



## Annual Catalina Foothills Estates No. 7 Association Meeting

Thanks to the many homeowners who attended the annual Catalina Foothills Estates No. 7 (CFE7) Association meeting, which was held on Saturday, February 10, at St. Philip's in the Hills Episcopal Church. The meeting had a great turnout demonstrating great pride in our unique neighborhood and a commitment to keeping our neighborhood a historic and unique place in which to live.

The annual Association meeting is an outstanding way to socialize with your neighbors and to learn about what is going on in your community.

The CFE7 annual meeting took place after the Neighborhood Watch meeting. Attendees heard reports from the President, Treasurer, and the various committees (Covenants Enforcement, Project Review, Landscape and Communications/Welcome).

President Dale Pugh acknowledged the contributions of current and former board members. He emphasized the need for members of the Association to serve as board members and as resident committee members in order to keep CFE7 a great place to live.

Three new board members were elected: Kenneth Ellis, Tommy Henry and Howell Herring. We are excited to have them join the board!

President Dale Pugh explained the fines that the Board of Directors recently approved. The details are on page 4.

Plans for the annual neighborhood cleanup were announced. The event will be held on March 10 starting at 9 A.M. Those wishing to participate should meet at the Catalina Foothills Estates No. 7 sign at the corner of River Road and Via Entrada.

The ballot item to increase the Annual Association Assessment from \$85 to \$100 was approved by a majority of association members who voted.

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### Welcome New Neighbors!!!

**NANCY PARKER**  
1021 E Via Soledad

**GIL TORRES**  
**TRACIE WEBER**  
5045 N Via Condesa

**SEAN BOWEN**  
1122 E Via Entrada

**BARRY/MARY GANAPOL**  
1820 E Calle Del Cielo

**KARSTEN BETD**  
4955 N Via Condesa

**RICHARD/MARCIA KLIPSCH**  
1720 E Entrada Nueve

### SAVE THE DATE!

### CFE7's Annual Neighborhood Cleanup

Saturday March 10  
starting at 9:00 A.M.



Resident volunteers should meet at the Catalina Foothills Estates No. 7 sign at the corner of River Road and Via Entrada to greet one another and claim a section of roadway/median to clean. Supplies will be provided.

## Annual Association Meeting

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The Association's attorney was in attendance and answered questions from those present about the proposed covenants change to restore arbitration to the Protective Covenants for dispute resolution. Changes to the Protective Covenants require an affirmative vote of at least 51% of the homeowners. The required 162 votes did not materialize; thus the ballot item to restore arbitration to the Protective Covenants was defeated. There were 89 votes cast, the majority of which were for restoration of arbitration.

Ken Scoville was the guest speaker at the annual meeting. Ken is a native Tucsonan, a CFE7 lot owner, a retired teacher and a historian. He presented a strong case for the Association applying for the designation of the CFE7 neighborhood as a National Register Historic District. In order to qualify, locations and properties must have been in existence for at least 50 years as well as meet one or more of the following requirements:

- An association with historic events and activities
- A significant person in the history of the nation or area
- Distinctive design or physical character
- The likelihood of providing information concerning history or prehistory

The CFE7 neighborhood began in the summer of 1965 with lots being sold and six homes completed by the winter holidays of that year. Consideration for nomination for the National Register requires that the property attain a half-century of existence. In the next few years more residences in the neighborhood will reach this requirement. For additional information about the National Register, please see the Fall 2017 edition of the Association newsletter which contains an article written by Ken. It can be found on the CFE7 website ([www.cfe7.org](http://www.cfe7.org))

Residents are always welcome to attend the Board's monthly meetings which are generally held the first Wednesday of each month, at 7 P.M. in the Hobby Room of Atria Campana del Rio, 1550 E River Road. Since meetings are subject to change, if you plan to attend, please check the CFE7 website ([www.cfe7.org](http://www.cfe7.org)) or with the Board Secretary, Jane Hoffmann, at 323-9299.

## Helping the Board of Directors Help You

**A**t some point, almost every homeowner in CFE7 will interact with one or more of the Board of Directors. Volunteers who serve on the Board are your neighbors; Board positions are unpaid and in some cases are almost a full-time job for a Board member. One very important task that Board members must do is ensure that the Protective Covenants are enforced. The Covenants protect the unique character of our neighborhood, which in turn keeps CFE7 a pleasant place to live and helps maintain property values.

