



*non-profit corporation organized  
under the laws of Arizona*

SCOTTSDALE COUNCIL OF HOMEOWNERS ASSOCIATIONS  
**SCOHA NEWSLETTER**

IN OUR 40th YEAR

OCTOBER 2014

## **The Architectural Review Process - Tips to Consider and Pitfalls to Avoid**

### **SCOHA ANNOUNCEMENTS**

#### **UPCOMING MEETINGS:**

Nov. 18 Litigation Issues  
Jan. 27 Annual Meetings  
Feb. 24 Annual Legal Update

#### **SCOHA's WEB SITE:**

Don't forget to check our web site!

SCOHA's web site address is  
[www.scottsdalehoa.com](http://www.scottsdalehoa.com).

You can enter the member section by typing hoamember for the password.

An architectural modification gone wrong has the potential to turn a friendly community into a hostile environment. It can also lead to construction of undesirable improvements in the community that the association never intended to allow. The key to avoiding these situations is being proactive and examining the association's architectural review process upfront.

Attorney Lynn Krupnik will be SCOHA's guest speaker at the October 28 luncheon at 11:45 a.m.

Ms. Krupnik is an attorney with Ekmark & Ekmark where she practices exclusively in the area of community association law and has assisted many associations with fair housing issues. She graduated first in her class from Arizona State University College of Law, where she was named outstanding law school graduate. Ms. Krupnik is a member of the College of Community Association Lawyers, has taught as an adjunct professor on legal issues and has been involved in drafting and reviewing proposed legislation for community associations.

Call Jeanne Malys at 480-922-9292 by 5:00 p.m. on Friday, October 25 for reservations or e-mail your reservation to [jeanne@ekmarklaw.com](mailto:jeanne@ekmarklaw.com).

**SCOHA  
DATA TO  
REMEMBER:**

**Tuesday,  
Oct.  
28th  
11:45 a.m.**

**Lakeview Room  
McCormick Ranch Golf  
Club  
7505 McCormick Pkwy**

**\$15.00  
Reservations  
Required**

**Call Jeanne Malys at  
480-922-9292 by  
Friday, Oct. 25**

**480-922-9292**

**[jeanne@ekmarklaw.com](mailto:jeanne@ekmarklaw.com) • [www.scottsdalehoa.com](http://www.scottsdalehoa.com)**

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# Scottsdale Mayor Jim Lane

## Summary of the September 23, 2014 Meeting

Scottsdale Mayor Jim Lane was SCOHA's guest speaker.

Mayor Lane is in the middle of his second term as mayor and he's proud of what the city has been able to accomplish. According to 24/7 Wall Street.com, Scottsdale is the 6th best-run city in the country. For the past four years, it's been ranked as the 10th best-run city. And according to a citizen survey in late 2013, 98% of people in Scottsdale consider their quality of life excellent or good.

The bed-tax dollars collected by the city have been used to complete many projects, including the Tony Nelssen Equestrian Center at West-World. Mayor Lane expects that this will be the heaviest tourist season this year which will continue to bring more bed-tax dollars to the city, especially with the Pro Bowl and the Super Bowl here in the Valley in early 2015 and the continued presence of the Barrett-Jackson Collector Car Auction, the Arabian and Quarter Horse shows and the Phoenix Open, to name a few.

When tourists visit Scottsdale, 80% of them spend time in Downtown Scottsdale, which has proven to be a great destination for visitors with more restaurants, nightclubs and shops than anywhere else in the state. More people are choosing to live in Downtown with options like Optima Camelview and Optima Sonoran Village.

Downtown Scottsdale has also become a center for a number of good jobs. High-tech companies like Yelp, McKesson, Clear Demand and ZocDoc have their offices in Downtown. Mercedes-Benz of Scottsdale opened in Downtown in 2013 creating more than 100 jobs.

Because of the importance of the Downtown Scottsdale brand, Mayor Lane is looking to the private sector to step forward with ideas, expertise and investment to help Downtown continue its evolution.

The McCormick Ranch area is going through a rejuvenation and revitalization. One example is the exit of McDonalds and then Starbucks coming in its place. The city is looking at an increase in property values based on true value.

The economy has hit Scottsdale hard, but the city made changes such as increasing tax revenues by increasing taxable services. Mayor Lane believes the city has recovered from this and it's close to the revenue levels it was six years ago.

The economic development continues along the McDowell Road Corridor with the city's partnership with the ASU Foundation in the SkySong Technology and Innovation Center. The city has worked hard to change the terms of some of the contracts within SkySong, and this has resulted in savings of \$30 million over 15 years.

Mid-town Scottsdale (around Lincoln and Scottsdale Road) continues developing its working and shopping environment by adding mixed use development of apartments, condominiums and retail.

He's also excited about Scottsdale's Cure Corridor, which is a concentration of cutting-edge bio medical research and education, clinical trial activity and world-class patient care. The Cure Corridor includes the Scottsdale Airpark and a stretch of Shea Boulevard, anchored at

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one end by Scottsdale Healthcare Shea Medical Center and on the other end by the Mayo Clinic's Scottsdale campus. Nearly 20% of the people who work in Scottsdale are in the health and bioscience industry. New treatments and drugs are being created, and they are improving the quality of life for millions of people stricken with cancer.

In 2013, the city added a new trailhead and more than 2,000 acres to Scottsdale's McDowell Sonoran Preserve, which now encompasses more than 47 square miles. The city's long-term goal is to preserve 34,000 acres, which is close to 1/3 of Scottsdale's land area.

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## Homeowners Association Committees

A question often arises as to whether certain meetings of board or committee members constitute "board meetings" that must be open to association members and duly noticed under the law. In general, if a majority of the board members are congregating anywhere to discuss association business, this constitutes a board meeting, and must be noticed and open to association members. Likewise, if the board appoints a committee and a majority of the board is part of that committee, a meeting of the committee may be considered a board meeting, and should, therefore, be noticed and open to association members. This is true even if non-board members are also serving on the committee.

A general rule of thumb to remember is if a majority of the board members are gathering in any capacity to address association business, this gathering constitutes a board meeting, which must be open and duly noticed to the association members.

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Dear SCOHA Members:

It is crucial that all SCOHA members contribute to a legislative action fund in order to protect associations from harmful legislation. We anticipate a difficult challenge again this year at the Arizona legislature and will have no chance of protecting associations and the people who live in them unless we hire a lobbyist. We cannot, however, hire a quality lobbyist without the financial assistance of our membership.

During the past few years, we have seen things change for the worse down at the legislature. Over the years, the legislature has passed new laws pertaining to community associations. We expect similar battles this year.

The bottom line is that we need a lobbyist in order to make sure that any new laws regarding associations are good for associations and the people who live in them. We cannot hire a good lobbyist without a substantial financial commitment from our members. To that end, we are asking that every association make the best possible donation that it can. At a minimum, we are asking for \$1.00 per home from every association. Please make your check payable to SCOHA and mail it to 6720 N. Scottsdale Road, Suite 261, Scottsdale, Arizona 85253.

This is certainly a worthwhile investment when you think of the risks associated with harmful legislation. It is a small price to pay in order to ensure that we have laws that will make our communities better rather than worse.

Thank you for your consideration with respect to this important issue. As always, please do not hesitate to contact me with any questions.

Sincerely,

*Curtis S. Ekmark*

Curtis S. Ekmark

President

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