5, 2019: Tonya Knauth – Estate Planning. Are your ducks in a row? Do you have questions about estate planning, wills, trusts, or guardianship? Tonya Knauth, community member, Civic Club VP, and estate planning/probate attorney, will discuss these topics. She will provide information about how to best prepare for possible incapacity and death and answer general questions. The presentation will be broad and applicable to everyone — younger, older, married, single, with kids or without. Tonya's objective is to provide information and dispel misinformation, giving her audience greater knowledge about these topics.

April 2, 2019: Doug Waldrep – Bike Houston

May 7, 2019: Lauren Simpson – St Julian's Crossing Wildlife Habitat

We look forward to seeing you at the next meeting. Our meetings are normally held on the first Tuesday of each month at 7 pm in the cafeteria at the Garden Oaks Montessori Magnet school. Meetings last about an hour and we always have free pizza, generously provided by Brother's Pizzeria.

It is not the job of the *Gazette* staff to fact check submissions that are published. Any article, column, letter, or advertisement is solely the responsibility of the writer, author, organization, or advertiser. It is the responsibility of you, the reader, to verify what is stated in the submission particularly if you decide to act upon it. *Caveat emptor!*



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Citizen Patrol

Mark Saranie, Program Chair

The program is in serious need of more volunteers. Since this is a volunteer position, the amount of time you spend patrolling in a month is your choice. In general it takes about one hour to patrol the entire neighborhood. Ideally 30 hours a month is a minimum team goal that I would like to reach.

If you are interested in joining, please visit the Garden Oaks web site and find the two applications at G.O.C.P. under the Security menu. Fill out and send both applications to me at gocop@gardenoaks.org. I will send them to the HPD coordinator and once everything goes through, you will be notified of your certification class options. In the event you have any inquiries about joining the Citizen Patrol Program or other community safety issue, I can be reached at the email address above, or call and leave a message at 713-724-1271.

January 2019 Crime Stats

Jan 6th, 700 Block of W. 38th—breaking and entering

Jan 11th, 4200 block of Apollo—breaking and entering

Jan 12th, 1000 block of w 41st—theft from a vehicle

Jan 15th, 3400 block of Alba—theft

3 alleged events from one property in the 200 block of w 34th, (Jan 14th, 16th, and 17th).

13 hours patrolled reported in January.

Constable Statistics January 2019

Data are provided monthly for the 2 contracts with the Harris County Precinct 1 Constable deputies who patrol Garden Oaks. The number of responses is shown for each category.

Accident Minor – 1	Suspicious Person/Vehicle – 16
Alarm Calls – 8	Theft Other – 2
Animal Humane – 1	Traffic Stops – 57
Check Park/ School/Neighborhood – 12	Vacation Watch – 8
Contract Check – 162	Warrant Served – 1
Criminal Mischief – 1	Welfare Check – 1
Follow Up – 1	Writ – 5
Information Call – 3	
Meet the Citizen – 203	
Property Found Lost – 3	
Solicitors – 4	
Stranded Vehicle – 1	
Suspicious Bomb/Item – 1	

GOCC Ad Hoc Section 1 Commercial Development Committee

Carrie Arnett, Co-Chair

There has been more activity around the commercial development in Section 1. As many homeowners in Section 1 are aware, there was a signature campaign over the last couple months to release the Garden Oaks Baptist Church's (GOBC) parking lot from the current religious-use-only designation and to replace that designation with a Declaration of Restrictions (these can be found on the GOCC+ page on the GardenOaks.org web site under the GOCC Ad Hoc Committee - November 7, 2018 Update item, Declaration of Restrictions).

For background, GOBC wants to sell its parking lot on the west side of Shepherd between Gabby's and Chase Bank to Gulf Coast Commercial Group for commercial development. For the sale to happen, those lots must be released from the Section 1 Deed Restrictions. Since about April 2018, the Section 1 Commercial Development Committee (the Committee or CDC) worked with an urban planner and consulted with an attorney about the parking lot. The Committee negotiated changes to the original Declaration of Restrictions proposed by GOBC and Gulf Coast. The Committee considered the final version of the Declaration of Restrictions to be palatable for the neighborhood, considering the unique circumstances and realistic inevitability of commercial development of the parking lot.

Gulf Coast has completed its signature campaign with the necessary signatures. They are working on plans for permitting, which should be completed within the next two months.

Final plans from the architect should be finished in late March or early April. The plans will need to follow the restrictions laid out in the Declarations of Restrictions, which include provisions concerning building height, lighting, noise, trash-receptacle placement, among others. Gulf Coast will share the plans when they are completed, and the plans will be reviewed by the Committee.

If permitting and plans go forward as scheduled, construction could begin in approximately three months.

Taking off my Committee hat, I would like to give a big shout out to anyone who actually called or talked to me about the situation, even when we agreed to disagree, and also to three people: Andrea, Elisa, and Mary Margaret, who all put in a lot of time, money, and consideration into this effort. We started out as neighbors, and I am happy to now call them friends.

As always, if you have questions or concerns, we'd like to hear them. You can reach out to Andrea Joseph, gosec1neighbors@gmail.com, or Carrie Arnett, 281-686-3272.



