

Desert Dwellers

Volume 6, Issue 2

June 2003

What OFNA is . . . And is Not

Oracle Foothills is changing rapidly, and with so many new residents, perhaps now is the time to review some of the history of the neighborhood association, and to remind everyone of the purposes and functions of the association.

Oracle Foothills Estates was originally developed in the late 1940's by Nick Genematas, who wrote CC&R's (Covenants, Conditions and Restrictions) for all the properties. These CC&R's were set to expire after 50 years, in 1999.

The Oracle Foothills Neighborhood Association was formed in 1993, became inactive for a time, and was reactivated in 1997. OFNA worked long and hard to renew the CC&R's before they expired, believing that they were critical for maintaining the integrity and character of the neighborhood. Our legal advice led us to believe that our efforts were valid and successful.

After a challenge to the CC&R's in 2000, we discovered that the original CC&R's were not legally renewable, and that the document was no longer in force. OFNA's efforts then turned to rewriting CC&R's and getting a majority of the property owners to sign them. In a neighborhood as large and diverse as ours, this was a major undertaking. After two long years of diligent work, the effort came up short of our required goal of 70% of the property owners' signatures. We agreed to end the attempt to gather more signatures when it became evident that we could not succeed.

As a result, **there are no deed restrictions** for Oracle Foothills Estates. The only enforceable rules are those imposed by the **Pima County zoning code**. Each resident of Pima County has the ability to file a zoning enforcement complaint if you feel that the zoning laws are being violated. The county zoning code can be found online at: <http://www.co.pima.az.us/cob/code/c.htm#Title18>. Our zoning designation is CR-1. To speak to the zoning enforcement office and request a zoning enforcement complaint form, call **740-6740**. Complaints must be made in writing. An enforcement officer will then make a field visit to determine if there is a violation, and take corrective action when necessary.

OFNA is a *neighborhood association*, **not** a *homeowners association*. If you purchase a home in a neighborhood with deed restrictions and a homeowners association, you are required, as a condition of owning your home, to belong to the association and to pay dues. The association has legal authority to require you to comply with the restrictions. Not so with OFNA ~ our membership is strictly voluntary, and OFNA cannot compel property owners to belong or to pay dues. As a result, neither can OFNA compel property owners to abide by a certain set of standards. **OFNA** works to bring neighbors together, to keep them informed of issues affecting us all, and to improve the quality of life in the neighborhood. Our Mission Statement says:

The Oracle Foothills Neighborhood Association exists to fulfill several functions. It originally was estab-

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lished to promote and build a friendly community as well as to provide a cohesive force to meet the challenges of encroaching development. OFNA is also a forum for:

- Increasing the level of communication and information available to homeowners through meetings, newsletters, signs, website, and e-mails.
- Supporting projects that enhance the beauty and livability of Oracle Foothills Estates
- Assisting neighbors in finding resources to solve problems and issues that arise
- Promoting a friendly and cohesive atmosphere in the neighborhood

The Neighborhood Association is committed to supporting its members and the neighborhood, protecting and promoting the quality of life we now enjoy.

OFNA has worked with government agencies, developers, businesses and other neighborhoods to improve our roadways, keep unwanted development at bay, control the type of development on our borders, preserve our environment, and to be a conduit for communication among these various groups. Obviously not all of our efforts are successful. A modular house was allowed in the neighborhood despite our vigorous protests. However, we were then able to change the zoning code to prevent more modulars in our zoning. Also successful was OFNA's efforts to keep out fast food restaurants and a technical school at the entrance to our neighborhood. OFNA publishes a quarterly newsletter, and maintains an active website. It is our goal to inform and educate residents on our unique desert environment, as well as on issues that directly affect the neighborhood. The organization has held numerous clean-up and beautification efforts. OFNA has also worked to increase homeowners' safety and security. Yes, we are also a social group, and we put on an annual picnic for the entire neighborhood. We feel strongly that knowing your neighbors is important in our increasingly complex world. If we can, in some small way, bring the residents of Oracle Foothills together, we will have accomplished a lot.

If there is a project or cause you feel the association should promote, consider getting involved and contributing your time and energy to accomplish that goal. We are all busy people and it's easy to find excuses not to get involved, but it is simply not reasonable to expect others to continually carry the workload. OFNA needs and want your input. A neighborhood association cannot be effective without the participation and support of the neighbors.

Board Meeting

The next meeting of the OFNA Board of Directors will be:

Monday, June 23rd, 7:00 pm

At the home of Sandy Elder,

5210 N. Nina Drive

Contact Jay DeAngeli, 690-1107, for any questions

Board Meetings are **OPEN** to all

COME ONE



COME ALL !!

It's time once again for the social event of the year in the Oracle Foothills Neighborhood:

The Annual OFNA Picnic!

This year it will be held on **Saturday, November 1 from 1 – 6 pm** in the wash next to the home of Sig and Nan Eisner (220 E. Yvon, The Chocolate House).

As always, we will provide barbecued chicken and hot dogs, drinks, etc. and each of you are kindly requested to bring your favorite potluck dish to share (one dish per household).

