

1 INCLINE VILLAGE
2 GENERAL IMPROVEMENT DISTRICT
3 BOARD OF TRUSTEES

8 TRANSCRIPT OF HEARING
9 PUBLIC MEETING
10 Live and Via Zoom

12 Held at 893 Southwood Boulevard
13 Incline Village, Nevada

15 Wednesday, July 12, 2023

24 Reported by: Brandi Ann Vianney Smith
25 Job Number: 999220

1 APPEARANCES

3 **BOARD MEMBERS PRESENT**
4 MATTHEW DENT, CHAIR
5 SARA SCHMITZ, VICE CHAIR
6 DAVE NOBLE, SECRETARY
7 RAY TULLOCH, TREASURER

9 **ALSO PRESENT**
10 JOSH NELSON, LEGAL COUNSEL

12 -o0o-

1		
2	INDEX	
3		PAGE
4	A. PLEDGE OF ALLEGIANCE	4
5	B. ROLL CALL OF TRUSTEES	4
6	C. INITIAL PUBLIC COMMENTS	5
7	D. APPROVAL OF AGENDA	26
8	E. REPORTS TO THE BOARD	26
9	E 1	26
	E 2	28
10	F. CONSENT CALENDAR	36
11	G. GENERAL BUSINESS	37
12	G 1	37
	G 2	41
	G 3	63
13	G 4	122
	G 5	142
14	G 6	161
15	H. REDACTIONS FOR PENDING PUBLIC RECORDS REQUESTS	176
16	I. LONG RANGE CALENDAR	176
17	J. BOARD OF TRUSTEES UPDATE	182
18	K. FINAL PUBLIC COMMENTS	183
19	L. ADJOURNMENT	192
20		-o0o-
21		
22		
23		
24		
25		

1 INCLINE VILLAGE, NEVADA - July 12, 2023 - 6:00 P.M.

2 -o0o-

5 CHAIR DENT: All right. I'd like to call
6 the regular meeting of Incline Village General
7 Improvement District to order. It is 6:00 P.M.,
8 July 12, 2023. We're being held at the boardroom at
9 893 Southwood Boulevard, Incline Village, Nevada,
10 and via zoom.

11 The first item on the list is the Pledge
12 of Allegiance.

13 A. PLEDGE OF ALLEGIANCE

14 (Pledge of Allegiance.)

15 CHAIR DENT: Item B, roll call of
16 trustees.

17 B. ROLL CALL OF TRUSTEES

18 CHAIR DENT: Trustee Schmitz?

19 TRUSTEE SCHMITZ: Here.

20 CHAIR DENT: Trustee Noble?

21 TRUSTEE NOBLE: Here.

22 CHAIR DENT: Trustee Tulloch?

23 TRUSTEE TULLOCH: Present.

24 CHAIR DENT: And Trustee Tonking let us
25 know she would not be attending tonight's meeting.

5

1 I am Trustee Dent. Four out of the five trustees
2 are present.
3 That closes out item B. Moving on to item
4 C, initial public comment.
5 C. INITIAL PUBLIC COMMENTS
6 CHAIR DENT: I'll just remind everybody to
7 try and keep your public comments to us as the Board
8 and/or the District, and not necessarily to
9 individuals.
10 MS. WOLF: Holly Wolf, 515 Eagle Drive.
11 It is such a shame to see this Board in
12 such disarray. Having board meetings on a Friday
13 night to fire the GM, having board meetings on a
14 Thursdays night of 4th of July week to rescind a
15 golf policy that never should have been used, and
16 now a new fact sheet has been put out. Is it on the
17 agenda, is it off the agenda? No one knows.
18 Whoever wrote that fact sheet should get
19 an A in fiction. No question is ever answered and
20 everything is just glossed over.
21 So, Matthew, if you have not violated any
22 ethics matter, what exactly are you abstaining from?
23 Budget, money, policy? And the fact sheet says, I
24 quote, "In the future, Trustee Dent will abstain
25 from voting when there's a conflict of interest like

6

1 in the past." What does that mean? Sounds like
2 back to the future to me.
3 And if you're abstaining from something,
4 everything, or nothing, why isn't Ray Tulloch
5 abstaining from all things related to ski? He's
6 paid by Mt. Rose, that's where his allegiance is.
7 So he gets to raise my pass 300 hundred percent and
8 never ski a run on Diamond Peak?
9 And, Sara, I'm sorry. No matter how you
10 spin the words, you voted no on the Duffield money.
11 Only you. Why can't you own this? Why do you deny,
12 change the words, claim, I didn't do it? You voted
13 no.
14 And you all have changed the model of the
15 town. The second you took away that rec fee and
16 made each venue support itself by raising prices
17 instead of using rec fee money and sharing the
18 profits, the town model changed, and the punch cards
19 are virtually worthless. Fees getting into the
20 beaches are so high, a pass might last three whole
21 visits.
22 This whole firestorm started when you,
23 Sara, voted no.
24 And, Matthew, you still have no backbone
25 to do what's right.

7

1 Hopefully soon both of you will be gone
2 and new leadership in.
3 Now, Sara, I'm off to a golf event, you
4 know, the sport you've never tried but know
5 everything about. If you need to come stand in the
6 doorway and watch us eat, like you did on June 12th,
7 dinner is at 7:00.
8 MR. KLEIN: Good evening. John Klein, 321
9 Woodridge Way.
10 I'm the head coach for the boy's and
11 girl's tennis team at Incline High School.
12 Additionally, I captain or cocaptain the USTA adult
13 teams of the tennis center. I believe this tennis
14 center is a valuable community asset.
15 I'm responding to a remark made by a
16 member of the community at the June 28th meeting,
17 who questioned the need for capital improvements for
18 the tennis courts in the proposed budget in the five
19 year CIP. He said, and I quote, "My inspection on
20 Monday indicates the courts are in good shape."
21 While I acknowledge the gentleman's
22 expertise on budgets and respect and appreciate his
23 many hours of service to IVGID, I do not believe his
24 cursory examination of the courts is a substitute
25 for the professional inspections and subsequent

8

1 report commissioned by IVGID. Before I discuss that
2 report, however, I'd like to note, on January 24th,
3 Bill Feast emailed this board, noting there's
4 unanimous alignment between the tennis-playing
5 community, IVGID management, and the tennis center
6 team that the tennis court conditions are dire, and
7 not only negatively impacting play quality, but in
8 many cases are unsafe and hazardous. The last thing
9 we need is a lawsuit because someone gets injured on
10 these courts. We further noted the situation did
11 not occur overnight, nor will it be remedied
12 overnight. But it was, is imperative that
13 short-term and long-term solutions be planned for in
14 this financial budget planning period.
15 Now back to the report I mentioned, I
16 refer the Board to Incline Village Tennis Center
17 Facility Assessment and Master Plan, performed by
18 Lloyd Civil and Sports Engineering of Scottsdale,
19 Arizona, submitted August, 2016. I emailed each of
20 you a copy of this report.
21 I'd like to highlight specific language
22 directly from the report. Quote, page 7, number 3:
23 "Establish an asset management
24 plan to strategically manage the
25 funding of future projects in

9

1 the continued replacement and
2 maintenance of existing
3 facilities."
4 This was never done. An asset management
5 plan was not established.
6 Quote, section D, page 24:
7 "As the facility continues to
8 age, it's imperative that
9 further brick and mortar
10 investments be made. Courts 1
11 through 7 are now over 35 years
12 old, and even though the
13 District has done an exemplary
14 job in maintaining and extending
15 their service life, the reality
16 is that tennis court pavement
17 systems are typically designed
18 for a 30- to 40-year service
19 life. The drainage systems,
20 pavement, coatings, and
21 structural aggregate base will
22 need reconstruction in the very
23 foreseeable future, five to
24 seven years."
25 Five to seven years. It's now almost

11

1 My comments were submitted in writing and should be
2 readily available for your review.
3 Members of the tennis-playing community,
4 including myself and John, began meeting with Sheila
5 and the tennis center team in summer of 2022, to
6 represent the concerns and views of our fellow
7 players and work together to find realistic
8 solutions, near and long term. It is an
9 understatement to say that the court conditions were
10 the number one concern.
11 John has well represented the specific
12 relevant language from the 2016 Lloyd report, you
13 can see I've been through it pretty thoroughly. I
14 urge you to read it for yourself in your due
15 diligence as you finalize the budget process. It is
16 hard to escape the conclusion that, while some
17 recommendations, such as expansion of pickleball and
18 the renovation of the office and restroom facility
19 were completed, the most fundamental court repair
20 and reconstruction was not. Band-aids will no longer
21 suffice.
22 I urge the Board to provide the funding
23 for reconstruction to begin as per IVGID's
24 management's proposal. Given the conversion of
25 courts 8 through 11 to pickleball, it is imperative

10

1 eight years since that report, and the courts, while
2 they may look good in a naked eye, are in poor
3 structural shape. To use a simple analogy, our
4 courts look like a beautiful house with a shiny, new
5 paint job. But what you can't see is that it's
6 infested with termites and is about to fall apart.
7 The courts in question are approaching
8 50 years old. They've had a good run, but it's
9 time, past time, in fact, to protect this asset.
10 Thank you for your time and serious
11 consideration.
12 MR. FEAST: Good evening, everybody.
13 My name is Bill Feast, and my family and I
14 have been owners and residents of Incline Village
15 for 15 years. We've been consistent, frequent
16 members of the tennis and pickleball playing
17 community ever since. My wife and I both play
18 social and USTA league tennis, and our now adult
19 daughter participated in kids' programs, later
20 becoming an IVGID employee who taught children
21 tennis at the center.
22 I spoke before the Board initially on
23 July 27th, 2022, and subsequently submitted a
24 written update to the Board members for the
25 January 25th, 2023 meeting, as I could not attend.

12

1 for the remaining seven courts to be professionally
2 maintained and preserved now and for years to come.
3 I am heartened to see on tonight's agenda
4 that the Board will be discussing the possibility of
5 various advisory committees, one of which is tennis
6 and pickleball, as part of Trustee Tonking's
7 request. User-based input and perspective are
8 essential to ensuring alignment on priorities,
9 especially those focused on increasing usage,
10 revenue driving, and ultimately the user experience.
11 Thanks to Michaela for previous engagement
12 with the tennis center, and we would look forward to
13 that continuing.
14 Our recreational assets are an integral
15 part of our community and what makes Incline Village
16 what it is. I'm in favor, as are a lot of fellow
17 owners I know, of the proper, timely, and
18 well-planned maintenance and enhancements of those
19 assets.
20 Before closing, I would like to thank
21 Sheila, Silvon (phonetic), and Basha (phonetic) for
22 their work and collaboration on all tennis center
23 matters. The tennis-playing community looks forward
24 to a great Incline Village open later this month to
25 build on last year's successful reboot of that

13

1 annual event.

2 In addition, we will start USTA league

3 play soon, with as many as five or six teams

4 representing Incline late this summer and fall.

5 Less well known today is that tennis has

6 grown by double digits nationally, and we know this

7 locally as well.

8 (Expiration of three minutes.)

9 MR. SMITH: My name is Paul Smith, and I

10 live at 1437 Tirol, here in Incline.

11 My purpose tonight is to address agenda

12 item G 4, referencing the general manager search

13 committee. I just returned from five weeks of

14 traveling, mostly in Europe and Asia, and clearly

15 missed quite a few developments in Incline. For

16 that reason, I'm speaking tonight because, like the

17 first speaker, I heard many speakers that presented

18 one side only.

19 First, I'm pleased to note that the

20 current board majority is properly focusing on key

21 matters related to the operation and sustainability

22 of IVGID. For example, the effluent pipeline,

23 financial records and reports to the State,

24 operations at the resident-owned beaches, now

25 vacancy filling. Thank you.

14

1 Please continue to avoid being distracted

2 by shiny objects like the Parasol Building and the

3 false \$25 million for a gym. Also, as difficult as

4 it may be personally, please continue your good work

5 despite the recall effort. It is sad that a vocal

6 group wants to remove the choice voters made as part

7 of a legal process. I urge all Incline residents to

8 not sign any recall petitions and/or vote no on any

9 actual recall.

10 So, continue doing your duty to oversee

11 the operation of IVGID. I appreciate you digging in

12 and addressing long-festering issues, especially

13 related to beach access and the financial reporting

14 and need to complete the effluent pipeline.

15 Second, the selection of a chief financial

16 officer and a general manager are critical to the

17 current and future operational success of IVGID. A

18 good, solid pick for each position will set our

19 improvement district on track for many years of

20 focused progress and betterment. These are critical

21 decisions that must be in a timely manner. Please

22 be personally involved in the search and vetting of

23 the candidates, and make certain that the final

24 decisions are made by matching the operational needs

25 of IVGID with the skills and documented experience

15

1 of the candidates. Incline Village needs nice

2 people, but we also need key managers who have

3 relevant and documented experience and understand

4 how to work with an elected board that is overseen

5 by a public in a rather regular manner.

6 In the context of the selection process,

7 please do not use the IVGID HR director to manage

8 this search. Instead, appoint a trustee to lead and

9 form a search committee and give the committee a

10 budget. Please also seek resident input and

11 oversight at each level, e.g., recruitment level,

12 then the paring down or initial cut level, and then

13 the final selection level. I suggest that you

14 appoint a different resident for each level of the

15 process instead of leaving one resident for the

16 entire process.

17 Finally, thank you to each trustee for all

18 that you personally do for our community. However,

19 I offer special thanks to the majority three who

20 have truly put the community first.

21 Thank you.

22 MR. SCHULTZ: Joe Schultz, Putter Court.

23 I'd like to congratulate this current

24 board for their willingness to make the hard

25 decisions for the benefit of the community. It

16

1 would be so much easier, of course, to bow to the

2 critics.

3 I just want to go over a few facts versus

4 feelings. Anyone speaking against the restrictions

5 of the beaches have no understanding that the

6 beaches could be taken away from parcel owners for

7 our exclusive use and turned over to the public use

8 of Washoe County. How would that affect our home

9 values? How would that affect the nature of our

10 quiet communities should that happen?

11 Further facts versus feelings. Former GM

12 was not forced to resign; he chose to resign.

13 Otherwise, he would have been forced to a public

14 review, which may have included inadequacies of his

15 performance as general manager. It was his

16 decision. Those are the facts, not the feelings.

17 Finally, I'm very disappointed to see

18 former trustees and members of public become attack

19 critics to the current board and individuals on the

20 current board by twisting seeming facts to bolster

21 their inadequate egos. I encourage you to keep up

22 what you're doing.

23 Thank you for all of us.

24 MS. SHACKFORD: Kay Shackford, Donna

25 Drive.

17

1 At the Board meetings on June 23rd and
 2 July 6th, Frank Wright attacked me three times in
 3 his public comments for "stealing from the District
 4 with her phony, let's-make-you-smile seminars." He
 5 said rather ungrammatically that "She doesn't want
 6 us to save that money, she wants to keep spending it
 7 on herself through her company that she has."
 8 Because his words are now part of the
 9 Board record, and those who don't know him may
 10 assume there may be some truth in what he's saying,
 11 I thought it best to introduce some data. Attached
 12 to this public comment is my record of IVGID folks
 13 who attended our negotiating solutions workshop from
 14 1996 to 2022, the tuition that was paid for for
 15 their attendance, and the tuition-free scholarships
 16 we extended to them. Graduates included general
 17 manager, director of utilities, maintenance manager,
 18 marketing manager, two directors of parks and
 19 recreation, two directors of golf, three engineering
 20 managers, mountain operations manager, two HR
 21 managers. In total, 21 participants over 26 years.
 22 Fourteen tuition-free scholarships. Total tuition
 23 paid \$16,100 for an average cost for tuition of
 24 \$767. There was also a facility fee that went to
 25 Granlibakken, not to us.