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Precinct One Constable Dispatch	713-755-7628
All Other City Services	311

GOMO Board of Directors

Section 1

Sheila Briones (2019)
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sheila.briones@gardenoaks.org

Joe Casarez (2020)
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Mark Saranie (2021)
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stuart.arouty@gardenoaks.org

Section 5

Vacant (2019)

Vacant (2020)

Kip Noser (2021)
281-846-5479
kip.noser@gardenoaks.org

Each director's term expires in October of year in parentheses.

GOMO Update, January 2019

Pam Parks, GOMO Office Manager

Plans were approved for:

- 818 W 31st
- 838 W 42nd

Revised plans were approved for:

- 1066 W 42nd

Pending (re) submission:

- none

Deed Restriction Enforcement Activity for January (Year to Date)

- New reported violations – 1(1)
- Resolved/cleared – 0(0)
- Unresolved/pending – 4 (N/A)
- Litigation in progress – 0 (N/A)

GOMO Bankruptcy Information posted at gardenoaks.org

Court rulings and information are posted on the gardenoaks.org website.

Contact:

The Garden Oaks Maintenance Organization
4001 N Shepherd Dr, Suite 216
Houston, TX 77018
713-561-3936
manager@gardenoaks.org

GOMO Review Meetings

take place at **6:30 p.m.** on the **first Tuesday** prior to Civic Club meetings and at **7:00 p.m.** on the **third Wednesday** of each month.

Meetings are open to anyone interested in attending.

Additional information about the **Garden Oaks Maintenance Organization (GOMO)** is available online at GardenOaks.org.

Property owners in Sections 1, 2, 3, and 5 are all members of GOMO.

Have You Voted Yet?—continued from front page

Restrictions, Bylaws, and a replacement of the expensive and divisive transfer fee with a more equitable annual mandatory fee. This presented a challenging opportunity. Challenging as the judge desired this work be completed over the next couple of months, but an opportunity as the judge was of the opinion that much of the neighborhood's difficulties stem from the outdated and, in some cases, obsolete 1930s era Deed Restrictions that often conflict with current U.S. Supreme Court and Texas State law. The judge noted that Garden Oaks had an opportunity to create positive change via the bankruptcy process.

The upcoming holiday season complicated the judge's short timetable to update the Garden Oaks Deed Restrictions (Sections 1, 2, 3, and 5) and Bylaws and necessitated a rapid onset of work, so a group comprised of GOMO Directors, Creditor Committee members, GO Reform, and those leading the Section 1 parking lot Deed Restriction issue were invited to participate. These groups were chosen based on prior willingness to represent our neighborhood in areas that impacted Deed Restrictions. While having a larger group of participants has appeal from a neighborhood buy-in perspective, the approximately twenty people invited was thought to be the maximum number of people that could be expected to work cohesively to deliberate, create and subsequently edit and re-edit (many times over) the required documents on schedule. Unfortunately the Creditors Committee declined to participate in this process.

To ensure the neighborhood would have the ability to comment and influence the updated Deed Restrictions and Bylaws prior to submission to the bankruptcy court, two December 2018 town hall meetings were held. An initial annual fee was presented based on the level of HOA services suggested by the GO Reform survey results. This fee amount was strongly opposed. At the subsequent town hall meeting, a lowered and sliding scale of fees for different levels of services was proposed. However, none of the fees garnered full acceptance by those in attendance, raising concern that even if accepted within the bankruptcy plan, it would ultimately be rejected by neighborhood.

It was on the basis of neighborhood feedback that we again revised our plan, further decreasing the annual fee to \$80 (\$6.67/month) and limiting the scope of HOA services to Deed Restriction enforcement via a professional management company. Concern was also raised by those in attendance regarding current homeowners over 65 years of age on fixed income, which is why our plan allows for application of a waiver for the annual fee for current residents who file an Over 65 Homestead Exemption with the Harris County Appraisal District. Thank you to those who attended the December town halls. Your input showed us where we were on the right track with our plan, where we had missed the mark and, most importantly, gave us an opportunity to revise.

There are many people in our neighborhood with knowledge of Deed Restrictions and the ramifications and pitfalls that come with revising and updating legal language. Their input and assistance during the past few months was much appreciated. At the December town halls, we announced that the latest edits of the Deed Restrictions and Bylaws (with redlines) would be regularly posted on www.gardenoaks.org to enable transparency and neighborhood review of the proposed changes. The neighborhood's collective input further improved the quality of the documents. Discussion with the Creditors Committee over the past few months has also been helpful to this process as it allowed both parties to discuss areas of agreement and concern. We have gained perspective from the Creditors Committee and have incorporated several of its suggestions into our bankruptcy plan. It is a disappointment that our two groups were ultimately unable to jointly support a common plan.

Again, I encourage you to read the mailed bankruptcy plan and cast your vote. The direction forward is now in your hands to decide. I am very proud of the process followed to create the submitted plan. Thoughtful deliberation, communication and transparency guided us, and we appreciate the efforts of the many people involved in seeking to improve the situation for the neighborhood as a whole. Hopefully, when the voting process is complete, the neighborhood will move forward in unity and begin to put the discord in the past.

Garden Oaks Civic Club Meeting Minutes

Helen Sestak, Secretary

February 5, 2019

Location: Garden Oaks Montessori Magnet (GOMM)

Tonya Knauth, GOCC Vice President, called the meeting to order at 7:05 pm.

Guest Speaker: Trey Holm, supervising attorney with the Harvey Relief Project and a member of Houston Volunteer Lawyers, gave a very informative presentation on identity theft. Identify theft occurs when someone's personal information is taken without permission.

