

Catalina Foothills Estates No. 9 Association

Meeting of the Board of Directors

MINUTES

www.CAT9.org

<u>DIRECTORS</u>	<u>OFFICERS</u>	<u>SPECIAL ASSIGNMENTS</u>
Nancy Kay	Greg Sciabica	PRESIDENT: Joyce Su
Jeff Landers	Conni Struse	VICE PRESIDENT: Jim Ponzo
Jim Ponzo	Joyce Su	TREASURER: Jim Ponzo
Karin Sawtelle	Adam Watters	SECRETARY: Conni Struse
		Newsletter: Teri Ellen
		Webmaster: Dick Bryant

Meeting Date: **May 13, 2024**

Directors and Officers Present: Nancy Kay, Jeff Landers, Jim Ponzo, Karin Sawtelle, Conni Struse, Adam Watters

Directors and Officers Absent: Gregg Sciabica, Joyce Su

Owners Present: Diane Frank, Jody Ponzo, Craig Sawtelle

1. Call to Order. A quorum was established, and the meeting was called to order at 7:08 pm by the Vice President, Jim Ponzo.

2. Approval of the Minutes. Jeff made a motion to approve the minutes of the Board of Directors Meeting on April 8, 2024, seconded by Karin. Unanimously approved.

➢ Motion carried.

3. Owner Comments. Nancy Kay learned from a neighbor that Rural Metro will no longer accept calls to come to a home to relocate a rattlesnake. Nancy will call Rural Metro and ask for their official policy.

4. Reports and Actions

a. Treasurer's Reports. Jim reported that there is \$61,220.33 in the checking, and \$6,572.11 in savings. There is \$71,000 in bonds/CD's maturing in April and May of next year for use on road repair. There are five outstanding assessment payments. Jim will send letters this week to the delinquent homeowners requesting payment plus penalties. A lien can be placed on the property in June, with the costs incurred payable by the lot owner. Jim made a motion to approve filing liens on delinquent properties at the June Board Meeting, seconded by Karin. Unanimously approved.

➢ Motion carried.

b. Roads and Landscaping. Adam will arrange for a dumpster to be delivered the weekend after Memorial Day. The dumpster can be onsite for two weekends. He will check with

homeowners to find a place to park the dumpster. Half the streets will be cleaned up each weekend. Adam will rent a U-Haul trailer to load the clippings and transport them to the dumpster. Adam will send Karin the notice for landscape cleanup along the roads to be included in the blast email about the stinknet plant prepared by Karin.

c. **Architecture.** No new requests for review.

d. **Compliance.** An owner evaluated the landscaping in the neighborhood, finding over 40% of the homes were not in compliance with landscaping standards. The CC&Rs Section 8.b say the landscaping “shall be kept in good condition.” Karin will add owner landscape maintenance information to the blast email, along with a link to a video prepared by Jeff Landers regarding mistletoe.

e. **Resales.** Conni reported that there is one house on the market, Lot 125, 2350 E. Calle Los Altos, and the sales price is \$950,000. The home on Lot 71, 2325 E Calle Los Altos, closed on May 9, for a price of \$1,069,000. The owner submitted their Resale Acknowledgment form, but we are waiting for the disclosure fee and a copy of the recorded deed.

f. **Calendar.** Nancy reviewed the calendar.

5. **Old Business**

a. **Storage Unit.** A smaller storage unit, 5 x 5, will cost \$40 plus tax per month. The current cost is \$89.40 per month. Conni met Yonatan Kurland at the storage unit and gave him a new trash can. He borrowed his house plans and duplicated them by taking photos of them with his smart phone. Nancy Kay also received a new trash can, and there are nine available.

b. **Website Survey.** Survey Monkey will only do 30 at a time. We need an email address for response to the survey. Jim and Joyce will determine an email address for response, and then send out the survey.

c. **Corporate Transparency Act.** Conni prepared and submitted the form with the personal information of Joyce Su and Jim Ponzo as having beneficial owner interest in the HOA. Conni added the task of filing the report to the calendar for next year.

d. **Committee to Review Forms.**

(1) **Resale Acknowledgment** - Jim and Conni made minor changes to the form, including deleting a reference to excluding short term rental.

Jim made a motion to approve the form at the next meeting, seconded by Nancy. Unanimously approved.

➢ Motion carried.

