

**THE FOOTHILLS CLUSTERS HOMEOWNERS ASSOCIATION-
BOARD OF DIRECTORS MEETING**

MEETING MINUTES

March 11, 2024 at Catalina Foothills High School

1. CALL TO ORDER / ROLL CALL

The meeting was called to order at 6:30 PM

Board Member/Term Expiration	Present	Absent	Proxy
Brian Bickel 2024	x		
Greg Piraino 2024	x		
Austin Wesnitzer 2024	x		
Ron Steffens 2025	x		
Vacant 2025			
Vacant 2025			
Gigi Bainbridge 2026	x		
Aletha Kalish 2026	x		
Donn Stoltzfus 2026			x

2. PRESIDENTS COMMENTS:

President Kalish thanked the members of the Board for their diligence in getting things done for the benefit of the community.

3. APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

The minutes of the February meeting were approved without revisions.

4. COMMITTEE REPORTS

a) Budget and Finance

Treasurer Bickel explained that the monthly finance report is available on the Caliber website. Presently there is a checking balance of \$223,688 (of which \$86,658 is reserved for the next 12 monthly loan payments), a savings balance of \$113,874, and accounts receivable (assessments due) of approximately \$11,000.

Brian said that approximately 25-30 homeowners have not paid their 2024 assessments and have been assessed late fees. He also said two accounts delinquent in paying 2023 assessments were referred to our attorney for collection.

b) Architectural Control Committee

Greg Piraino reviewed the monthly report, which is attached at the end of the minutes. Two new applications were received last month, one for a casita at 6

c) Communications Committee

No report..

d) Compliance and Enforcement Committee

Donn Stoltzfus was not available to present the report, which is attached at the end of the minutes.

e) Landscape Committee

Ron Steffens noted that some minor amount of buffelgrass has been removed with the consent of the homeowner from lots within the Clusters. A report of grass within the Common Area turned out to be fountain grass, another invasive but generally less flammable plant. This may be removed at a later date. Homeowners are encouraged to remove both grasses from their lots.

f) Road Maintenance Committee

Austin said that the work on Kingler Spring to address a drainage issue has been done, but the contractor added a modification that created another issue. The contractor will return to do a little more work in the area. Two other minor projects will be addressed later in the month. He stated in response to a homeowner question that street preventative maintenance, such as surface sealing, would not take place until 2025.

g) Welcoming Committee

Dan Weisz was not available to make a report..

5. MASTER ASSOCIATION REPORT

The annual meeting of the Master Association will be held on March 14 at 4:30 PM on Zoom. The agenda and Zoom access information has been posted on the community website.

6. DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE FUNDING UP TO \$1000 FOR PREPARATION OF A WRITTEN INSTRUMENT THAT WOULD, WITH APPROVAL OF THE MEMBERS, REVISE THE CC&RS TO NO LONGER PROHIBIT BASKETBALL HOOPS IN VIEW FROM THE STREETS.

After a lengthy discussion, the Board decided to table the item and consider putting together a package of multiple amendments, including possible allowing basketball hoops, each to be considered individually by the community. Some of the possible specific items mentioned by various Directors for amendment including cleaning up the CC&Rs to delete all mention of the Declarant (the original builder); allowing for a sole source trash and recycling contract; allowing flagpoles of greater height; possible revisions to the section concerning Architectural Control, including lengthening the amount of time allowed for review; linking the maximum increase in the annual assessment to a government-stated inflation rate, and others.

The Board anticipates further discussion, including legal review and input, as it moves towards a package of amendments to submit to the homeowners for approval. One member noted some of the items ripe for amendment were long-standing but had been set aside while the Board worked to get approval for the loan necessary to pave the streets. Other Directors noted that it could take a few years to obtain approval without an effort to directly contact homeowners and get a response (to pass, a proposed amendment must have the approval in writing of 75% of lot owners, or 276 of the 376 lots).

The potential for an electronic voting process was also mentioned. Greg Piriano suggested ultimately preparing a document similar to the election propositions guide that would contain the language of the proposed amendment and a brief statement as to why the Board supports it. Discussion to continue at future meetings with the idea of agreeing upon a process and then beginning with the help of the community to assemble possible amendments for legal review.