Trey recommended several actions to protect your private information including:

- Reviewing your credit report three times annually. See annualcreditreport.com, a government-established site.
- Freezing your credit. Check Equifax, Experian and TransUnion. There is no charge to initiate a freeze or to unfreeze.
- Checking bank and credit accounts regularly and set up spending alerts.
- Using strong passwords on all accounts.
- Shredding everything.
- Securing sensitive documents. Never carry your social security card. Only carry credit cards you need.
- Securing your mail. Put outgoing mail in a collection box.
- Not giving out personal information over the phone. The IRS and the SSA do not call you on the phone.

An interesting Q&A session followed.

Business Meeting

GOMO Update: Vic Seghers said that GOMO's bankruptcy plan will be mailed to property owners in sections 1,2,3 and 5, and to those who paid a transfer fee. They should arrive in mid-February. Please vote and encourage your neighbors to vote as well. The

bankruptcy judge wants to know the neighborhood's will. This voting period will end April 1. An April 9 hearing is scheduled to review the results, where a plan can possibly be affirmed or other plans edited/reviewed. A Q&A session followed.

See gardenoaks.org for a list of creditors, summary statements, and deed restrictions. Check Vic's February *Gazette* article for more information.

A motion to approve last month's minutes was made and seconded. The minutes were approved.

Tonya recognized two visitors, Greg Meyers and Shelley Kennedy, candidates for Houston City Council, District C. She invited them to be available for questions after the meeting and to attend our September candidate forum.

Treasurer's Report: Teresa Coleman presented a hardcopy of her treasurer's report. Contributions and revenues from the Civic Club memberships, Beautification Committee, Garden Club and *Gazette* have started to come in, as anticipated. Those who contribute to the Constable Program monthly should check the draft amounts to ensure their annual contribution totals \$250. We plan to fund two constable patrols for 2019.

Committee Reports

Constable Patrol: Terry Jeanes reiterated that we will fund two 2019 constable patrols. Please make your annual contribution of \$250 toward this effort. An updated list of contributors can be found at gardenoaks.org. Terry hopes to post four thermometer-type signs around the neighborhood to show our progress in reaching the financial goal to fund the constable program. Are you a handyman or handywoman and willing to help construct these plywood-and-paint signs? Thermometers work to inform the neighborhood where we are in our fund-raising efforts. Contact Terry if you can help. (terry@terryjeanes.com).

Terry introduced our daytime patroller, Deputy Chris, who is from the area.

The front page call for volunteers in the last *Gazette* resulted in few replies. We need you to keep our neighborhood strong. Please consider donating time to any of our worthwhile causes, be it membership,

constable program, Citizen Patrol, *Gazette* delivery and/or beautification. Tonya Knauth will spearhead Civic club engagement issues going forward.

Beautification: Joan Harmon reported that some trees in the Art and Gazebo Parks have been pruned. Eric and Carly Thibodeaux were recognized with Yard of the Month.

Garden Oaks Website: Pam Parks was not present, but Teresa Coleman and Dian Austin reported that the site is updated frequently. Check the site for GOMO bankruptcy documents. Joe Muscara, who manages the email server, has worked to reduce the amount of spam.

Citizen Patrol: Mark Saranie was not present. Helen Sestak stated that January was a quiet month, with only four crime reports. Three of those four reports were from 34th street. Hardcopy applications for patrollers were available for interested parties.

Membership: Dian Austin reported that 201 civic club members and 212 constable supporters have signed up to date for 2019. A current list of supporters can be found at gardenoaks.org. Joan Harmon won the raffle prize, two tickets to Sherwood Forest Faire, generously donated by Brian O'Leary and George Appling.

Gazette: Thank you, Joe Muscara, for your excellent work publishing the monthly *Gazette*. March articles are due by Friday, February 15, 2019.

Garden Oaks Montessori Magnet School: The 2019 Pancake Breakfast, celebrating 25 years of Montessori education, was held February 2. Dr. Pollock reported that some 1600 plates of pancakes were served, raising about \$41,000, a new record!

The Spark Park rehab should be completed and the park reopened by April. Dr. Pollock is hopeful that the pond will be restored by that time also.

Government Affairs / GO CIP: Tonya Knauth said that she and Dr. Pollock met with the city engineer who is tasked with drawing the plans for the Sue Barnett public works project, slated to start in 2022. The engineer presented one drawing. Tonya and Dr Pollock asked for two additional drawings, with variations in sidewalk options (options may be available in a year).

The Golf project, slated to take two years, is underway.

Section 1 Commercial Development: No report.

New Business: Teresa Coleman reported that while trash and recycling collection have resumed, on her block both recyclables and trash were loaded into the same truck. Please call 311 to report trash and recycling issues, and let Ellen Cohen's office know as well.

The next GOCC meeting will be held on March 5, 7pm, at Garden Oaks Montessori Magnet School.

The meeting was adjourned at 8:17 pm.

Twenty-three attendees enjoyed great pizza, generously donated again by Brother's Pizzeria!

Harris County Master Gardener Spring Tomato, Pepper, Herb, Vegetable & Perennial Sale

March 9, 2019

Our March spring sale will feature tomatoes, peppers, herbs, and vegetables all well suited to our spring and summer growing season. We will also have landscape plants, perennials, and roses all proven to thrive in Houston's climate.

