



President's Note —

I'm honored to serve as your new president. We are endeavoring to increase community engagement as well as transparency and consistency of application of guidelines. Please consider volunteering to help with projects or committees. *Philip Harber*

CFE7 COMMUNITY ENGAGEMENT ACTIVITIES

Many residents have expressed a desire for community-building activities, groups, and online forums, all possibilities that the Board has discussed over the past year. To that end, please consider two opportunities that are being spearheaded this spring:

— Board member Dave Ruffner has proposed an informal group with the aim of supporting sociability in our neighborhood. This can take many forms: book clubs, group hikes, trash pick-up days, taking a neighbor's dog for a walk, card or board games, or running errands for someone who is homebound. Given the diversity of this neighborhood, we are hesitant to assume what people would be most interested in. So, we have created an online survey to gauge interest.

If you have internet access, please take the anonymous survey at <https://www.surveymonkey.com/r/CFE7>.

Otherwise, please get in touch with Misty Arnold with your ideas at the following email address: misty32974@yahoo.com.

— For those looking for online engagement without specific meeting times, John Milbauer is piloting a **CFE7 Slack thread dedicated to landscape/gardening/wildlife**. Slack is a great communication tool that is user-friendly, easy to install, and free. The channel will be moderated and kept private to CFE7. If you are interested in checking it out — whether sharing your pics/successes/challenges of gardening in our neighborhood, looking for inspiration for a trouble spot, asking or offering advice, or posting a photo of wildlife in the neighborhood — please get in touch with John (communication@cfe7.org) and he will add you.

Please welcome our New Neighbors!

Fred/Holly Minniti
5221 N Foothills Drive

Buzz/Mackie Osborne
1350 E Via Soledad

Douglas Luckett
5425 N Soledad Segunda

Zachary/Michelle Dellheim
4955 N Via Condesa

Joachim/Anna Wuerker
1531 E Entrada Sexta

Matthew/Dana McReynolds
1241 E Sobre Lomas

Casey Smith
1815 E Camino Cresta

Scott Hilkemeyer
Amber Levitz
1835 E Calle Del Cielo

Wayne Sinclair
Cynthia Laurila
1021 E Via Soledad

Drought and Flora

Drought and CFE7 flora: with only 2/3 of our average precipitation in 2020, and with 2021 starting dry, many palo verdes, acacia, mesquites, and cactus in CFE7 are suffering. If you see any struggling on your property and have the water budget to spare, consider helping them through this tough spell with a bit of support. A little irrigation in a dry year can be the difference between survival and demise, and bringing a new foothills p.v. to mature size takes decades.

PROJECT REVIEW COMMITTEE

Fifty-two Project Review Applications were submitted by homeowners during the CY2020. The projects ranged from simple re-coating of roofs to new construction and home additions. Accordingly, the complexity of the application submittals and required documentation varied. The first three months of CY2021 have shown a high number of applications, with over thirty approvals so far. Please remember to contact the Project Review Committee before you start your project, ideally during the planning phase. The committee members are here to help with the application process and to address any questions associated with architectural guidelines.

LANDSCAPE COMMITTEE

The Landscape Committee serves to provide knowledgeable assistance to homeowners regarding gardening/landscaping and also to enforce the community requirements specified in the covenants and guidelines. Landscape maintenance is currently in full swing in the medians along Via Entrada between Entrada Catorce and River Road. Pabelin Landscaping, LLC has been contracted to do this work. Javier Lopez, owner of Pabelin Landscaping, LLC is removing mistletoe (purposely leaving some for wildlife) and clearing dead branches, pack rat nests, etc. from the ground, taking care not to remove or disturb native growth on the desert floor. Landscape Committee is also consulting with neighbors regarding questions about Landscape Guidelines and prospective Project Review Applications that involve landscaping. Questions are always welcomed. Additionally, the committee is making a concerted effort to educate our new residents about the three zones of landscaping on each of our properties. In meeting and talking with new neighbors — and highlighting the Private, Transition, and Native Desert zones — we're able to delineate each zone to continue preserving our beautifully conserved environment.

TIP: Guidelines specify three zones for our properties: Private (Enclosed Space), Transition (within 15 feet), and Native Desert (remainder). The Landscape Committee is happy to help you delineate these and understand which guidelines apply to any project.

Please see the invitation on the first page to join the CFE7 Slack group if you are interested in sharing photos/questions/advice regarding gardening in CFE7!

COVENANTS COMMITTEE

There were 10 issues carried over from 2019 for resolution in 2020, and there were 28 new issues acted upon in 2020. Of the four issues requiring Board attention, three of them originated in 2019 and only one of the 28 violations in 2020 required enforcement action.