(2) **Board Member Candidate Form** – Joyce updated the form to include blanks for candidates’ biographies, reason for joining, skills, etc.

Jim made a motion to approve the form and post it on the website, seconded by Conni. Unanimously approved.

➢ Motion carried.

e. **Stinknet Blast Email** – Karin prepared an email for circulation to the Board.

f. **Locking Mailboxes** – Karin found an appropriate locking mailbox approved by the USPS, but it doesn't look like our existing mailboxes. The CC&Rs say that the mailboxes are uniform. Jim suggested that the Board should consider replacing all mailboxes by a special assessment. Jeff will investigate the price of the new mailbox and the mounting of the mailbox on the pole.

6. New Business

a. **Newsletter** – Teri will be available to work on the newsletter after May 25, but articles can be submitted before then.

(1) **Trash cans available** – Connii will write an article.

(2) **Driveway Materials Compliance** – Jim and Karin will write an article.

(3) **Roads Committee** – Jim will write an article requesting volunteers.

(4) **New Election Policy and Volunteer Form** – Jim will write an article

(5) **Treasurer's Corner** – finance report, dues compliance, Edward Jones

(6) **Rattlesnake Removal** - Nancy will check with Rural Metro and write an article about rattlesnake removal.

(7) **Potluck** - Jim will thank Jim and Susan Hawkins for hosting the potluck.

b. **Schedule of Fines** – Jim suggested updating the name and removing the short-term rental language. Changes will be discussed at the next meeting for approval.

c. **No Compensation Policy** – The policy incorrectly states that the HOA is a nonprofit organization. There is an error in a reference to the Articles of Incorporation. The issue is already covered in the By-Laws.

Jim made a motion to rescind the current no compensation policy and to remove it from the website, seconded by Karin. Unanimously approved.

➢ Motion carried.

7. **Adjournment** – Jim made a motion to adjourn the meeting, seconded by Connii. Meeting adjourned at 9:03 pm

NEXT BOARD MEETING: June 10, 2024

Submitted on behalf of the Board,

Connii Struse

Connii Struse, Secretary

ATTACHMENTS:

April Financial Reports

Resales Report

May and June Calendar

Approved Resale/New Owner Acknowledgment Form

Approved Board Candidate Form

FINANCIAL REPORTS

APRIL 2024

CAT9 HOA Budget 2024_0430.xlsx

CATALINA Foothills Estates #9
HOMEOWNERS ASSOCIATION
FINANCIAL REPORT FOR:

P.O. Box #36225, Tucson, AZ 85740
AS OF 04/30/2024

Total Assets = \$ 172,738.50

EQUITY POSITION		CHECKING 1139	SAVINGS 1269 (Road Reserve)	TOTAL
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
AS OF 10/31/2023		\$ 28,003.56	\$ 6,571.12	\$ 34,574.68
AS OF 11/30/2023		\$ 27,152.27	\$ 6,571.28	\$ 33,723.55
AS OF 12/31/2023		\$ 26,912.67	\$ 6,571.45	\$ 33,484.12
AS OF 01/31/2024		\$ 31,437.80	\$ 6,571.62	\$ 38,009.42
AS OF 02/29/2024		\$ 53,607.10	\$ 6,571.78	\$ 60,178.88
AS OF 03/31/2024		\$ 62,920.58	\$ 6,571.95	\$ 69,492.53
AS OF 04/30/2024		\$ 61,220.33	\$ 6,572.11	\$ 67,792.44

INCOME	DESCRIPTION	4/30/2024	SOURCE	AMOUNT
INTEREST				\$ 0.16
Assessment	Check Deposits		SAVINGS ACCT	\$ -
Assessment	Zelle		checking	\$ 330.00
			<i>SubTotal</i>	\$ 330.16
EXPENDITURES				
Storage Unit Rental	StorQuest	4/3/2024		\$ 89.70
Postage & Envelopes- Late Notice	Office Max	4/3/2024		\$ 26.55
Check 1092	IRS-Taxes 2023	4/3/2024		\$ 778.00
Check 1094	C. Struse for AZ Corp Board	4/11/2024		\$ 10.00
Insurance	Farmers	4/8/2024		\$ 1,126.00
Transfers				\$ -
Investment				
Misc				
Maintenance				
Insurance				
			<i>SubTotal</i>	\$ 2,030.25