Our plant sales are special events. We pride ourselves in offering the best varieties of fruit trees and plants for our area at our plant sales. There will be 70 varieties of citrus, apples, peaches, pears, plums, avocados, berries, and figs. There will also be multi-graft apple, peach, and plum trees available. For a list of available plants, please go to our website (<https://hcmga.tamu.edu/plant-sales/>).

Location: Richard and Meg Weekley Park
19110 Logenbaugh, Cypress, TX 77433
Plant Sale 9 am – 12 pm

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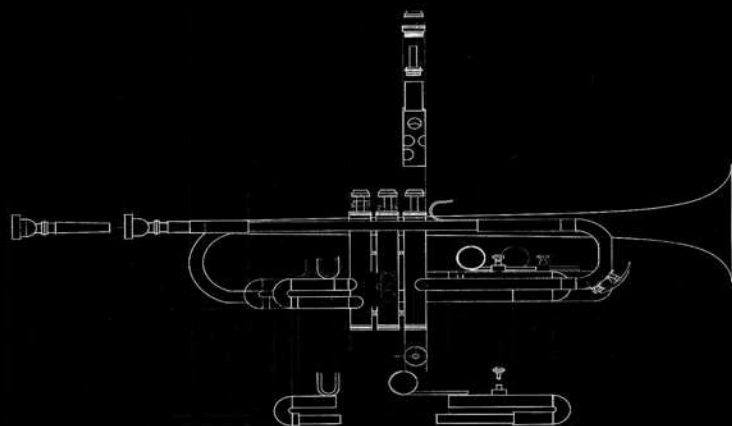
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Constable Patrol Dues Statement for 2019

[] New Member or [] Renewal

Property Address : _____

Do you want a GO Constable Supporter sign (must pay the \$250 minimum)? _____

Please provide contact information for program member(s) at this address:

Member 1 Information

Name: _____

Email: _____

Work Phone: _____

Cell Phone: _____

Member 2 Information

Name: _____

Email: _____

Work Phone: _____

Cell Phone: _____

Emergency Contact Information

Name: _____

Home Phone: _____

Work Phone: _____

Cell Phone: _____

Emergency Contact Information

Name: _____

Home Phone: _____

Work Phone: _____

Cell Phone: _____

Payment Options (Checks made payable to GOCC)

[] Enclosed is the minimum requested payment of \$250 for 2019.

[] I/We cannot contribute \$250 but are enclosing a check for \$ _____.

[] I/We will pay online (see below).

[] Please accept my additional gift of \$ _____ for the year to help a neighbor on fixed income.

Mail this form to

Garden Oaks Constable Program

PO Box 10273

Houston TX 77206

or pay online at

www.gardenoaks.org



2019 MEMBERSHIP DUES STATEMENT

January – December

Membership is open to all residents whether you own or rent. **While all memberships are voluntary, you must contribute at least at the Basic Level to be eligible to vote on civic club matters.** Membership dues are to be paid on or before **January 1st** for the year.

Fill in Amount:

\$ _____ Basic Membership **\$40** (\$20 for Seniors 65+)

\$ _____ Community Household Membership **\$100**

\$ _____ Business Membership (Non-Voting) **\$100**

\$ _____ Contribution to Beautification (all neighborhood green spaces)

\$ _____ Contribution to Garden Club (maintain Friendship Park, Section 1)

\$ _____ **TOTAL**

Please mail this completed form along with your check payable to:
Garden Oaks Civic Club, P.O. Box 10273, Houston, TX 77206

-OR-

Pay online at www.gardenoaks.org/membership;
upon completion, you will receive e-mail confirmation of payment.

Name: _____

Address: _____

Phone: _____

E-Mail: _____

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OFFICIAL COMMITTEE OF UNSECURED CREDITORS
OF GARDEN OAKS MAINTENANCE ORGANIZATION

January 31, 2019

Dear Creditors and Homeowners of Garden Oaks:

The Official Committee of Unsecured Creditors of Garden Oaks Maintenance Organization Inc. recommends that the creditors and homeowners of Garden Oaks reject the chapter 11 plan (the "Chapter 11 Plan") filed by Garden Oaks Maintenance Organization, Inc. (the "Debtor") for the following reasons:

1. **Insufficient Distributions to the Creditors.** The Debtor's Chapter 11 Plan provides \$50,000 in total distributions to the Debtor's pre-petition creditors even though the Debtor has more than \$700,000 in available cash. The Committee believes that by providing the creditors with only \$50,000, the Debtor's Chapter 11 Plan cannot be confirmed.
2. **Debtor's Proposed Amendments to Deed Restrictions and Bylaws Are Too Broad.** While the Committee believe that the Garden Oaks' deed restrictions and bylaws need to be modernized, the Debtor is proposing sweeping changes to the deed restrictions. Some of these changes are controversial and unnecessary to accomplish the objective of the bankruptcy case. The Committee believes that the amendments to the deed restrictions should be limited to the least controversial matters and those matters that are critical for a successful chapter 11 case. Specifically, the Committee supports amendment to the deed restrictions that provides for the following:
 - a. *Resolve Current Legal Dispute Surrounding Authority to Collect the Mandatory Transfer Fee.* The Committee supports an amendment to the deed restrictions to convert the current transfer fee to \$80.00 annual fee per lot.
 - b. *Permanently Remove Outdated and Unenforceable Racial Restrictions.* The Committee supports removing the outdated and illegal racial restriction in the deed restrictions.
 - c. *Lower Approval Threshold to Enact Changes.* The Committee supports altering the amendment provisions to reduce the threshold necessary to adopt amendments from approval by two-thirds (2/3) of all owners to a simple majority of all owners.

