

# Catalina Foothills Estates No. 9 Association

## Meeting of the Board of Directors

### MINUTES for October 9, 2023

[www.CAT9.org](http://www.CAT9.org)

#### DIRECTORS

Tom Horvath  
Larry Ivy  
Nancy Kay  
Jim Ponzo  
Anne Segal  
Joyce Su

#### OFFICERS

President: Joyce Su  
Vice President: Jim Ponzo  
Treasurer: Jim Ponzo  
Secretary: Conni Struse

#### SPECIAL ASSIGNMENTS

Newsletter: Teri Ellen and  
Sherri Durand  
Webmaster: Dick Bryant

#### ELECTION COMMITTEE

Jim Ponzo, Larry Ivy, Nancy Kay

**Directors and Officers Present:** Tom Horvath, Larry Ivy, Nancy Kay, Jim Ponzo, Anne Segal, Joyce Su

**Directors and Officers Absent:** Conni Struse

**Guests Present:** Sherri Durand, Diane Frank, Jeff Landers, Adam Watters, Greg Sciabica, Karin Sawtelle, Craig Sawtelle, Bill Kleiber.

1. Call to Order & Quorum. Jim called the meeting to order at 7:05 p.m., and a roll call established a quorum.
2. Ratification of Minutes.
  - Tom made a motion to approve the minutes of the Board of Directors Meeting on September 11, 2023, seconded by Larry.
    - Unanimously approved.
3. Owner Comments
  - a. Sherri Durand prepared a letter from the Board to Television Station KVOA to remove a news story from their website. The story involves a 2021 neighborhood conflict regarding the increase in annual dues and the signs erected in protest.
    - Jim made a motion for the Board not to send a letter to KVOA, seconded by Tom Horvath.
    - Anne modified the motion to table the issue until the Board's lawyer advises if sending a letter is lawful, seconded by Larry.
      - The Board voted 4 to 1 to table the issue.
4. Reports and Actions
  - a. Financial Reports/Budget (Treasurer)  
Jim reported that as of September 30, 2023, the association has \$29,509.50 in checking and \$6,570.95 in savings.

- b. Roads and Landscaping  
In November, Larry will arrange a trimming party and a dumpster.
- c. Architecture  
Lot 49, 6870 N Solaz Cuarto, Kurland – Anne reported that the owner requested approval for installation of solar panels.
  - Nancy made a motion for approval, seconded by Anne.
    - Unanimous approval.
- d. Resales. Nothing to report.
- e. Calendar. Nancy reviewed the highlights on the calendar.

## 5. Old Business

- a. Elections Committee
  - 1) Final Ballot Approval
    - a) Pursuant to the By-Laws Article III (3), each Board member will serve a one-year term. Historically, the Board of Directors served a 2-year term.
    - b) Joyce called a special meeting to review the draft ballot on September 26, 2023, to address outstanding issues for the ballot per CAT9 Association By-Laws Article III (5). The meeting was attended by Joyce, Jim, Anne, Nancy and Larry. However, legal counsel confirmed AZ statute 33-1804 for open meetings supersedes HOA By-Laws. A special meeting requires a 48-hour public notice prior to the meeting. Without proper notice to the neighborhood, the meeting and resulting decisions were vacated.
  - Jim made a motion to withdraw the previous vote at the September 11, 2023, Board meeting that created the slate of candidates. Anne seconded the motion.
    - Unanimous approval.
  - 2) Board Seats Confirmation
    - a) The attorney for the Board confirmed that the Board can put a reasonable deadline on receipt of an application for Board candidate. The date was extended to October 9, 2023, at 6:00 PM.
    - b) The Elections Committee received submissions for a total of 10 candidates.
  - Jim made a motion to withdraw the previous vote approved at the September 11, 2023, meeting to limit the number of Board members to five (5) Board members.
    - Unanimous approval.
  - Anne made a motion to accept the slate of ten (10) candidates and to fill ten (10) positions on the Board of Directors. Seconded by Jim.
    - Unanimous approval.
  - 3) Ballot Count
    - a) Members of the neighborhood who are not candidates will be

counting the ballots: Larry, Tom Horvath, Sherri Durand and Diane Frank. The secretary will also be present (Conni).

- b) As suggested by the attorney, the ballots will be counted when received in the P.O. Box by November 2, 2023, and not when postmarked.

b. October Newsletter – The ballot information and Board member code of conduct will be included.