18

1 And what did they get? Participation in a
 2 week-long, immersive, intense, executive-level
 3 workshop in business-to-business negotiation.
 4 Learning from and with high-level participants from
 5 aviation and semiconductor industries: Airbus,
 6 American Airlines, Boeing, Delta, Air Canada, Pratt
 7 and Whitney, Horizon Airway, Lam Research, and
 8 others.
 9 Learning how to build the working
 10 relationships that deal with well with differences
 11 and how to create value together to find those
 12 things better for you, not worse for me, better for
 13 us, not worse for you. Lee Weber-Koch alone can
 14 point to hundreds of thousands of dollars she saved
 15 IVGID based on what she learned. Each graduate can
 16 point to increased effectiveness inside IVGID, and
 17 externally with residents, suppliers, regulators,
 18 and politicians.
 19 My husband, Joe, and I started running
 20 this workshop of my design in 1988. We have over
 21 4,000 graduates, each pays a lot more than 767 to
 22 attend. Do I need IVGID's money? Give me break.
 23 But we gave those scholarships because we believe in
 24 adding value.
 25 What do you believe in, Frank? The next

19

1 time you attack an 81-year-old widow in your public
 2 comments, or for that matter, attack her at the
 3 recall petition table at Raley's, at least get the
 4 name right. That's negotiating solutions.com, Frank.
 5 Thank you.
 6 MR. HOLMAN: Mick Holman, Incline
 7 resident.
 8 I've got a couple of comments. First, a
 9 proposal to create the advisory committees. I
 10 believe the divine goal for the golf committee is
 11 too narrow and potentially divisive. The stated
 12 goal is to formulate a five-year, sustainable plan
 13 that provides fairness and equity to all recreation
 14 pass holders, and protects the future of our
 15 district golf courses and driving range.
 16 In light of recent public comments, the
 17 first part of the goal, providing fairness and
 18 equity to all pass holders, could be construed as an
 19 attempt to reduce access for the clubs that utilize
 20 the course. At a 70 to 75 percent occupancy rate,
 21 this is both unwarranted and fiscally irresponsible.
 22 It's also unclear what protecting the future of the
 23 golf course and driving range means.
 24 For the committee to drive value for the
 25 District, I suggest broadening the scope. It should

20

1 be to assist the staff and Board in optimizing all
 2 aspects of golf operations, including revenue growth
 3 and cost-efficiency opportunities and expanded
 4 community participation. It should be focused on
 5 both near-term and the five-year horizon, and that
 6 combination will drive a more sustainable model.
 7 Second, I'd caution the Board on any
 8 actions related to topic G 2, frequently asked
 9 questions. While the concept is good, it should be
 10 focused on IVGID's policies and operations. Most of
 11 the topics included in the meeting materials can
 12 easily be viewed as political in nature and most of
 13 the topics have nothing to do IVGID policy and
 14 practices. In fact, most relate to concerns
 15 community members have raised about individual
 16 trustees. For example, questions 4 and 5 deal with
 17 the Board's intent on privatizing venues or changing
 18 the model. The question itself deals with the
 19 Board's intentions, not plans -- excuse me --
 20 intentions and plans, not past actions.
 21 Further, I believe residents are
 22 commenting on individual trustees and their views
 23 and actions, not the Board as a whole.
 24 Questions 7 and 8, dealing with the impact
 25 of reducing rec fees and punch card values and the

21

1 negative impact on home values and rights, there is
 2 no factual answer for this. Combined with the
 3 capital and punch card availability, I can easily
 4 see how residents believe their beach rights have
 5 declined and their home ownership may be worth less
 6 as a result.

7 On question 10, the Board very clearly did
 8 push for and approve the more punitive cancellation
 9 policy that they just rescinded.

10 On question 2, related to Trustee Dent's
 11 possible ethics violation, it's inappropriate to
 12 state this is false when there is an open
 13 investigation.

14 And on questions 12 and 13, dealing with
 15 the Duffield grant, the better question may be to
 16 ask whether the project would have continued to
 17 proceed if Trustee Schmitz had voted yes on both
 18 votes.

19 Under any circumstances, it's
 20 inappropriate to utilize District resources to
 21 defend the actions of individual trustees. At
 22 present, with the recall effort related to many of
 23 the same topics included in the materials, it could
 24 easily be construed as utilizing District resources
 25 to impact current ballot issues or candidates in an

22

1 upcoming election. That would look like a direct
 2 violation of Nevada ethics statutes, NRS 281A.520,
 3 and I'd be surprised if general counsel would
 4 approve the materials if viewed through that lens.

5 Thank you.

6 MR. KATZ: Good evening, trustees. Aaron
 7 Katz, Box 3022. I have written statements to be
 8 added to the minutes of the meeting. I've submitted
 9 them on the side.

10 First, I request you remove item F 4 from
 11 the agenda. I sent an email on it. It does not
 12 comply with policy 3.1.0.

13 I want to speak about the requested trash
 14 franchise extension. I resent the presentation,
 15 certainly on the grounds stated. It's premature. I
 16 further object to our staff dealing with negotiating
 17 with Waste Management. Time and time again, they've
 18 proved a lack of competence, and they sure have a
 19 lack of competence on this issue.

20 Instead, I submit that there should be
 21 help in the form of a citizen's committee, which is
 22 on item G 4 of the agenda. I ask that that
 23 committee be established in addition to the other
 24 two suggested.

25 If you let -- oh, let me strike that.

23

1 Waste Management has made the assertion it
 2 plans its upgrade on the transfer station will not
 3 increase or trash rates. This is a false statement,
 4 it's a disingenuous statement, and they
 5 intentionally know it's a false statement. And I've
 6 already submitted to you in an email the reasons why
 7 it's a false statement.

8 If you let Waste Management get away with
 9 this one, you will have, in essence, foreclosed our
 10 ability to ever, ever secure competitive, solid
 11 waste removal rates, so we have to stop it right
 12 now. And in my view, the trash rates that we
 13 approve are some of most important things this Board
 14 does. Yes, the pipeline, I would put as number one.
 15 Yes, I would put the storage pond or facility as
 16 number two. This one, I'd put as number three, so
 17 it's far more important. We have opportunity to do
 18 something for the benefit of the community, and
 19 now's the time to do it.

20 Thank you.

21 CHAIR DENT: Matt, can we go to Zoom,
 22 please.

23 MR. WRIGHT: Frank Wright, Crystal Bay.
 24 I am going to do something for
 25 Mr. Callicrate and his fellow cosigners. I'm going

24

1 to warn you. NRS statutes, 306.210, if you
 2 misrepresent, attempt to misrepresent, assist or
 3 conspire with others to misrepresent statements that
 4 you put on a petition, you are in violation of
 5 Nevada statutes, and you will be punished by Nevada
 6 Revised Statute 193.130.

7 I can tell you right now, Mr. Callicrate
 8 does not have a written document, anywhere, to
 9 substantiate the allegations that Sara Schmitz did
 10 anything wrong. Not having that document, not
 11 having those facts, everything that Mr. Callicrate
 12 is purporting in this petition, along with his two
 13 cosigners, is all word-of-mouth, hearsay, it's
 14 passed around on the internet with the social media.
 15 It's all garbage.

16 He better produce a document, and he
 17 better produce it pretty quickly, that shows that
 18 what he is contending on that petition is actual and
 19 factual. He can't. It doesn't exist. The grant
 20 never existed. It was never written anywhere.

21 But that's not the only falsity. Most of
 22 it is all hearsay, and he stuck his name on it and
 23 got two other people to go along with him. You can
 24 get out of it now, I'm giving you advice, you can
 25 drop it and get over it. But if you keep it going,

25

1 I guarantee you, there's going to be an
2 investigation, and something is going to happen.
3 As far as Ms. Shackford's comments, she
4 seems to fail to take into account all the
5 employee's wages that we were spending while they
6 were at this goofy conference that she puts on
7 teaching them how to smile. A week? What's the
8 wages for all those employees to be gone from their
9 jobs for a whole week to learn how to smile? Sure,
10 she's getting a ton of money, so she's coming on,
11 and she's going to try to give you a spin that you
12 really need her. We need her like we need a hole in
13 the head. Take the money and put it in the tennis
14 courts.
15 As far as the other statements she made, I
16 attacked her in front of Raley's, I didn't even talk
17 to her. I walked by and looked at her.
18 You know, the people in this town that are
19 listening to these people trying to get this
20 petition going, really ought to sit up and pay
21 attention. These people all have a special interest
22 in something. I'm not sure what it is all the time,
23 but I'm guaranteeing it's either golf, people like
24 Kay Shackford who are trying to rip us off. It's
25 amazing. It's absolutely amazing.

27

1 TRUSTEE TULLOCH: Just reporting on the
2 checks on the payments over 50,000 over the last
3 month. Here's a summary of them:
4 Tyler Technologies for software
5 maintenance, \$120,000 for annual maintenance and
6 \$5,000 for annual maintenance of the touch screen
7 biometric reader.
8 Rockwood Tree Service, two \$27,000
9 payments for takedown and takedown chipping and
10 hauling of large conifers at the Mountain Golf
11 Course.
12 Western Nevada Supply, nine invoices in
13 total, three totaling \$397,000 for the effluent
14 pipeline project, and six totaling \$2,800 for
15 miscellaneous supplies and inventory stock for
16 Public Works.
17 NV Energy, our regular monthly billing for
18 all the venues, \$102,513.34, offset by \$4,000 a
19 month Mr. Bandelin has generated for the lay-down
20 area. Thank you, Mr. Bandelin.
21 USDA Forest Service, two special permits
22 for ski slopes at Diamond Peak, \$53,000 for calendar
23 year 2021, and \$35,000 for calendar year 2022.
24 Mike Menif (phonetic) Insurance, the
25 annual fees for Nevada public agency insurance pool,

26

1 I'm just giving advice to you,
2 Mr. Callicrate, you better have your --
3 (Expiration of three minutes.)
4 MATT: There are no other public comments
5 in the queue at this time.
6 CHAIR DENT: That will close out item C,
7 initial public comment. Moving on to item D,
8 approval of agenda.
9 D. APPROVAL OF AGENDA
10 CHAIR DENT: I think the only item that we
11 needed to pull from the agenda was item F 4 -- or
12 not pull from the agenda. Item F 4, I believe there
13 was a quick presentation our director of human
14 resources was going to do on this item. I'd ask
15 that this item just get moved to the new item G 1.
16 Are there any other changes to the agenda?
17 All right. Seeing none, the agenda is approved as
18 is. Moving on to item E.
19 E. REPORTS TO THE BOARD
20 E 1.
21 CHAIR DENT: E 1, treasurer's report,
22 payment of bills. Requesting trustee, Treasurer Ray
23 Tulloch. This can be found on page 5 of your board
24 packet. And then next up will be item E 2, the
25 general manager's report for July 12th, 2023.

28

1 \$726,000, plus broker service fees of \$20,000.
2 That was the summary of the payments --
3 the major payments for last month.
4 Thank you.
5 CHAIR DENT: Any questions regarding bill
6 pay? All right. Seeing none, that will close out
7 that item. E 2, general manager's report for
8 July 12, 2023.
9 E 2.
10 CHAIR DENT: Acting District General
11 Manager Mike Bandelin. This can be found on pages 6
12 through 44 of our board packet.
13 Mr. Bandelin?
14 MR. BANDELIN: This report reflects the
15 action items updates for review and discussion as
16 needed. I'll note that we have included in the
17 report a June golf venue for review, although our
18 venue director Howard is not present this evening to
19 answer any questions, but I can certainly try.
20 I'll note that our next report of the golf
21 venue, staff will provide a chart of related
22 costs/expenses related to the operation. I think it
23 would be helpful for viewing and discussing the
24 operation. Within this report, we also included an
25 annual report of complimentary and discounted use of

29

1 the facilities and programs, consistent with
 2 Resolution 141-1895.
 3 Also, as we begin to close out 2022/23
 4 fiscal year, we thought it would be a good idea to
 5 provide the staff's updates to the District's
 6 strategic plan. And as noted, the plan updates were
 7 last provided to the District and Board of Trustees
 8 in December of 2022, and the current report
 9 contained staff progress updates as of June 2023.
 10 Also wanted to note, not in the report,
 11 share with the Board, that the annual Tahoe Rim
 12 Trail Endurance Run is happening this weekend at
 13 the -- they race from Spooner along the Rim Trail,
 14 up the cross, and they use Diamond Peak main lodge
 15 as an aide station and/or the top of Diamond Peak as
 16 a water station. We've been doing this, probably,
 17 20 years with the Bull Wheel station up top, that
 18 I've been a part of, and then at base lodge about
 19 five or six years. This is a -- we have a full
 20 agreement for paid use of the lodge, so this isn't
 21 just like something's kind of under the radar.
 22 I just wanted to let you know because this
 23 does provide quite a few cars parked in the lower
 24 parking lot and along Ski Way down to Big Water.
 25 They will be using shuttle vans to shuttle the

30

1 people up to the main lodge. Usually busiest about
 2 2:00 on Saturday for spectators and support crews.
 3 We also have some latest information
 4 related to the viewing of the District OpenGov
 5 financial platform. We did have one remaining,
 6 hopefully, final remaining ticket in with the vendor
 7 as we continue to check financial accuracy, and
 8 we've been told the correction should be completed
 9 by the end of week. But I did speak to a member of
 10 our team today that that ticket has made
 11 corrections, and we're viewing and we're hoping that
 12 the OpenGov platform will be complete, ready for
 13 viewing probably by tomorrow.
 14 What I will share is the fact that we're a
 15 little bit behind and slow, so it's going to reflect
 16 financial data to the end of April. Eventually,
 17 we'll get caught up to where it's really -- you know
 18 how we do the financial reporting, that we wait
 19 until it's closed so it's audited and completely
 20 closed, that should be towards the end of the month
 21 that you would see the previous month within
 22 OpenGov.
 23 Happy to answer any questions.
 24 TRUSTEE TULLOCH: I have a question. If I
 25 look at the facilities report, the use of the

31

1 facilities report at discounted facility fees on
 2 page 12 and 13. As we discussed earlier, I'm a
 3 little bit confused here how some organizations get
 4 a full discount on venue, particularly in the golf
 5 organizations, then others like -- that seem to be
 6 registered 501 C3 charities do not get a full
 7 discount.
 8 We've heard in recent months a huge outcry
 9 from the golf community saying, "Why are we not
 10 making more money from the facilities? Why is the
 11 golf clubs not getting the benefit of that?"
 12 Yet I go through every golf club function
 13 here, and the facility fee has been discounted to
 14 zero for them. I'm not -- maybe there's something
 15 I'm misunderstanding here, but I would have thought
 16 if we have a policy for discounting for 501 C3s or
 17 for IVGID-affiliated organizations, that would be
 18 one thing, but I can see no rhyme nor reason in
 19 these discounts.
 20 MR. BANDELIN: Yes. It became pretty
 21 clear to me as well. I think what I would ask the
 22 Board is to provide myself a little bit of time to
 23 reflect on the policy and come back with a report on
 24 exactly what they are and what that means, as we
 25 continue in the future developing this report, per

32

1 the Resolution 1895, that you'll have a better
 2 understanding.
 3 TRUSTEE TULLOCH: Just particularly, I
 4 want to see that we're being fair to all
 5 organizations, being if we're providing free use of
 6 the facilities, we should make sure that we're doing
 7 that to everyone. It should not just be to
 8 preferred partners.
 9 If we don't have a Board policy on it,
 10 perhaps there is no Board policy on this, I think
 11 it's something the Board, obviously, needs to pick
 12 up on.
 13 My next comment, and it's not so much
 14 directed at you. I see the updates to the strategic
 15 plan. Now, I may have misunderstood, but all the
 16 reports I got previously from previous general
 17 manager was that he was going to bring an updated
 18 revisions to the strategic plan to the Board. All I
 19 see is a few updates on the plan here, rather
 20 than -- my understanding is the plan was going to
 21 come to the Board for review and see actually
 22 whether the plan itself needed updating, rather than
 23 just updates and actions against the plan.
 24 It's not something I'll wait for an answer
 25 for tonight; it's something we can have another

33

1 discussion on. But, yeah, it's my concern. I
2 understood that the plan itself was going to be
3 updated, not just comments on actions taken against
4 the existing plan.