The Committee does not support the other changes proposed by the Debtor that include restrictions on running a business in the home, restrictions on garage apartments, new architectural restrictions, and the undocumented "grandfathering" and acceptance of any existing violations on the day the Debtor's Chapter 11 Plan takes effect.

Furthermore, the Committee does not support the changes proposed by the Debtor in the deed restrictions and the bylaws that are designed to give the Debtor's Board of Directors more discretion on how they enforce the deed restrictions. For example, the Debtor is proposing giving the Board authority to grant variances that will excuse someone from violating the deed restrictions. The Committee believes that giving the Board more discretion on enforcing the deed restrictions is unfair. The deed restrictions should be enforced equally, and no special treatment should be provided to any homeowner.

3. **Debtor's Chapter 11 Plan May Continue the Dispute Surrounding the Transfer Fee.** The Debtor filed its bankruptcy case because the Debtor received a negative state court ruling finding that the Debtor lacks the authority to require the payment of the transfer fee. The Debtor has taken the position that if the Chapter 11 Plan fails then the transfer fee will remain. The Debtor's Chapter 11 Plan does not address what will happen with the transfer fee if the homeowners do not approve the Debtor's proposed amended and restated deed restrictions. The Committee believes that any Chapter 11 Plan should make clear that the Debtor will no longer collect the transfer fee regardless of whether an amendment to the deed restrictions is adopted.

The Committee recommends that the creditors and homeowners of Garden Oaks reject to the Debtor's Chapter 11 Plan for the reasons stated herein.

Respectfully submitted,

*The Official Committee of Unsecured Creditors
of Garden Oaks Maintenance Organization*

Gazette Advertising Rates/Sizes/Submission Guidelines

Size	Single	Six Months	Twelve Months
2 1/4 W x 2 3/8 H	\$60.00	\$300.00	\$580.00
2 1/4 W x 4 1/4 H	\$90.00	\$450.00	\$870.00
Half Page 7 1/2 W X 4 1/2 H	\$110.00	\$550.00	\$1065.00
Full Page 7 1/2 W x 9 1/2 H	\$180.00	\$900.00	\$1745.00
Half Page Back Cover	\$150.00	\$750.00	
Full Page Back Cover	\$225.00	\$1125.00	
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1. Placement of ads is subject to the discretion of the editor.
2. Artwork must be e-mailed to gazetteads@gardenoaks.org by the 15th of each month for publication the following month.
3. Artwork may be submitted in one of the following formats: JPEG (.jpg), PDF (.pdf), GIF (.gif) or TIF (.tif).

Montessori Math

*Lindsey Pollock, Ed.D., Principal,
Garden Oaks Montessori*

Mastery of math skills is a required competency for students in Texas public schools, yet many students find the study of math drudgery. Instead, Montessori classrooms are filled with engaging math manipulatives that line the shelves and entice students to come and explore the mysteries of math.

In her book, *The Discovery of the Child*, Dr. Maria Montessori (an engineer and physician), described her math methods: "This system in which a child is constantly moving objects with his hands and actively exercising his senses, also takes into account a child's special aptitude for mathematics. When they leave the material, the children very easily reach the point where they wish to write out the operation. They thus carry out an abstract mental operation and acquire a kind of natural and spontaneous inclination for mental calculations."

Dr. Montessori recognized that mathematical awareness begins in children at a very early age. She also found that there were sensitive periods of development throughout the life span during which various skills were triggered through activity and practice in order to master knowledge and set new learning goals. In early childhood classes (Children's House), children ages birth to 6 years of age have Montessori's Practical Life and Sensorial activities to start on their math journey. These manipulatives provide students opportunities to explore the concepts of order, sequence, measurement, calculations, and exactness. The materials on the shelves are organized in progressive and sequential order from left to right and top shelf to bottom shelf. For example, children in early childhood classrooms estimate the number of drops necessary to fill a container with water as they use droppers or spoons to move liquids and substances into and out of containers. These seemingly simple activities help children gain independence and provide the foundations for higher level math skills. <https://www.youtube.com/watch?v=E2wWI-1L9xE>

Sensorial activities such as comparing textures, smells and properties help the child learn to discriminate

between similarities and differences. Students discover relationships, make scientific hypotheses, and draw conclusions as they construct and compare sensorial activities. These activities heighten the child's awareness of mathematical relationships found in the natural world. These nature-based activities provide the path to more concrete math materials in which children explore more abstract thought, beginning with quantity. Dr. Montessori discovered that a child who could count and recognize the symbols 1-9 could count in quantities of hundreds and thousands. Montessori also developed the "Golden Bead" material to give children the concrete exploration of the decimal system. <https://www.youtube.com/watch?v=9XhqWlyPiXY>

Moving from Children's House to Lower Elementary (1st – 3rd grades)

In the Montessori classroom, the teacher provides instruction for children over 3 years. Yes, teachers stay with a student for three years and have three grade levels in the same room. Students hear the story of the fifth Great Lesson, "The History of Mathematics", and are inspired to learn about their own number system and uncover the mysteries as did those who came before.