There will be fun activities for the kids ~ jumping castle, piñata ~ and, for the first time, for us adults, too! The picnic will be held on the day after Halloween, so please wear a costume if you are so inclined. There will be prizes awarded for outstanding costumery!

And, another first this year: **Entertainment!** Our neighbor, Barbara Schuessler, is an incredibly beautiful Flamenco dancer and she has graciously agreed to perform for us. And as if that were not enough, we are also going to entertain one another with music, so if you play an instrument (even a comb with wax paper or a kazoo), please bring it along for an old-fashioned sing-along/jam session.

As usual, we can use an extra hand or two, so if you would like to help pull this event together, please contact Barbara Schuessler b.schuessler@worldnet.att.net to sign up. We will need help with set up and cleanup, pickup of various supplies, a shuttle to bring those who need a ride to the picnic, and various and sundry acts of coordination on the day in question.

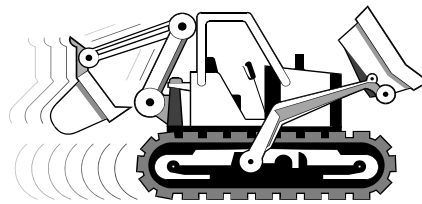
We welcome your suggestions, comments, questions, but most of all, we welcome you all to join us on the 1st of November, 1 – 6 pm! Hope to see you there!

The OFNA Annual Picnic Committee

Becky Huddleston beckyh@longrealty.com, 888-2183
Barbara Schuessler b.schuessler@worldnet.att.net, 407-2196
Kim Peterson kpeterson@comcast.net, 888-5199



What's Going On Here??



You may have been wondering about that huge pile of dirt on the east side of 1st Avenue, just south of Rudasill Road that doesn't seem to be getting any smaller. That is the location of a Tucson Water pumping and storage location, and, according to Peter A. Abraham of the Tucson Water Plant Design Section, the purpose of the project, located at 5850 N. 1st Ave., is to upgrade the existing facility with modifications that are designed to:

- Improve water quality.
- Improve safety features for operations and maintenance personnel.
- Improve and replace facility components to ensure continuous long-term use.
- Improve and upgrade the instrumentation and control system.

This project started in January of 2003, and is scheduled for completion in October of 2003. Tucson Water is currently placing, bedding, and backfilling the new plant piping, which means that the stockpile you see from 1st Avenue will start to disappear. A majority of the construction that is taking place is underground work, and when the project is completed, and the disturbed areas are re-vegetated the site will look similar in appearance to what was there before the project started.

The result of all of this effort and construction unsightliness will be a facility that is designed to provide the community with another 25 years of reliable service.

Readers



*Sadly, we have lost one of our neighbors and friends. Reg Chapman passed away after a long battle with cancer. Our condolences to his wife and lifelong partner,
Liz Bernays.
Reg will be greatly missed.*

If you love to read and you love to eat, you really should be joining the neighborhood book club! We meet on the last Wednesday of the month at various homes in the neighborhood to discuss the book selection and share a wonderful potluck dinner. **Our next meeting will be at the home of Becky Huddleston, 5601N. Maria Dr. on June 25th.** The book selection is Africa Solo by Kevin Kertscher, and the food will be African.

If this interests you, please contact
Kim Peterson at 888-5199.

Newsletter Notes ~ This newsletter is published 4 times annually. If you have comments, suggestions, criticisms, or would like to contribute an article, please contact:
Carole DeAngeli, 690-1107, ejdeangeli@earthlink.net

WHO IS WALTER?

(Recently we were contacted by UA Graduate Student Jodi Perin who asked us to take part in a survey regarding wildfires. I asked her to write a brief article describing to the neighborhood the nature of her project and what goals they hope to accomplish. Below is that article. Ed.)

Researchers at the University of Arizona are currently working on a project that seeks to improve understanding of the consequences of interactions between wildfire, climate and society. This project is called **Wildfire Alternatives (WALTER)**. As part of this research, graduate students in various departments have been conducting interviews with businesses owners, homeowners, natural resource managers, and others with an interest in fire in the Tucson area, and asking questions about how people perceive wildfire risk and how they value public lands in this area. This information, along with a variety of natural science data on climate, fuels, vegetation, topography, and other factors that can contribute to fire risk and planning, are being combined to create a computer model that will help fire managers and others plan for fire risk conditions in advance of fire season. The model will produce fire risk maps for the Catalina-Rincon Mountains, and for: the Huachucas and Chiricahuas in southeastern Arizona and the Jemez Mountains in northern New Mexico.

If you are interested in learning more about WALTER or about fire issues in the southwest, please see our project website at

<http://walter.arizona.edu/index.asp>

By Jodi Perin

Welcome

A Warm Welcome to these and all other new residents of Oracle Foothills ~

Rafael and Olga Diaz de Leon
Martin Lachaine and Carey Satin
Scott and Ashley Odom
Derek and Carolyn Redmore
Bob and Camille Zachmeier

If you are new to the neighborhood, and I didn't mention you by name, please forgive me. I try to get around to meet new residents, but am sometimes remiss. Membership in **OFNA** is open to all and your support and participation are greatly encouraged. Please contact any of the Board Members listed on the back page for more information.

