

# APRA

Association of Professional Reserve Analysts

Roundtable  
Discussions



Professional  
Learning

Networking



2015  
**APRA**  
Symposium



May 2-3, 2015



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Association of Professional Reserve Analysts

## 2015 Symposium Schedule

Saturday, May 2, 2015		
8:00 AM	Registration, Networking & Coffee	Ambassador A & B
9:00 AM	Introductions & Opening Remarks, <i>Rich Thompson, APRA President</i>	
9:15 AM	Ask the Lawyer, <i>Adam Clarkson, Attorney, The Clarkson Law Group, P.C.,</i>	
10:45 AM	Break	
11:00 AM	Google Maps & Beyond: GIS Information Systems, <i>Aaron Paul, Solutions Engineer/GIS Manage, First American Title Company</i>	
12:00 NOON	Lunch	Atrium
1:00 PM	What Goes Down the Drain May Cause You Pain, <i>Marty Flynn &amp; Rick Donahue, Clean Water Team, Clark County Water Reclamation District</i>	Ambassador A & B
2:15 PM	Best Aquatic Management Practices, <i>Patrick Simmsgeiger, President, Diversified Waterscapes Inc.</i>	
3:45 PM	Break	
4:00 PM	5 Topics in 50 Minutes, <i>Rich Thompson, Moderator</i>	
5:00 PM	Adjournment	
5:30 PM	No Host Happy Hour – <i>Embassy Suites</i>	Atrium
7:00 PM	No Host Dinner – <i>Fogo de Chao Brazilian Steakhouse</i>	
Sunday, May 3, 2015		
8:00 AM	Networking & Coffee	Ambassador A & B
9:00 AM	Case Study Session, <i>Rob Forney, Moderator</i>	
10:30 AM	Break	
10:45 AM	APRA Annual Meeting (Members Only)	Ambassador A & B
12:00 PM	Adjournment	

## **Ask the Attorney**

By Adam H. Clarkson, Esq.  
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**Adam Clarkson** is the owner of The Clarkson Law Group, P.C. He is currently licensed and admitted to practice law in Nevada, Florida, California, South Carolina, Utah, the United States District Court of Nevada, the United States Bankruptcy Court of Nevada, and the United States District Court of Utah.

Mr. Clarkson's practice of law is dedicated to representing homeowner associations in corporate matters. Mr. Clarkson regularly serves as a speaker for education seminars sponsored by Community Associations Institute (CAI), Community Association Management Executive Officers (CAMEO), and leading companies. Mr. Clarkson is a member of the CAI Nevada Chapter board of directors.

## **Ask The Attorney**

### *A General Discussion of Various Legal Issues Concerning Reserve Funding*

- 1) Reserve Studies & Funding
  - a. Term and association obligations vary from state to state
  - b. Definition of Reserve Study for today's discussion
  - c. Definition of Reserve Funding for today's discussion
- 2) Fiduciary Duty
  - a. General Definition
  - b. Duty to Properly Fund Reserves
  - c. Business Judgment Rule & Duty of Care
    - i. Business Judgment Rule
    - ii. Duty of Care
    - iii. Duty of Care Prerequisite to Business Judgment Rule Protections
    - iv. Duty of Care Requires Obtaining a Reserve Study
- 3) Reserve Underfunding
  - a. Persons against whom claims may be made and the common causes:
    - i. Declarant/Developer
    - ii. Board Members
    - iii. Management
    - iv. Reserve Study Professional
  - b. Claim Process
    - i. Identifying Underfunding
      1. Failure to Fund to Study Recommendations
      2. Omission of Components
      3. Gross Misstatement of Useful Life
      4. Omission of Regulatory Required Funding
      5. New Study
    - ii. Initial Demand
      1. Request for Damages (the Underfunded Amount)
      2. Notice to Counsel & Insurer
    - iii. Alternative Dispute Resolution
      1. Negotiation
      2. Mediation
      3. Arbitration
    - iv. Litigation
      1. Discoverable Communications
        - a. Reserve professional's communications with board, management, and declarant/developer.
        - b. Reserve professional's communications with third parties.
        - c. Confidential reserve professional's communications

## 2. Identification of Basis for Funding Analysis

- a. Site Visit
- b. Reserve Software
- c. Cost Estimating Manuals
- d. Warranty Review
- e. Confirmation from Licensed Contractors & General Cost Research

## 4) Use of Reserves for Items Not Specified in the Study

- a. Common Law v. Statutory Requirements
- b. Need for Consultation with Reserve Professional
  - i. Consultation Letter
  - ii. Updated Study

## 5) Scope of Work Limitations

- a. What is a Scope of Work Limitation?
- b. Why use Scope of Work Limitations?
  - i. Exclusion/Inclusion of Plumbing?
  - ii. Exclusion/Inclusion of Structural Components?