6. New Business

a. Annual Meeting Details

- 1) Send reminder of meeting – It will take place November 6, 2023, 7:00 p.m., on zoom.
- 2) Prepare presentation slides
- 3) Code of Conduct and Open Meetings – According to Arizona law, the Board can vote to remove a disruptive member.

b. CAT9 HOA Fall Potluck – Jim and Jody Ponzo will host on October 21, 2023.

c. Election Policy Updates – Reexamination of the two-year term of Board members will be addressed in January 2024.

7. Adjournment. Anne made a motion to adjourn the meeting, seconded by Nancy. Meeting adjourned at 8:50 p.m.

Next Board Meeting is **November 6, 2023**.

Submitted on behalf of the Board,  
*Conni Struse*

Conni Struse, Secretary

ATTACHMENTS:

Financial Reports  
Architecture Review Form  
Resales Report  
Calendar  
Ballot

# FINANCIAL REPORTS

## SEPTEMBER 2023

CAT9 HOA Budget 2023\_0930\_JP0.xlsx

CATALINA FOOTHILLS ESTATES #9

HOMEOWNERS ASSOCIATION

P.O. Box #36225, Tucson, AZ 85740

FINANCIAL REPORT FOR:

AS OF 9/30/2023

EQUITY POSITION	CHECKING 1139	SAVINGS 1269 (Road Reserve)	TOTAL
AS OF 8/31/2022	\$ 55,928.81	\$ 46,568.97	\$ 102,497.78
AS OF 9/30/2022	\$ 54,246.67	\$ 46,569.35	\$ 100,816.02
AS OF 10/31/2022	\$ 22,631.06	\$ 6,569.59	\$ 29,200.65
AS OF 11/30/2022	\$ 22,521.37	\$ 6,569.64	\$ 29,091.01
AS OF 12/31/2022	\$ 22,331.67	\$ 6,569.70	\$ 28,901.37
AS OF 1/31/2023	\$ 27,793.44	\$ 6,569.76	\$ 34,363.20
AS OF 2/28/2023	\$ 50,155.74	\$ 6,569.82	\$ 56,725.56
AS OF 3/31/2023	\$ 59,156.04	\$ 6,570.02	\$ 65,726.06
AS OF 4/30/2023	\$ 58,340.28	\$ 6,570.13	\$ 64,910.41
AS OF 5/31/2023	\$ 29,210.58	\$ 6,570.29	\$ 35,780.87
AS OF 6/30/2023	\$ 29,120.88	\$ 6,570.45	\$ 35,691.33
AS OF 7/31/2023	\$ 29,281.18	\$ 6,570.62	\$ 35,851.80
AS OF 8/31/2023	\$ 29,441.48	\$ 6,570.79	\$ 36,012.27
AS OF 9/30/2023	\$ 29,509.50	\$ 6,570.95	\$ 36,080.45

INCOME	DESCRIPTION	DATE	SOURCE	AMOUNT
INTEREST		9/29/2023	SAVINGS ACCT	\$ 0.16
Disclosure/Transfer	6901 N Solaz Tercero Meyers to Schifilliti	9/11/2023	Check	\$ 250.00
				\$ -

SubTotal \$ 250.16

EXPENDITURES	DESCRIPTION	DATE	SOURCE	AMOUNT
Storage Unit Rental	StorQuest	9/5/2023		\$ 89.70
	Chk 1085, Dick Bryant	9/11/2023	Website	\$ 75.00
	Chk 1086, Pima County	9/13/2023	Property Tax, Roads	\$ 8.64
	Chk 1087, Pima County	9/13/2023	Property Tax, Roads	\$ 8.64
				\$ -