Although fewer in 2020, trash bin placement continued to comprise the largest number of concerns handled by the CC, followed by improper vehicle parking. In total, there were fewer issues needing CC attention in 2020 than in recent years. Let's keep moving in that direction!

TUCSON AUDUBON RESOURCES

Tucson Audubon Society has a multitude of programs that encourage homeowners to create bird-friendly habitat. Many of your CFE7 neighbors have joined the Habitat at Home initiative and have seen great increases in the amount and variety of avian activity. In addition, Tucson Audubon sponsors Birdathons (volunteer bird counts), sells various nestboxes (some residents have had success in getting Western Screech Owls to nest), and provides native landscape restoration consultations (\$250-\$700). Keep in mind that our own CFE7 Landscape Committee provides excellent free landscape consultations, that there might be slight divergence in approved plant lists, and that CFE7 lists must be prioritized. Please remember to submit a Project Review Application when doing landscape work!

Neighborhood Clean-Up Day

The CFE7 annual neighborhood clean-up in February was wonderful, with excellent participation. Many thanks to all who attended and helped in this effort!



ANNUAL MEETING HIGHLIGHTS

The 50th Annual Meeting of the Catalina Foothills Estates No. 7 Association was held on Saturday, 6 February 2021 over Zoom. Association President Ken Ellis welcomed approximately 53 members and introduced the Board: Tommy Henry and Joanne Robinson, who will both be leaving the board, Phil Harber, John Milbauer, Lynn Dent and Julie Kelly. President Ellis introduced the individuals running for Board vacancies Joel Henness, Cesar Melendez, Dave Ruffner, and Randy Accetta, all of whom were elected to the Board.

Our guest speaker was Julia Rowe, PhD, Invasive Species Program Coordinator at the Arizona-Sonora Desert Museum. Julia discussed invasive and non-native plants and the fire hazards they create in the Santa Catalina Mountains. She explained that in a natural state the vegetation has a lot of open space and is not prone to wildfires. However, when non-native invasive grasses are introduced, they fill the open space and provide fuel for wildfires. These invasive species—red bloom (*Brodiaea rubens*) and buffelgrass (*Pennisetum ciliare*)—are very fire adaptive, with dry tops that burn quickly, explode, and spread the fire. Fountain Grass (*Pennisetum setaceum*) is now considered an invasive species and it is present in landscaping on some CFE7 properties. You are encouraged to remove it from your property. You can dig it out (removing the root) or use herbicide with glyphosate. Stinknet weed (*Globe chamomilo*) is a new invasive in Pima County, as is the common mouse-ear chickweed (*Cerastium fontanum*). The Landscape Committee will be watching for these in CFE7 and proposing solutions for removal.

One of the most important things individuals can do is maintain native vegetation. Do not remove bursage and other native plants which act as nurse plants to Saguaros and other plants.

PLEASE EDUCATE YOURSELVES ABOUT BURSAGE AS IT IS THE GIVER OF LIFE.

Many residents don't realize that many of the ground cover plants may look dead during certain times of the year, but please do not remove anything until contacting the Landscape Committee, 520-333-9030, as they will be more than happy to come out and help you.



bursage



white bursage

GOVERNING DOCUMENTS ENFORCEMENT

A primary responsibility of the CFE7 Board of Directors is to maintain compliance with our Governing Documents. Responsibility for the initial steps falls to the Project Review Committee, the Landscape Committee, and the Covenants Committee. All suspected violations whether observed by a Board member or reported to a Board member will be investigated and verified by the responsible committee prior to the initiation of any action. When a violation is verified the Board applies an incremental process in a uniform and consistent manner to achieve compliance with the least amount of enforcement activity possible. The three-phases are 1st Notice, 2nd Notice, and Enforcement.

The 1st Notice establishes dialogue and notifies the owner that a violation exists. The committee member will provide the appropriate text from the Governing Documents and will explain the restrictions that apply. The committee member will provide advice and assistance and strive to achieve compliance in an amicable manner. Over 80% of all issues are resolved during this phase.

If the issue is not resolved, a 2nd Notice will be sent to the owner via US Mail. This phase is more formal and sets the stage for enforcement action if the issue is not corrected. The notice will again inform the owner that a violation exists and that it must be corrected. The owner will may respond to the notice within 21 days via certified mail. If no response is received and the violation persists the issue will be referred to the Board for a hearing and enforcement action. Fewer than 10% of issues go to the Board for enforcement action.

