



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

SCOTTSDALE COUNCIL OF HOMEOWNERS ASSOCIATIONS
SCOHA NEWSLETTER

IN OUR 42nd YEAR

FEBRUARY 2016

Annual Legal Seminar to Address Pertinent Legal Issues

February 23, 2016

SCOHA ANNOUNCEMENTS

UPCOMING MEETINGS:

- Mar. 22 Online Defamation
- April 26 Contracts
- May 24 Annual Legislative Update

SCOHA's WEB SITE:

SCOHA's web site is down temporarily while we make some improvements. The new website will be announced once it is up and running! Thank you for your patience.

Attorney **Curtis Ekmark**, SCOHA's President, will discuss important legal issues facing homeowners associations by highlighting the HOA cases around the country. Most importantly, he will address your questions at SCOHA's **Annual Legal Seminar** on **Tuesday, February 23** at noon.

This meeting fills up quickly each year, so please make your reservations as soon as possible. Call Andrea Moscarello at 480-922-9292 or email info@ekmarklaw.com by 2:00pm on Friday, February 19 to make your reservation.

PLEASE NOTE: YOUR 2016 DUES MUST BE PAID BY FEBRUARY 23 IN ORDER TO ATTEND THIS MEETING.

PLEASE CALL OR EMAIL ANDREA AT 480-922-9292 OR info@emkarlaw.com IF YOU HAVE A QUESTION REGARDING YOUR DUES PAYMENT.



**SCOHA
DATA TO
REMEMBER:**

**Tuesday,
February
23,
11:45 a.m.**

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

**\$15.00
Reservations
Required**

**Call Andrea Moscarello
at 480-922-9292 by
Friday, February 19**

**480-922-9292
info@ekmarklaw.com**

Scottsdale Water

Summary of the January 26, 2016 Meeting

The January 26th luncheon featured speaker Nicole Sherbert, of the Scottsdale Water department. She gave an excellent presentation that focused on all-things water in the City of Scottsdale.

The presentation began with Ms. Sherbert giving an overview of the City of Scottsdale. What makes Scottsdale unique from a water standpoint is the elevation change of the city. There is a huge change in elevation for a city of Scottsdale's size, and it basically means that they are pumping water uphill to a significant portion of the delivery area. This is a noteworthy achievement when you consider that water weighs 8.34 pounds per gallon, and they lift 67 million gallons of it a day up almost 4,000 feet.

We also saw a brief comparison between the state of water affairs in California compared to Arizona. Ms. Sherbert provided us with a background of California's water policies, which helped demonstrate how well Arizona has done in planning for reductions in water supply. Most specifically, she discussed the Sustainable Groundwater Management Act. This act, put into effect in 2014 in California, maintains an approach to groundwater management that dates back to the Gold Rush era, but also adds some state oversight. Per the legislation, by 2040, local land planners need to be on a path to sustainability.

In contrast, Arizona's Groundwater Management Act was put into effect in 1980, a full 35 years ahead of California. This makes Arizona one of the most progressive water management states in the nation. The Act basically made us find new sustainable water supplies, not only for water we needed at the time, but also made us think of ways to save some water for the future.

Luckily, looking ahead to the foreseeable future, it does not seem like we will have any mandated restrictions on water usage. After an especially wet few months, we were able to hold off a shortage that was expected for the Colorado River for at least another couple of years. If there

was ever a shortage declared, however, it would trigger a reduction in overall water deliveries to the systems in Arizona, which for Scottsdale, would mean an approximately 4% reduction.

In February 2015, the Scottsdale Council passed the Drought Management Plan, which sets forth detailed actions and requirements for maximizing the well-being of the community during an episode of reduced water supply availability. This plan covers varying levels of water failure, but is not very drastic in its measures to start.

Another thing Ms. Sherbert touched on was the Conservation Office resources. They offer many programs, such as their conservation public awareness program, as well as landscape workshops, youth activities, and irrigation audits for single family homes.

In addition to those services, they also provide rebates. Since 2005, they have given just over \$2 million back to the community in rebates. Just some examples of rebates that they offer include shower heads, toilets, recirculation system, irrigation controllers, water softener removal or upgrade, and turf removal.

Ms. Sherbert also mentioned how up to 70% of the water we use at home is used outdoors. To help with this fact, Scottsdale Water has a turf removal rebate for residential common areas. Up to \$3,000 is available per property, and a minimum of 1,000 square feet of grass must be removed and converted to low-water-use landscaping. Approval must be received by city and Scottsdale Water staff prior to removing turf.

Another tip Ms. Sherbert had was to skip the overseeding. In the desert, Bermuda grass grows from spring through fall and becomes dormant in winter. Some residents choose to overseed with ryegrass in the late fall to produce a temporary winter lawn. Much time, effort, and money goes into establishing and maintaining winter lawns. There are many benefits to forgoing winter lawns

while giving your Bermuda grass the rest it needs.

