

Winter 2016

529-2169

Catalina Foothills Association

www.CFATucson.org

P.O. Box 64546 • Tucson, Arizona 85728-4546

Devoted to the preservation of the unique residential character of the Catalina Foothills

We Need Board Members!

Our homeowners association, the Catalina Foothills Association, is responsible for maintaining continuity and value throughout our community's properties. Members of the CFA Board of Directors are motivated people who hold the community and themselves accountable in a fair and ethical manner. We need your help!

In general, corporate law gives board members of our nonprofit board/corporation the fiduciary duty to the other members of the homeowners association. In practice, this means that CFA board members must:

- Act in good faith,
- Act in the best interests of the CFA community as a whole,
- Avoid conflict of interests,
- Be informed prior to acting, and
- Take actions with proper authority.

Specifically, the non-profit CFA Board is entrusted with the duty to support and enforce the Articles of Incorporation, Bylaws and Covenant, Codes, and Restrictions (CC&Rs) that legally bind your property. The CFA Board cannot continue to function unless there are dedicated homeowners willing to serve on the Board.

What is the Time Commitment?

The Board meets on the second Tuesday of each month at 7:00 pm in the Atria Campana del Rio art room (2nd floor), 1550 East River Road (River Rd. and Via Entrada). Meetings generally last an hour. The Board adjourns during July and August. Serving on a committee such as Architectural Review or Communication may require additional meetings at the committee's discretion. The term of Board membership is 3 years with the possibility of a second 3-year term.

Why Become Involved?

As a property owner, you have a big stake in your neighborhood. As a volunteer board member, you are essential to the harmonious functioning of the CFA community.

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Catalina Foothills Association

Annual Meeting

Monday, January 23, 2017

Announcements 6:30pm

Guest Speaker 6:45pm

Meeting 7pm

St. Philip's in the Hills Episcopal Church,
Murphey Gallery
4440 N. Campbell Avenue at River Road

Guest Speaker
Dr. Jonathan Mabry



The speaker at the annual meeting will be Dr. Jonathan Mabry, the Historic Preservation Officer and City Archaeologist for the City of Tucson. Dr. Mabry manages historic preservation, archaeological compliance, and heritage-based economic development for the City.

His archaeological investigations have documented new information about the transition to agriculture and development of prehistoric irrigation in the U.S.-Mexico borderlands. He was an early leader in the local and heritage foods movements in southern Arizona, and coauthored the successful application for UNESCO designation of Tucson as a City of Gastronomy in 2015. He is the City of Tucson liaison with the UNESCO Creative Cities Network. We look forward to seeing you at the meeting!

Catalina Foothills Association Board Members

President- Paul Wheeler, President (Area 5)

Vice-president- Amy Hernandez (Area 5)

Treasurer- David Katz (Area 5)

Secretary to the Board- Breda Cronin

Area 1 *Seeking representative*

Area 2 *Seeking representative*

Area 3 *Seeking representative*

Area 4 *Seeking representative*

Area 5 Lois Loescher, Bruce Maben, Daphne Srinivasan

Area 6 Jack Swiergol ~ Lola Graeme

Area 7 Ron Allum ~ Bob Sommerfeld

Area 8 Ron Benson

Area 9 *Seeking representative*

CFA Committees

Architectural Review Committee: Jack Swiergol, Tom Branch, Lola Graeme

Communications Committee: Daphne Srinivasan, Lois Loescher, Amy Hernandez, Paul Steffen

Deed Restrictions: Bob Sommerfeld

Historical: Paul Wheeler

Legislation: Bob Sommerfeld

Nominating: Lois Loescher

Planning & Zoning: *Seeking Representative*

Board Positions change January of each year; verify positions on-line.

Board Meetings

The Board generally meets at 7 pm on the second Tuesday of each month. Upcoming dates for 2016-17 are Nov 8th, Dec 13th, Jan 10th, Feb 14th, Mar 14th, Apr 11th, May 16th, Jun 13th. The board does not meet in July and August.

Holidays and vacation schedules sometimes result in the re-scheduling or cancellation of a particular meeting, so please check with the secretary to the Board, 529-2169, to confirm a meeting time.

At the beginning of the meetings, the Board allows a ten minute period for "Resident Related Issues". These must be scheduled with the secretary two weeks before the meeting.

Articles for the newsletter are welcomed and should be mailed to Catalina Foothills Association, P.O. Box 64546, Tucson, AZ, 85728-4173 or e-mail to CFAnews@msn.com.