## 6) Reserves for Alternative Measures

- a. Insurance Deductibles
- b. Unclaimed Losses
- c. Litigation Funding

## 7) Questions?

## **Google Maps and Beyond**

By Aaron Paul

Solutions Engineer/GIS Manager

First American Title

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**Aaron Paul** has been on First American Title's Geographic Information Systems (GIS) team since 2007, and has been working in the GIS industry for 15 years. In that time, he has worked to continually expand and further develop his GIS skill sets. Recently advanced from his GIS Manager position, Aaron is now a Solutions Engineer (or self-proclaimed GIS Evangelist). Aaron is pioneering new uses of GIS products and services in the real estate & title industry. He has implemented systems and applications that leverage Esri tools in the areas of land development, new construction, customer service, commercial and residential real estate. He thrives on contributing to the GIS community and employing GIS to help attain company objectives and vision.

Aaron holds degrees in GIS and in forest resource technologies. He is a frequent participant in conferences and meet ups, and is an active member of several user groups. In Aaron's non-GIS time, he enjoys playing and hanging out with his wife and three-year old daughter.

## **Google Maps and Beyond**

1. Overview
  - a. Business Case for mapping
  - b. Exposure to mapping tools
    - i. Online Mapping Services
      1. Google Maps
      2. County / City Map Portals
    - ii. Highlights from the esri ArcGIS Platform
      1. ArcGIS Online
      2. Maps for Microsoft Office
      3. Collector for ArcGIS
2. Location – Where am I
  - a. GPS (Global Positioning Systems)
  - b. Data associated to Location
    - i. Documents
    - ii. Text
    - iii. Photos
3. Information: What's near me
  - a. Points of Interest
  - b. Public Information
    - i. Roads
    - ii. Parcel Boundaries
    - iii. Features
  - c. Unmanned Aerial Vehicles (UAV)
    - i. What are they?
    - ii. A source for gathering imagery
    - iii. New possibilities
    - iv. Check FAA Regulations

[https://www.faa.gov/news/press\\_releases/news\\_story.cfm?newsId=18295](https://www.faa.gov/news/press_releases/news_story.cfm?newsId=18295)

4. Navigation
  - a. Directions

5. Mobile Devices
  - a. Come preloaded with a Map
  - b. Most have GPS
  - c. Collect Data
6. Online Mapping Portals
  - a. Don't need to be an expert
    - i. Easy to use
  - b. Quick Access to Information
7. Powerful Analysis Tools
  - a. Measure
    - i. Distance
    - ii. Area
  - b. Buffer Points and Areas
  - c. Summarized Data within an area
8. Content Management System
  - a. Import Excel, CSV
  - b. Store map information
  - c. Quick and easy access
9. Visualization Tool
  - a. Maps easily convey information
  - b. Tools that enable interactivity
  - c. Engage audiences
10. Health Check and Switching Gears
  - a. Make sure audience is with me
  - b. Do they have a good sense of what's presented so far?
  - c. Prepare for deeper dive
11. Spatial Technology Intro
  - a. Online Mapping
  - b. Location-Based Services
  - c. Geographic Information Systems (GIS)
    - i. Field concerned with managing and analyzing spatial information



12. [What is GIS Video](#)

13. Examples of GIS Data

a. Tables

- i. Excel
- ii. CSV
- iii. Text

b. Land

- i. Buildings
- ii. Parcel Boundaries
- iii. Common Areas

c. Features

- i. Street Types
  - 1. Public
  - 2. Private
  - 3. Forest Service
- ii. Water Features
  - 1. Streams
  - 2. Rivers
  - 3. Ponds
  - 4. Pools
- iii. Protected Areas
  - 1. Wetlands
  - 2. Wildlife Conservation
- iv. Points of Interest
  - 1. Light Poles
  - 2. Community Centers
  - 3. Trees
- v. Elevation
  - 1. Slope
  - 2. Aspect
  - 3. Terrain
- vi. Land Use
  - 1. Soil Type
  - 2. Zoning

vii. Natural Disaster Zones

1. Flood
2. Fire
3. Hurricane
4. Earthquake

14. Layer Data to ask and answer questions

- a. Locations
  - i. Visualize where objects are
- b. Trends
  - i. What has changed
- c. Patterns
  - i. What spatial patterns exist
- d. Networking
  - i. Driving Directions
  - ii. What is near by
- e. Modeling
  - i. Predicting what will happen
  - ii. What's within a distance of or within

