



## Catalina Foothills Estates #9 Association (CAT9) Newsletter

### February 2022

#### Annual HOA Dues Assessment

Your 2022 annual assessment is now due. As approved by the majority of CAT9 residents in October 2021, the annual dues are now \$300 per year beginning this year and going forward. Your annual dues are payable by the owner of record on February 1st 2022 and **become delinquent if post-marked or received after March 1, 2022.**

(These dues are not the same as the voluntary \$20 annual dues for the larger Catalina Foothills Association (CFA) ([www.CFATucson.org](http://www.CFATucson.org)) that recently issued their dues notice.) You can pay one of two ways:

Mail a check to  
Catalina Foothills Estates #9  
P.O. Box 36225  
Tucson, AZ 85740

OR

Pay via Zelle electronic transfer to  
[cat9hoa@gmail.com](mailto:cat9hoa@gmail.com)

#### Late Payment Information

Unpaid accounts incur penalties as follows:

Payment received during March 1-30, 2022:	Owe \$315
Payment received during April 1—30, 2022:	Owe \$330
Payment received during May 1-31, 2022:	Owe \$345

If dues are not paid by June 1, 2022, a Lien may be legally recorded against the property.

#### In This Issue

- Annual assessment due February 1
- Board of Director Officers for 2022
- CAT9 rep needed for CFA
- Frequently asked questions
- New Board Election Policy and Procedure
- Road maintenance
- Foothills Church signage outcome
- Attachment—Board Election Policy

Remember to Include  
your name, address, and  
lot number

## CAT9 Board of Directors, Officers, and Volunteers for 2022

CAT9 had Board member elections in November 2021, and appointed officers in January. We also have several volunteers who are neither directors nor officers which is a great bonus for our governance duties this year!

<u>Position</u>	<u>Name</u>	<u>Term</u>
President	*Sherri Durand	2021-2023
Vice President	*Joyce Su	2020-2022
Treasurer	*Gary Delmonaco	2021-2023
Roads & Landscaping	*Larry Ivy	2021-2023

<u>Position</u>	<u>Name</u>	<u>Term</u>
Secretary	Connie Struse	—
Architecture	*Anne Segal	2020-2022
Calendar	*Nancy Kay	2020-2022
Webmaster	Richard Bryant	—
Newsletter	Teri Ellen	—
Compliance	Jim Ponzo	—
Neighborhood Watch	Tung Bui	—

\* Board member

## CAT9 Rep Needed for CFA

We need someone to step up to be our representative for our sister association, the CFA. During the CFA annual meeting in January, they expressed their need for volunteers. CFA acts on behalf of all of the Catalina Foothills Estates No. 1-9 and maintains a rich history of advocacy for preserving the harmony of our beautiful neighborhoods.

As our CAT9 representative, you would attend the CFA meetings which are held on the second Tuesday of every month (except for July and August) at

7:00pm. You would serve as our liaison with CFA to help maintain awareness of commercial developments and other topics collectively impacting our Catalina foothills neighborhoods.

We could really use your help, so please send an email to [CAT9Board@gmail.com](mailto:CAT9Board@gmail.com) for more details or if you are interested. You can access a recording of their annual meeting at <https://www.cfatucson.org/annual-meeting> to learn about the importance of volunteering to help maintain this sister association.

## Frequently Asked Questions

**Q: Do I need Board approval to remove and/or cut down trees on my property?**

**A: YES!** The definition of "Improvement" in the CCRs includes "trees". In addition, Section 4.a.(6) states that "Native growth on Lots including (without limitation) cacti, mesquite and Palo Verde trees shall not be destroyed or removed except as may be necessary for construction of approved Improvements. Parasitic and non-native growth such as mistletoe and desert broom on Lots may be trimmed or removed at the discretion of the Owner". Section 4.a.(9) also states, "All trees and other vegetation planted in Lots shall be kept trimmed to a height that will not materially interfere with views from *neighboring Lots*."

**Q: Do I need Board approval to have a dumpster in my driveway or on my property?**

**A: YES!** Owners must request Board approval for using dumpsters, regardless of whether the Improvements are indoor or exterior. According to the CCRs Section 4(c), "*trash and debris shall not be permitted to accumulate and supplies of brick, block, lumber and other building materials will be piled only in such areas as may be approved in writing by Board.*" In addition, Section 4(g) of the CCRs state, "*No garbage or trash shall be placed or kept on any Lot except in covered containers of a type, size and style which are approved by the Board.*" Accordingly, please take time to fill out an architectural review form to inform the Board of this activity and to get approval.

# New HOA Board Election Policy and Procedure

The Board of Directors has voted to approve a policy and procedure (Policy) for the elections of Board members. Prior to this Policy, there was no defined nomination or election policy. This led to confusion and misunderstanding of how members can get on the ballot and hopefully be elected to the Board. In response to this, in December the Board formed a committee to draft an election policy. The Policy was discussed during the January meeting and voted on in the February meeting.

While allowing write-in votes was considered. Ultimately, it was decided that having a simple method for any member to get on the ballot would achieve the same result without the uncertainty of write-ins. If you want to run for office, it is as easy as filling out and submitting a form.