Visit our website for past publications and other information on the Catalina Foothills.

www.CFATucson.org



CFA FAQs

Are CFA dues mandatory?

- In 2014, a majority of *Area 1 – 6* resident properties with Deed Restrictions (CC&Rs), voted to approve mandatory annual dues to become effective, January 2015. Mandatory dues for Areas 1 - 6 are \$50.00 annually. Properties within Areas 1 – 6 without deed restrictions (CC&Rs) may continue to voluntarily contribute dues of \$50.00 annually.
- Annual voluntary dues for *Areas 7 – 9* are \$20.00.
- Annual voluntary dues for *townhouses and condominiums* are \$10.00.

Where do I find information about CC&Rs for my area?

- CC&Rs are on the CFA Website (<http://cfatucson.org/downloads/>)
- CC&Rs are available for Areas 1-4 and Areas 5 and 6
- CC&Rs for Area 7 are available at <http://www.cfe7.org/covenants.html>
- CC&Rs for Area 8 are available at <http://www.cat8.org/information>
- CC&Rs for Area 9 are available at <http://www.cat9.org>

Where do I find information about who to contact for road repair, barking dogs, illegal dumping and other concerns?

This information is on the CFA Website: <http://cfatucson.org/phone-numbers/>

Dispose-a -Med



Permanent Locations:

Walgreens - 4685 E. Grant Rd.
(Grant/Swan open 24/7)

Pima County Sheriff's Department
Foothills - 7300 N. Shannon Rd.

Description: Unused or expired prescription medications are a public safety issue, leading to accidental poisoning, overdose and abuse. The non-medical use of prescription drugs ranks second only to marijuana as the most common form of drug abuse in America. Unused prescription drugs thrown in the trash can be retrieved and abused or illegally sold. Unused drugs that are flushed contaminate the water supply. Proper disposal of unused drugs saves lives and protects the environment.

BRING YOUR UNUSED OR EXPIRED PRESCRIPTIONS AND OVER-THE-COUNTER MEDICATIONS, INCLUDING VETERINARIAN MEDICATIONS AND VITAMINS, TABLETS AND CAPSULES, TO BE COLLECTED. PLEASE KEEP ALL PILLS IN THEIR ORIGINAL CONTAINERS. NO MEDS ACCEPTED FROM COMMERCIAL ORGANIZATIONS.

President's Message

Dear Catalina Foothills Association Members,

Many of you have inquired about the CFA mandatory dues. In 2014, members of the Catalina Foothills Association voted to amend the CFA Bylaws changing the voluntary annual dues of \$50.00 to mandatory annual dues of \$50.00. This change requires dues for all properties in CFA Areas 1 – 6 with deed restrictions or Covenant, Codes, and Restrictions (CC&Rs) to be paid annually on January 1st. Arizona law enables the CFA Board of Directors to enforce dues payment by placing a lien on a property for failure to pay dues. This lien includes the \$50.00 dues payment plus related legal, interest, and filing fees. Paying all these costs will remove the lien.

After two years operating under our amended bylaws, I'd like to review why mandatory dues were such a needed change.

The dues are integral for the enforcement of deed restrictions. In 1978, the CFA was tasked with the enforcement of deed restrictions that the Murphey Development Company had established to preserve the planned development it had created. Deed restrictions are rules and regulations that govern one or more lots or parcels of land. Importantly, deed restrictions:

- Are recorded with the county register deed of records where the property is located
- Generally are permanent and “bind or run with the land;” that is, they bind all current and future owners of the lot or parcels
- Protect property owners and property values and somewhat guarantee that certain matters will not occur
- Are received by homeowners at the time of property purchase within the property title report

In areas where a homeowners organization is nonexistent or has dissolved, there are no guidelines or enforcement for what can be built (any size and color), denuding of land, and violation of setbacks, along with other activities compromising the community. Sadly then, the aesthetic uniformity between neighboring properties begins to impact the value of single or multiple properties.

Most CFA properties are subject to deed restrictions and rights. Enforcement requires the CFA to expend funds when legal counsel is necessary to protect homeowners' rights. The CFA must and does confer with legal counsel from time to time and pays for this service.

Deed restrictions are only as good as the homeowners organization established to support/enforce them. An important CFA Board duty is architectural review. For many years, the CFA Board has been privileged to have knowledgeable unpaid

volunteers with architectural and/or construction backgrounds to review all architectural requests for new and remodel construction. Hopefully, such community-minded individuals will continue to serve on the CFA Board, but we cannot count on that. Should there be a time when such volunteers are not available, then the CFA Board will need to purchase architectural review services to verify that architectural requests conform to the CC&Rs.