Transfers  
Investment  
Misc  
Maintenance  
Insurance

SubTotal \$ 181.98

Monthly Finance Report

CATALINA FOOTHILLS ESTATES NO. 9				
<b>Budget Planned Vs Actual with Balance</b>				
<b>2/1/2023 - 1/31/2024</b>			<b>AS OF 9/30/2023</b>	
Income Category	Planned Income (2023)	Actual Income (2023)	Balance	Notes
Annual Dues - 2022 (\$300 x 130)	\$39,000.00	\$39,000.00	\$0.00	
Late Fees	\$120.00	\$210.00	\$90.00	
Disclosure (Transfer) Fees*	\$1,040.00	\$750.00	\$(290.00)	
Bank Interest**	\$5.00	\$0.93	\$(4.07)	Reduced due to Transfer
Other_1 (pmt & refund no rec bin +\$6-\$6)	\$0.00		\$0.00	
Other_2 (refund Assessment ov'pmt)	\$0.00		\$0.00	
Other Maint Mail Box (Lot 116)& T Can	\$0.00		\$0.00	
<b>Total Income (without savings interest)</b>	<b>\$40,160.00</b>	<b>\$39,960.00</b>	<b>\$(200.00)</b>	
<b>Total Income</b>	<b>\$40,165.00</b>	<b>\$39,960.93</b>	<b>\$(204.07)</b>	
Expense Category	Planned Expense	Actual Expenses (2023)		Notes
Taxes + Preparation	\$500.00	\$50.00	\$450.00	In house Prep 2023
Road Sweeping (Landscaper)***	\$1,000.00		\$1,000.00	No landscaper for 2022
Insurance	\$2,000.00	\$971.50	\$1,028.50	
Professional fees	\$2,500.00		\$2,500.00	
Rent (Storage Unit)	\$1,000.00	\$822.30	\$177.70	
HOA Meeting Room	\$350.00		\$350.00	
Office Supplies	\$100.00		\$100.00	
HOA PO Box rental	\$250.00	\$248.00	\$2.00	
Printing & Postage	\$500.00	\$9.56	\$490.44	
Website	\$100.00		\$100.00	
Maintenance (signs/posts)	\$1,500.00	\$1,076.75	\$423.25	
Miscellaneous (admin)	\$100.00	\$10.00	\$90.00	AZ Corp Board HOA
<b>Total Expenses</b>	<b>\$9,900.00</b>	<b>\$3,188.11</b>	<b>\$6,711.89</b>	
Transfer to Road Maintenance Repair (Savings or other as approved)	\$30,260.00		\$30,260.00	Transfer made 10/20/2022
<b>Total Expenses + Transfers</b>	<b>\$40,160.00</b>	<b>\$3,188.11</b>	<b>\$36,971.89</b>	**

\* Assessment Refunds shown as net \$0 (- to income / + to expenses)

\*\* Bank interest not included in budgeted expenses

Budget Plan vs. Actual

## Catalina Foothills Estates No. 9 Architecture Review Form

[Cat9.org](http://Cat9.org)   [Info@cat9.org](mailto:Info@cat9.org)

Your home is subject to [Covenants, Conditions & Restrictions \(CCRs\)](#) which are intended to protect the unique attributes, appearance and environment of the Catalina Foothills Estates No. 9 (CAT9). You agreed to abide by these CCRs when you purchased your home. Please read the CC&Rs before planning any project and use this form to submit your review request to the Board. Per the CCRs, please allow at least 60 days advance notice for review since the Board only meets once a month (See Cat9.org website for meeting dates).

**TYPE OF REQUEST:**   ☒ Architecture review   ☐ Variance review

Date:	09/14/2023
Name of Property Owner:	Yonatan Kurland
Property Address:	6870 N Solaz Cuarto
Lot Number:	49
Email:	ykurland@gmail.com
Phone number:	520-222-7004

**PROJECT OR REQUEST DETAILS:**

Name of Project	Kurland PV System Installation
Describe improvements or variance requested:	15.99kW PV system installation
Describe any issues or complications with the project about which the Board should be aware:	n/a
Name of Architect:	n/a
Name of Contractor:	Sunbright Solar
Estimated Start Date:	TBD
Estimated Completion Date:	TBD

Current Project Phase	<input type="checkbox"/> Preliminary Design <input checked="" type="checkbox"/> Final Design <input type="checkbox"/> Construction <input type="checkbox"/> Construction Complete
Is this a resubmittal? If yes, indicate date of first request	no
Describe to what extent have you talked to or got consent from your neighbors about your plans or request: (required for variances)	

**DOCUMENTATION SUBMITTED AND AVAILABLE:** (\* required submission for construction reviews)

<input checked="" type="checkbox"/> Site Plan *	<input type="checkbox"/> Land Survey
<input type="checkbox"/> Landscape and Vegetation Plan *	<input type="checkbox"/> Floor Plan
<input type="checkbox"/> Roof plan	<input type="checkbox"/> Material List and/or color samples board *
<input type="checkbox"/> Exterior Lighting	<input type="checkbox"/> Photos
<input checked="" type="checkbox"/> Engineering Drawings	<input type="checkbox"/> Neighbor consents (required for variances)
<input type="checkbox"/> Other (please list ) _____	

**ACKNOWLEDGEMENT AND AGREEMENT**

- I have read, understand, and agree to abide by the CC&Rs, Rules and applicable laws.
- Since variances are discouraged and I have sole responsibility for obtaining all neighbor consents to demonstrate justification for any variance request.
- I also have sole responsibility for obtaining all necessary government permits from the appropriate building and zoning authorities, and for providing copies to the Board.
- I understand that per the CCRs, no construction work can start until I have received written approval from the CAT9 Board.
- I understand that the Board may require inspections from the Board and/or the Board's Architectural Consultant at any reasonable time and as part of the design, construction and final review.