This Policy applies to Board elections, which is the only election with nominations and candidates. Other measures members vote on (dues increases, etc.) are not affected. The full approved Policy is attached to this letter, and the form for nominating yourself to be on the Board can be found in the CAT9 website at [www.CAT9.org](http://www.CAT9.org).



## Policy Highlights

- Candidate Nominations: Any member in good standing can be a candidate on the ballot by submitting a nomination form to [CAT9Board@gmail.com](mailto:CAT9Board@gmail.com) with their name and a short biography during the period of June 1 st to August 1 st each year. There will be reminders in the newsletters and Board meetings during this time.
- Notification of Candidates: By August 10, the Election Committee will contact all interested candidates to confirm interest, eligibility, and receipt of information necessary for the newsletter and ballot.
- Ballot Preparation: At the September meeting, the Secretary and Election Committee shall present a draft ballot for Board review and approval. The Board will approve the number of Board positions open for voting through the end of term or vacancy.
- Voting Method: The Board will decide in September upon the Voting Method. If by secret ballot, the procedures are outlined in the Policy. When the votes are counted, the candidates will be ranked from highest to lowest votes received. The candidates with the greatest number of votes win the open Board positions.
- Counting and Results: On the date designated by the Board, all the votes will be opened and counted at one time. The results will be announced at the annual meeting.

## Volunteer Road Maintenance

Last month, 12 CAT9 residents volunteered to complete a dead tree removal project in the wash off Calle Las Altos near the entrance to our neighborhood. Thanks to the outstanding work of our volunteers, we were able to completely fill the dumpster within a few hours.

Volunteer road maintenance that began last year will continue into 2022. The current plans for the neighborhood are to complete roadside maintenance as follows:

- February, April, and September

Chaparral, Placita Manzanita, Manzanita,  
Avenida De Posada, Altos Tercero, Altos Segundo,  
Altos Primero

- March, May, and October

Calle Los Altos, Circulo Solaz, Solaz Primero, Solaz Segundo,  
Solaz Tercero, Solaz Cuarto



If you have a remodeling or landscaping project that requires a dumpster rental, our trash and recycling service provider (Hughes Sanitation services,) will rent them to you for the following cost.

Two week rental rates:

- \$250 - 10 yard containers
- \$270 - 15 yard containers
- \$290 - 20 yard containers

Gross weight allowance per container is 3000 lbs. Weight over this amount would incur a \$50 addition charge per 1000 lbs.

You can contact Hughes Sanitation Service at 530-883-5868 (<https://www.tucsontrash.com/>).

Remember to let the Board know that you will have a dumpster on your property by filling out and submitting an architectural review form that can be found at [www.cat9.org](http://www.cat9.org)



## Catalina Foothills Church Signage Outcome

During the December 6, 2021, hearing of the Pima County District 1 Board of Adjustment (District Board), a decision was made on the sign variance application for Catalina Foothills Church. We believe our efforts, in coordination with Catalina Foothills Estates #8 and the Catalina Pueblo,, were rewarded with the following improvements and neighborhood protections.

- The original proposed illuminated sign for the north wall of the Church was initially to be 114 sq. ft. with 27" letters and 35 ft. long, and was also to be on until 11p.m. This was significantly reduced to a size of 42.5 sq. ft. with 21" letters and 26.5 ft. length, and it will be turned off at 9p.m. The lighting will be 'reverse pan' back-lit halo style letters only.
- The freestanding monument sign at the Orange Grove entrance was proposed to be 10 ft. tall, up to 50 sq. ft. in size, and illuminated until 11p.m. with no clear controls on brightness. It will now be no more than 8 ft. high, 30 sq. ft. in size, with lights out at 10 pm. The Board required that there will also be a dimmer installed to adjust the freestanding sign illumination if the light brightness is excessive.
- Similarly, the freestanding sign along Skyline was proposed to be 10 ft. tall and up to 50 sq. ft. This was reduced to 7 ft. tall and 30 sq. ft. In addition, lights will be off at 10p.m. and a dimmer installed.

Sign designs and colors were significantly muted from original designs. The significant reductions in sign area, duration of illumination, and lighting design are important victories for more than 100 neighbors and 6

HOA's who responded with comments to our working group to represent the collective opinion to limit the variance. We believe this was a kind of hybrid solution bringing elements of the so-called 'Dark Sky Incentive' (DSI) program together with existing sign code. The DSI was written into the code only in 2020 and designed to allow increased sign sizes if they will be turned off earlier and emit less light. Our efforts brought attention to this new incentive as we are not aware of another hearing where this program was used to help reach a solution for neighbors. We hope we started a trend and that the Board will continue to value neighborhood input and feedback.

Finally, we are aware of the complaints on the continuous use of temporary banner signs at the Church location. Although this was not part of the variance discussion, the County staff report to the Board included an acknowledgment of this problem. We have received a commitment to enforce rules for a 90-day limit per year on banners, with size limits, and a requirement of mounting banners on a wall or building rather than temporary re-bar poles.

Thank you for your support and interest in protecting the harmony of our scenic Foothills neighborhood.