5 MR. BANDELIN: I think it would be fair if
6 we all had the discussion that there -- the Moss
7 Adams RFP refers to, kind of, look at the strategic
8 plan and to make sure that we're in line, per their
9 contract or agreement, to be able to provide that
10 expertise to see if -- and share that insight with
11 the Board of Trustees.

12 Staff has not or did not write a plan for
13 the next three years beginning fiscal year of
14 '23/'24. And so this was just kind of like our
15 final update. And so that's why you haven't seen
16 any sort of new plan with new initiatives or
17 long-range principles or so forth.

18 TRUSTEE TULLOCH: And an update on the
19 Moss Adams. They're expecting a first draft to
20 report to us at the end of the month or early
21 August. So, yes, we will take that into account.

22 I just wanted to clarify that for the
23 benefit of the community as well, because I've had
24 some questions, what's happened to the plan?

25 CHAIR DENT: Then piggybacking on what

35

1 and that position is supposed to, I believe, start
2 the first or second week of August.

3 I don't have other questions, but I thank
4 you for the update on OpenGov.

5 TRUSTEE SCHMITZ: I just wanted to also
6 ask, as it relates to public record requests, there
7 was a gentleman a month or so ago who I believe
8 wrote all of us requesting weekly reports as it
9 relates to golf. He was wanting information on
10 utilization and whatnot. And I don't see his
11 request being listed in the public record requests.

12 If need be, I will go back and find that
13 email, because that's missing.

14 And another thing that I had asked for a
15 couple of times, probably a couple of months ago,
16 was to be able to review a report on the financial
17 performance of the various events. I was told that
18 staff keeps records of each event and the financial
19 performance of that event, like a wedding, so that
20 they know how much profit they make per wedding,
21 what have you. I have not been provided that
22 information. I've asked a couple times.

23 I think it would be important for the
24 Board, and maybe we need to just have an agenda item
25 in the future that is reviewing the facilities. And

34

1 Trustee Tulloch said. I'm excited to see what Moss
2 Adams, what value they can add to the plan that we
3 already put together. I feel like those are -- that
4 is one of the tasks they were given, so however we
5 can improve on as a district, I'm excited to see
6 where that goes.

7 Lastly, do you have an update on any hires
8 that we have in the last couple weeks? Do you have
9 anything to report on that? Or would you like me to
10 rattle off a few?

11 MR. BANDELIN: I do not, but I think that
12 would be a good section to have in the report that
13 we provide to the Board of Trustees.

14 CHAIR DENT: Okay. I do too. I think
15 it's important, even if it is a temporary role, such
16 as Bobby McGee, that we elevate that and we are
17 working on a press release for that, as well as you
18 stepping into the role as the acting general
19 manager. Thank you for that.

20 I do -- maybe someone else could chime in,
21 but I know there is a lady that has stepped into a
22 role when it comes to the audit, in a controller
23 position. I cannot think of her first name,
24 Ms. Day, I think. So we thank her for being on the
25 team. We also extended an offer to the controller,

36

1 instead of just looking at things that are being
2 done for free, to be looking at it holistically, to
3 show a report of what we're also receiving as it
4 relates to revenues from other events.

5 Thank you.

6 CHAIR DENT: That will close out item E 2.
7 Moving on to the consent calendar.

8 F. CONSENT CALENDAR

9 CHAIR DENT: Is there a motion to accept
10 the consent calendar?

11 TRUSTEE SCHMITZ: I'll make a motion to
12 accept the consent calendar, items 1, 2, and 3.

13 CHAIR DENT: Motion's been made. Is there
14 a second?

15 TRUSTEE TULLOCH: I'll second.

16 CHAIR DENT: Motion's been made and
17 seconded. Any further discussion by the Board?
18 Seeing none, all those in favor, please
19 state aye.

20 TRUSTEE TULLOCH: Aye.

21 TRUSTEE NOBLE: Aye.

22 TRUSTEE SCHMITZ: Aye.

23 CHAIR DENT: Aye.

24 Opposed? Motion passes 4/0. Consent
25 calendar is approved, minus item F 4, that will now

37

1 become item G 1.
 2 G. GENERAL BUSINESS
 3 G 1.
 4 CHAIR DENT: Review, discuss, and approve
 5 recreation privileges offered to the District
 6 employees. This can be found on page 917 through
 7 921 of our board packet. Requesting staff member
 8 Director of Human Resources Erin Feore.
 9 MS. FEORE: I'm just bringing back to
 10 you -- this is more procedural, but bringing back to
 11 you some of the changes that we have discussed from
 12 many, many meetings ago.
 13 Very quickly -- and I've had a chance to
 14 speak with most of you, but I want to publicly
 15 apologize for an error that I made on the document.
 16 I was moving way too quickly, and as a result, it
 17 did cause some concern within the community. And I
 18 deeply apologize for this. I'm not good at making
 19 mistakes, so I try not to.
 20 Just, again, to reiterate, I had
 21 accidentally coded seasonal full-time as being
 22 category one. I was looking at an old document that
 23 literally came of I don't know where. It magically
 24 appeared on my desk. That said, seasonal full-time
 25 staff generally work 40 hours per week, and

39

1 this means.
 2 MS. FEORE: What I can tell you in
 3 practice, Mr. Bandelin can help me out, as I
 4 understand it, when -- I'll use myself as an
 5 example. If I am a category one employee and I'm
 6 going to go and attend the Rec Center, I'm going to
 7 get category one privileges. If I am an employee
 8 who works at the Rec Center -- this is just the best
 9 to kind of -- this is how I visualize it in my head.
 10 Let's say I work at the front desk, and I'm going to
 11 take a quick meal break, but instead of eating my
 12 lunch, I'm going to go and hit a treadmill because
 13 it's an off time and we're not interrupting customer
 14 use, then the department manager would have an
 15 opportunity to approve that because they'd have the
 16 authority to approve these specific things.
 17 TRUSTEE TULLOCH: Okay. So, it's not
 18 approving changes or different discounts to the
 19 policies? It's just purely incidentals like that?
 20 MS. FEORE: Absolutely.
 21 TRUSTEE TULLOCH: Maybe we can look at the
 22 text of that just to clarify.
 23 MS. FEORE: Sure.
 24 TRUSTEE SCHMITZ: I was wondering for
 25 clarification purposes if we should add something

38

1 therefore have always been eligible for the category
 2 one privileges. I mean, I think Mr. Bandelin can
 3 attest to this, we have a lot of seasonal staff that
 4 can work anywhere from 50 to 60 hours per week
 5 during the height of the season. Again, sincerely
 6 apologize for the confusion and the concern I
 7 caused.
 8 Just -- I don't know if you'd like me to
 9 kind of go over my memo, or if I can just answer
 10 questions. However you would like me to address,
 11 I'm here.
 12 TRUSTEE SCHMITZ: We are all human. We
 13 understand. I think you updated this, and it's much
 14 more clear and precise and concise. Hopefully this
 15 document will help to minimize confusion.
 16 TRUSTEE TULLOCH: Good job here. Anytime
 17 you want training on making mistakes, I can help you
 18 out there.
 19 Just one question, I still see -- I'm a
 20 little bit confused here because I see we've got a
 21 very clear chart of what the employee privileges
 22 are. Then I see in the small print
 23 "department-specific only privileges are determined
 24 by venue director or designee." I'm not quite sure
 25 I understand if we have a clear policy here of what

40

1 here that states that the trustees are not
 2 considered any of these, we are not. The only
 3 benefit we receive is the opportunity to visit a
 4 venue, once a week. I am just am wondering if it's
 5 important to denote that trustees don't fall into
 6 any of these categories?
 7 MS. FEORE: That actually had been
 8 indicated once before, and because of the specific
 9 policy that outlines trustee privileges, it was
 10 never added to this. It's a little funky, but, I
 11 guess, for all intents and purposes with this
 12 document, you're not considered employees, so this
 13 wouldn't be applicable.
 14 That's that reason why your policies are a
 15 little bit different.
 16 TRUSTEE TULLOCH: Why don't we just put a
 17 footnote referring it to the trustee policy?
 18 MS. FEORE: Yeah. I can definitely do
 19 that.
 20 CHAIR DENT: There was a question on this
 21 a couple years ago, and I think I might have been
 22 one of the only trustees who remembered where it was
 23 going, if trustees could even access at any one
 24 time. And I have an email from the former HR
 25 director regarding the item that kind of steered

41

1 where that was going.

2 I think it would be helpful just to have

3 something to refer back to.

4 MS. FEORE: Sure. I have space. I can

5 definitely put that in. Just so that I have clear

6 direction, am I okay to go ahead and add that

7 footnote, knowing that this document is approved?

8 (Inaudible response.)

9 MS. FEORE: Perfect.

10 CHAIR DENT: I will entertain a motion.

11 TRUSTEE TULLOCH: I'll make a motion to

12 approve the document presented by Director of Human

13 Resources Feore.

14 TRUSTEE NOBLE: Second.

15 CHAIR DENT: Motion's been made and

16 seconded. Any further discussion on this item?

17 Seeing none, I'll call for the questions.

18 All those in favor, state aye.

19 TRUSTEE TULLOCH: Aye.

20 TRUSTEE NOBLE: Aye.

21 TRUSTEE SCHMITZ: Aye.

22 CHAIR DENT: Aye.

23 Motion passes 4/0. Thank you. All right.

24 Moving on to item G 2, formerly G 1.

25 G 2.

43

1 Board, I'm Kendra Costa with Waste Management.

2 This presentation is intended to help

3 answer any questions that you have may have or you

4 may get from the community. As always, you're

5 welcome to call me if you have any follow-up

6 questions, we can discuss it tonight too.

7 Starting with the first page, as Brad

8 mentioned, WM has sent a letter asking to activate

9 the five-year extension on the contract that exists.

10 So, this is per section 3 of Franchise Agreement.

11 It is required that there is written notification,

12 both from WM and from IVGID, that they want to

13 continue this contract. It's standard practice for

14 us to send a letter when we've got an extension

15 because generally we like our contracts and we want

16 to stay there. In this case, we did address it to

17 the manager of the municipality, which would be the

18 district manager for IVGID.

19 So why are -- we are asking a little bit

20 earlier than usual this time. The reason we're

21 asking a little bit earlier is because we are

22 looking ahead to do some capital improvements. It's

23 pretty substantial improvement that we'd like to do

24 up there. It's going to continue to -- our transfer

25 station at 1076 Tahoe Boulevard provides disposable

42

1 CHAIR DENT: Waste Management presentation

2 of proposed improvements and request for contract

3 extension. Requesting staff member Director of

4 Public Works Brad Underwood. This can be found on

5 pages 922 through 986 of your board packet.

6 Mr. Underwood?

7 MR. UNDERWOOD: Yes. Thank you. We're

8 here tonight because Waste Management had sent the

9 general manager a letter requesting, potentially,

10 some changes and additions at their facility here in

11 town, the transfer station, and also consideration

12 by the Board of a five-year extension that's

13 actually in the contract that would be allowed.

14 So staff brought this to the Board for

15 direction. There's no decision tonight by the

16 Board, except for whether you want to pursue this,

17 and then if you want to pursue it, how do you want

18 to do that? What's the process you want to go

19 through? And are there other aspects of the

20 contract or whatnot that you'd like to discuss? And

21 that can also happen later as well.

22 With me tonight is Kendra from Waste

23 Management. She has a presentation to provide to

24 you, and we'll just walk you through that.

25 MS. COSTA: Chairman, members of the

44

1 services for residents and businesses here in

2 Incline Village, and that transfer station was

3 erected in 1995. We have several improvements that

4 we'll take a look at in some later slides. The

5 anticipated cost for all of these improvements is

6 4.5 to \$5 million, and additional time will allow

7 for construction to be scheduled during Incline

8 Village's abbreviated building season and allow WM

9 to amortize costs while maintaining stable rates at

10 the transfer station.

11 There are some benefits to customers.

12 There will be no direct impact to collection rates.

13 When I say "collection rates," I mean the rates at

14 the curb or the rates that businesses are charged to

15 have their waste hauled away from their property.

16 That's what our contract secures, so we're not

17 seeking that collection rate increase. And

18 extending the contract retains the same menu of

19 services and rate mechanism, which is found in

20 section 11 of the contract. The current rate

21 mechanism caps WM's profits at nine percent. The

22 cap does not apply -- sorry. If the cap does not

23 apply, the rate increase is determined by the

24 average consumer price index for garbage and trash,

25 which is published and by the Federal Bureau of

45

1 Labor Statistics. Any increase is capped at
 2 six percent. So if the CPI is higher than
 3 six percent, the highest that it can go under this
 4 contract is six percent.

5 Franchise rates in Incline Village have
 6 not increased since 2021. Trash collection rates in
 7 Incline Village are generally lower than other basin
 8 communities.

9 Additional benefits to customers, expanded
 10 green waste collection period. Waste Not and WM
 11 staff meet monthly to discuss service needs and
 12 concerns. We have a very close relationship. Both
 13 agencies routinely hear from customers that they
 14 would like to have a 16-week yard debris collection
 15 program, which is currently broken into 12 weeks in
 16 the spring and four weeks in the fall, extended to
 17 eliminate the summer break, which will begin this
 18 year at the end of July.

19 As this is a top item for contract
 20 improvement, WM proposes doubling the timeframe to
 21 32 weeks as part of the extension agreement. And
 22 again working with our staff at Waste Not, so
 23 contract improvements can happen at any time. We're
 24 just looking at this as a window of opportunity
 25 right now.

46

1 Additional benefits to customers,
 2 facilities that better fit the character of
 3 community. Again, the customer service office,
 4 which is right there against Tahoe Boulevard, that
 5 was built in 1975, the driver dispatch building,
 6 that's the small building up above, was built in
 7 1992, and the transfer building, the big building
 8 was built in 1995. New plans will improve the
 9 appearance of Tahoe Boulevard from Tahoe Boulevard
 10 and are compliant with TRPA requirements.

11 Here's an overview of what we're trying to
 12 do with the site improvements. We want to replace
 13 the existing pavement with new pavement and
 14 striping. I'm sure all of you who have been there
 15 can see that that pavement is in need of some love
 16 and care. Partial replacement of existing perimeter
 17 fence, expanding existing driver dispatch building,
 18 expand the existing administration building, upgrade
 19 existing transfer station, demolish and add a new
 20 transaction booth -- the pay shack that the public
 21 stops and pays before they go into the transfer
 22 station -- add a new maintenance building to the
 23 west exit transfer station building -- west of the
 24 existing transfer station building.