15. [The Power of Maps Video](#)

16. Business Purpose – Why Use GIS?

- a. Operations
  - i. Technical Capabilities
    1. Instantly create ,share and access Web Maps
  - ii. Enhanced
    1. Work Flows
      - a. Do more with less
      - b. Be more efficient and effective
    2. Problem Solving
      - a. Achieve tasks not possible
- iii. Operations Dashboard
  1. Adding a map component to Business Data
  2. Reveal information only seen on a map

- b. Sales and Marketing
  - i. Discover and Target Clients
  - ii. Enhance existing products and services
    - 1. Add maps to Company Web Site
    - 2. Add maps to reports or other materials
- c. Support Planning / Decision Making
- d. Internal and External Communications
  - i. Maps are easy to use Communication Tools
    - 1. Intuitive
      - a. Most people are familiar with maps
  - ii. Enhance Presentations
  - iii. Keep informed and up to date on project status
    - 1. Change color of shapes based on Completion Status
      - a. Parcels
      - b. Houses
      - c. Common Areas
    - 2. Link Data
      - a. Permits
      - b. Notes
      - c. Images
      - d. Videos

## 17. Web GIS (Online Mapping)

- a. GIS capabilities are now available to non GIS experts
- b. County Web Mapping Sites
  - i. Clark County Nevada Online Mapping (GISMO)
    - 1. <http://gisgate.co.clark.nv.us/openweb/>
- c. Global Positioning System (GPS)
  - i. Receives current location
  - ii. Built into most mobile devices
- d. Google Maps
  - i. Search Places
    - 1. What's here?
      - a. Gives closest address to click or tap
    - 2. Hotels
    - 3. Cities

- ii. Get Directions
      - 1. Can use GPS for current location
    - iii. Visualize Data
      - 1. Aerial
      - 2. Street
      - 3. Street View
    - iv. Measure
      - 1. Distances
      - 2. Areas
  - e. Custom Applications
    - i. Task-specific focused applications
- 18. The ArcGIS Platform (esri)
  - a. #1 provider in spatial software
  - b. Traditionally only for GIS Professionals
    - i. Desktop installs and local data
    - ii. Required years of Training and Experience
  - c. Can now be used by non GIS Pros (All of you)
- 19. [ArcGIS Online Overview Video](#)
- 20. ArcGIS Online Overview
  - a. Turn Key Mapping Solution
  - b. Built for Non GIS Users
  - c. Assists to make smarter, faster decisions
  - d. Solves many business needs
  - e. Opens doors to new possibilities
- 21. Create and Share Online Maps
  - a. From the Web or Mobile Device
  - b. Directly from Microsoft Excel
- 22. Online 2D and 3D Mapping

- 23. Map creation made easy
  - a. Start with Map Templates
    - i. Esri Layers and Base Maps
  - b. Add Data to Map
    - i. Your data
      - 1. Excel, CSV
    - ii. Public GIS Community
  - c. Configured Pop Up
    - i. Text
    - ii. Images
    - iii. Videos
    - iv. Charts
- 24. Perform Analysis
  - a. Create Buffers
    - i. Distance around a shape, point or line
  - b. Summarize Data within an area
    - i. Surface volume
      - 1. Streets
      - 2. Common areas
- 25. Story Maps
  - a. Inform and Inspire Audiences
  - b. Combine Interactive Maps and multimedia content
  - c. Create elegant user experiences that tell your story
- 26. Collector for ArcGIS
  - a. <http://doc.arcgis.com/en/collector/>
  - b. Collect and update information in the field
  - c. Use smartphone or tablet
    - i. GPS Points
    - ii. Form Entry
    - iii. Upload Docs
    - iv. Attach Photos
  - d. Integrates with ArcGIS Online

27. Resources

- a. <https://developers.arcgis.com/en/>
  - i. Sign Up for free Account
- b. <http://gispd.com/>
  - i. Volunteer effort that supports the GIS Community
- c. <http://www.urisa.org/>
  - i. National Organization governing GIS Policies
  - ii. Find connections for your area
- d. <https://geonet.esri.com/welcome>
  - i. Worldwide Support on any Map related topic
- e. User\_Groups
- f. Meetups / Conferences

28. Recap

- a. Business Purpose
  - i. Do more with less
  - ii. Enhance what you already do
  - iii. Leverage Mapping Technologies
- b. Online Mapping
  - i. Easy to use
  - ii. Available to everyone
- c. ArcGIS Online
  - i. Built for Non GIS Users
  - ii. A Complete Mapping Platform
  - iii. Sign up for free Account
- d. Collector for ArcGIS
  - i. Easily collect field data

## **What Goes Down the Drain May Cause You Pain**

By Rick Donahue & Marty Flynn  
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**Rick Donahue** is an assistant general manager over collection system and facilities maintenance for the Clark County Water Reclamation District, and he has worked in the wastewater industry for over 25 years. He is currently responsible for a collection system with more than 2,000 miles of pipeline serving the unincorporated areas of Clark County, Nevada.

