

Fountain Park Homeowners Association
Board Meeting Minutes
Wednesday, February 10, 2021 at 6:30 p.m.
Zoom Virtual Meeting

Present:

Board:

X Alicia Navia, President
X Mina Reeder, Vice President
X Melissa Mora-Lovelady, Secretary
X Ann Ochse, Treasurer
X John Steffens, Member at Large

Staff:

X Donna Wood, Managing Associate

Independent Contractor

Joan Groom, Meeting Minutes

OWNERS:

Dario Navia
Judi Dalton
Carol Decker

Kara & Andrew Scott
Sorraiyya Beheshti
Claire Callahan

I. Call to Order

A quorum being established with all members present, the meeting was called to order at 6:30 p.m. by President Alicia Navia.

Alicia mentioned some webinars focused on HOA Board leadership and education cost money to attend. She asked if PPI would finance Board attendance and the answer was not at this time. So Alicia asked if the Board had an interest in the HOA paying for webinars. Board members decided that anyone interested could pay themselves

There are also webinars and workshops that are free to attend. Donna will send information to the board when all educational opportunities are available.

II. Approval of Minutes

A motion was made and seconded (Navia/Ochse) to approve the December 9, 2020 Board Meeting minutes as revised. Motion passed unanimously.

III. Financial Report (*Ann Ochse*)

Current Assets	\$ 77,663.80
Reserve Assets	\$ 96,178.77
Total Assets	\$173,842.57

Prepaid Income	\$ 16,425.69
Retained Earnings	\$150,388.90
Net Income	\$ 7,027.98

January Income	\$ 13,200.59 – was over budget by \$178.91.
January Expenses	\$ 6,172.61

Administration was under budget by \$641.06.

Maintenance was under budget by \$1,493.

Utilities were under budget by \$576.14.

\$3,400 was contributed to the Reserve Account.

There were no Reserve Expenses.

Finances are looking very good.

IV. Reports

A. Landscaping (*Alicia Navia*)

- Routine cleanup continues. Flower seeds planted in 3 separate beds by Claire Callahan with help from Kara and Andy Scott have sprouted. Landtamers will water every Wednesday unless it rains.
- A picnic table bench at the playground broke; the handyman repaired and painted it.
- The rodents are back and have chewed some of the irrigation line near the pool restroom again. Landtamers will replace with a thicker version in a week or two.
- Horn Pest Control Contracts
 - We received the contract for twice a month treatment for rodents March through October. They pipe CO2 into their holes which will control them, but not eliminate them completely.
 - They will also treat for ants around the pool and paths. Total cost is \$9,519, which includes a 5% discount.

A motion was made and seconded (Ochse/Steffens) to approve contracts for rodents and ants with Horn Pest Control. After the Board discussion, motion was open to the floor. Motion passed.

- Fountain restoration estimates
 - The fountain is in need of maintenance/restoration. The sealing paint around the basin is cracked and there is seepage around the base of the fountain. Alicia asked Worry Free for recommendations and received 3 contacts. The first would charge \$175 minimum to come out and look. AZ Pool & Pond visited but Alicia is still waiting for a bid with option of replacing the fountain. Zona Fountains said he would come by and send a bid, but hasn't yet. Ann said you can purchase a large fountain for \$700-\$1,000. Alicia mentioned the pillars with the surrounding balls are not part of the fountain, so she needs more information.
- There is mistletoe in some of the park trees. Alicia expected a \$300 bid from Landtamers for 4 trees, but hasn't received it yet.

B. Pool (*Alicia Navia*)

- We are back with Imperial Pools abandoning a recent pool repair. Cracks in the deck were noticed in November. They came January 11 to repair the cracks. They cut most of the cracks and filled with a substance, which would not have enough time to dry and said they would come back on the 12th. They did not. The reason given was the illness of someone's mother, which resulted in no one being able to work. After two weeks with no further communication, the Board filed a complaint for abandoned work. The day IP received notice of the complaint, they scheduled completion for the following day. They painted over the areas repaired, but the paint doesn't match and there is discoloration in places. The Board inspected and agreed the repair work is not to industry standards. An ROC inspector will be onsite on Feb. 16th. We are proceeding with the complaint on the deck repair and warped channel drain covers. Our complaint doesn't yet appear on the ROC website, which includes 4 open complaints, not including FP's, 1 new disciplined case today and 11 closed or resolved cases.
- Alicia called contractors for alternatives to the pool lawn area. They are coming later this month. She will contact another contractor provided by Donna.
- We are hoping to be able to open swim season with the same guidelines as last year around April 1st. The lounge chairs are looking bad. Board decided to purchase four

lounge chairs. Melissa volunteered to check sources. Donna suggested a website called Pool Furniture Supply.