25 Right now, when they're doing truck

47

1 maintenance, they're either doing it outside or
 2 they're taking the truck down to our Reno facility,
 3 which kind of takes it out of service up here. You
 4 are never short trucks, but it just makes it easier
 5 and keeps the trucks up here where they're available
 6 to you.

7 We want to remove and replace the existing
 8 storm water management and BMP facilities per
 9 current code, replace existing propane with natural
 10 gas. We've got some pictures here. I'm happy to
 11 answer any questions or get additional information
 12 for you if you have questions about that. And this
 13 building will be added. This is the new maintenance
 14 building. This is the building that will be added,
 15 the new maintenance one, the one that says
 16 "maintenance shop."

17 All right. I did want to also add some
 18 things. As I mentioned before, we work really
 19 closely with the Waste Not staff. And when this
 20 contract was rolled out in 2016, I was working on
 21 the communication side of things, not on the
 22 contract side of things. And I can tell you, it was
 23 not always comfortable to go and have these
 24 meetings. They really held our feet to the fire.
 25 Madonna, Brad, the team has continued to hold our

48

1 feet to the fire, but this is the result of that.

2 We -- when somebody contacts WM for help
 3 with their account, they're asked to stay on the
 4 line or to fill out an online survey after they've
 5 interacted with one of our staff to give some
 6 feedback about they feel about their services.

7 I like to share this because I will only
 8 fill out a survey if I've had a poor customer
 9 service experience. It's says a lot to me that the
 10 people who contact WM stay on the line to fill out
 11 these surveys and give these answers.

12 So this is out of 10, you can see on the
 13 graph there, this is looking at customers who
 14 responded to the survey from January to June. We
 15 don't get a ton of people staying on. Generally,
 16 only 20 percent hang on and fill it out. This is
 17 roughly 250 surveys total, people providing answers.
 18 The questions: Likely to recommend? We're getting
 19 a score of above 9. For likely to recommend overall
 20 on your services? Also a score above 9.
 21 Residential service? Above 9. Commercial service?
 22 They don't like us quite as much, they're giving us
 23 an 8. We didn't collect scores for roll off, the
 24 bins that kind of look -- the very big bins that
 25 look like a railroad car. Do they find WM

49

1 trustworthy? Almost a score of 9 there, not quite.
 2 Do they feel that we're a waste solutions partner?
 3 Scoring above 9. And do they feel like they're
 4 getting a good value? Above 9.
 5 And of course billing is always a hot
 6 issue. So what are we hearing as far as feedback on
 7 billing? You can see, this one has a little more
 8 information because it's a dive on a single
 9 question. This was answered by 241 people of 290.
 10 Did they call with a concern about their bill?
 11 Six percent of people called with a concern about
 12 their bill. Most people did not have a concern
 13 about their bill.
 14 And so that's the information that I
 15 wanted to share with you tonight. I'm happy to
 16 answer any other questions that you may have.
 17 I do want to point out that this is the
 18 contact information that is specific to our office
 19 here in Incline Village. Oftentimes Google can be
 20 beautiful, but Google can be ugly too. If you have
 21 a second home and you spend a lot of time in
 22 California and you go to Google Waste Management, it
 23 will think you live there, and they're going to send
 24 you to a different office. So if you Google our
 25 number, you may not get the correct information.

50

1 Anybody who is with us tonight, please take a look.
 2 We encourage you to go to 775-831-2971, that dials
 3 direct to our office here on Tahoe Boulevard. These
 4 are our hours, our office location, and the website
 5 where you will find all the services and pricing,
 6 publicly available all the time at
 7 inclinevillageatWM.com.
 8 CHAIR DENT: Any questions?
 9 TRUSTEE TULLOCH: First, let's clarify
 10 some information here. This letter, this request
 11 has come from Waste Management. IVGID's contract is
 12 with Reno Disposal Company; is that correct?
 13 MS. COSTA: Yeah. The contract itself,
 14 and I didn't bring a copy of the contract, I think
 15 it's Reno Disposal, doing business as Capitol
 16 Sanitation -- excuse me -- Incline Sanitation.
 17 TRUSTEE TULLOCH: Correct. But this
 18 request has come from Waste Management. It's also
 19 requesting an extension of the contract so Waste
 20 Management can do work on the transfer station,
 21 which is also a separate company; is that correct?
 22 MS. COSTA: Yeah. So --
 23 TRUSTEE TULLOCH: So the transfer station
 24 is not part of the agreement here. The transfer
 25 station costs are passed through to Reno Disposal

51

1 Company for charges to customers; is that correct?
 2 MS. COSTA: Yes. Let me --
 3 TRUSTEE TULLOCH: Thank you.
 4 MS. COSTA: Can I clarify?
 5 TRUSTEE TULLOCH: Sure.
 6 MS. COSTA: So, Waste Management is a
 7 holding company, and even though they all have
 8 different names, they are all Waste Management
 9 companies. But as I said at the beginning of the
 10 presentation, the contract is just for hauling, and
 11 the transfer station is a separate business.
 12 TRUSTEE TULLOCH: So, perhaps, you can
 13 explain why repairs and maintenance of the transfer
 14 station, which is owned by a separate entity, should
 15 be subject to IVGID signing an extension of the
 16 contract? Since they are two separate entities, the
 17 costs for the transfer station are a straight
 18 passthrough. There's no visibility of these costs
 19 to IVGID when they're reviewing the costs. So we
 20 have no idea of whether these costs are correct or
 21 not.
 22 If you spend five million on the transfer
 23 station, that will go into the capital costs of the
 24 transfer station, so that would also be passed
 25 through, increasing costs; isn't that correct?

52

1 MS. COSTA: I understand what you're
 2 trying to say, but I'd like to clarify that we're
 3 not asking you to cover the cost of the improvements
 4 of the transfer station. We're letting you know
 5 that we want to continue our hauling contract
 6 because that's the business that we do up here.
 7 But we're looking at how we're going to
 8 finance that out over time, our other piece of the
 9 business. So makes sense that both of the pieces of
 10 business stay together. We will keep that transfer
 11 station regardless of the hauling contract, but
 12 it's --
 13 TRUSTEE TULLOCH: So, thank you. Yes, I
 14 understand they're separate companies. I'm just
 15 clarifying the points here for the audience, because
 16 there's a number of claims made in your statement
 17 there I just want to clarify with you.
 18 If you're a responsible owner of the
 19 transfer station, you would be making these
 20 modifications and repairs, if they are necessary, as
 21 a responsible owner. It should not be dependent on
 22 a contract extension, not in a contract that still
 23 has three years to run.
 24 MS. COSTA: Right.
 25 TRUSTEE TULLOCH: So that's correct.

53

1 You also made a statement that your price
2 increases are capped at nine percent. Perhaps you
3 can refer to which page the contract shows that cap?
4 Because I have -- I have not found that language.
5 You are entitled to nine percent return. If I go to
6 page --
7 MS. COSTA: Can I clarify that? Because
8 that's an incorrect statement.
9 TRUSTEE TULLOCH: Perhaps you can show me
10 where the cap is?
11 MS. COSTA: The increases are capped at
12 six percent, and it's in section 11 of the contract
13 that outlines the rate increase.
14 TRUSTEE TULLOCH: Okay. Perhaps I can
15 correct you further. The CPI increases are capped
16 at six percent. If I go to page 12 of the contract,
17 section 11.1, beginning with the rate adjustment
18 schedule for July 1st, 2020, if the collector's
19 return on revenue for the prior calendar year
20 exceeds 15 percent, the collector should not be
21 entitled to the annual CPI adjustment for that year.
22 You also stated that you haven't increased
23 rates for the last two years or three years. That
24 tells me that because you're entitled to
25 nine percent return, that tells me that you've

55

1 thing. You stated that you're prepared to increase
2 the green waste collection to 32 weeks a year, and
3 there would be no increase in costs for that. Does
4 that mean that you'll be stripping out, you'll be
5 identifying these costs for the extra 16 weeks, and
6 you'll be stripping that out of your net costs and
7 calculating the cost to customers? Because that
8 would --
9 MS. COSTA: We're not renegotiating
10 anything. We're not changing the rate mechanism.
11 We're not changing the services at all. We're just
12 opening the -- we're proposing, because we've heard
13 from customers what they would like to see, to open
14 that window. And the reason they want to open that
15 window is because the weather is unpredictable, so
16 they may or may not be here --
17 TRUSTEE TULLOCH: I understand that. I'm
18 not disputing that, Kendra. But you stated that
19 there would be no increase in costs for that. If
20 there's no increase in costs for that, that -- these
21 costs would be deducted by -- I'm assuming that
22 you're going to include these in your gross costs;
23 is that correct? And if your gross costs increase,
24 your total costs to customers can increase; isn't
25 that correct?

54

1 actually been over-collecting that period, so you
2 must be making at least your nine percent return
3 over the last two years; is that correct?
4 MS. COSTA: So I want to back up again,
5 and can we see that 15 percent that you're talking
6 about?
7 TRUSTEE TULLOCH: On page 12 of the
8 contract, section B, 11 B, 11.1 B at the top of the
9 page. And I'm not making this up. I'm reading this
10 from the contract.
11 MS. COSTA: I understand.
12 TRUSTEE TULLOCH: I just want to correct
13 the factual inaccuracies.
14 MS. COSTA: I will have to get you
15 additional information on that, because my
16 understanding is that it is capped at nine, that we
17 have a --
18 TRUSTEE TULLOCH: Perhaps you can go
19 through the contract. I've been through it, and I
20 see there's nothing of that cap there. There is a
21 minimum, you're entitled to a minimum of
22 nine percent. If you don't get nine percent, you
23 are entitled to increase it. And we've had this
24 discussion before, so I have actually checked it.
25 And if we can now move on to the next

56

1 MS. COSTA: No. No. I'm -- no. I'm not
2 going to -- I mean, here's what I can --
3 TRUSTEE TULLOCH: I'm not renegotiating
4 the contract. I'm just clarifying some things
5 because you made some statements that don't appear
6 to be borne out with the contract. That's why I'm
7 asking.
8 MS. COSTA: Okay. So I can't --
9 TRUSTEE TULLOCH: You can't say there is
10 no increase in costs, because there could be an
11 increase in costs.
12 MS. COSTA: What I can say is that we're
13 not going to change the hauling contract. What it
14 is is what it is. We're not going to change the
15 rate-making mechanism, we're not going to change
16 anything about that.
17 So, an extension, basically, locks down
18 what we're doing. We've been providing rolling
19 proof of our calculations, so you know what we've
20 been doing and you know that we're not trying to do
21 anything sneaky.
22 It is hard for me to answer what you think
23 the company may do in the future, because I can only
24 go by what the company has been doing in the past.
25 TRUSTEE TULLOCH: Yes, just to clarify,

57

1 I'm not doing anything sneaky. I'm reading from the
2 contract.

3 MS. COSTA: No. I'm not saying -- you
4 accused me of wanting to do something sneaky.

5 TRUSTEE TULLOCH: Excuse me. Excuse me.
6 I'm clarifying the contract terms. You stated,
7 publicly, on the record, there was a cap in the
8 contract; there's no cap on the return.

9 Excuse me. You also stated that there
10 would be no increase in costs for these things, but
11 then you're stating that you're going to go with the
12 terms of contract. The terms of contract would
13 allow you to pass through extra costs for extra
14 services; isn't that correct? Yes or no?

15 MS. COSTA: So, no. I want to back up and
16 be really clear. I mean, you say a lot, and it's
17 hard for me to catch everything you're saying.

18 I do want to say that section 11 of the
19 contract is how we do rates. This is a publicly
20 available contract, so it's all there. I'm not
21 intending to misstate anything. And it's available
22 for you and for any member of the public to see.
23 I'm being as transparent as I can possibly be with
24 you. Okay?

25 What I can tell you is, again, we work

59

1 advantage of that program.

2 TRUSTEE TULLOCH: So you would have no
3 extra costs? You wouldn't be rolling any extra
4 trucks or extra staff to do that extra 16 weeks of
5 pickup?

6 MS. COSTA: Again, I can't tell you what's
7 going to happen in the future, but I can tell you
8 what our intention is.

9 TRUSTEE TULLOCH: I understand your
10 intentions, and I'm sure the intentions are
11 honorable. I'm just reading the terms of the
12 contract. I've have lots of comments made in the
13 community for on the terms. I just wanted to make
14 sure there was some clarification. Because, I mean,
15 if you're coming here and saying, yes, you want a
16 five-year extension now, and you're going to say,
17 well, we'll hold rates for five years, for
18 eight years, that would be wonderful.

19 MS. COSTA: I did not.

20 TRUSTEE TULLOCH: But I don't think that's
21 the case.

22 MS. COSTA: I did not say we would hold
23 rates. We did not -- for the record, everyone,
24 we're not holding rates.

25 TRUSTEE TULLOCH: Correct. And if you go

58

1 with Waste Not and the Public Works Department
2 regularly, and are willing, as we look -- if we go
3 into an extension, we are willing to add in some
4 language that will cap any passthrough at CPI, and
5 then any extraordinary rate increase, which can
6 happen. We all just saw a shutdown. That can
7 happen. We can put in some language that anything
8 above that would have to go to the Board for
9 approval.

10 Beyond that, I can't say what will happen
11 in the future.

12 TRUSTEE TULLOCH: But you have said there
13 would be no increase from these extra services and
14 things. That was in your presentation.

15 MS. COSTA: Yes.

16 TRUSTEE TULLOCH: But there would be
17 additional costs for doing an extra 16 weeks of
18 collection; isn't that correct?

19 MS. COSTA: Not necessarily. Because it
20 opens the window to allow us more time to get to
21 those -- some people don't get here in time to use
22 the stickers that they have. We anticipate that
23 they would be here and would be using those
24 stickers. The stickers are still the same, just the
25 window to use them is larger so that people can take

60

1 back and check the live stream, you'll find I did
2 not say you said that. I suggested if you came here
3 with a suggestion to hold the rate for eight years,
4 yes, we would be quite happy to sign the five-year
5 extension. But that was all.

6 CHAIR DENT: I did receive a text from
7 Trustee Tonking. Her -- I'll just read it. She
8 says she would be willing for a three-year extension
9 and have the same disposal rate charged as the same
10 as everywhere else in Northern Nevada. And if Waste
11 Management raises the rates in Incline, they'd also
12 raise them, say, in Reno. So that's Trustee
13 Tonking's feedback on that.

14 Do any of other trustees want to weigh-in
15 on this at this time?

16 TRUSTEE NOBLE: Yeah. I think I'd like to
17 see staff enter discussions with Reno Disposal to
18 explore a five-year extension, but also look at what
19 the potential impacts of an expansion of the green
20 waste program would have on the collector's return
21 on revenue. Potentially, that would implicate some
22 of the CPI increases in section 11.1 A, B, and C.