Dr. Montessori described a child as having an absorbent mind in early childhood that becomes a reasoning mind starting at lower elementary when students begin to enjoy learning about natural truths and laws of nature. Students are becoming very social at this stage of development and find excitement in working collaboratively to explore expanding skills and learning new mathematical facts. Students seek patterns and learn the empirical truths of the universe through the use of the concrete Montessori math materials. As students leave this phase of development, they are able to see beyond concrete representations and begin to imagine higher place values within the decimal system. https://www.youtube.com/watch?v=tgF4M_A58Mg

Upper Elementary (4th – 6th grades)

At this level, students are moving to abstract application of the math they have explored since early childhood. Of the elementary levels, upper elementary has the fewest materials developed by Dr. Maria Montessori but was heavily influenced by her son Mario Montessori.

Continued on page 20



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Letter to the Editor

My name is Diego Martinez and I'm a section 1 resident since 2006. I'm writing in response to Vic Seghers' article in the February 2019 edition of the *Garden Oaks Gazette* regarding the GOMO bankruptcy exit plan.

Of course as president of GOMO, Vic constructs a biased case for GOMO to exit bankruptcy as per the proposed debtors plan. There are multiple issues with his long list in favor of, yet I will only mention a few as a starting point for your own contemplation.

First, Vic states deed restrictions were changed with six guiding principles, two of which are, "A. Removal of unenforceable restrictions that are not needed or wanted. B. Repair of unenforceable restrictions that are still needed by using modern language, definitions of key words and including a statement of intent".

Unfortunately, the proposed deed restrictions do not meet these two guiding principles, as shown with the following example on still unenforceable restriction.

When I purchased my section 1 property it had a shed in the backyard. This shed violates the original side setback restrictions. However, since it existed prior to GOMO's existence it was "grandfathered" in. The problem is not just my shed, but that my two immediate neighbors, on either side, each have garages that also violate the same side setback restriction. The two houses directly across the street also have the same violations. When I read the proposed revised deed restrictions for section 1 (1/17/19 revision), I see the same side setback requirements for "outbuildings" as stated in Article III (h) 5. The side setback for "outbuildings" has effectively been waived long ago, however the side setback language for "outbuildings" remains within the proposed deed restrictions. I'm confident there are more than five examples in section 1. The most significant example, is the one built by Victor C. Moore at 532 W. 32nd. This garage which still stands today is the one that ended the previous HOA, the infamous Board of Trustees (BoT). The side set back restriction for garages and "outbuildings" is unenforceable. I encourage residents to look at their own existing garages and "outbuildings" to see if they violate the new proposed deed restrictions. Don't worry if you find any existing violations, they will once again be "grandfathered" in with the new HOA. This is self defeating to say the least. The new deed restrictions will even allow residents to repair structures in violation, however "improvements" will not be allowed. How the

new organization intends to substantiate repair vs improvements is doubtful at best.

Second, Vic states "All prior GOMO directors with involvement with prior section 3 litigation or bankruptcy from 2012 through October 1, 2018 are asked to voluntarily refrain from running for election in order to grant the neighborhood opportunity for new leadership". This promise should sound familiar to long time Garden Oaks residents. The same promise was made when GOMO was formed in the early 2000's and former BoT members were "volunteering" not to participate in the new HOA. However within a few years, the same people were again running the show. In addition, this promise is missing a key provision regarding spouses or partners from running for new HOA board member. It might not be obvious to many Garden Oaks residents, but spouses / partners have held board member positions. This is a political tactic common in third world countries and it appears to be acceptable for the proposed organization. It has been common and still is common for GOMO board members themselves or their spouse / partners to serve also on the Civic Club, which coincidentally also has 12 positions. In the February 2019 issue I count four members who serve on both organizations.

Third, Vic states, "Create amendment process to allow the neighborhood to more easily adjust deed restrictions and mandatory fee so they always remain current with neighborhood needs. Create defined and limited waiver ability for new HOA." Allowing the proposed new organization an ability to grant waivers is placing too much power in the hands of too few. GOMO and the proposed organization only have twelve board members to represent Garden Oaks sections 1, 2,3 and 5 which is approximately 1119 households. (I state approximately 1,119 households because GOMO has provided conflicting information on the number within its jurisdiction, which will be touched on when it comes to financials.) In the past there were allegations of "gifts" to board member(s). With ever increasing property values, the temptation to grant waivers to powerful or rich developers or home owners will be omnipresent. The proposed deed restrictions and amended bylaws are missing any checks and balances such as certified audits. GOMO board action transparency has been a problem in the past and will continue in the future especially with this new power to grant waivers.

Fourth, Vic states, "\$80 annual mandatory fee" will be

imposed. However the corresponding budget is missing from the article. If one looks hard enough, you can find the proposed budget online where the estimated income is \$73,152.00 and estimated expenses are \$65,000 for third party management and \$5,000 for misc. There's a problem with the \$73,152.00 income value because it is based on 1,143 homes in sections 1,2,3 and 5, however according to GOMO court filings there was 1,119 in 2002. A difference of only 24 homes. It is a possibility there are now more homes than in 2002. I asked GOMO board member Kip Noser, where the 1,143 number came from, his response was "those numbers were given to me" and couldn't verify the source or accuracy. Basically GOMO has no idea how many homes are within their jurisdiction and is proposing budgets based on artificial base. In addition to the financial effects stated above, this uncertainty can also affect the proposed bankruptcy exit plan approval or disapproval. The proposed GOMO bankruptcy exit plan requires 50% of class 5 voters to pass, however is that based on 1,119 or 1,143 houses? To further illustrate the problem, the 50% approval hurdle within the proposed exit plan is lower than the approval hurdle required by the original section 1 deed restrictions. GOMO is very aware of this because in 2002 section 1 was approved by a margin of 1 household.