- Donna also suggested Concrete-Designs.com regarding fountain.

C. Security (*John Steffens*)

- Someone decided to bike around the park. We don't want folks riding on the dirt paths. If you're at the park and notice anything unusual, please contact John. He will send a notice to be put in the newsletter about bike riding NOT being allowed in the park.
- Mina recounted the history of the material installed on the path.

D. Hospitality (*Kara Scott*)

- We are caught up meeting new neighbors. There were no new homeowners during this last cycle.

E. ACC (*Mina Reeder*)

- No requests this month.

F. Newsletter (*Sorraiyya Beheshti*)

- Reports for December *Splash* edition are due to Sorraiyya by 4 PM Sunday, February 14th.

G. Compliance (*M. Lovelady*)

- No report.

H. Recreational Committee (*Kara & Andy Scott*)

- Community Survey (Results)
 - Question 1: ideas - 121 answered; 2 skipped
 - Question 2: willing to pay - 14 yes; 23 no; 68 maybe, depending on cost; 18 no, but willing to wait for funds.
 - Question 3: trash cans - 47 yes; 74 no.
 - Top replies were for a sports court of some kind, with pickle ball court the most popular, and ramada. Dog park was a polarizing issue.
 - Alicia commented there is a lot of information to begin to narrow down possibilities.
 - Kara was encouraged by the participation and suggested using this type of format for future projects. She also mentioned there was research on building a ramada a couple of years ago and perhaps that could be updated.
 - Alicia would like a summary of survey results to appear in The Splash. The Scotts will submit a review.
 - Next step: John suggested narrowing down the top 5 choices and seeing where we go. Alicia asked if narrowing it down even further could get a clearer idea of what everyone wants. Committee will send a new survey with top choices. Once those results are in, we can start looking at costs and may have the funds to build something. Alicia feels an enclosure will be necessary to preserve the area for the community only. There was a long discussion on whether the whole area should be enclosed or just part of it. The previous plan had two ramadas, two pickleball courts and a half basketball court.
 - Claire asked about having a gate at the entrance to the park. Alicia said it was presented at some point and the board discussion concluded it was too expensive since we would have to repave the parking lot also. But we can look at it again.

I. Management (Donna Wood)

No New Homeowners

January 31, 2021 Financials

Operating Account	\$ 77,663.80
Reserve Account	\$ 96,178.77
Total Assets	\$ 173,842.57

Expenses:

Administrative: Under budget by \$641.06 mostly due to postage and copies and security expense..

Maintenance: Under budget by \$1,493.53. Key areas under budget or no expenses were the following: M&R general, M&R fountain, M&R janitorial, pool and landscape services.

Utilities: Under budget by \$576.14. Gas was our biggest under budget item by \$560.59. Internet & phone for security under by \$64.28. Water & sewer over by \$42.65 and electricity running close to budget.

Total Operating Expenses for January were under budget by \$2,710.72.

Reserve Contribution: \$3,400.

Reserve Account Expenses: No monies were spent from the Reserve Account.

Miscellaneous

Worked with Kara and Melissa on community emails for survey.

Rental Restrictions

CC&Rs, ARTICLE II, Section 2.3 Renting, page 7

"Each Owner has the right to lease or rent his/her lot. Each tenant shall comply with the governing documents. Each owner is responsible for the actions of the tenant. It shall be a material default in any lease if a tenant violates any provision of the governing documents."

There are no time restrictions noted in the documents.

I went through the directory and found 18 owners who have a different address than their homeowner address [this does not include a few folks who live here and have PO boxes]. I believe there may be two of those who use this as their winter home and not a rental. So I believe there are 16 ppl who are renting their homes, less than 10%.