A homeowner requested clarification that the \$1000 would not be spent at this time; Directors stated that a cost estimate for legal services, encompassing all of the desired amendments, could be sought in the future.

7. OLD BUSINESS

Call for Volunteers – there may be a couple of individuals interested in volunteering to fill the open seats on the Board, subject to approval by a vote of the Board of Directors.

No one has volunteered to fill the vacant positions on the Nominating Committee or the vacant position on the Compliance and Enforcement Committee.

The discussion about inconsistent enforcement of the ACC paint standard was tabled in the absence of the homeowner who made the complaint.

7. NEW BUSINESS

Several Directors rued that the public had not turned out for this "in-person" meeting. There was some discussion of how to increase public attendance, and the possibility of moving the meetings to Tuesday night was brought up but not affirmed. It appeared

that Wed-Fri evenings were not good options, leaving Monday and Tuesday night as the alternatives.

8. COMMENTS AND INFORMATION FOR THE GOOD OF THE COMMUNITY

None.

9. ADJOURN. The meeting was adjourned at 7:22 PM.

March 2024 Architectural Control Committee Report Prepared by: Greg Piraino ACC Members 2024: Donn Stoltzfus, David Kalish

A: (2) Applications Received - (1) Approved (1) Under Review

3773 Marble Peak Application for Demolition and Reconstruction of home submitted with plans- approved.

6860 Cascade Springs Application for Casita- received and under review by ACC.

B. New Project Inquiries

6865 Cascade Springs Contemplating bedroom addition. No plans created. No application submitted. Provided ACC Guidelines and Application.

3478 Nugget Cyn Contemplating garage addition. No plans created. No application submitted. Provided ACC Guidelines and Application.

C: Previous Applications ready for final observation

3500 Nugget Cyn Shed addition reported complete. To be observed by ACC member and file closed if completed per approved application. Approximately 30 approved applications remain open. ACC will begin contacting these homeowners once present Guidelines workload recedes.

D. Miscellaneous Activities

Uploaded ACC Guidelines 2.5.24 revision to FCHOA website. Explored use of Caliber for ACC application purposes with Larry Holmes

E. Future Activities

- Create new streamlined application forms for improvements that are easier to follow, enter data into, and review more quickly
- Create list of information for homeowners to put on plans to accompany applications. Make this list very easy to follow.

- Provide expanded list of pre-approved locally available high-performance tan roof coatings. Provide descriptions of alternate high performance tan roof coatings. Provide explanation on roof coating performance and how and why tan roofs can meet or exceed white roof performance.
- Provide updated FAQ pages for multiple subjects that keep coming up as applicant questions.
- Consider and discuss potential future updates to CC&R's.

February 2024 Compliance and Enforcement Committee Report (covering the period 2/1-2/29/24)

A. Compliance Assessments:

Compliance Assessments for the lots on the eastern half of the community began in late February and will be completed in March.

B. Courtesy Notices:

No new Courtesy Notices were sent. One owner was contacted by email regarding an ongoing vehicle parking issue.

C. New Enforcement Cases:

No new Enforcement Cases were opened.

D. Enforcement Cases in Progress

3736 E. Lizard Rock (NOV) . Boat trailer in side yard. The violation was confirmed by a Hearing Panel on December 11 and fines and late fees totaling \$180 have been assessed. The owner recently made contact and stated that he is attempting to find someone to remove the boat and trailer. Monitoring the status but not recommending further action at this time.

6840 McFall Crags Place (NOV) Owner maintains a basketball hoop in the street ROW in front of his home and has not responded to the NOV. Owner notified that a Compliance Hearing will be held following the April Board meeting.

E. Closed Enforcement Cases

None.

F. Other Notes

An inventory of apparent white/near white roofs is underway.. To date 21 homes with possible violations have been identified for further visual review.

Vehicle parking on streets between the hours of 1 AM - 6 AM in violation of the Vehicle Parking Policy has been identified as a concern at one property. Confirmation requires that the observation be made between those hours, that the violation is repeated, and that the vehicle can be linked to a particular property. Enforcement is ongoing; it is the intent of the Committee that compliance be assessed through the entire neighborhood rather than at that one particular property to avoid the perception of selective enforcement.