Carole DeAngeli

Away From Home



IF you are away from your residence this summer and will leave your home unattended, it is recommended that you do the following:

- ◆ Notify your neighbors of your absence. Give them a reach number and date of return.
- ◆ If you will be away longer than 7 days, notify the Pima County Sheriff at **742-4166**
- ◆ Stop your newspapers, and have your mail held by the post office.
- ◆ Secure your home with locks and alarms.
- ◆ Leave evidence that you are home or will return soon, such as clothes on the line, note on the front door, lights on timers, radio on, etc.

WWW.OFNA.ORG



Queen of the Night

This year's first bloom of the native night blooming cereus was a record-setter. It was a wonderful show. We even discovered another plant on our property. About the only time you can find these well-disguised plants is when they are blooming. More buds are due to open in a couple of weeks.

By-Laws Amended

Recently the OFNA Board of Directors amended the By-Laws of the association to bring the fiscal year in line with the election of officers in September.

Previous

ARTICLE V, Section 1. What is the FISCAL YEAR?

The fiscal year for OFNA shall be the calendar year, i.e., beginning on January 1 and ending on December 31.

New

ARTICLE V, Section 1. What is the FISCAL YEAR?

The fiscal year for OFNA shall correspond with the annual meeting and election of officers, and shall run from September to September.

The **purpose** of this amendment is to have one Treasurer conduct financial business throughout the Fiscal Year, rather than changing officers mid-year. The audit should be conducted prior to the Annual Meeting as specified in the By-Laws, Article III, Section 1. This will streamline and simplify the bookkeeping procedure and make for a more logical transition from one treasurer to the next. **This amendment will be effective in 2003, making the 2003 Fiscal Year 9 months in length, running from January to September, 2003.**

If you are interested in a copy of OFNA's By-Laws, please call Carole DeAngeli, 690-1107.

Backyard Birding, Continued

After writing my column on backyard birding last issue, we had a wonderful event occur in our backyard. A pair of **Western screech owls (*Otus kennicottii*)** decided to nest in our big saguaro bird condominium. Like clockwork every evening, the male (I guess!) would make his appearance on the fence or in the mulberry tree. Whether we were sitting nearby or not didn't seem to matter. He would move to various locations around the yard, go hunting and return to the saguaro nest with the dinner. The family has now left the nest, and the babies are testing their wings. It is fabulous to see them each evening as dusk falls, moving tentatively from tree to fence, listening for the mother's call. If you want to read more about these little birds, and hear their call, go to <http://www.owlpages.com/species/otus/kennicottii/Default.htm>

Our neighbor Liz Bernays also sent me her extensive list of bird sightings. See how many you recognize.

Birds at 5860 N. Genematas Drive

mourning dove
inca dove
white winged dove (summer)
pigeon (infrequent)

gambels quail

curve billed thrasher
mockingbird

gila woodpecker

gilded flicker
ladderback woodpecker (infrequent)
red naped sapsucker (infrequent)

house sparrow
house finch
blackthroated sparrow (infrequent)
black crowned sparrow (infrequent)

cardinal
rose breasted grosbeak (June 2002)
pyrrhuloxia

lesser goldfinch

cactus wren
house wren (infrequent)
rock wren (infrequent, winter)

horned lark (once, summer)

verdin
black tailed gnat catcher
ashthroated flycatcher (summer)
Says Phoebe (infrequent, summer)

phainopepla
cedar waxwing (once, 16 together in January)
Empidonax flycatcher
bells vireo (once)

anna's hummingbird
costa's hummingbird
blackchinned hummingbird
allen's hummingbird (summer)
broad billed hummingbird (infrequent)
rufous hummingbird (infrequent)

road runner
brewers blackbird (summer, infrequent)
bronzed cowbird (summer)

brown headed cowbird (summer)
starling
common grackle (infrequent)
logger headed shrike (infrequent)

greentailed towhee (mostly heard)
robin (January)
canyon towhee

purple martin (summer)
cliff swallow (infrequent)

hooded oriole (summer regularly one pair)
Bullocks oriole (infrequent)
western tanager (once, summer)

yellow warbler (once, Sept)
wilsons warbler (once, Sept)
Grace's warbler (once, Sept)
yellow throated warbler (once, fall)

hermit thrush (once, fall)
ruby crowned kinglet (twice)

great blue heron (twice seen on tall saguaro)

raven

harris hawk
redtailed hawk
Coopers hawk
Sharpshinned hawk
peregrine falcon (winter)

golden eagle (winter)
merlin (once)
kestrel (spring)
nighthawk
great horned owl
screech owl
elf owl

black vulture (infrequent, summer)
turkey vulture (summer)



OFNA MEMBERSHIP \$50 PER YEAR

SEND TO:

OFNA
Roger Felty
5575 N. Maria Dr.
Tucson AZ 85704

Name	_____
Address	_____
City, State, Zip	_____
Phone	_____
E-Mail, FAX,	_____

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Parliamentarian

Kim Peterson

Web Page Administrator

Don Stier

Newsletter Editor

Carole DeAngeli

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