Board members have your best interests at heart. If a Board member contacts you, please help by returning the call or e-mail. If a covenant violation is involved, the Board is required to resolve the problem or the covenants could become unenforceable. Ignoring notices, calls, or e-mails does not get the problem resolved; rather it irritates your neighbors and wastes a volunteer's time. Please work with the Board to keep CFE7 a great place to live.

## Clean up After your Dog: Show Us Your Bag

**N**umerous articles have been written for the newsletter about homeowners' responsibility to clean up after their dogs when walking the roads of our neighborhood. Unfortunately the Board continues to receive complaints about messes on our frequently walked roads.

The problem seems to get worse in the Spring and Fall. Our warm winter has also allowed for nice walking weather for man and their K9 companions. Litter trails can be found along our roads and in our washes. (It is important to remember that washes in our neighborhood are either owned by the Association or adjacent homeowners. Many of our walking trails pass through private property.)

Dog owners have a unique responsibility to clean up after their pets. Not only is it the law, but it is an act that shows respect and concern for the appearance of our neighborhood. It may not be pleasant, but it is simple to carry a bag, clean up after your pet and properly dispose of the waste.

If you are a responsible dog walker and carry a bag to clean up after your pet, the Board asks that you carry it in plain view to show your commitment to a clean neighborhood. Don't be bashful to challenge those who don't have a bag in sight to "show us your bag!" A little peer pressure is needed as articles in the newsletter just aren't solving the problem.

## Meet Our Newest Members of the Board of Directors

### Kenneth E. (Ken) Ellis

Seven years ago Ken and his wife Brenda made an informed decision to settle in CFE7. Every day since then they have been reminded that they made the right decision.

In Ken's words, "CFE7 is a unique desert oasis surrounded by nondescript traditional neighborhoods. When you drive through a typical neighborhood you see lots of houses and occasional desert vegetation; however when you drive through CFE7 you see lots of natural desert vegetation and an occasional house. The natural beauty of CFE7 with magnificent mountain and city views, abundant wildlife and natural desert vegetation and exceptional architectural integration illustrate the unique character of CFE7. The unique character and traditions of our neighborhood are well worth preserving. The Board of Directors serves a vital role in protecting the traditional character of our neighborhood." Ken looks forward to contributing to this effort by serving on the CFE7 Board of Directors.

Ken served on active duty in the U.S. Army for more than 31 years and another 6+ years in Federal civil service. He served in various command and staff positions and visited or lived in 41 states and 10 foreign countries. He served in various positions in law enforcement, security and investigations activities, Inspector General duties and resource management assignments including service in and around the Pentagon.

### Tommy Henry

Tommy and his wife Jan moved from Scottsdale to CFE7 in August 2014. They chose Tucson after an exhaustive search of other areas and regions. They discovered CFE7 and were impressed by the location and scale of the neighborhood, beautiful landscape, views and the location central to the city, yet having the feel of being out in the middle of the Sonoran Desert.

A previous board member encouraged Tommy to get involved as a resident member of the Project Review Committee and he has been doing this for more than two years. Tommy is interested in serving on the Board to help maintain the character, beauty and quality of life consistent with our covenants. Tommy is a registered architect who practiced traditionally for 8 years and then proceeded into hospitality development as a development manager and corporate officer for major hotel entities. He semi-retired in 2010, but continues to consult for various hotel developers on a national basis.

In Tommy's words, "My interest in being a Board Member is to do my part to maintain the character, beauty and quality of life consistent with our covenants and guidelines. CFE7 is a very special and unique development in today's world. If we do not enforce our guidelines and covenants, we will see multi-story homes and a higher density with no regard for the terrain and landscape. I hope to encourage participation on our volunteer board and its committees, to ensure those who live here and those who come after us enjoy this community in all its beauty."

### Howell Herring

Howell and his wife Mary moved from Philadelphia to Tucson in August 2013, when he became Deputy Director of Information Technology for the City of Tucson, having held the same title with the City of Philadelphia when he retired after 32 years of service.