Monthly Finance Report

CATALINA FOOTHILLS ESTATES NO. 9				
<i>Budget Planned Vs Actual with Balance</i>				
2/1/2024 - 1/31/2025		AS OF 04/30/2024		
Income Category	Planned Income (2023)	Actual Income (2024)	Balance	Notes
Annual Dues - 2022 (\$300 x 130)	\$39,000.00	\$37,500.00	\$(1,500.00)	
Late Fees	\$195.00	\$285.00	\$90.00	
Disclosure (Transfer) Fees*	\$750.00	\$0.00	\$(750.00)	
Bank Interest**	\$0.60	\$0.35	\$(0.25)	
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	
Total Income (without savings interest)	\$39,945.00	\$37,785.00	\$(2,160.00)	
Total Income	\$39,945.60	\$37,785.35	\$(2,160.25)	
Expense Category	Planned Expense	Actual Expenses (2024)	Notes	
Taxes + Preparation	\$500.00	\$839.82	\$(339.82)	In house Prep 2024
Road Sweeping (Landscaper)***	\$1,166.40		\$1,166.40	No landscaper for 2023
Insurance	\$2,332.00	\$1,126.00	\$1,206.00	
Professional fees	\$2,500.00	\$0.00	\$2,500.00	
Rent (Storage Unit)	\$1,162.00	\$269.10	\$892.90	
HOA Meeting Room	\$200.00	\$0.00	\$200.00	
Office Supplies	\$100.00	\$26.55	\$73.45	
HOA PO Box rental	\$250.00	\$0.00	\$250.00	
Printing & Postage	\$600.00	\$0.00	\$600.00	
Website	\$102.00	\$0.00	\$102.00	8% for inflation on 2023 actual
Maintenance (signs/posts)	\$1,200.00	\$0.00	\$1,200.00	
Miscellaneous (admin)	\$100.00	\$10.00	\$90.00	AZ Corp Board HOA
Total Expenses	\$10,212.40	\$2,271.47	\$7,940.93	
Transfer to Road Maintenance Repair (Savings or other as approved)	\$29,732.60		\$30,000.00	Planned Transfer made 05/15/2024
Total Expenses + Transfers	\$39,945.00	\$2,271.47	\$37,940.93	**

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

** Bank interest not included in budgeted expenses

Budget Plan vs. Actual

A.R.S. 33-1806 Resales

MAY 2024

ACTIVE LISTINGS 2024

Status	Lot	Address	Owner	List price	Realtor	MLS
LISTED	125	2350 E. Calle Los Altos	Mark & Nicole Pecha	\$950,000	Peter Deluca	22410474

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
7/10/23	49	6870 N. Solaz Cuarto	Yonatan D. Kurland and Katherine Dunne Kurland	Gregory S. Poucher and Patricia B. Poucher	\$1,175,000	Yes	6/29/23	7/1/23	6/30/23
7/31/23	26	6960 N. Solaz Segundo	Theresa A. West, Trustee	James and Mary Horvath	1,410,000	Yes	7/11/23	7/31/23	7/13/23
8/31/23	31	6901 N. Solaz Tercero	Joseph and Sheila Schifilliti	Deborah A. Meyers	\$1,923,800	Yes	8/3/23	9/5/23	8/7/23
5/9/24	71	2325 E. Calle Los Altos	Edward J. Kane and Gloria V. Kane Trust	Adam and Kristen Amante	\$1,069,000		4/10/24	5/6/24	4/23/24

Calendar

May and June 2024

MAY	Board	1-May Board meeting
MAY	Board	Agenda Item - Board Vote to approve filing of lien for delinquent owners
MAY	Elections	Determine articles for draft JUNE newsletter with Vice President
MAY	Newsletter	Circulate draft JUNE newsletter to board
MAY	Secretary	File corporate annual report form by May 28
MAY	Secretary	Upload April approved minutes to Google Drive and website
MAY	Secretary	Draft Agenda and send board package for June meeting
MAY	Treasurer	Assessments - 4th Past Due Notices sent (add \$15 late fee per month)
JUNE	Board	1-June Board meeting
JUNE	Elections	Agenda Item - Candidate Kickoff - Interest forms and biography due by Aug 1
JUNE	Newsletter	Publish JUNE Newsletter
JUNE	President	Coordinate with legal counsel to file property liens for unpaid assessments
JUNE	Roads & Landscaping	Confirm road sweep June - July
JUNE	Secretary	Upload May approved minutes to Google Drive and website