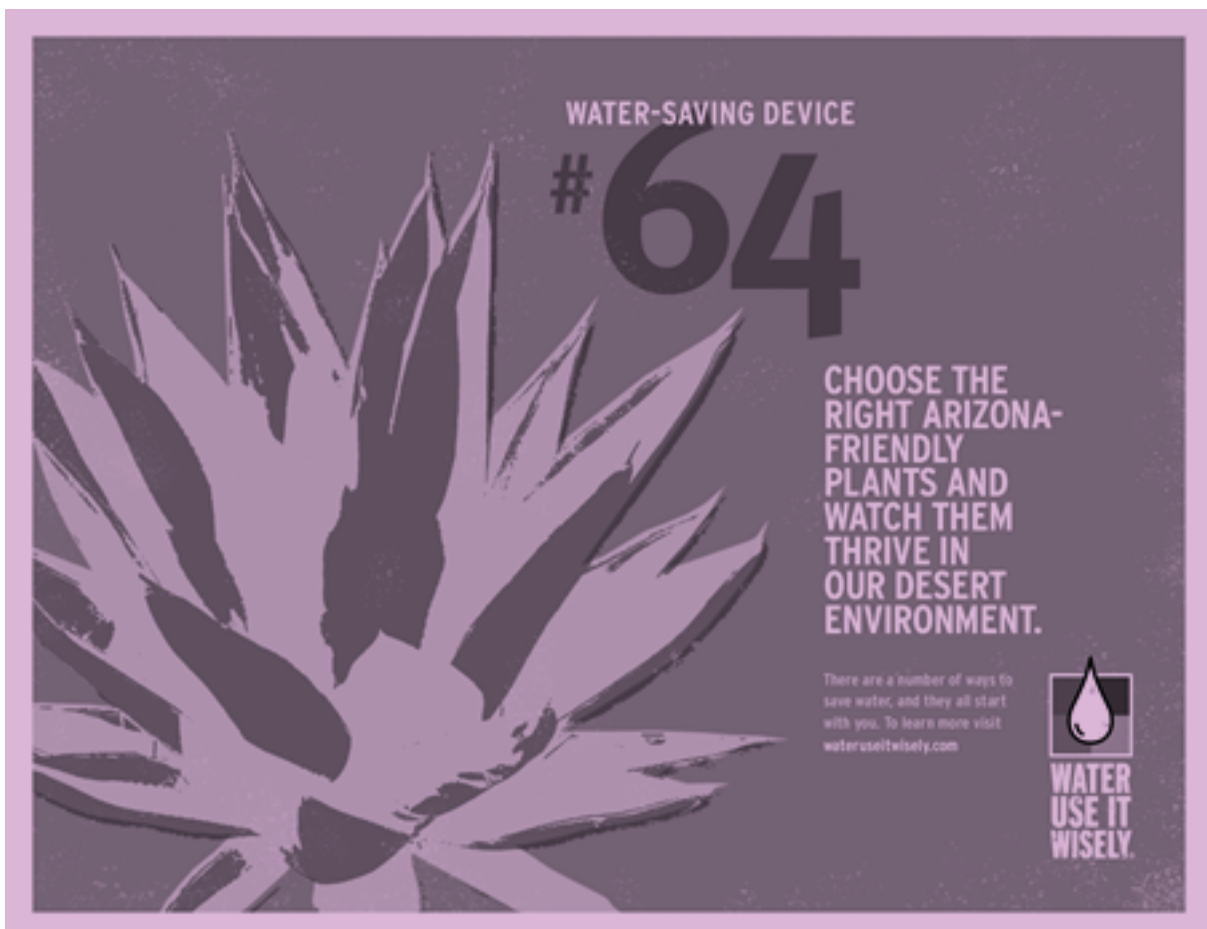
To determine water budgets, it is important to meet with the HOA board and management company. You will have to understand landscape water needs and see what the potential is to save money by forgoing a winter lawn, removing turf, preserving asphalt, and/or maintaining infrastructure. There is also a possibility of getting a customized water budget planned out for you by Scottsdale Water.

Additionally, Scottsdale Water provides much training and other materials that could help save money and water. They have Smartscape training, which anyone may take, that trains landscapers how to best maintain the plants in your area. They also have free home outdoor water audit, in which a representative will come and walk your property with you and check to see if plants are being watered properly.

Similarly, there are free landscape publications online and in print form, as well as online pamphlets that are useful for education and information.

Another point that was touched on was allowing water to discharge to the street. Discharging water onto the street, alley, or other publicly owned right-of-way is a violation of city code. To help maintain this better in your area, Scottsdale Water can give a notice to the offender, as well as pamphlets and other information as to what to do with the water instead. The best course of action to take with that excess water is to use it to irrigate your landscape or to drain it to a sanitary sewer.

In addition to the things already described, Scottsdale water can organize newsletters for your community regarding any water issues, they have speakers that focus more specifically on any topic, and will help with violation support and any community events. For more information, visit ScottsdaleAZ.gov/Water or contact Ms. Sherbert at NSherbert@Scottsdaleaz.gov.



2016 Legislative Session Began January 19

It looks like it's going to be another battle at the State Legislature in 2016. SCOHA members need to continue to be active by putting our legislators on notice that we'll be watching them closely this session. To that end, please contact your legislators to let them know you exist.

Here are some suggested topics to include in your message:

1. Tell them to stop passing laws that hurt homeowners associations and boards of directors.

2. Tell them you heard Curtis Ekmark speak about the potential for proposed legislation that would make it easier to amend the governing documents and that you are asking for their support of any such legislation.

You can find your legislators by clicking on this link: <http://www.azleg.gov/> and then selecting the "How Do I Find My Legislators?" link under the FAQ heading on the left side of the page.

We appreciate your help!



2016 DUES PAYMENTS:

Please note that your 2016 dues must be paid by the February 23 legal seminar in order to vote for the SCOHA Board of Directors and to attend the legal seminar. If you have not received your dues packet, please call Andrea Moscarello at 480-922-9292 or e-mail info@ekmarklaw.com.

MEMBER UPDATES:

Included with your dues packets are member update forms. Please be sure to send us your updates so we can ensure that the right people are receiving the newsletters and e-mail notifications.

LEGAL NOTICE:

The February 23, 2016 luncheon meeting of SCOHA is designated as the Annual Meeting of the Scottsdale Council of Homeowners Associations, a nonprofit Arizona corporation. This February issue of the Newsletter serves as the advance and written legal notice of this Annual Meeting. Please note that a member association's 2016 dues must be paid in full in order to attend the Annual Meeting and legal seminar.
