

**Catalina Pueblo Association  
Board Meeting  
March 16, 2010**

The meeting was called to order by President Joe Thompson at 6.07 pm at the home of Carol Sinclair.

Present: Joe Thompson, Marianne Van Zyll, Cherry Rosenberg, Jo Ann Marcus, Jay Book and Carol Sinclair.

Homeowner Present: Aldine von Isser

**Presentations:**

A presentation was made by Aldine von Isser regarding the wall extension to their patio. They wish to add 20 inches in height to the existing wall at the southwest corner of the rear patio at 6315 N. Calle de Caballo.

Jo Ann moved that the proposal be accepted as presented to the Board. Seconded by Jay, there were no dissenting votes.

Cherry moved that the minutes from the February meeting be accepted. Joe seconded. There were no dissenting votes.

A motion was made to adopt the *Catalina Pueblo Association Board Policy Statement – Considerations for Exemptions to CC&Rs 9.3.5*. The Statement was accepted unanimously. The statement will be posted on the website. Please see below for the statement.

Jo Ann made a motion, seconded by Marianne, to create a sub-committee under the Social Chair, for creation of a CP “Homeowners manual” to be included in the welcome packet for new members. There were no dissenting votes.

Cherry made a motion, seconded by Joe: That the board ask Connie Church to provide the Board with a resolution for creating and defining the Communications Committee (for which she will chair), for presentation at the April meeting. There were no dissenting votes.

Jo Ann moved, seconded by Jay, that based on the *CPA Board Policy Statement – Considerations for Exemptions to CC&Rs 9.3.5*, the variance request submitted by Jill Atlas in her letter dated January 5<sup>th</sup> 2009 did not support approval of exemption to the first amendment. Accordingly, the Board will reply to Jill Atlas in writing stating so. There were no dissenting votes.

Jay made a motion to keep CD in cash once it matures 4/28/10. And maintain reserves in cash for future roads and pools project, subject to ballot vote and approval by members. Seconded by Joe, there were no dissenting votes.

**New Business:****Considerations for Exemptions to CC&Rs 9.3.5**

A draft was reviewed from Attorney Mike Butler for review by the Board. This will help the Board with decisions for the 1<sup>st</sup> amendment, when approached by members.

**Roads:**

Carol approached three road engineers for advice on paving our roads. They either were not interested in such a small job or there was no response at all. Carol suggested a chip and seal for application to the Pueblo Roads in early September that will potentially last 7-10 years.

A draft ballot is to be created for approval at the next meeting and subsequent inclusion in the April newsletter.

Steve will create a resolution for the Minera Pool bathroom project.

Carol will create a resolution for the road project.

**Treasurer:**

ACC and taxes have been filed.

Almost all dues have been collected. There are 2 homes in foreclosure and we will attempt to collect these monies. Another homeowner will pay the rest of her dues, which is \$250, before March 20.

**Landscape:**

Pots are in place at the Minera Pool, Francisco will fill with dirt.

Rental properties are by far the biggest offenders of unkempt properties.

30 day compliance maintenance requests will be sent to members via certified mail immediately, rather than telephoning first.

The following properties are not in compliance:

2791 Avenida de Pueblo – landscape maintenance on Pueblo & on Campbell  
(foreclosure)

2585 Avenida de Maria – landscape maintenance in front

6231 N Campbell – landscape maintenance at rear of house, house/wall painting same area

2555 Avenida de Posada – large dead agave in front of house

6223 Calle Minera – mistletoe laden dead tree in front of house

6261 Calle de Adelita – dead cypress in front courtyard

2572 Avenida de Posada - port-a-potty in street

**Pool Report:**

The final plans for the Minera project were turned into Pima County today (March 15<sup>th</sup>). When we get copies of the plans from the architect, we will put them up for bid (at least 3 bids) before we get the final county stamp. This would be with the understanding that we would be amenable to bid adjustments if Pima County requires any changes to the plans. We are doing this to keep the project moving instead of sitting on our hands for up to 3 weeks while Pima has the plans.

As we get bids we will keep them confidential until all bids are received. When I have them all, I will meet with Jo Ann and the pool committee and then email the board.

**Social:**

Because the attendance will be down at the spring luncheon, hiring of the tent was cancelled. The additional money will possibly be used for hiring Mariachis at the Cinco de Mayo Party. A suggestion was made for mariachis at the Cinco de Mayo Party. It was suggested to use a young adult group.

**Correspondence:**

Contract was received from attorney Mike Butler – see below.

The meeting adjourned at 9.45 pm. The next meeting will be held at home of Joe Thompson, April 20<sup>th</sup>

Catalina Pueblo Association Board Policy Statement - Considerations for  
Exemptions to CC&Rs 9.3.5

The Board of Directors of the Catalina Pueblo Association (the “Board”) is duty bound to enforce the CC&R’s as approved by the membership of the association. The members voted to restrict rental properties in the neighborhood, as reflected in the First Amendment to the CC&Rs dated January 18, 2008. In accordance with the Amendment, the Board may consider requests for hardship exemptions. This Policy Statement is intended to clarify when an exemption may be warranted.

The Board will consider written requests to be exempt from the restrictions of Article 9.3.5 of the

CC&Rs, as amended, in the following circumstances:

A. A homeowner provides written documentation of an involuntary loss of income and/or assets that prevents the homeowner from making mortgage payments or homeowner expenses. No exemption will be granted for a period of longer than one year, and the exemption will terminate earlier in the event the homeowner’s financial situation improves sufficiently to make the necessary mortgage and expenses payments.

B. A homeowner provides written documentation of a temporary job transfer outside the area which requires residential relocation. No exemption will be granted for a period of longer than one year, and the exemption will terminate earlier in the event the homeowner returns to the area. Purchase of another property by homeowner voids the exemption.

C. A homeowner has suffered a physician verified health condition that prevents the homeowner from meeting financial obligations, including mortgage payments and homeowner expenses.

Again, no exemption will be granted for a period of longer than one year, and the exemption will terminate earlier in the event the homeowner’s health condition improves sufficiently to allow the homeowner to make the necessary mortgage and expenses payments.

Any homeowner who leases property under an exemption to Section 9.3.5 shall not be entitled to vote on any Catalina Pueblo Association matters relating to the leasing of property in the neighborhood, and an exemption herein does not

relieve an exempt homeowner of any obligations or assessments under the governing documents.

To qualify for consideration of an exemption, a request must be made to the Board in writing, along with the required support documentation, and the lease must be filed in advance with the Secretary of the Board

The date of exemption commences with date of lease.

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