OWNER SIGNATURE: Jonatan Kurland

Submit this form to:

Attn: Anne Segal  
 Phone: 520.820.3394  
 Email: [Anneseagal@gmail.com](mailto:Anneseagal@gmail.com)  
 With copy to Secretary: [Connistruse@gmail.com](mailto:Connistruse@gmail.com)  
 Re: CAT 9 Architecture Reviews

## A.R.S. 33-1806 Resales

JULY - AUGUST 2023

### ACTIVE LISTINGS 2023

Status	Lot	Address	Owner	List price	Realtor	MLS

### PENDING, CONTINGENT & CLOSED SALES 2023

Closing Date	Lot	Address	Buyer	Seller	Sales price	Fee paid	Title form provided	CAT 9 CC&R receipt received	Welcome Letter sent
7/10/2023	49	6870 N. Solaz Cuarto	Yonatan D. Kurland and Katherine Dunne Kurland	Gregory S. Boucher and Patricia B. Poucher	\$1,175,000	Yes	6/29/23	7/1/23	6/30/23
7/31/2023	26	6960 N. Solaz Segundo	Theresa A. West, Trustee	James and Mary Horvath	1,410,000	Yes	7/11/23	9/26/23	7/13/23
8/31/2023	31	6901 N. Solaz Tercero	Joseph and Sheila Schifiliti	Deborah A. Meyers	\$1,923,800	Yes	8/3/23	9/5/23	8/7/23



# CALENDAR

## OCTOBER - NOVEMBER, 2023

OCT	<b>Board</b>	1-October Board Meeting
OCT	<b>Board</b>	Coordinate reminders and details for annual meetings with Elections Committee
OCT	<b>Elections</b>	Coordinate with Board to mail / email final Agenda & Ballot for Annual Meeting
OCT	<b>Elections</b>	<b>Agenda Item</b> - Annual Meeting reminder
OCT	<b>Elections</b>	Collect ballots and count votes for annual meeting (with Secretary)
OCT	<b>Newsletter</b>	Publish OCTOBER Newsletter
OCT	<b>Roads &amp; Landscaping</b>	Sweep roads – October
OCT	<b>Secretary</b>	Upload September approved minutes to Google Drive and website
OCT	<b>Secretary</b>	Draft Agenda and send board package for November annual meeting
OCT	<b>Treasurer</b>	Pay for Cat9.org domain name
OCT	<b>Treasurer</b>	Pay Property Taxes
OCT	<b>Vice President</b>	Request owner topics for annual meeting agenda <b>**new **</b>
OCT	<b>Webmaster</b>	Publish reminders and ballot on website; send reminders
NOV	<b>Architecture</b>	<b>Agenda Item</b> -- Provide annual report out to members
NOV	<b>Board</b>	1-Hold November Annual Meeting of the Members
NOV	<b>Board</b>	A - Provide update of board accomplishments
NOV	<b>Board</b>	B -Provide Treasurer report on financial update and annual review
NOV	<b>Board</b>	C- Discuss referendums and any proposed amendments
NOV	<b>Board</b>	D-Announce Election results and vote counts with Elections Committee
NOV	<b>Board</b>	E - Allow certain time for owner concerns & Neighborhood Watch update
NOV	<b>Board</b>	2-Hold November Annual Meeting of the Directors
NOV	<b>Board</b>	Departing members turn over board books and records; destroy bank cards and owner lists
NOV	<b>Elections</b>	Announce results at annual Meeting (with Officers)
NOV	<b>Secretary</b>	Observe and verify vote count with Elections Committee
NOV	<b>Secretary</b>	Upload October approved minutes to Google Drive and website
NOV	<b>Secretary</b>	Draft Agenda and send board package for December meeting



Catalina Foothills Estates No. 9 Association  
P.O. Box 36225 Tucson, AZ 85740

**NOTICE OF ANNUAL MEETING  
OF THE MEMBERS  
CATALINA FOOTHILLS ESTATES NO. 9 ASSOCIATION  
MONDAY, NOVEMBER 6, 2023  
7:00 PM – VIA ZOOM**

The Catalina Foothills Estates No. 9 Association Annual Meeting will be held via **ZOOM**. The annual election of directors will be held in advance and outside of the meeting by process of written ballots per ARS § 10-3708. Election results will be announced at the Annual Meeting. Included in this mailing are the following:

1. Agenda for Annual Meeting of the Members – November 6, 2023 at 7:00 pm
2. Ballot to vote for candidates for the Board of Directors – Ten (10) Candidates for a one-year term. Number of seats for 2024 determined to be Ten (10) by Board Resolution per Bylaws Article III.2.