23 CHAIR DENT: Okay.

24 TRUSTEE SCHMITZ: I observe and concur
25 with some of the comments that Trustee Tulloch made

61

1 about the costs. There will be increased costs, and
2 the contract allows a certain rate of return and if
3 the rate of return falls, then there's the
4 opportunity to have escalators.
5 I think that I would defer to staff,
6 because, right now, I just -- sense with the
7 effluent pipeline project and other projects going
8 on, we have to do our five-year plan that hasn't
9 been completed as of yet, I don't see this as an
10 urgent issue. I think it's something we should
11 address.
12 But from my perspective, I think that we
13 should have legal counsel involved in negotiating
14 the terms of the contract, if we're going to make
15 some changes. And I will defer to staff, but would
16 be supportive if staff would prefer to delay this,
17 perhaps, until fall.
18 CHAIR DENT: I guess I would agree with
19 some of that.
20 Who -- the last time we negotiated this,
21 director Underwood, many years ago, and there was a
22 board member involved in this process. Is there a
23 board member currently involved with you in these
24 negotiations?
25 MR. UNDERWOOD: Well, we haven't started

63

1 months, bringing it back, but at least we've seen
2 the presentation, kind of started to have those
3 conversations.
4 It sounds like you do have a couple things
5 you were going to bring back to us or clarify, so I
6 think having a little time to do that could be
7 helpful for everybody. Then we can discuss putting
8 this on the long range calendar for later this fall.
9 MR. UNDERWOOD: Thank you for the
10 direction. I can work with Trustee Tulloch on some
11 timing and so forth going forward.
12 CHAIR DENT: Any other discussion on this,
13 guys? Nope. Thank you.
14 How about we take -- let's take a
15 seven-minute break. We'll come back at 7:25.
16 (Recess from 7:18 to 7:28 P.M.)
17 CHAIR DENT: All right. Welcome back.
18 We're moving on to item G 3, formerly G 2.
19 G 3.
20 CHAIR DENT: Review, discuss, and provide
21 feedback regarding Board of Trustees frequently
22 asked questions to be shared with the community on
23 the District website. Requesting trustee
24 Chairman Matthew Dent. Can be found on pages 987
25 through 990 of your board packet.

62

1 any negotiations at all, but we would welcome that
2 approach, and also the legal counsel approach as
3 well.
4 CHAIR DENT: I understand that. I'm just
5 throwing that in from a historical knowledge
6 standpoint. I think it's important for the Board to
7 kind of be aware where things are going and be
8 involved early on. Not a board-appointed committee,
9 by all means, but I think a trustee, maybe a
10 liaison, to the department could work.
11 But as far as this, I do think there are a
12 lot of other pressing issues that we have.
13 Kendra, thank you for bringing this
14 forward. We do have some time on this. When it
15 comes -- maybe I skipped over it, but as far as
16 Trustee Tonking's comments and having our disposal
17 rate being the same as the rest of Northern Nevada,
18 how do we compare right now with that?
19 MS. COSTA: I believe that you're right
20 on. We use an inner-company departmental --
21 inter-company rate, so when we haul and we own
22 disposal, it's the some same rate.
23 CHAIR DENT: Okay. That's fine. Thank
24 you.
25 Yeah. I think kicking this off for a few

64

1 As we discussed at the last meeting, the,
2 I would say, concept of all of this was to speak to
3 the rumors that are out there, I would say, and try
4 and address some of these. And also, I think the
5 intent is to address some of the operational ideas.
6 We did talk about that as well. I think I threw out
7 the snowplow idea, and given that it's in the middle
8 of the summer, I just said we can wait on the
9 snowplow idea for a few months.
10 But some of these, I think, are really
11 important to address. They've been around for many
12 months, if not almost years, and I think it's
13 important for us to work through each one. But also
14 for the individual trustees -- Trustee Tulloch, you
15 sent me a text with an idea of, hey, this would be
16 a -- I heard this rumor, this would be a good thing
17 for us to discuss. Trustee Tonking, same thing, put
18 forward some of these -- or says she has some
19 questions, rumors we should answer.
20 I think using this as a starting point to
21 work through that process, I took a stab at this.
22 Are these perfect? Absolutely not. Could we
23 improve them? Absolutely, and that is why we're
24 having this discussion tonight. We can't do this
25 outside of a board meeting, so that's why we're here

65

1 to have that discussion.

2 Rather than just say, hey, what's everyone

3 think about this, I just want to run through each

4 and every item, then we can tweak them as we go or

5 decide to table it for the next meeting. There is

6 one that I want to table for the next meeting, and

7 it just has to do with a report to the Board at the

8 next meeting. So when we get to, let's say, item

9 11, regarding the hostile work environment, we will

10 just hold off on that one. Then after we have a

11 report from the Board, then we can put our FAQ up

12 there.

13 This is nothing more than good governance

14 as far as addressing some of these ideas that are

15 out there that aren't true. In most cities and

16 organizations, you have a PIO officer that is

17 actively out there addressing this stuff. Incline

18 Village, we don't have that. And I don't think it's

19 fair for us, as individual trustees, to be out there

20 trying to fight any of this or get involved with

21 what's going on in social media or some of these

22 public comments that come forward. That's where I

23 would say these come from, social media and public

24 comment and going to forums where we're asked to

25 speak and community members ask you a question.

67

1 been informed as to when folks will be attending

2 remotely.

3 Does anyone have any issues with those

4 changes?

5 TRUSTEE NOBLE: Yeah. I would think if

6 you're going to include that in there -- and, first

7 off, going back to my comments from the last meeting

8 where I thought we -- black a white stuff, real

9 easy, facts and figures dealing with the District's

10 operations. And I didn't say the District's

11 operations, but that's where I have landed on.

12 I don't know if we need to put that in

13 there. If you want to put something there, it could

14 be along the lines of a trustee must reside in

15 Incline Village to be on the Board of Trustees.

16 Something like that. And that's a requirement.

17 CHAIR DENT: As far as a response?

18 TRUSTEE NOBLE: Yeah.

19 CHAIR DENT: Okay.

20 TRUSTEE NOBLE: Just keep it very simple

21 and -- because that is a requirement, it's black and

22 white.

23 CHAIR DENT: I like that. The new

24 proposed rumor slash statement, are you fine with --

25 rather than --

66

1 This idea was born from me when I was

2 asked to speak at a community member's house, and

3 started kind of jotting down, well, that's a good

4 question, don't know where you're coming up with

5 that, but let's try and address it.

6 I'll just start with the first one. One

7 thing I want to note on here for each one of these

8 items, it says "question." I don't want it to say

9 "question," I want it to say "rumor." That's what I

10 had when I originally submitted the board packet, so

11 that's what I would prefer it to be. Not all of

12 these are a question.

13 The first one, I changed the first one,

14 I'll just say that. Rather than addressing each of

15 the, like, say, rather than using Trustee Tonking's

16 name in this, I would rather say, "Are there

17 trustees that do not live in Incline Village?" I'd

18 rather say something like that, rather than be

19 pointed and actually name an individual trustee.

20 I first publicly addressed this, I want to

21 say three or four months ago, and we did it in a

22 meeting. We've heard the rumor since, so I feel

23 like it's important. And I would just say this

24 claim is false. All trustees live here. Some

25 travel for work slash vacation. And the Chair's

68

1 TRUSTEE NOBLE: I would think -- I

2 wouldn't do it so much as addressing rumors, but

3 what are the facts? Must a trustee live in Incline

4 Village in order to be on the Board of Trustees?

5 And the answer is yes.

6 So, I just don't want to get into the

7 rumor mill.

8 CHAIR DENT: Why?

9 TRUSTEE NOBLE: Well, actually -- no.

10 Because some of the fact and figures deal with

11 rumors, so I take that back. But I think keeping it

12 black and white, and there's no if ands or buts.

13 You must live in the community or you can't be on

14 the Board.

15 CHAIR DENT: Okay. Well, here's the

16 reason why I think it's important to add a little

17 bit more detail to this is we had a former board

18 member that, for two years, didn't show up to

19 meetings, and we -- Trustee Tonking was coming in

20 remotely to begin with, so that's why I'm saying

21 some of us work, some of us go on vacation, some of

22 us are going to attend remotely. And I feel like if

23 none of the -- if no one's informed of it, then I

24 feel like it's okay to just -- we're just going to

25 sweep it under the rug. But if someone let me know

69

1 that was going to be happening, so I'm saying, hey,
 2 this does happen from time to time. Board members
 3 don't attend. It's not a habitual thing. It's not
 4 going to be going on for years, but some members are
 5 not going to be able to attend every meeting in
 6 person.
 7 TRUSTEE NOBLE: So maybe put in there that
 8 trustees may participate remotely if they are unable
 9 to attend in person due to work or personal
 10 conflicts.
 11 CHAIR DENT: Okay.
 12 TRUSTEE TULLOCH: Didn't we actually pass
 13 a board policy on that, where trustees are, that
 14 coming in remotely, they need to be live, on video
 15 to ensure it's the same person. I know in the past,
 16 we have a former trustee that just kept a picture
 17 up, but now it's -- I think we passed a motion
 18 earlier this year that they should be on video.
 19 CHAIR DENT: Okay.
 20 TRUSTEE SCHMITZ: I think it's perfectly
 21 valid to say it is a requirement of a trustee. That
 22 doesn't really address the issue at hand and the
 23 rumor at hand. And it's not only come with this
 24 board; it's come up with past boards as well.
 25 And I think that putting some notation to

70

1 say, we're addressing it, and here's how. Making
 2 people be on video and whatnot. But I do appreciate
 3 all of you not requiring me to be on video when I
 4 was recovering from surgery.
 5 CHAIR DENT: So, all trustees live in
 6 Incline Village, may attend remotely. Anything else
 7 to say on that item?
 8 MR. NELSON: Did you want -- I thought I
 9 heard there might also be a desire to have a
 10 reference to the policy about on-video attendance.
 11 CHAIR DENT: Are you taking notes on this?
 12 MR. NELSON: Yes.
 13 CHAIR DENT: So I don't have to. Great.
 14 All right. Does anyone have any issues
 15 with that if we adjust those changes? Okay.
 16 Moving on to item 2. Item 2, rumor, did
 17 Trustee Dent violate ethics or not properly disclose
 18 a conflict? So, I'll just read what's in here, and
 19 then I'll put: No. This is false. Both Nevada
 20 Ethics Commission, Secretary of State Office has
 21 confirmed Trustee Dent has correctly managed his
 22 disclosures, and there's no improprieties. The
 23 question circulated through the community for many
 24 years since first addressed publicly in 2017.
 25 And then I put in here: In the future,

71

1 Trustee Dent will abstain from voting when and if
 2 any conflict of interest presents itself.
 3 I think we should broaden it a little bit,
 4 rather than to just -- I know there's an issue
 5 regarding my stuff, but to just leave it more at the
 6 Board level. And I would say: Trustees on this
 7 Board have not -- do not have any ethics violations
 8 or have not -- and have not properly -- or and have
 9 properly dis- -- and have not properly disclosed a
 10 conflict.
 11 So, do any trustees on this Board -- have
 12 any trustees on this Board violated ethics or not
 13 properly disclosed a conflict?
 14 Is that okay with changing that to make it
 15 more board-based? Because there's no ethics
 16 violations, that I'm aware of with any of our Board
 17 member, and, as far as I'm understanding, all of us
 18 have disclosed when there's been a conflict.
 19 MR. NELSON: I do think that before we
 20 make those types of statements, we may wish, in an
 21 abundance of caution, to get an ethics opinion from
 22 the Ethics Commission on that just to clarify that
 23 that type of disclosure wouldn't be seen as a
 24 personal benefit to a trustee that's outside of the
 25 ethics law itself.

72

1 CHAIR DENT: For the whole Board?
 2 MR. NELSON: Even for the whole Board. I
 3 think we would want to -- we want to be a little
 4 careful too because sometimes there may be
 5 investigations ongoing that we're not aware of or
 6 others that are working their way through. We
 7 wouldn't want to overstate it.
 8 CHAIR DENT: Good point.
 9 TRUSTEE SCHMITZ: On that point, I think
 10 it's -- might be valuable to have a notation or have
 11 a clarification that when specifically an ethics
 12 complaint is filed, the person for which the
 13 complaint has been filed has no knowledge of it.
 14 They have no knowledge until such time they
 15 determine that there actually was an ethics
 16 violation.
 17 So if something was submitted and they
 18 didn't rule on it, the person who has been accused
 19 has no knowledge of it whatsoever.
 20 MR. NELSON: To the extent that the Board
 21 wanted to do something like that, that talked about
 22 the process and clarify that, which is absolutely
 23 true, there would be no issues on the legal end at
 24 all.
 25 CHAIR DENT: I think that would be the

73

1 proper response. Yeah, you do not get notified by
 2 the Ethics Commission unless there is an
 3 investigation, that they decided they're not going
 4 to be investing it, they don't notify you.
 5 So, there could be plenty of ethics
 6 complaints filed against us, and none of us ever
 7 made aware of it until there's public comment about
 8 it.
 9 TRUSTEE TULLOCH: Full disclosure there as
 10 well, there is no checking, there is no verification
 11 or validation. People can file ethics complaints
 12 with absolutely no evidence whatsoever. They can
 13 file all sorts of frivolous complaints. There is no
 14 checks or balances in terms of that. They can file
 15 them, as you say, there can be violations filed that
 16 are not violations, and there's no checks against
 17 frivolous filings.
 18 CHAIR DENT: Understood.
 19 TRUSTEE SCHMITZ: To add to that, that's
 20 why ethics complaints are not public records, so the
 21 public can't go and say, show me every ethics
 22 complaint that has been filed, because the risk of
 23 potential slander, what have you, would be possible.
 24 I think it's really worth doing a bit of
 25 explanation about how the process works, and that we

75

1 Commission as far as an opinion on that for us, just
 2 so we are informed, the community's informed as to
 3 where line is, I think that could be helpful.
 4 MR. NELSON: That's absolutely the Board's
 5 prerogative, and we can get that request to the
 6 Commission this week.
 7 CHAIR DENT: I like the idea of making it
 8 more general, though, for this purpose now, and I do
 9 like the idea of learning more from our friends at
 10 the Ethics Commission.
 11 TRUSTEE TULLOCH: Just on that, Josh, I'm
 12 not sure the Ethics Commission would give us
 13 anything other than the process, referring us to the
 14 process.
 15 MR. NELSON: No. No. I think, Trustee
 16 Tulloch, what I heard was to take the current
 17 question that's proposed in the packet and tweak it
 18 so it's not necessarily related to one trustee, but
 19 then ask the Ethics Commission to opine on whether
 20 we could, if we wanted to, put something like this
 21 on an FAQ without it running afoul of the Ethics
 22 Commission prohibition on IVGID resources for
 23 personal or electionary purpose. They will weigh-in
 24 on that stuff. It will be a very focused question
 25 to them.

74

1 can state on the record that there -- whatever it
 2 is, has there been anything that we are aware of?
 3 Yes or no.
 4 MR. NELSON: Yeah. And if the Board was
 5 comfortable, I also think we may wish to link to the
 6 Ethics Commission explanation of their process at
 7 the end of the FAQ, just to provide additional
 8 transparency for the public, because the Ethics
 9 Commission is very explicit on all these points on
 10 their website.
 11 CHAIR DENT: I think that's a good point.
 12 TRUSTEE NOBLE: Are we tabling this one
 13 until we get guidance from the Ethics Commission?
 14 MR. NELSON: I think I heard that the
 15 discussion would be to, rather than go as currently
 16 phrased, really more pivot to a discussion of the
 17 process, and a reminder that individual trustees may
 18 not even be aware of ethics complaints until there's
 19 a determination by the Commission that they're
 20 taking jurisdiction.
 21 CHAIR DENT: To the point, though, it may
 22 be valuable as far as where that boundary is for the
 23 Board to be able to address stuff like that, or
 24 individual Board members. I mean, if we took it how
 25 it's written and we offered that up to the Ethics

76

1 CHAIR DENT: Anything else on item 2? All
 2 right. Item 3, --
 3 TRUSTEE SCHMITZ: I'm sorry. If this
 4 language is, perhaps, going to stay in there, based
 5 on public comment and now that I read it, it
 6 shouldn't say "in the future" because if there was
 7 ever anything in the past, you would have abstained,
 8 and you didn't have a need -- this goes back to the
 9 audit committee vote and that sort of thing. I just
 10 think that by stating "in the future," it's sort of
 11 looking like, well, maybe it happened in the past.
 12 And I think wording it that way does open it up to
 13 speculation. That's all.
 14 CHAIR DENT: I'm fine with improving my
 15 grammar. If that's more clear for everybody, then
 16 I'm all for it.
 17 Item 3, rumor, the District has a 30 to
 18 40 percent employee vacancy rate. I put: No. This
 19 is false. Current rate is 8.57 percent. I have an
 20 email from human resources, and then we were making
 21 a few hires and we anticipated that number going
 22 down closer to 7 percent. There's 149 full-time
 23 positions at the District, and we had 12 vacancies
 24 when this was put forward. This is full-time,
 25 benefited employees.