There are three board members for each section, for a total of twelve. However, the number of households within each section are not equal. For example, this means section 2 with 146 households effectively has more power than section 1 with 431 households. Section 1 is underrepresented in comparison to section 2. The bankruptcy judge has made it clear to eliminate inequality. GOMO has chosen to maintain this form of inequality. I propose the number of board members for a section to be proportionate to the number of households within. For example, one board member per 100 households. For the previous example, this would mean section 1 and 2 would have 4 and 2 board members, respectively.

Fifth, Vic states, "Future neighbors who are over 65 and purchase/move into the neighborhood after passage of the bankruptcy plan will pay the mandatory fee, as will current neighbors who turn 65 after the new fee takes into effect." For GOMO and the new organization it is all about maximizing the money. Even the tax man is kind enough to grant over 65 waiver without loopholes and exemptions. The judge has challenged GOMO to eliminate inequality in the application of fees. However,

GOMO creates another case of inequality, similar to that of the prior transfer fee, e.g. some pay and some don't pay all pending a magic date.

Sixth, the proposed mandatory \$80/yr fee, 89% of which will be spent only on deed restriction enforcement by a third party. Consider how much money will be spent by the proposed organization, homeowners and developers for continued enforcement of restrictions that have been waived long ago. GOMO and the proposed organization will take you to court for enforcement. Who can afford litigation both in terms of money, time and energy? GOMO has been very litigious in nature. The legendary Victor C. Moore warned the neighborhood in this very publication of the litigious nature of past board members and past organizations. Those warnings turned out to be true. This will be the fourth incarnation of an "HOA" for Garden Oaks. The fundamental question is why repeat failure?

Seventh, the proposed bylaw amendments grant the new HOA an ability to fine members. However, the fine amounts are missing from the bylaws, deed restrictions and budget. This implies the new HOA board can impose fees of any amount, large or small. Why would any reasonable resident allow an organization to fine them an unspecified amount? History has demonstrated accumulation of funds for litigation is the ultimate goal of GOMO. I state this because the majority of GOMO funds have been spent on litigation.

Lastly, neighborhood participation with GOMO has been limited. Board member positions are frequently vacant and members rarely show up to GOMO meetings. 51% of past elected board members quit within 2 years. There are many guesses and theories as to why. Regardless, GOMO knows members are not active and do not participate in any way. To capitalize on this, GOMO's proposed bankruptcy exit plan will count a **non** vote as a **yes** vote, section VIII G 4 of the summary statement. This provision buried deep is a strike against the fundamentals of democracy. Current GOMO board members are confident the neighborhood wants a new HOA. If they're so confident why do they include such deceptive voting tactics? Again this a political tactic of common to some third world countries.

At the very least I encourage Garden Oaks residents of section 1,2,3 and 5 to read GOMO's bankruptcy plans. I also encourage the same residents, otherwise known as

Montessori Math—continued from page 16

Students at this level enjoy working with squaring and cubing materials, which encourage them to persevere on more complex tasks. The study of fractions and decimals leads students to expand their inquiry to geometry, and algebra. For Montessori students the mantra of "Show me. Then, show me more" is common as students eagerly work on complex math. While Montessori practitioners have found that the manipulatives build neurological pathways, we know that standardized testing requires that students leave the manipulatives and demonstrate mastery with paper pencil tests. This departure from the students' normal working environment of collaboration and hands-on manipulatives continues to be a challenge for public school students and teachers but we persevere and work to instill in our students a love for learning that will last their lifetime! <https://www.youtube.com/watch?v=hfazrShUZVQ>

Letter—continued from page 19

class 5 voters, to vote **no** against GOMO's bankruptcy exit plan. Proponents will use fear tactics such as lower property values and crime. However, continued urbanization of Houston and Harris county should mitigate any risk of lower property values. Regarding crime, the proposed HOA will **not** include funds for constable patrol and there is no correlation between the existence of an HOA and lower crime rates. In summary, the proposed HOA is not a fresh restart but instead a continued power grab by a few. Vote **no** to a lack of transparency. Vote **no** to mandatory fee. Vote **no** to continued inequality. Vote **no** to continued threat of litigation. GOMO has spent hundreds of thousands of dollars on litigation against its own members and during this bankruptcy. Prior to formation the neighborhood was warned about GOMO by a single resident. GOMO proponents were quick to dismiss him and his warning yet history tells us otherwise. I'm here today to not only warn residents again but ask residents to not repeat the same mistake.

Sincerely,

Diego Martinez

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Heard Under the Oak Tree

Terry Jeanes

Welcome, New Neighbors!

Congratulations on joining our community. We look forward to seeing you at a civic club meeting soon.