CC&Rs, ARTICLE X, Section 10.2 Amendments

This declaration may be amended by an instrument in writing, signed and acknowledged by the President and Secretary of the Association, certifying that such amendment has been approved by the vote or written consent (with or without an Association meeting, subject, however, to the voting rights set forth in Section 5.1.4) of the Owners of at least two-thirds (2/3) of the Dwelling Units and such amendment shall be effective upon its recordation with the Pima County Recorder.

As was stated in the November board meeting:

Updating the CC&RS & By-Laws

- Updating the CC&Rs
 - \$5000 – NTE price should include the following:
 - Create a first DRAFT of updated and restated CC&Rs
 - Updating the By-Laws and creating a DRAFT
 - Submit to Board/Review Committee
 - Have an in person or Zoom meeting with Carolyn to review both documents
 - 2 nd DRAFT or Blue line documents created from review meeting
 - Create a cover letter and ballot for the community vote.

We can use Election Buddy for \$19 for this vote. Doing a total revision of the CC&Rs would allow us to include the Perimeter Wall Policy, update about signage and updates that comply with current AZ Revised Statutes.

Mina said both the CC&Rs and R&Rs say a lot is to be used for residential purposes only and residence is your permanent home. It's the short term weekly rentals that are troubling. Renters have not been filling out the required information form. Alicia commented the meaning of "residential" might not be clear to everyone.

J. FP Streets Reconstruction Committee (*Ann Ochse*)

- Actions resulting from 12/12/20 and 1/23/21 meetings
 - Ann recounted how the committee formed after a Board meeting with Paul Cunningham in October. Carol West was elected committee chair.
 - At the December 12th meeting the need for street repair was discussed. Our streets are 40 years old, which is 20 years beyond the usual replacement time. The committee agreed to reach out to city officials and let them know we are serious about restoring our streets. Carol West drafted and sent letters in January to Paul Cunningham, Ward 2 representative, and Steve Christy, Pima County Transportation.
 - During the January 23rd meeting, the committee reviewed responses to the letter. They were disappointing. Carol had received only responses from staff and a handwritten note from Steve Christy stating he could not meet with us. The committee discussed becoming a Neighborhood Association because that gets more recognition from the city than an HOA. The committee thought they could encourage other HOAs into the association in the future. The committee decided to stay in contact with city officials. BJ Cordova volunteered to make a list of potholes. Claire Callahan volunteered to contact city with this list, and the city came and filled the potholes within a few days of being contacted. However, the streets still need to be reconstructed, the chip-sealing is only a temporary measure.
 - At the end of January, Tucson Mayor Regina Romero announced she would have funds available for repairing streets. Carol West immediately hand delivered letters to the mayor and Paul Cunningham.

V. New Business

A. Revision of Governing Documents

- There are several issues that have come up that we could include in a completely revised and amended CC&Rs: perimeter wall, short term rentals, yard signs.

- We need a clarification from an attorney of the definition of "residence." Ann mentioned AirB&Bs are businesses and that is not allowed.
- Judi Dalton would like an update on the house colors.
- Ann would like a different attorney.
- Donna suggested getting document revision prices from different attorneys. We should provide a list of things we're thinking about changing, ask what we might be missing, and be sure everything is up to date with AZ Laws.
- A committee would come up with a list, Board would decide, and give to attorney. Donna suggested polling the community to know what would pass before starting the process.
- Alicia asked Donna to get legal opinion on short term rentals and the HOA rights in stopping a business from operating. She will ask David McEvoy.

VI. Owner Comments

Kara recommended using the Survey Monkey to get community input into the above issues.

VII. Next Meeting

A. March 10th at 6:30 PM.

VIII. Adjournment

- **There being no further items of business, the meeting adjourned at 8:30 p.m.**

	Term Ends	Phone	Cell	Email
Alicia Navia , President	2022		614-507-4067	Ainavs319@gmail.com
Mina Reeder , Vice President	2022		520-979-1267	Minareeder1896@comcast.net
Ann Ochse , Treasurer	2023		520-678-1382	annochse@msn.com
Melissa Mora-Lovelady , Secretary	2023		520-975-7623	mluvlady@gmail.com
John Steffens - Director	2022		808-230-1294	abramsm@gmail.com
Donna Wood , CMCA, AMS		298-2146		donna@pinehurstproperties.net