77

1 TRUSTEE NOBLE: And that's where, if we're
 2 going to address, I think it would be appropriate to
 3 have all the positions, so seasonal, full time, part
 4 time, everything we're currently hiring for, what is
 5 the vacancy rate of that? Because without that
 6 clarification, it's just a snippet but not a
 7 complete picture. I would think -- and it could be
 8 broken out that, year round, full time, here's the
 9 rate; seasonal full time, this is the rate; seasonal
 10 part time, here's the rate.
 11 If you wanted to have those broken out. I
 12 think it would be appropriate to have it broken out
 13 so we could have a complete picture.
 14 CHAIR DENT: I agree with you. And I had
 15 asked the question. This is also not high priority
 16 for HR to have worked through for us, but I did ask.
 17 And I think it's important, maybe, than
 18 what the vacancy rate is for the part time, it would
 19 be how are we trending with our hiring practices
 20 versus last year, because if we're at 30 percent
 21 this year or 40 percent, and last year we were at
 22 60 percent, well, then we're doing something better.
 23 I think it's important to understand where we are
 24 and where we're going.
 25 TRUSTEE TULLOCH: Yeah, I think in the

79

1 CHAIR DENT: Correct. I would agree. I
 2 don't think there's value add there. I don't see
 3 this list as being one and done, and we're not doing
 4 this. Like I said, as questions arise and there's
 5 comments out there, I think this is something we
 6 need to address and put it forward.
 7 TRUSTEE SCHMITZ: I think this is all
 8 really great discussion. And I think that we've
 9 identified something that, perhaps, should be in a
 10 monthly report to the Board so that we are aware of
 11 where are the challenges and whatnot and how are we
 12 trending to next year?
 13 So, perhaps, our director of HR might be
 14 able to put together some sort of just a monthly
 15 report for us. And if there are any statistics to
 16 refer to, like the US labor index for Western
 17 Nevada, to sort of compare how we are doing compared
 18 to our regional area. I know those statistics are
 19 out there. I don't know if they're broken down to
 20 the level of seasonal and full time and whatnot.
 21 I think that would be helpful for all of
 22 us to know and be informed, as well as the community
 23 be informed. So if it's not too burdensome, I think
 24 that would be a great monthly report.
 25 CHAIR DENT: Any other discussion on item

78

1 part time and seasonal, it's very difficult to do
 2 because, for instance, ski is probably starting to
 3 advertise now for winter staff, and you could be
 4 showing one hundred vacancies, they're not really
 5 vacancies until late November.
 6 I think you've got to be very careful with
 7 seasonal ones. Most of the resorts are now starting
 8 to advertise for staff already. I mean it's -- to
 9 then turn and say, well, look, we've got a hundred
 10 vacancies here at Diamond Peak, well, no, they're
 11 not vacancies at this stage. They're adverts, but
 12 they're not vacancies.
 13 CHAIR DENT: That's why I was saying as
 14 far as comparing to where we are at the same time
 15 the year prior.
 16 TRUSTEE NOBLE: Then maybe to break it out
 17 even more, summer seasonal, winter seasonal, because
 18 summer seasonal is directly relevant right now. Do
 19 we have enough lifeguards, do we have enough golf
 20 personnel to be operating -- running our operations?
 21 I wouldn't even report winter seasonal
 22 until it's time or -- it makes no sense to have
 23 winter seasonal right now or if you do, show at zero
 24 and have an explanation, we don't even -- operations
 25 don't start until December X.

80

1 3? All right.
 2 Item 4, rumor, the Board's intending to
 3 privatize the venues. I put: No. This is false.
 4 The Board has never had these discussions or
 5 strategy to privatize the venues. The Board
 6 directed staff through the budget process to reduce
 7 budgets and stop the over-budgeting. The goal is
 8 truly to understand what is needed for operations
 9 and capital, and the Board views the venues as an
 10 asset to the community and to property values.
 11 TRUSTEE TULLOCH: Yeah, this is a very
 12 important one. I think it's unfortunate that an
 13 ex-chair of the Board is pushing this rumor,
 14 specifically, accusing me of wanted to privatize
 15 everything. I challenge ex-chair Callicrate to come
 16 up with anything on the record that I've said about
 17 privatizing venues. If he can, I'll put a hundred
 18 bucks to a charity of his choice.
 19 TRUSTEE SCHMITZ: I think it would be good
 20 to understand what privatizing even means. I mean,
 21 is this meaning that we are intending to outsource?
 22 What does that mean? I don't know. I don't know
 23 how this word ever came about because we've not
 24 talked about outsourcing, we've not talked about --
 25 I don't know what this -- where this came from, what

81

1 it means, and how it ever became an objective of
 2 this Board. I have no idea.
 3 CHAIR DENT: I would agree. I would say
 4 maybe we define privatizing in the response
 5 somewhere. I think that could be helpful, because I
 6 don't know. I was just asked this question. I have
 7 never made a comment about privatizing, but I don't
 8 know what that means.
 9 I know past boards have privatized the
 10 golf courses and brought in an outside source to run
 11 them, but that's not something this Board's
 12 discussed with any of the venues.
 13 All right. Any other discussion on this
 14 item? Okay.
 15 Number 5, rumor, the Board changed or is
 16 changing the model. No, the model is not and has
 17 not changed. The model is for all community service
 18 venues, including Diamond Peak, golf courses,
 19 Recreation Center, and the Tennis Center to be
 20 funded through the venue charges for services and,
 21 if needed, the recreation fee assessed to the parcel
 22 owners on an annual basis. The profits from one
 23 venue help support the operations of other venues.
 24 This is how it's been done historically.
 25 I learned about the term "the model" when

82

1 I came back from vacation at the end of April or
 2 March, when we were talking about golf. And I had
 3 no clue what everyone was talking about when we were
 4 getting all these emails about the model changing,
 5 because all I asked for was a deep dive into the
 6 costs and the revenues at golf to help us understand
 7 how we're doing and how we can do better.
 8 And so that's my only experience with this
 9 term "the model," and it came from asking about
 10 over-budgeting at venues and a deep dive into our
 11 financials to understand what's going on. And
 12 through that process, we learned that we were losing
 13 a thousand dollars a day, now \$900 a day, at The
 14 Grill for last year, and \$1,000 the year before.
 15 So, I think it was an important process.
 16 Does anyone want to comment on the model
 17 or try and define what the model is? Because that's
 18 all I know about the model is it came up regarding
 19 golf.
 20 TRUSTEE SCHMITZ: So, I wrote down during
 21 public comment, because I am trying to understand
 22 what this a changed model is. And I wrote down:
 23 Comment, change the model that each venue was to
 24 support itself.
 25 We have never talked about -- I mean, the

83

1 Rec Center supporting itself, that's unrealistic.
 2 The Tennis Center. We've never talked about each
 3 venue supporting itself. We've talked about
 4 community services as whole, which, to me, the
 5 venues as a whole, it's a portfolio of venues, and
 6 they all have value. We need to take care of all of
 7 them. Some, we can charge like at Diamond Peak, the
 8 charges for services result in substantial profits.
 9 But if we -- if that doesn't make sense in
 10 other places, we have never stated we want every
 11 venue to be self-supporting and self-funded.
 12 CHAIR DENT: I'll make one note, because
 13 as you were running through that, I had a thought,
 14 and I would say we change the model, maybe, from the
 15 standpoint of taking parks out of the community
 16 services fund and moving to the general fund. I
 17 guess, maybe that's changing the model.
 18 TRUSTEE NOBLE: For the past few months
 19 looking at golf, there was an inordinate amount of
 20 discussion about making sure that operations were
 21 fiscally prudent and are the rates correct and need
 22 to -- because golf has got to, essentially, be
 23 holding its own. And we know that the Rec
 24 Center and the parks and the skate park, bike park,
 25 everything else can't. But there has been

84

1 discussion on the Board at least with some venues
 2 needing to pick up the slack, that's perceived by at
 3 least some Board members, and start paying more.
 4 And that's where -- I keep going back -- I
 5 think these -- trying to chase after these
 6 rumors and address them FAQs, I think we're starting
 7 to get down that rabbit hole of -- the last one,
 8 what does privatize mean? This one, what does the
 9 model mean? We're chasing after something that
 10 isn't concrete and anybody can point to, and I don't
 11 know if that's actually appropriate to be trying to
 12 address in the FAQs.
 13 TRUSTEE TULLOCH: I'm glad I'm not the
 14 only one that's struggling to find this mythical
 15 model. I can't find any reference to it in any of
 16 our documentation or policies anywhere.
 17 In terms of increasing charges at venues,
 18 I think what this Board has tried to do is implement
 19 the pricing policy passed by the previous board in
 20 May 2022, as I recall. In terms of golf, we've
 21 tried to do that.
 22 I think it's -- we've also been -- some of
 23 us have been accused of suddenly introducing the
 24 pricing pyramid. I've never actually heard of the
 25 pricing pyramid. I believe ex-general manager

85

1 Winquest actually introduced that several years ago.
2 I don't think the Board has ever discussed in terms
3 of where different venues should appear on the
4 pricing pyramid, if we still want to keep the
5 pricing pyramid in terms of that. I may be missing
6 that.

7 But, yeah, I think this -- to me, this
8 is -- if somebody can point me to the model or show
9 me where the model is documented and whose model
10 this is. Is this the model that's used to sell
11 things? Is it some model that's used for fiscal
12 responsibility? What is it? Which model is it?
13 I've yet to find any description of the model
14 anywhere in our policies and procedures.

15 TRUSTEE SCHMITZ: I think you're correct
16 in that with golf, it has been discussed for the
17 past two years of to accomplish the pricing policy
18 as it relates to revenue per round, for rounds of
19 golf.

20 We've not talked about capital
21 improvements, we've sort of accepted the fact that
22 capital improvements, while we haven't come on the
23 record and said we're all fine with subsidizing
24 capital improvements for the golf courses, our
25 actions have done that. We've been fine with it

87

1 this, certain things are here. The Rec Center's
2 here. The Tennis Center's there. So that we do
3 have some element of standardization.

4 But the intent isn't to change; it's just
5 to bring clarity and to bring acknowledgement to
6 what it is that we're doing and how is it that we're
7 doing it.

8 But it all ties back to the pricing policy
9 that was implemented. And I think it's critically
10 important to get these things clarified, because
11 when we have people coming and saying you're
12 changing the model, and us are sitting here going,
13 what is the model, somebody tell me what this model
14 is, I think it's critically important in order to
15 have common understanding and common language
16 between the Board and the community.

17 And if we can't address the issues, then
18 we will never bridge that communication gap. And we
19 have to bridge that communication gap because we are
20 here to serve the community, and the community
21 deserves to know how we interpret things and what
22 our intentions are and how we're seeing things.

23 I think it's absolutely critically
24 important that we have this kind of information for
25 the public.

86

1 because we value the asset. The assets needs to
2 maintained. But we have the pricing policy that was
3 implemented, and we've been monitoring to that.

4 The thing that I discovered when we went
5 through the budgeting process is while we spent time
6 talking about that at great length, relative to
7 golf, we didn't really touch on it for the other
8 venues.

9 I will tell you, though, that when I was
10 working with Director of Finance Navazio, and we
11 were looking at the charts and the numbers about the
12 Mountain Course, and I said, you know, in years
13 past, the community has said they view the Mountain
14 Course as truly a community asset.

15 So, we actually were doing the
16 calculations to say what amount of subsidy is being
17 put here, and it was atop of the pyramid, it was
18 that, like, 33 percent.

19 So I said, okay, now we have a good
20 explanation. We're still tied back to that pricing
21 policy and the pyramid.

22 But I think as we go forward, I think we
23 should put on the long range calendar to discuss
24 that pricing pyramid, and say, do we want to target
25 and say, gosh, you know, certain venues are like

88

1 TRUSTEE TULLOCH: Yeah. I'm glad I'm not
2 the only one who couldn't find the model. I think
3 that's absolutely correct because every venue user
4 wants to see their venue be a little bit higher up
5 the subsidy chart in terms of that. And, yes, some
6 venues do that.

7 We've also been guilty as a Board. We've
8 made some changes to pricing policy. I seem to
9 recall when we suddenly introduced something that
10 pass holders should be 50 percent of non-pass
11 holders and things like that.

12 Just also to correct the record that was
13 made in public comment: I actually voted against
14 the pricing increases at Diamond Peak. Just to
15 clarify the record.

16 CHAIR DENT: Okay. Do we need to define
17 the model in this process? I mean, I'm still -- I
18 asked for budgets to be cut during the whole budget
19 season, not for expenses to be cut. So, if we were
20 over-budgeting, which was making us seem like we
21 needed more money then we actually needed, and then
22 at the end of year we always had a lot more money
23 that went into our reserves and now we have
24 \$18 million in the one reserve only because we
25 over-budgeted, so we were over-collecting. So,

89

1 maybe if over-collecting, over-budgeting is the
2 model, then maybe we change the CS, we change the
3 model because we're not over-budgeting. I don't
4 know.

5 Do we define what the model is somehow? I
6 do think it's important to address because we're
7 going to have someone come up here next meeting, and
8 they're going to rattle on one of these again. And
9 I think it's important for us to at least have a
10 discussion around all of these because if -- I don't
11 know what it is. I asked the former general manager
12 what it was when I came back from vacation. I was
13 gone for ten days. I had no clue. I asked him what
14 he did. I said, "What did you do? You really upset
15 the community. What did you guys do? This model,
16 what is it that everyone's talking about?"

17 And then I walked in and we had lines out
18 the door for public comment about some model I had
19 never heard of. I think it's an important thing to
20 discuss because, don't know what it was, but all the
21 script writers, they put the same word in their
22 script, and that's how we learned about this.

23 So I think it's important to at least
24 address this and do it, maybe, in a way that this is
25 our understanding of what people think the model is,

91

1 and what we implement and stuff.

2 The problem is, again, you guys are going
3 down this rabbit hole that it's -- no matter what
4 you put in here, it's going to be just as bad or if
5 not worse people coming back and just saying you're
6 deflecting off of this. I don't envy anybody trying
7 to address this, I just don't know if this is an FAQ
8 on a government agency's website dealing with stuff
9 on this that is out there, I don't know if this is
10 actually the appropriate venue for it.

11 CHAIR DENT: Okay.

12 TRUSTEE TULLOCH: I'll disagree with
13 Trustee Noble. It's not so much going down a rabbit
14 hole. In recent months, recent weeks, there's been
15 lots of public comment made and accusations made
16 that people are making public comments and the Board
17 is not responding to them.