4126 Apollo	1006 Lamonte	1066 Lamonte
1455 Sue Barnett	1535 Sue Barnett	304 West 30th
721 West 30th	236 West 31st	802 West 32nd
423 West 33rd	879 West 41st	847 West 43rd

Happy Birthday

Belated Birthday – Alex Dunn – 2/16

Ollie H. – 3/3	Sydney Grace N. – 3/3
Lori Kennedy – 3/5	Stephanie Acosta – 3/6
Dodie Davis – 3/11	Jeff Martin – 3/11
George Appling – 3/13	Robb Bunge – 3/15
Curtis Hall – 3/15	Angelica Sullivan – 3/16
Susan Kostelecky – 3/26	Sharron Sanborn – 3/26
Nathan S. – 3/26	Lindsey Bartlett – 3/27
Olivia S. – 3/29	Will Zugheri – 3/30

Happy Anniversary

The Murphys – 3/15
 Jeff & Gaylynn Martin – 3/21
 Mark & Susan Saranie – 3/24
 Sean & Caroline McLean – 3/27

Out and About

Marissa Zindler and daughter vacationed in London and Paris. **Morgan S.** enjoyed an overnight at the Houston Zoo with her Brownie troop. **The Jernigans** enjoyed Santiago, Chile. **Sheila Briones** attended the National Head Start Leadership Conference in Washington, DC. She is a board member of Houston AVANCE, an Early Head Start facility.

Terry Jeanes enjoyed a cruise with her Mom, which included visiting the Tulum Ruins, Sea Turtle Center in Cayman, and bamboo rafting the Martha Brae River in Jamaica.

The Sherbers went skiing and snowboarding in Taos. **Al Thomas and Dea Larson** visited Sri Lanka including seeing orphaned elephants. **The Maltbies** recently visited Niagara Falls. **Devin Hunter and daughter** enjoyed a trip that included whale watching. **Shreda Paire and Erin Donaho** enjoyed a trip to Pacific Grove. **Brooke Murphy** traveled to San Antonio and attended a Midland Concert. **Craig & M'Lissa Dilley** enjoyed a restful retreat in Ruidosa. **Victor Seghers** traveled with a medical mission team to Antigua, Guatemala and Guatemala's hinterlands.

Well Wishes to **Tina Rowe** on her recovery from extensive ankle surgery.

Special thoughts to the **Reichle family** in the recent loss of their beloved pup Coaly. Also to family and friends of former Garden Oaks resident and longtime area real estate broker **Judy Camp** who passed away recently in California.

To highlight an event, celebration or other tidbit, please submit information no later than the 13th of the month to Terry Jeanes at terry@terryjeanes.com.

2019 Master Gardener Green Thumb March Lecture

The Texas A&M AgriLife Extension Service and the Harris County Master Gardeners **free** Green Thumb Gardening Series is Tuesday, March 19th from 6:30 – 8:30 pm at Spring Branch Memorial Library, 930 Corbindale, Houston 77024. March's topic is Herbs. No reservation needed.

Learn what herbs grow well in Harris County, when to plant the different types, and when to harvest.

Why Indoor Air Quality is Important (Part One)

Mitch Weigand

In Houston, we spend 90% or more of our daily hours inside our homes and/or workplaces. Unfortunately, indoor air can be more polluted than the air outside.

Sources of indoor air pollution gases include cooking, off-gassing from carpet and furnishings, household cleaning chemicals, dry cleaning chemicals in clothes, pest extermination and more. Particulates include dust, mites, pollen, mold spores, fungi, bacteria, smoke and grease from cooking, pet hair and dander and tobacco smoke. Air filtration helps to remove unwanted gases and particulates from the air. This, along with ventilation and humidity control, makes indoor air safe and comfortable.

Persons most susceptible to indoor air pollution include the young, the elderly, and individuals suffering from chronic illnesses such as asthma or cardiovascular

disease.

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Your central A/C system is considered a "whole house" air filtration system. Its main purpose is to correct air filtration and flow to eliminate undesirable gases and particles.

The most basic function of the air filter is to remove airborne particles that would clog or damage the system's coils. While doing so, the filter must allow the required minimum volume of air to pass through to prevent the coils from freezing or the heat exchangers from overheating. Failing to maintain the correct flow — either from using the wrong type of air filter that restricts air flow or a dirty, clogged filter — will cost you in efficiency, increase your utility bills, and eventually shorten the life of the A/C system.

By using the correct filter and replacing it monthly, the A/C system can condition your home's air at optimum efficiency, removing undesirable gases and particulates. In turn, you and your family will experience improved quality in the air you breathe every day.

Mitch Weigand is the owner of Air Wise™.

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Rick R., River Oaks

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Air Wise owner Mitch Weigand



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sun	mon	tue	wed	thu	fri	sat
24	25	26	27	28	1	2 Farm Stand 9 AM - 1 PM 949 Wakefield
3	4	5 GOMO Plan Review 6:30 PM Civic Club Meeting 7 PM GO Montessori	6	7	8 International Women's Day	9 Farm Stand 9 AM - 1 PM 949 Wakefield
10 Daylight Savings Time Begins	11	12	13	14	15 Gazette Article Deadline	16 Farm Stand 9 AM - 1 PM 949 Wakefield Garden Club Work Day 9 AM Friendship Park
17 St. Patrick's Day	18	19	20 GOMO Meeting 7 PM GO Professional Building Suite 216	21 Holi	22	23 Farm Stand 9 AM - 1 PM 949 Wakefield
24	25	26	27	28	29	30 Farm Stand 9 AM - 1 PM 949 Wakefield
31	1	2	If people are good only because they fear punishment, and hope for reward, then we are a sorry lot indeed. — Albert Einstein			

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