**Marty Flynn** serves as the customer and communications manager for the Clark County Water Reclamation District, and he has more than 30 years experience in risk management, customer service and public communications.

## **Notes**

**What Goes Down the Drain May Cause You Pain**



## **Best Aquatic Management Practices**

By Patrick Simmsgeiger, President  
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**Pat Simmsgeiger** is the owner of Diversified Waterscapes Inc. and has developed a whole line of aquatic treatment products including an EPA registered chelated copper algaecide that is 100% natural and organic. With more than 30 years of experience, Pat is dedicated to balancing and beautifying aquatic environments.

Licensed by the State of California as a Certified Lake Manager (CLM), Pat also carries a Contractors State Landscaping License (C-27) and a Qualified Applicators License (QAL).

Pat holds memberships with North American Lake Management Society (NALMS), Golf Course Superintendents Association of America (GCSAA), Community Associations Institute (CAI), Florida Aquatic Plant Management Society (FAPMS), Northeast Aquatic Plant Management Society (NEAPMS), American Water Works Association (AWWA), Aquatic Ecosystem Restoration Foundation (AERF), Northwest Irrigation Operators (NIO), National Aquatic Plant Management Society (APMS), Illinois Lake Management Association (ILMA) and Pesticide Applicators Professional Association (PAPA). Pat has and continues to speak at these annual conferences.

Not only a great speaker, Pat continues to have many of his articles published in numerous magazines like, *Golf Course Management*, *Quorum*, *Landscape Architect*, *Pond Boss*, *Condo Management* and *Land & Water*, just to name a few.

# Best Aquatic Management Practices

1. Lake or Pond Structure
  - a. Shoreline – Types and replacement costs
  - b. Liners – Types and replacement costs
  - c. Man-Made lakes or ponds
  - d. Watersheds and De-Silting basins
  - e. Natural Lakes and ponds
  - f. Quick review and Q&A
2. Aeration and Water Movement
  - a. What is the difference between aeration and circulation
  - b. Types of aeration – Fountains and aerators – Replacement Value
  - c. Circulation – Centrifugal pumps, sump pumps –Replacement Value
  - d. Equipment Rooms & pump vaults –Restoration costs & Replacement Value of equipment
  - e. Electrical Components, panels etc. –Replacement Value
  - f. Quick Review and Q&A
3. Filtration
  - a. Bio –Filtration – Restoration or replacement value
  - b. Sand and Cartridge Filtration – Restoration or replacement value
  - c. Wetlands – Management and restoration
  - d. Quick Review and Q&A
4. Physical/Mechanical Maintenance
  - a. Importance of surface skimming and hand removal of debris (janitorial)
  - b. Hand removal of vegetation –cost factors
  - c. Mechanical Harvesting – Associated Costs
  - d. Mechanical Silt removal – associated Costs
  - e. Mapping – Costs
  - f. Quick Review and Q&A
5. Biological Conditioning
  - a. Aquatic Plants
  - b. Fish & invertebrates
  - c. Fish surveys and budget
  - d. Fish Habitat & artificial reefs
  - e. Bio augmentation – Use of beneficial bacteria and enzymes
  - f. Quick Review and Q&A

## 6. Pest Prevention

- a. Water Quality Monitoring – Importance & costs
- b. Wildlife, invasive plants and algae –(Golden Algae, Lyngbia & Milfoil...Outbreaks can quickly become very expensive)
- c. Chemical Controls & remedies – Use of algaecides & aquatic herbicides
- d. Quick Review and Q&A

## 7. Contractors/Qualifications

- a. Professional Lake Applicators
- b. Professional harvesters and silt removing companies
- c. Electrical contractors
- d. Graders
- e. Professional Services – Hydro-Geologist, CLM, Specialty Legal, permitting and licensing professionals.
- f. Final Review and Q&A

**Notes**  
**5 Topics in 50 Minutes!**

# **Notes**

## **Case Studies**