18 I mean, just to clarify the process, you
19 know, sitting up here, listening to public comments
20 and hearing outright untruths coming out and having
21 to -- I'm not very good sometimes at holding my
22 tongue on some of these things, but I have to bite
23 my tongue on some of these things. The Board can't
24 respond to public comments. Public comments is one
25 way.

90

1 and if you --

2 Dave, if you have a little bit more
3 context to it, please, because I truly do not
4 understand what this is.

5 TRUSTEE NOBLE: I think you need to -- I
6 still don't think we should be addressing this
7 because it is all over the board. But I think
8 pricing policy and how the Board has addressed
9 pricing this year is probably -- and show what the
10 Board has done different from years past and how
11 that pricing policy has been applied to the budget
12 this year.

13 CHAIR DENT: We didn't have it in years
14 past.

15 TRUSTEE SCHMITZ: We did last year.

16 CHAIR DENT: Oh, okay. How this board
17 followed the pricing policy compared to last year's
18 board, because we didn't have it before that, I
19 guess is what I'm getting at.

20 TRUSTEE NOBLE: I wouldn't do a compare
21 and contrast, because you're going to get -- it's
22 just going to come right back. Again, you've got to
23 tie it right to what has the Board done? And so
24 here's what we did at Diamond Peak, here's what we
25 did with golf with regards to the pricing policies,

92

1 But, to me, this to a good effort to
2 respond to that, a request was made in some of these
3 public comments, why are you not responding to all
4 those things we're asking, and this is a good
5 attempt to do it.

6 Yes, it's going to be a rabbit hole,
7 because people view information different ways. I
8 mean, the common term is "malinformation." To me,
9 there's no malinformation; there's information out
10 there. Critical thinking, you can make you own
11 decisions on whether information is true or not.

12 I think it's appropriate for the Board to
13 answer some of these things. It's like all these
14 alligations out there, particularly the one we just
15 discussed, the privatization, that somehow we're
16 going to privatize everything. I think that is only
17 come from two proponents of Mr. Wright. The only
18 people I've heard referring to that on the record
19 are Mr. Callicrate and Mr. Riner.

20 CHAIR DENT: Okay.

21 TRUSTEE SCHMITZ: To Trustee Noble's
22 point, I think we should add a number 14, and I'm
23 not exactly sure, but it might be something to say
24 the pricing policy and the implementation of the
25 pricing policy.

93

1 And I think as it relates to this question
 2 about that model, back to Trustee Noble's point, I
 3 think the way at which we should approach this is to
 4 say, as a board, this is how we understand the
 5 model. We understand it as community services,
 6 we're seeing things as an entire venue of
 7 recreational amenities, and that there has not been
 8 a goal or objective to try to make venues
 9 self-sustaining. The big picture is community
 10 services. It's the basket of venues.
 11 So, I think to address Trustee Noble's
 12 point or concern, is to say if we just say, as a
 13 board, this how we are defining the model, because
 14 we don't know what somebody else's model is. I
 15 don't know. But I know that, from my perspective,
 16 the model is that community services as a whole
 17 helps to sustain each other's venues.
 18 CHAIR DENT: That's a good point. This is
 19 really nothing more than a feedback loop that we
 20 don't have. We don't have a way to get information
 21 back to everyone in the community this way. And I
 22 think addressing some of these things, maybe by us
 23 defined what the model is, we realize what the model
 24 actually is, because they're going to say no, no,
 25 no, this is not the model, this is the model. And

94

1 then you go, okay, well, let's talk about that
 2 because didn't know what that was.
 3 I think it's important, very important.
 4 Okay. Any other discussion on this item?
 5 Next time, number 6, the rumor is this
 6 Board is interfering with LLCs and corporations
 7 obtaining their recreation cards.
 8 No. This is false. May of 2022, the
 9 previous board approved changes to the ordinance
 10 with a 5/0 vote. There was confusion by staff with
 11 implementation of the agent's assignments for LLCs
 12 and corporations, which was discovered in May of
 13 this year. Staff and District legal counsel
 14 requested input from special legal counsel, and this
 15 delayed card issuance by roughly two weeks. The
 16 issue was resolved and staff started administering
 17 the rec privileges per Ordinance 7. The agent
 18 assignments were implemented to remove staff from
 19 being a concierge's service to the entities in a
 20 similar manner to the changes made to how cards are
 21 issued for timeshares.
 22 So, there was some confusion with folks
 23 getting their passes earlier this year. All we did
 24 was put a pause in that process so our special legal
 25 counsel could weigh-in on how the ordinance was

95

1 written, how staff was administering the policy, and
 2 we found out that how things were being administered
 3 weren't meeting how the ordinance was written. And
 4 so corrective action was taken to protect property
 5 rights.
 6 So the way staff was administering the
 7 policy -- or the staff starting administering
 8 Ordinance 7 per the policy. And because it was --
 9 let's just say because our special legal counsel is
 10 the one that wrote Ordinance 7, we asked them for
 11 clarification on that. I don't think it's our job
 12 to get involved in that, and I think, especially
 13 when it comes to the beaches, we need to make sure
 14 we are doing that correctly.
 15 Are there any changes with this item or
 16 comments on this item?
 17 TRUSTEE NOBLE: I'd be -- this would
 18 probably be more appropriate at the next meeting,
 19 but the incident with Trustee Schmitz contacting the
 20 front desk, inquiring about her neighbor's property
 21 in the LLC, the 5/19/23 incident that we were made
 22 aware of, this is -- gets to be a bit of a sticky
 23 wicket. What you said with regards to the --
 24 language underneath is correct, I don't know if the
 25 question is necessarily the right question.

96

1 I think it would be better that, you know,
 2 trust -- anything other your traditional family tree
 3 because there was a delay, and anybody that had a
 4 trust -- any trust, corporation, LLC, there was --
 5 why was there a delay in the issuance of punch cards
 6 in May and early June? That would be the question,
 7 I would think, because a lot of -- what? -- 75
 8 properties at least, and then we were told that
 9 anything in a family trust was not going to be
 10 issued punch cards, but then it was clarified
 11 through legal counsel.
 12 So as far as interfering with LLCs and
 13 stuff, that's exactly what Trustee Schmitz was
 14 trying to do with her contacting the Board -- the
 15 front desk on May 19th, according to the complaint
 16 that we got from personnel.
 17 MR. NELSON: I don't want to get into the
 18 specifics of that complaint. I think Trustee
 19 Noble's point is -- I mean, I think we could modify
 20 the question along those lines, and then it probably
 21 would fit with the answer.
 22 CHAIR DENT: Yeah, I mean, there was
 23 nothing that --
 24 Josh, correct me if I'm wrong, but there
 25 is nothing that this Board did to do anything to

97

1 trusts. We did not put trusts issuance on hold for
 2 anybody.

3 MR. NELSON: I think that that issue isn't
 4 really in front of us today, so I don't really want
 5 to spend time getting into it. I think if we were
 6 to modify the question is why was there delay in
 7 issuing punch cards for entities for those
 8 two weeks, as drafted, would answer that question.

9 TRUSTEE TULLOCH: I mean, just to clarify
 10 this. I mean, this reads like there's delay in all
 11 the punch cards. There was only a delay for LLCs
 12 and trusts. I can't understand why there was a
 13 delay in trusts since we discussed with special
 14 counsel, and I actually specifically asked the
 15 question, and we're told by special counsel, no,
 16 there was no restriction on trusts. It was only the
 17 LLCs there were some questions over.

18 MR. NELSON: I don't have my notes in
 19 front of me. We can go back through the timeline,
 20 and if that clarification is warranted, we can
 21 certainly clarify that when this comes back.

22 CHAIR DENT: Yeah, it was LLCs and
 23 corporations, no trusts. That was some
 24 miscommunication that happened.

25 Any other discussion on this item? Okay.

99

1 their properties as much, it may not be as valuable.
 2 Again, this gets into that sticky wicket
 3 of -- I can see arguments on both sides. No, it
 4 doesn't lower property values. Well, here's an
 5 example where it does. So, I just don't think this
 6 is something we should get into.

7 Property rights, I think, is different.
 8 Property values is another thing. And then people
 9 can come back and say, well, by lowering the rec
 10 fees, it indicates that you are not making the
 11 investments that are necessary to keep our
 12 facilities at a certain standard, and so that,
 13 overall, is reducing the value of our properties.
 14 That's another argument that could be made.

15 So, that's where I'm seeing both sides of
 16 it, and I just don't think that's one we want to get
 17 into. It's not black and white, there's gray.

18 CHAIR DENT: Sounds good. What if we
 19 tweak the question a little bit?

20 MR. NELSON: I was thinking that. It
 21 seems like, maybe, the intent of the answer here is
 22 really to focus on why the Board lowered the rec
 23 fee. And I think if we were to, maybe, set the
 24 question up that way, and then tweak the answer to
 25 make that explanation, that might avoid that issue.

98

1 Item 7, does lowering the beach fee/rec
 2 fee lower property values? I don't know how there's
 3 a correlation with that. But I put: No. This is
 4 false. Elimination of the rec and beach fee is not
 5 lowering property values. It has no impact on
 6 property values. It's purely a standby service
 7 charged, and the amount is projected annually to
 8 fund the venue operations capital improvements. The
 9 funds are not needed and, therefore, to comply with
 10 NRS statutes, we eliminated -- excuse me -- Nevada
 11 Revised Statutes were eliminated, resulting in a
 12 savings of \$325 on the Washoe County property tax
 13 bill.

14 Any questions, comments on this item?

15 TRUSTEE NOBLE: So I was trying to think,
 16 hypothetically, how this could lower property
 17 values. And if you had -- if somebody had an
 18 investment property they were using as an Airbnb,
 19 and last year they were able to get X number of
 20 punch cards and they were worth \$160 each, something
 21 like that, then for their guests, they can provide
 22 beach access to more guests. This year with it
 23 being reduced to \$91, there are less guests that
 24 they can use their punch cards for to get in there.
 25 So in that respect, they may not be able to rent

100

1 CHAIR DENT: I think one important --
 2 like, the previous board asked for a whole committee
 3 to be -- to evaluate this process. There's no
 4 surprise that the rec fee dropped this year.
 5 Previous boards knew the rec fee was going to drop.
 6 We knew that. We didn't have any -- I guess, we
 7 didn't have the results. The entire Board was in
 8 favor of lowering the rec fee. I think there was a
 9 discussion of, do we lower it by \$100 more or not?

10 I think from that standpoint, adjusting
 11 this a little bit to add a little bit more clarity
 12 could be helpful.

13 TRUSTEE TULLOCH: I'm going back a little
 14 bit, but didn't we have huge reduction in the
 15 facility fee in 2008 to 2010 to 2011? I don't
 16 believe we did, but we saw huge reduction in house
 17 prices in the Village. We've only recently started
 18 to see a resurgence in house prices in the last
 19 couple years, the COVID years have huge, making huge
 20 additions to property values.

21 I think in terms of Trustee Noble's
 22 comment, what might happen with an STR, we're not
 23 actually meant to be using the beaches for
 24 commercial purposes, and, effectively, that's what
 25 an STR of the one additional passes is doing. I

1 think it's a bit of a stretch.
2 I think the claim has been made in public,
3 made in public comment that, oh, somehow we're
4 impacting property values. The reality is property
5 values are what property values are going to be.
6 They reflect the general economy. The property
7 values are dropping at the moment, and houses are
8 hard to sell. It's probably more related to
9 7.5 percent mortgage rates than a reduction in the
10 beach fee and the punch card value.
11 I think it's also important to add that we
12 have fully funded the capital program with the
13 changed rec fee. The rec fee is not -- reducing the
14 rec fee has not removed stuff from the capital
15 program. We've still fully funded all the capital
16 projects.
17 CHAIR DENT: One thing that, and it goes
18 back to your comment, I thought of and this might be
19 as we tweak this question, legal counsel, that we
20 also address this. We're just following the
21 splitting rec fee by one-fifth. It's been going on
22 forever. So that's why the values are \$91.
23 Why the previous board decides to make
24 the, you know, what you can use your, say, your
25 punch cards, \$100, \$1,000, \$500, it really doesn't

101

1 matter. The process has just been in years past,
2 and that's how the ordinance is set up. I think it
3 says something along the lines of it's typically
4 one-fifth of the fee that's past.
5 So next year, we can have staff look into
6 this, dive into it, give us a recommendation, and we
7 can set everybody's punch card value to \$500 or \$800
8 or really it's arbitrary. That number is -- the
9 number, the dollar amount that we're actually
10 charging and need is what really matters at the end
11 of the day.
12 TRUSTEE NOBLE: This is where I think you
13 need to tie these FAQs back to the Board decision.
14 Board set the fee at this, and this is how we got to
15 this calculation, this is why. It's the result of
16 this and why you're seeing this.
17 Trying to play Whack a Mole with various
18 rumors and innuendos and stuff, well, the Board did
19 this for this reason or that for that reason, it
20 will be never ending. But if you stick to your guns
21 and say, this what we did, this why we did it, and
22 leave it at that.
23 CHAIR DENT: I think that's a very good
24 thing to do when we can. I think some of these are
25 a little bit not as easy.

102

1 TRUSTEE SCHMITZ: I don't have a problem
2 with the question because it has -- it is the
3 question -- or it is the issue that has been brought
4 up, and especially from the Board of Realtors.
5 But I think that we really can't answer
6 that question at all to say it is true or it is
7 false, because to use Trustee Noble's example, that
8 might be one that would say, oh, it's having a
9 negative impact.
10 The other thing I'm hearing is our
11 community members are thrilled with the ability and
12 the enjoyable use of our beaches, not only about
13 last year, but even more so this year. So, does
14 that increase the value?
15 I don't think there's just one answer. I
16 don't think we should say it's true or it's false.
17 We should say it's -- I guess it depends. But the
18 lowering, it is not reducing our investment our
19 assets, it's not doing that, and whether it
20 increases or decreases a property value, I guess
21 that's up to individual interpretation.
22 TRUSTEE TULLOCH: Yeah, I agree with that.
23 I think the important point to make here, I think we
24 need to add to this is that we've fully funded the
25 capital program with the reduced rec fee. We've

103

1 not, as it's been claimed in public comments, not
2 cut projects for anything for that. We've actually
3 funded the approved projects.
4 I think with regard property values, as
5 Trustee Schmitz and Trustee Noble says, it's pretty
6 objective. I think property values are driven much
7 more by the general economy and interest rates. I
8 don't have a dog in the fight. I'm not trying to
9 sell something, so I'm not going to make claims one
10 way or another whether it's impacting property
11 values. It's not property values of what they are,
12 it's what the buyer's prepared to pay and what the
13 seller's prepared to accept.
14 CHAIR DENT: Any other discussion on this
15 item? Okay. I think we got some good feedback on
16 that, so thank you.
17 Moving on to rumor number 8, the reduction
18 of the value of the punch cards is infringing on
19 property rights. No, it has no impact on or changes
20 to property rights. It's purely a function of the
21 rec fee and the beach fee, beach fees needed or not
22 needed, to fund the venue operations and capital
23 improvements.
24 So, I think Trustee Schmitz, this goes --
25 it's a little bit more to us providing some

104

105

1 examples.