If the issue is referred for Board action the owner will be notified and provided an opportunity to appear at the Board Hearing. If the Board finds the owner in violation, a fine may be assessed and/or the matter may be referred to the attorney for legal enforcement. This is a rare occurrence; over a three-year period less than 2% of all issues required court action to resolve.

The Governing Documents also specify a process by which the owner may request a variance. The criteria and documentation requirements by which the Board decides are specified in the Governing Documents.

The Board has received resident concerns about the increase of plastic bags of dog waste in the roads and washes of our neighborhood. Not only unsightly, such waste is unsafe for humans and disruptive to the wellbeing of our desert flora and fauna. Please remember to pick up and dispose of your pet waste immediately and ask others to do the same. Your neighbors — human and nonhuman alike — thank you!

Juan Worner Baz's DESERT TOWER

By Jane Hoffmann

The “Desert Tower” that is at the entrance of Via Entrada and River Road was commissioned by John Murphey in 1964/65. Anne Via, whose husband Tom worked closely with Mr. Murphey and this particular project, shared with the Board that the original entrance tower was to be made out of huge boulders mined outside of the City of Oracle on the back road to Mt. Lemmon. The largest crane in Tucson was used to lift the boulders and the crane snapped in half from the weight of one of the boulders; it took six months to repair the crane and the company was not willing to work any further on this project.

At this point, Mr. Murphey contacted Juan Worner Baz, a famous architect from Mexico City, to design a revised “Desert Tower.” In a letter dated 21 April, 1966, John Payson wrote to Mr. Baz, “Water has been installed to flow off the top of each of the tiers of block, however, it is not working satisfactorily because when we get enough volume of water to be visible, it drops straight to the bottom without cascading down the sides. Also,

our experiments with antiquing have not been successful. Unless you have some suggestions, we probably will wait until your next trip to solve these problems.” Water did flow for several years but when the winds blew there was the problem of cars getting soaked by the spray. The water feature was disconnected.

Juan Worner Baz designed the Murphey home and also the “new” addition to the Broadway Village. Mr. Baz is responsible for bringing up the statues from Mexico that adorn the Broadway Village. He designed homes in El Encanto and also a home on Vista Valverde.

Catalina Foothills Estates No. 7 was the first development in which Mr Murphey introduced the new concept of the “pod development.” The county agreed to try the concept partially because of the terrain. The pod development is distinguished by the use of small cul-de-sacs off of main roads for clusters of homes and large open areas in between. This is one of the main features that make our CFE7 unique even today.

Temporary Barriers at Washes

As many of you know, there is an easement that allows CFE7 residents access “to walk and to ride horses” through areas of CFE7 designated as “drainage-way easements” on county maps. The easement is strictly limited to residents of CFE7 for the purpose stated. It does not allow for non-resident use, bicycles or other wheeled vehicles, and does not include the ability to disturb vegetation or move any objects on any of the properties.

These areas primarily comprise the three big washes that run through CFE7. Two run parallel on each side of Via Condesa and the other one runs between Calle La Cima and Calle Del Cielo down to River Road. The Association owns most of the wash on the west side of Via Condesa. All other washes within the boundaries of CFE7 are owned by individual property owners. Unfortunately, there have been instances of damage to vegetation in some areas of the washes. Vegetation has been cut/trimmed, rocks have been moved around, and vegetation has been removed in some areas.

The Board has placed no-trespassing signs at wash entry points on Via Entrada and Via Soledad to deter non-residents and bicyclists from using the washes. In addition to the signs, you may see temporary barriers at the entrances to the washes. As unsightly as they may be, these temporary barriers at the entrances

will be used as required to limit claims for adverse possession by non-residents who may routinely traverse the washes.

It is difficult for property owners to discern CFE7 residents from non-residents who may venture into the neighborhood. If you see a property owner when walking the washes, don't hesitate to introduce yourself and say hello. It lets the owner know you are a CFE7 resident and it's a great way to meet other residents.

Related: INCREASE IN MOUNTAIN BIKING ACTIVITY IN THE WASHES

There has been a pronounced uptick in mountain biking (including e-bikes) through the washes, and residents and the Board are concerned about the impact this is having on the landscape and on wildlife. Board members are working with the Pima County Bicycle Advisory Committee, local cycling groups, and the bicycle app Strava (to remove the named routes through our washes) in order to stem the flow. There is strong consensus among the Board members — several avid cyclists among us — that restricting access is necessary. A similar situation at Honeybee Canyon highlights the consequences of inaction and has involved litigation. If you are comfortable doing so, please kindly remind any cyclists in the washes that cycling is prohibited and that the property is not public, and then redirect them to enjoy the public roads through the neighborhood.