The payment of dues by all property owners who are bound by deed restrictions provides the funding necessary to fulfill the requirements of the CFA. If your property is not bound by deed restrictions, you may still provide a voluntary annual dues/contribution of \$50.00. Without sustained and certain funding, the CFA will eventually cease to exist and the deed restrictions will fail to be enforced except by individual property owners at their own expense.

In 2013, the CFA Board anticipated the future financial viability of the CFA and determined that an uncertain, annual, volunteer dues payment of \$50.00 would not cover potential future expenses required to protect the rights that run with your property and your neighbors'. In 2014, the CFA Membership had the opportunity to vote for a bylaw change, mandating the \$50.00 annual dues payment. A majority of those voting approved the change. In 2015 the mandatory annual dues were established.

Prior to mandatory dues, approximately 46% of all properties (Areas 1 – 9) contributed voluntary dues. Since the bylaws amendment, 98% of properties with CC&R's have paid. We have now moved forward to ensure the viability of the CFA into the future.

Our history is that of a “worthless desert hillside” which is still evolving into a well-planned, low-density development, with interesting topography and fantastic mountain and city views. This defines our neighborhood. I urge you to participate in the continuation of our neighborhood's 80 years of history (and resulting property values) with your understanding of the deed restrictions and the resources needed by the CFA to support/enforce them. There is a cost to all of us, now and in the future, to maintain the CFA. I appreciate your understanding.

Sincerely,

Paul Wheeler
President
Catalina Foothills Association

Protect Your Property.

A top priority of every homeowner is to protect the value of his or her property. Involvement with the CFA will put you in a better position to implement rules in our community. Some of these regulations will directly affect property value, especially if they require decisions about the CFA's support and enforcement of CC&Rs.

Have Input on Issues affecting the Community at Large.

Historically the CFA Board was critically involved in the development of La Encantada, the four commercial corners at Campbell and Skyline, and the alignment of Campbell at River Rd. The CFA is a community association as well as a homeowners association. As a CFA Board member, you can assist in identification and possible correction of issues.

Gain Better Understanding of the CFA operations.

Volunteering as a board member will make you well-versed in laws and regulations related to our community By-laws and CC&Rs, and will also give you a good grasp of the CFA finances and budgeting.

Use Your Talents to Better Your Community.

If your background is finance, marketing, web design, writing, administrative, communications, etc. then you are well-suited to board duties. The present and future Boards would welcome your knowledge and creative ideas on how to make our community function better.

Get to Know and Give Back to the Community.

One way to get to know your community, especially if you are new to the Foothills area, and to give back to your neighbors and community is to apply for the CFA Board and become an active participant.

What are CFA Board Member responsibilities?

The CFA Board is required to adopt an annual budget and collect dues from property owners. The Board also has the power to adopt and enforce rules and regulations established within the Articles of Incorporation, Bylaws and CC&Rs.

Interpret and enforce the rules.

The CFA Board believes it should exercise common sense. However, it's important that everyone in our community follows the same rules, even when those rules don't seem critical. The CFA CC&Rs are in place to protect you. The CFA Board safeguards the value of your property by making sure your neighbor doesn't encroach on your property, build an unattractive fence, denude the desert around their home, or paint their house bright orange, for example.

Minimize risk and plan for the future.

There are many tasks undertaken by a homeowners organization that are essential to safeguarding you and your neighbors from

risk. CFA Board members have to consider the financial needs for this month and this year, but they also have to plan for the next several years, and be prepared for challenges that could come up unexpectedly.

The CFA Board is open to your consideration, application, and possible membership. If interested, please contact Lois Loescher, New Member Chairperson (loescher@comcast.net) or Breda Cronin, Board Secretary (bpc21ccc@msn.com) to arrange a time to attend an upcoming Board meeting.



Mail Theft

Mail theft is an increasing problem in Pima County, with mail theft arrests at an all-time high. Mail theft is a crime of opportunity. According to the U.S. Postal service mail thieves tend to steal credit cards, money and financial documents, often to get money to buy drugs. Thieves can use stolen information to open accounts in your name, rack up thousands of dollars in credit card charges, get a fake driver's license and commit crimes using your name.