Catalina Foothills Estates No. 9 Association
PO Box 36225, Tucson, Arizona 85740
www.CAT9.org

RESALE / NEW OWNER ACKNOWLEDGMENT FORM

PER ARS 33-1806

**PLEASE RETURN THIS SIGNED ACKNOWLEDGMENT FORM within 10
days of receipt to:**

Secretary: connistruse@gmail.com

With copy to Treasurer: cat9_tr@yahoo.com

Lot Number	
Property Address	
Seller	
Buyer	
Title Company Contact	

**** PLEASE CONFIRM CONTACT INFORMATION, SIGN AND INITIAL IN INK OR ELECTRONICALLY TO
ACKNOWLEDGE RECEIPT OF:**

- ATTACHMENT A – KEY ASSOCIATION DOCUMENTS --- MUST DOWNLOAD FROM
WWW.CAT9.ORG
- ATTACHMENT B – KEY DISCLOSURES – SEE BELOW

**I/We hereby acknowledge that the Declaration, By-Laws and Rules of the Association
constitute a contract between the Association and me/us, the Buyer(s). By signing
this statement, I/we acknowledge that I/we have read and understand the**

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Rev April 2024 JP/CS

Association's contract with me/us, the Buyer(s). We also understand that as a matter of Arizona law, if I/we fail to pay my/our Association assessments, the Association may foreclose on my/our property.

BUYERS:

X Signature: _____

Name: _____

Address: _____

Phone: _____
Email: _____

X Signature: _____

Name: _____

Address: _____

Phone: _____
Email: _____

X CLOSING DATE: _____

X MOVE-IN DATE: _____

- Will this property be rented for any portion of the year? **X** yes **X** no
Tenants must comply with all covenants, conditions & restrictions.
 - Annual Assessment per lot is \$300. Period of assessment begins February 1 and ends January 31.
 - Reference, but not limited to, CCR Section 7.d and Section 7.b(3) amended December 29, 2006

X _____ initials **X** _____ initials

- No RVs, trailers, or boats may be stored if visible to other neighbors.
 - Reference, but not limited to, CCR Section 4.o. Trucks, Trailers, Campers, and Boats

X _____ initials **X** _____ initials

- Trash Collection must be set up with Hughes Sanitation
 - Reference, but not limited to, Trash Guidelines & CCR Section 4.g. Trash Containers and Collection

X _____ initials **X** _____ initials

- Exterior improvements or construction and dumpster usage require Board approval.
 - Reference, but not limited to, CCR Section 4. Use Restrictions

X _____ initials **X** _____ initials

- Schedule of Fines
 - Located at www.CAT9.org

X _____ initials **X** _____ initials

ATTACHMENT A

KEY DOCUMENTS: Documents may be found at WWW.CAT9.ORG

1. CAT 9 Trash Guidelines - Supplier is Hughes Sanitation Services 520-883-5868
2. CAT 9 Amended and Restated Declaration of Covenants, Conditions, and Restrictions recorded at Sequence 20062500879 on December 29, 2006, and First Amendment recorded at Sequence 20220190901 on January 19, 2022
3. CAT 9 Architectural Guidelines and Architectural Review Request Form
4. CAT 9 Schedule of Fines
5. CAT 9 Association Policies
6. CAT 9 Association Articles of Incorporation dated July 5, 1977
7. CAT 9 Association By-Laws dated July 5, 1977
8. Board Meeting Minutes – key decisions, financial statements, and budget are in the monthly board minutes.
9. CAT 9 Board of Directors Contact List

ATTACHMENT B
KEY DISCLOSURES

1. **PRINCIPAL HOA CONTACT.** The principal contact for the Association is:

Catalina Foothills Estates No. 9 Association
PO Box 36225
Tucson AZ 85740
ATTN: Secretary - connistruse@gmail.com
With copy to: Treasurer - cat9_tr@yahoo.com

2. **CC&R VIOLATIONS.** The records of the Association reflect the following alterations or improvements to the property unit that violate the Declaration. The Association is not obligated to provide information regarding alterations or improvements that occurred more than six (6) years before the proposed sale. Nothing in this subdivision relieves the seller of a unit from the obligation to disclose alterations or improvements to the unit that violate the Declaration, nor precludes the Association from taking action against the purchaser of a unit for violations that are apparent at the time of purchase and that are not reflected in the Association's records. **None**