**Zoom Meeting VIDEO (click on link):**

<https://us02web.zoom.us/j/3314388299?pwd=SXRMtY9HVldMNW0rRTB6QkxNY3R2QT09>

Meeting ID: 331 438 8299 -- Passcode: BeKind

By phone: +1(669) 900 6833 (US) - Meeting ID: 331 438 8299 -- Passcode: 814603

**AGENDA**

- |      |   |
|------|---|
| 7:00 | Welcome and determination of Quorum   |
| 7:15 | Announce Election Results for Board of Directors  |
| 7:25 | Annual Association Highlights   |
|      | <ul style="list-style-type: none"><li>• Treasurer</li><li>• Roads &amp; Landscaping</li><li>• Architecture</li><li>• Newsletter</li></ul> |
| 8:00 | New Business / Owner comments   |
| 8:15 | Adjournment   |
| 8:30 | Annual Meeting of the Directors -- <i>immediately following</i>   |

# CATALINA FOOTHILLS ESTATES NO. 9 ASSOCIATION BOARD OF DIRECTORS 2023 BALLOT

(per ARS § 10-3708 on written ballots)

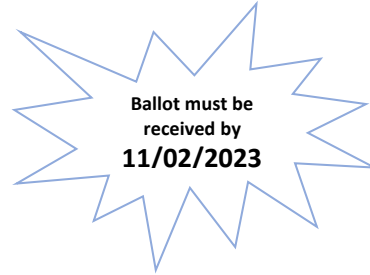
The following items will be voted upon relative to the November 6, 2023 Annual Meeting of the Members:

**1. Election of the Board of Directors.**

The Board is pleased to present the following TEN (10) candidates for TEN (10) open Board positions. Each elected director may serve a one-year term on the Board of Directors.

**CHECK UP TO TEN (10) CANDIDATES -- SELECT ANY, ALL, OR NONE -- VOTE FOR OR AGAINST BELOW, ONLY AFFIRMATIVE VOTES COUNTED.**

FOR	AGAINST	CANDIDATE
<input type="checkbox"/>	<input type="checkbox"/>	Jessica Andrews
<input type="checkbox"/>	<input type="checkbox"/>	Nancy Kay *
<input type="checkbox"/>	<input type="checkbox"/>	Jeff Landers
<input type="checkbox"/>	<input type="checkbox"/>	James Ponzo *
<input type="checkbox"/>	<input type="checkbox"/>	Anne Segal *
<input type="checkbox"/>	<input type="checkbox"/>	Karin Sawtelle
<input type="checkbox"/>	<input type="checkbox"/>	Gregg Sciabica
<input type="checkbox"/>	<input type="checkbox"/>	Conni Struse
<input type="checkbox"/>	<input type="checkbox"/>	Joyce Su *
<input type="checkbox"/>	<input type="checkbox"/>	Adam Watters



DON'T DELAY –  
THE ANNUAL MEETING IS  
NOV 6  
MAIL YOUR COMPLETED  
BALLOT IN THE PRE-  
STAMPED ENVELOPE TO  
**CAT9 ASSOCIATION,  
PO BOX 36225,  
TUCSON, AZ 85740**

\* Current Board member

1. Ballots must be received at PO Box by Thursday, November 2, 2023.
2. Owners must vote by hard copy ballot. No electronic or email voting this year.
3. Voting is by secret ballot: Place ballot in small envelope, and place small envelope in return envelope which has been pre-stamped and addressed to Catalina Foothills #9 HOA followed by your lot number.
4. Vote for or against any, all or none of the candidates - there are ten (10) candidates on the ballot. Number of Board seats is determined current Board or members at the annual meeting (Bylaws Article III.2)
5. One ballot per lot. Members owning more than one lot will receive a ballot for EACH lot.
6. Thirteen (13) votes are necessary to have a quorum for this election.
7. Election results will be announced at the Annual Meeting of the Members on November 6, 2023 by Zoom.
8. Direct questions in writing to Election Committee at email: Treasurer, cat9\_tr@yahoo.com

Desire to volunteer your time for CAT Association duties? We welcome your help to maintain our roads, beautify our landscaping, and uphold compliance with our covenants and required resales disclosures. Owners can volunteer at any time - Go to [www.cat9.org](http://www.cat9.org) and submit a Volunteer Form or email info@cat9.org