The U.S. Postal Inspection Service offers these tips for preventing mail theft:

- Use the letter slots inside your Post Office for your outgoing mail, or hand it to a letter carrier. Remember the upright-positioned flag on your mail box not only lets your mail carrier know you have outgoing mailbut people who want to steal it now know too!!
- Pick up your mail promptly after delivery. Don't leave it in your mailbox overnight. If you're expecting checks, credit cards, or other negotiable items, ask a trusted friend or neighbor to pick up your mail.
- If you don't receive a check or other valuable mail you're expecting, contact the issuing agency immediately.
- If you change your address, immediately notify your Post Office and anyone with whom you do business via the mail.
- Don't send cash in the mail.
- Tell your Post Office when you'll be out of town, so they can hold your mail until you return.
- Report all suspected mail theft to a Postal Inspector.



Plan Submittal Requirements for Foothills Homes

The mission of the CFA is to preserve the lifestyle we all enjoy in the Foothills. Part of that mission is enforcing zoning and development restrictions as new homes are added to existing neighborhoods and older homes are remodeled or enlarged. All property owners with CC&Rs in Areas 1-6 are required to submit construction plans for review and approval by the CFA Architectural Review Committee prior to starting the project. Once the CFA approves the plans and you have received all applicable building permits, your project may proceed. You must notify the Architectural Review Committee of changes in your initial plans during the course of the project and the Committee must approve all changes.

Please submit all of the following items to complete the submittal process:

1. Name of property owner and appropriate contact information
2. Address of the property
3. Lot number
4. 2 copies of a current “As-Built” survey completed by a registered surveyor locating all existing improvements including, but not limited to, house, garage, patios, ramadas, guest homes, sheds, pools, hardscape, walls, fences, and solar facilities (if ground mounted)
5. 2 copies of a site plan of the entire property showing all existing structures and the placement of proposed improvements within the 30 ft. required setback
6. 2 copies of the building plan view of the proposed work
7. 2 copies of all elevations showing the architectural style and clearly indicating the proposed heights (showing the maximum height above the adjacent grade), and callouts for finish materials.
8. Color samples of paint and other finish materials in the form of a plaster color chip or paint chip or a description of commonly used natural materials
9. Re-vegetation plan

APPROVAL OF CONSTRUCTION PLANS IS AN ARCHITECTURAL APPROVAL BY THE CFA BOARD ONLY; THEREFORE, PLANS STILL ARE SUBJECT TO MUNICIPAL ZONING APPROVAL.

If you have questions or would like to arrange a place and time to drop off your plans, please [contact the Architectural Review Committee.](#)

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- Consider starting a neighborhood watch program.
- By exchanging work and vacation schedules with trusted friends and neighbors, you can watch each other's mailboxes (as well as homes).
- Consult with your local Postmaster for the most up-to-date regulations on mailboxes, including the availability of locked centralized or curbside mailboxes.
- If you see a mail thief at work, or if you believe your mail was stolen, call police immediately, then call Postal Inspectors at 877-876-2455 (press 3). You also can report mail theft online: <https://postalinspectors.uspis.gov/investigations/MailFraud/fraudschemes/mailtheft/ReportMailTheft.aspx>.

Under Where is My Package, enter the tracking number or select No and then click on Continue and enter all applicable information.

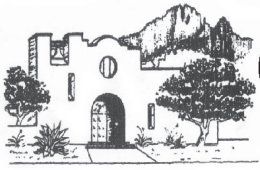
For more information, link to <https://postalinspectors.uspis.gov/>



Pima SmartScape provides free “Efficient Irrigation-Sustainable Landscapes” classes for residents/homeowners and landscape professionals in greater Tucson.

Are you ready to imagine, design, and plant your water-smart landscaping? The UA Water Resources Research Center’s new Desert Landscaping website has tools and tips to help. The mobile-friendly site emphasizes arid-adapted gardening and features a “Plant Selector” tool to help you find the right plants for your landscaping project.

Visit desertlandscaping.arizona.edu/



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THIRD ANNUAL HSL PROPERTIES TUCSON JAZZ FESTIVAL

A heads up for jazz fans, the HSL Properties Tucson Jazz Festival returns to downtown Tucson Thursday, Jan. 12 through Sunday, Jan. 22, 2017. The fest lineup includes a dozen performances including NEA Jazz Masters and Grammy award winners guitarist and vocalist **George Benson** and vocalist **Dee Dee Bridgewater**. A complete line-up and ticket information are available through links on the website www.tucsonjazzfestival.org.

Don't Forget

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