Church Sign Variance Working Group: Bill Read, Frank Bangs, Fred Fiastro, Larry Ivy, and Sherri Durand

You can find all the hearing materials on the District Board website at

<https://webcms.pima.gov/cms/One.aspx?portalId=169&pageId=467931>



Catalina Foothills Estates No. 9 Association  
Elections Policy  
Board Policy and Procedure #002

**ATTACHMENT****I. Purpose**

This policy and procedure describes the agreed upon process for candidate nominations, ballot preparation, mailing, and voting for election to the Board of Directors for Catalina Foothills states No. 9 Association (Board) during or for the annual meeting.

**II. Scope**

This policy applies to all elections for the Board at the annual meeting as set forth in Bylaws Article II, Section 1.

**III. Policy**

It shall be the policy of this Board to follow this procedure set forth below.

**IV. Procedure****A. Candidate Nominations**

1. On June 1, the Board nomination period opens. Any member or non-member may self-nominate.
2. By August 1, candidates must submit a Nomination Form to be listed on the ballot – see website at [www.CAT9.org](http://www.CAT9.org) for copy of the form.
3. With the nomination form, candidates must also submit a brief self-biographical summary of qualifications including:
  - a. work experience, volunteer experience and life situation
  - b. reason for joining the Board
  - c. list of skills and any other ideas on how member/non-member can contribute

**B. Owner Communications**

1. The Election Committee shall develop newsletter articles for the February, June and October newsletters announcing the Election Policy details and slate of candidates (October only).
2. The Board shall include an agenda topic in the May, June, September, and October Board meetings regarding this Elections Policy.

**C. Ballot Preparation**

1. By August 10, the Election Committee shall review the Nomination Forms and biographical information received, and shall contact all interested candidates to confirm candidacy, eligibility for the Board, and receipt of necessary information for the ballot and newsletter.

## Catalina Foothills Estates No. 9 Association

## Elections Policy

## Board Policy and Procedure #002

2. By August 15, the Election Committee will provide the Officers the proposed slate of candidates for the ballot and copies of the material submitted to the Elections Committee.
3. By August 30, the Secretary and the Election Committee shall provide the draft ballot and proposed voting approach (see below) for Board review at the September meeting.
4. At the September meeting, the Board shall:
  - a. announce the slate of candidates (alphabetical order)
  - b. review the draft ballot
  - c. determine if the annual meeting will be held in person or virtual which will determine the Voting Method defined in Section IV.E. below.
  - d. approve number of Board positions for voting
  - e. finalize details for the annual meeting agenda.
5. Prior to the October meeting, the Officers will confirm the ballot legal compliance with outside legal counsel, and make any revisions to finalize for mailing.
6. At the October meeting, the Board shall:
  - a. approve the final ballot and annual meeting agenda for mailing
  - b. approve the date by which ballots are due
  - c. approve date on which the Election Committee and Secretary will open and count the ballots.

**D. Ballot Mailing**

1. The Election Committee is responsible for obtaining supplies, printing, and mailing the ballot and annual meeting materials.
2. The Election Committee is responsible for receiving, safeguarding and counting the ballots once returned.
3. The Secretary and the Election Committee will endeavor to mail the ballots by October 15 to allow sufficient time for receipt and return prior to the annual meeting.
4. If approved by the Board, the mailing of the ballots and voting for candidates shall be by secret ballot to include three envelopes:
  - a. Inside unmarked envelope for ballot anonymity
  - b. Return outside envelope with an identifying lot number
  - c. Outside mailing envelope for annual meeting materials

**E. Voting Method**

1. If the annual meeting is held in person, the members may vote in person or via Absentee Ballot as set forth in ARS 33-1812 or via Action By Written Ballot as set forth in ARS 10-3708, as amended.

Catalina Foothills Estates No. 9 Association  
Elections Policy  
Board Policy and Procedure #002

2. If the annual meeting is held virtually, the members shall vote via Action by Written Ballot as set forth in 10-3708, as amended.
3. In either case, no write-in candidates may be included, nor may any member make a nomination for a candidate from the floor on the date of the annual meeting.

**F. Receiving and Counting Ballots**

1. The Election Committee will hold all ballot materials unopened until the date designated for opening the ballot envelopes.
2. Upon receiving the ballots, the Elections Committee designee will note receipt of the ballot on the tally log by owner / lot.
3. If a secret ballot is approved by the Board, upon opening the ballots, the Elections Committee and Secretary will separate the ballots and return outside envelopes so that the ballot remain anonymous. Ballots will be counted and tallied anonymously.
4. Only "For" votes are counted.
5. Candidates will be ranked from greatest to least number of votes received. The candidates with the greatest number of votes win the open Board positions.

**G. Election Results**

1. At the annual meeting, either the President or the Elections Committee shall announce the election results and candidates seated.
2. By December 1, the Elections Committee is responsible for providing the final tally and all records and copies of elections materials to the Secretary for archive in the corporate records.

Last Revision: February 07, 2022

Approved: Unanimous vote of the Board of Directors 2022-2023

Sherri Durand  
Joyce Su  
Gary Delmonaco  
Larry Ivy  
Nancy Kay  
Anne Segal