3. **FEES & ASSESSMENTS.** The amount of the common regular assessment and the unpaid common regular assessment, special assessment or other assessment, fee or charge currently due and payable from the selling member are as follows:

(a) Annual Assessment - **None**

(b) Disclosure Fee - **\$300 --- PLEASE COLLECT \$300 AT CLOSING; PAYABLE TO CATALINA
FOOTHILLS ESTATES NO. 9 ASSOCIATION**

(c) Unpaid Seller Fees – **None**

4. **FINANCIALS.** A copy of the following financial information for the Association is attached to the Minutes of the meeting of the Board of Directors held on January 8, 2024, at www.CAT9.org:

(a) 2024 current operating budget
(b) Most recent annual financial report

5. **INSURANCE.** The Association maintains, at a minimum, the following insurance coverages: (a) General Liability Insurance \$2,000,000 per occurrence, \$4,000,000 aggregate, (b) Personal Effects \$2500 for Association owned real and personal property, and (c) Directors & Officers Errors & Omissions insurance coverage. Our policy is maintained through **Farmers Insurance, Denny Smith, 5350 W. Bell Road, Glendale, AZ, 602.375.0880**. The Association does not maintain any insurance for the lot being sold and purchased.

6. **RESERVES.** The total amount of money held by the Association as reserves are indicated in the monthly Board Meeting Minutes of the Association located at www.CAT9.org.

7. **PENDING LITIGATION FOR PROPERTY.** The following are the case names and case numbers for pending litigation with respect to the unit filed by the Association against the member or filed by the member against the Association (subject to applicable rule of attorney-client privilege under Arizona law). **NONE KNOWN**

8. **PENDING LITIGATION FOR ASSOCIATION.** The following is a summary of any pending lawsuits, except those relating to the collection of assessments owed by members other than the selling member, in which the Association is a named party, including the amount of any money claimed. **NONE KNOWN**

9. **ASSOCIATION DISCLAIMERS.**

(a) The information provided is based upon the actual knowledge possessed by the Association Board of Directors at the time this statement is completed. This statement is not intended to be a guarantee, warranty or affirmative representation that no violations of CC&Rs, health or building codes exist. The Association does not intend to waive its rights to address any violation that may be brought to its attention in the future, even if such violations existed without the Association's knowledge, at the time this statement was provided. Additionally, the Association can, but is not obligated to, provide information regarding alterations or improvements that occurred more than six (6) years before the proposed sale.

(b) The information provided here is based upon the actual knowledge possessed by the Association at the time this statement is being completed.

(c) The Association, as a regular practice, does not:

- (i) conduct investigations in response to the Notice of Pending Sale;
- (ii) conduct periodic inspections of real property, residences, or other improvements on real property within the Association;
- (iii) get involved in identifying health or building code violations, nor guarantee familiarity or compliance with any governing health or building codes;
- (iv) guarantee, warrant or affirm that no violations exist;
- (v) waive any rights to address any violations that may be brought to the Association's attention in the future, even if such violations existed (without the Association's knowledge) at the time this statement was provided

BOARD CANDIDATE FORM

Catalina Foothills No. 9 Homeowner Association Board of Directors Candidate Form

NAME: _____ ADDRESS: _____

EMAIL: _____ PHONE: _____

DATE: _____

Qualifications: Normally board candidates are members, but this is not required. Per the By-Laws & Covenants, Conditions, and Restrictions of Catalina Foothills Estates No. 9 Association.

- Candidate Qualifications: By Laws Article III.2

Per Election Policy and Procedure this form must be submitted to the Board by August 10 to give time for ballot preparation and submittal to the Board for approval in the September meeting. Submit form to treasurer at CAT9_TR@YAHOO.COM

Candidate Biography:

The candidate may, but are not required, submit a brief biography covering work experience, volunteer experience, reason for joining the board, years in neighborhood, and any skills that may be relevant.

Number of Years in Neighborhood: _____

Background/Work Experience: _____

Availability (hours per month): _____

Reason for Wanting to Join the Board: _____

Prior Experience on This or Other Boards: _____

Positions Held: _____

Skills Which You Can Contribute: _____

Other: _____

Revision 1.0,
May 13, 2024