Living on the East Coast all their lives where trees have leaves and rivers have water, Howell and Mary were pleasantly surprised to find the desert included green plants. After several months of searching, the Herrings found a beautiful view for sale in CFE7 that came with a house, which they purchased in October 2013.

To get to know their neighbors, Howell and Mary host an annual block party with over 60 people attending. Howell's first calling was urban planning and chose CFE7 because he has always admired developments that cluster homes together to preserve much of the natural landscape. He is an active volunteer with the Watershed Management Group, often participating in their workshops to install rainwater harvesting and landscape contouring for rainwater retention. His goal for his property is to have almost zero runoff, allowing nearly all rainwater to be captured to feed plants and recharge the underlying aquifer instead of flowing into the wash.

### THE BOARD OF DIRECTORS

Hamid Badghisi

Kenneth Ellis

Jean Harber

Tommy Henry

Howell Herring

Stacy Litvak

Dale Pugh

Linda Waugh

See [www.cfe7.org](http://www.cfe7.org) for contact info



## New Fines Adopted by the Board of Directors

The Catalina Foothills Estates No. 7 Board of Directors has adopted a provision that allows it to assess fines against property owners who violate the Protective Covenants.

The fines can only be assessed after the property owner receives notification of the violation and is provided the opportunity for a hearing before the Board.

Section 9.2 of the Protective Covenants, Enforcement Procedures, grants the Board the authority to levy a monetary penalty. It states: "At the Board's discretion, a violation of the Governing Documents by an Owner, his guests, tenants or family members, may be referred to the Association's attorney for enforcement action in Superior Court or any other court or agency of appropriate jurisdiction. Alternatively, pursuant to A.R.S. §33-1803 the Board may levy a monetary penalty or other sanction against an Owner in accordance with the Governing Documents, applicable law and procedures set forth by the Board of Directors."

The Board discussed the proposal to levy fines for nearly six months before adopting them. Property owners were notified of the Board's intent in the Fall 2017 edition of the Association newsletter. A newsletter article guided property owners to the Association's website to view a draft of the proposal and asked for comments. Only one comment was received.

The Board adopted the policy because at times it has become extremely difficult to gain compliance with the Protective Covenants.

The monetary penalty resolution requires that a property owner receive two notices. The first notice alerts the property owner to the fact that an alleged violation exists and informs the owner that their property will be re-inspected. Should the issue not be resolved by the time the property is re-inspected, a second, more specific letter is sent that gives the property owner 21 days to respond to the Board in writing. If the issue is not satisfactorily addressed within this 21 day period, the Board is required to schedule a hearing for the property owner. If the Board determines there is a violation at the hearing, the Board can levy a fine.

It is a lengthy process for sure; the timeframe is based on requirements of the Protective Covenants and state law.

The resolution spells out two different fines, Architectural, Landscape and Land Use Violations (matters that fall under the jurisdiction of the Project Review Committee) and General Violations of the Protective Covenants.

Architectural, Landscape and Land Use Violations include items such as an exterior improvement for which there was no application to the Project Review Committee, let alone its approval. Those violations would be fined \$100 a week. General Violations of the Protective Covenants include items such as leaving garbage cans in view or on the road. Those violations would be fined \$40 a week.

It is important to remember that a monetary penalty could be levied only after the property owner is notified twice, given an opportunity to respond to the Board in writing and offered a hearing before the Board.

If unpaid, fines would be collected through an action in small claims court.

### Complaints about Bike Riders in our Neighborhood Washes

The Board of Directors has received several complaints recently about bike riders in washes throughout our neighborhood.

Those complaints range from walkers complaining about near misses to destruction of sandy banks and trees. Residents have complained about large groups of riders traversing washes.

Some residents have also expressed concern that the riders are coming from outside our neighborhood and making our area a routine trek.

While the Association owns a portion of Race Track Wash, many of the washes in our neighborhood are privately owned and part of a homeowner's lot.

If you have experienced a problem with bike riders in our washes, the Board asks that you share your experience by calling the Board Secretary, Jane Hoffmann, at 323-9229 or via e-mail at [secretary@cfe7.org](mailto:secretary@cfe7.org).