2 TRUSTEE SCHMITZ: One of the things that

3 the Ordinance 7 committee was trying to do with

4 their recommendations that they brought to the Board

5 last year is to ensure there is some equality with

6 every parcel, that every parcel has the same access

7 and the same rights. And, to me, this is just more

8 of the same. Everyone is being treated equally, so

9 it's not infringing on rights. Everyone has the

10 same equal rights. And I think that was the real

11 push and one of the major deliverables out of the

12 Ordinance 7 committee last year.

13 CHAIR DENT: Any other comments on this?

14 TRUSTEE TULLOCH: Yeah, I think we can

15 also add in here that the punch card is basically

16 one-fifth the fee, there's been no change there. In

17 fact, for those that don't use the punch cards, I've

18 heard a lot of feedback within the community, not

19 from the vocal people necessarily, but lots of

20 feedback from the community thanking us for reducing

21 it, because there's a large percentage of the

22 community that don't get to use their punch cards.

23 They've been paying for them, but they don't get to

24 use them.

25 So, I've heard lots of thanks for reducing

106

1 the fee.

2 CHAIR DENT: Maybe it's important on here

3 to mention how you go about bringing in a guest to

4 the beach, and do you need a punch card for doing

5 that, because I think that's important. I had a

6 call today with somebody, and they said, well, you

7 know, because they don't have punch cards, they

8 can't take anyone to the beaches. And I said,

9 that's not true. You can stand there at the gate

10 and bring in your 15 guests per pass holder every

11 day.

12 This is just, once again, arbitrary value

13 that was set, and we've been following previous

14 board's practices in doing that.

15 I look forward to having more information

16 on both of these next year so we can do what's --

17 you know, improve upon and make sure that we're

18 doing what's right when it comes to these.

19 Anything else on number 8?

20 TRUSTEE TULLOCH: To clarify, something

21 that's made in public comment when somebody claimed

22 we're absurdly high entrance fees to the beach, the

23 entry fees to the beach were set by the previous

24 board. And just to correct the math where it was

25 claimed you could hardly get three entrances to the

107

1 beach, if the punch card's worth \$91 and the

2 entrance to the beach is \$16, you can get at least

3 five entrances per punch card.

4 CHAIR DENT: All right. Anything else on

5 number 8?

6 Moving on to rumor number 9, the Board

7 sets golfs rates. Yes. How are they formulated and

8 recommended to the Board? By the Director of Golf,

9 except for the All You Can Play Passes in 2023.

10 Staff conducts analysis and formulates rate

11 recommendations for the Board's consideration.

12 To your point, Trustee Noble, this item, I

13 think it is important to go and reference, say, on

14 this date, this happened. Here is a link to the

15 meeting on 5/13, where this decision was made. And

16 then folks can go look up the live stream or the

17 meeting minutes to dig into this further if they'd

18 like to.

19 Do you have something to say on this item?

20 TRUSTEE NOBLE: This one, I think it would

21 be good to have the history on it, because when

22 Mr. Howard initially brought it, he just had the

23 percent increase on last year's rates. He was given

24 direction, no, go back and propose your original,

25 what you proposed a couple years ago, the 10-, 20-,

108

1 30-, 40-Play Pass, while eliminating All You Can

2 Play Passes.

3 And he brought that, then were was

4 discussion about bringing back some All You Can Play

5 Passes, and eventually we got to sort of a hybrid of

6 that.

7 And so I think it's good, yes, staff

8 brings proposals, but a lot of times, those

9 proposals come to us because of Board direction,

10 they're not just bringing these without any type of

11 direction or influence from one or more Board

12 members, and usually, hopefully, it's all of us

13 giving direction to staff.

14 So, again, the nuance of that, I think it

15 just needs to be -- I don't -- when we approve

16 something, that's on us now. We own it. And staff

17 can recommend it, but, I feel like, most times,

18 they're trying to, until they make that

19 recommendation, get direction from us on what we

20 want to see.

21 CHAIR DENT: Would you go back to, not

22 just the meeting where they were approved, but maybe

23 a couple prior meetings? Is that what you're

24 referring to?

25 TRUSTEE NOBLE: If you're going to do it

109

1 -- and look at this year as an example -- you've got
 2 to show the progression on how we go to what we did.
 3 If you want to be clearer on the ultimate rates that
 4 were set, it was a process, and it wasn't just one
 5 time, staff brought it, the Board rubber stamped it.
 6 No. Something came to us, we told them to go back,
 7 they brought something forward, there was more
 8 discussion, they went back, we came back again, we
 9 tweaked it some more. Sort of like the cancellation
 10 policy.
 11 But it's more nuanced than just what's
 12 stated right there.
 13 CHAIR DENT: Okay. I guess I'm just
 14 trying to understand that. Like, how deep we want
 15 to dive into this, because the question is: Does
 16 the Board set golf rates? And the answer's, yes,
 17 ultimately.
 18 TRUSTEE NOBLE: You could just say yes.
 19 But I think if you're going to give an explanation
 20 -- sorry.
 21 CHAIR DENT: Let me just finish real
 22 quick. Because my point is, with this, yes, we did
 23 say, hey, go back and go to golf committee's
 24 recommendations that were brought forth to last
 25 year's board, bring those forward to us, because

110

1 this is what the golf committee worked on with
 2 staff, and let's look at that because I know that's
 3 what staff wanted to implement last year.
 4 This that how -- we just want to get a
 5 little bit into the weeds with it that way? Because
 6 I understand some of this changed, but as far as,
 7 like, the -- I think we went with the director's
 8 recommendation as to the overall rate increase.
 9 It's not we were in the backroom with our
 10 calculators trying to -- I don't know what that is.
 11 I don't want to even try to understand what it is.
 12 He's bringing it forward, he says that's what he
 13 recommends, that's what we went with.
 14 I know we got a little goofy with the All
 15 You Can Play Passes, and we were kind of winging it
 16 on the fly with calculators out, and that did
 17 happen. But for the most part, I feel like, yes, we
 18 do do that, with the exception of the All You Can
 19 Play Passes, we did take a different approach to
 20 that.
 21 TRUSTEE TULLOCH: Yeah, I think for
 22 clarification and to Trustee Noble's point, when the
 23 staff came with the initial proposal, it failed to
 24 comply with the pricing policy, and that was one
 25 reason we asked them to go back and revisit that,

111

1 and also revisit the golf committee recommendations.
 2 I think with regard to the All You Can
 3 Play Pass, yes, the -- in the final proposals that
 4 came to the Board eliminated the All You Can Play
 5 Pass. Certainly at least a couple of trustees,
 6 myself and Trustee Tonking, actually been -- put
 7 forward the motion to restore some form of the All
 8 You Can Play Pass, responding to public input and
 9 request for that.
 10 If we're going to try and explain the
 11 whole thing, we need to make sure that we explain
 12 all of that in terms of how it goes.
 13 But the original proposal that came,
 14 pricing proposal that came, didn't -- failed to meet
 15 the pricing policy and left a very large deficit in
 16 comparison to what the pricing policy represented.
 17 I think it's incorrect to say the Board sets the
 18 rates. The Board approves the rates. The Board is
 19 not setting the rates, the Board is approving the
 20 rates in terms of that.
 21 TRUSTEE SCHMITZ: Good point. Except for
 22 the All You Can Play Pass. And staff has been
 23 recommending removal of the All You Can Play Pass
 24 for the past two seasons, and so it's -- that's the
 25 one the Board literally set the rates on, was the

112

1 All You Can Play Pass.
 2 TRUSTEE TULLOCH: Correct.
 3 CHAIR DENT: Any other discussion on this
 4 item?
 5 All right. Number 10, was the golf
 6 cancellation policy created by the Board? No.
 7 There's been a cancellation policy for several
 8 years. In 2023, with the elimination of the
 9 reservation fee, the cancellation policy was
 10 modified from three days to five days.
 11 I put in here, since we just did have
 12 action last week on this that at the 7/6 meeting,
 13 the Board reverted the policy back to the prior
 14 policy of three days.
 15 Does anyone have any issues with those
 16 changes?
 17 TRUSTEE NOBLE: So I would, again, provide
 18 some historical context that previous to this year,
 19 it was 72/48. The Board this year changed it to
 20 120/72 or 120/48, whatever it changed it to, and the
 21 reason why we changed it. Because there was a --
 22 eliminated the \$10 pre-booking fee, and there was
 23 concern that there may be some abuse as far as
 24 making reservations. Once a few weeks had gone by,
 25 that was not a concern. It was brought back, and

113

1 we -- the Board reset it at the old cancellation
2 terms.
3 CHAIR DENT: So just a little bit more
4 information that's in there and reference the
5 meeting?
6 TRUSTEE NOBLE: Again, to provided a
7 context and explain why the Board did what it did.
8 CHAIR DENT: Okay.
9 TRUSTEE TULLOCH: I agree with Trustee
10 Noble in terms of that. That was the director of
11 golf that set himself some extremely high targets,
12 and we're, as a board, we're concerned that with the
13 removal of the reservation fee, it could be very
14 difficult to actually get short notice to start
15 filling -- if people made block bookings, it could
16 be very difficult to actually fill some of these
17 things at fairly short notice, and that's why it's
18 there.
19 I think it is also exacerbated by the fact
20 that it appeared that in recent years, although
21 there was a cancellation policy, it seemed to be
22 very loosely applied, it wasn't being applied in the
23 a large majority of the cases. And, obviously, the
24 fact that it's actually being applied this year is,
25 perhaps, exacerbated that, along with the increased

115

1 the recall effort against Trustee Schmitz. And I
2 think the question is: Did Trustee Schmitz' no vote
3 on the project design result in the Duffields
4 pulling their commitment to move forward?
5 And I think that is absolutely correct.
6 And we would have been moving forward at that time
7 had she voted yes. And so that no vote resulted
8 in --
9 CHAIR DENT: Legal counsel?
10 MR. NELSON: No. I was just going to say
11 the Board might want to combine just 12 and 13, and
12 simply reference members of the community back to
13 the meeting we had at the Chateau where this was
14 discussed pretty exhaustively, and allow members of
15 the public to draw their own conclusions from that.
16 I think the Board really went through
17 exactly what happened from all different
18 perspectives, and those who watch that video can
19 decide their own opinion.
20 TRUSTEE NOBLE: And I'm fine with that
21 because it directs people to the discussion and
22 allows them to come up with their own conclusions.
23 Otherwise, I feel that we're getting into that very
24 close to the edge of government resources being used
25 for personal, political purposes.

114

1 time.
2 I think the Board made a good decision. I
3 think we all voted in favor of this less than a week
4 ago. I think we all voted in favor of revising this
5 to make it more compatible. And director of golf
6 seemed to be happy with the outcome, and it seems to
7 match courses around.
8 CHAIR DENT: Okay. Any other discussion
9 on this item?
10 TRUSTEE SCHMITZ: I think that there was,
11 potentially, a lack of use, and so it does seem as
12 though it's something, even that we've reverted to
13 what it was in the past, that there's a perception
14 that it's a new policy.
15 CHAIR DENT: Yeah, I would agree with
16 that. Okay. Any other discussion? All right.
17 That closes out 10. Skipping 11.
18 Number 12 I've modified similar to number
19 1 and 2, and I just put: Was there ever a board
20 vote on accepting a \$25 million Duffield foundation
21 grant? And my response to this is: No. This is
22 false. No one voted for or against a \$25 million
23 grant.
24 TRUSTEE NOBLE: I really think you
25 shouldn't touch this one. It is a central tenant of

116

1 And so by redirect, you can have something
2 that just references the Rec Center expansion, what
3 happened with the Rec Center expansion, there was a
4 full discussion at a board meeting on this date, and
5 then allow people to make their own conclusions.
6 CHAIR DENT: Okay. Hold on real quick.
7 General counsel, like number 2, is this something we
8 can offer up to --
9 MR. NELSON: Yeah.
10 CHAIR DENT: Ethics Commission for an
11 opinion on, just so we know where that fine line is,
12 and that way, we're aware of that moving forward?
13 MR. NELSON: Absolutely.
14 TRUSTEE TULLOCH: Yeah. I think it's
15 unfortunate we keep referring to this as a "grant."
16 This seems to be the impression in a large section
17 of the community that someone was just handing over
18 a \$25 million check to do whatever we wish with.
19 This grant, if it proceeded, came with very strict
20 conditions, that was going to go towards building a
21 dedicated gymnastics gym, not multipurpose gym, and
22 some office space. There seems to be some general
23 perception that just it was going to be \$25 million
24 to spend as we like. It wasn't. It came with very
25 specific conditions.

117

1 CHAIR DENT: I'll just say along the
 2 lines, I think referencing -- I think it's important
 3 to say something on these items and potentially
 4 combine this, because there were three or four
 5 meetings on this. The first was in February with
 6 the intent to enter into an agreement. There was
 7 another one in July with a not to exceed funds for
 8 the design, that's it. Then there was a meeting in
 9 September. We did have a meeting somewhere in
 10 October to discuss the timeline. And we learned a
 11 lot of information at that time regarding all of
 12 this.

13 But I do think it's important. There is a
 14 lot of folks out there that think there was some
 15 grant -- some vote on a grant, and there truly was
 16 no vote on a grant. There was going to be another
 17 half dozen votes on this item, and if one person
 18 disagreed and we didn't go along with some secret,
 19 hidden stipulation that wasn't in the board packet,
 20 then this could have all be derailed down the road,
 21 and then we're footing the bill for the entire
 22 thing.

23 I'm fine with spending money on something
 24 like this. I just think we need to know what we're
 25 getting into when we do do it. But I think it's

118

1 really important just to hit on all of these dates,
 2 not just the one date from October, because there's
 3 a lot of information out there. If you do your
 4 research, you'll find out there's no commitment of
 5 construction or expansion by either party, is what
 6 was agreed to in July of last year.

7 So, there's this talk about a \$25 million
 8 grant, but it was really hope of a \$25 million
 9 grant, if anything, and we didn't get far enough to
 10 figure that out. And I wish we would have had clear
 11 direction at that meeting so we all would have
 12 understood what was on the line.

13 TRUSTEE SCHMITZ: I think in hindsight
 14 there's a lesson to be learned for the Board to say
 15 if you're going to enter into something like this,
 16 you need to have commitment at the beginning of what
 17 we are actually delivering and what are we actually
 18 doing. Because we could have gotten half way
 19 through this project and been left to complete it
 20 ourselves. And it was a dedicated gymnastics room.

21 I think the lesson learned is that if the
 22 Board ever has an opportunity like this, that
 23 upfront there should be more clear stipulation as to
 24 what the deliverable is and what the commitments
 25 are, because this was very much one step at a time,

119

1 and that potentially put the District as risk.

2 TRUSTEE TULLOCH: Yeah, I think there's
 3 another important lesson to be learned. There's
 4 public money at stake here. This wasn't all going
 5 to be funded by Duffield Foundation. The District
 6 had a level of expansion as well. I think at the
 7 end of the whole debacle, we spent 1.1 million, if I
 8 recall correctly. This was public funds at stake.

9 I think it's unfortunate there was no
 10 Board member involvement in the discussions. I
 11 think there was a long period where the Board was
 12 not informed of what was going on in discussions.
 13 To me, that's the clear landing point for that. Any
 14 such discussions involving public funds must have a
 15 Board member involved in it. It can't just come as
 16 a third complete to the Board, with information
 17 withheld from the Board for several weeks, critical
 18 weeks.

19 CHAIR DENT: Any other discussion on this
 20 item or even on the last one, number 13? It sounded
 21 like we were going to combine those two. Any other
 22 discussion on these?

23 TRUSTEE TULLOCH: Yeah, I think there's
 24 several we can add to this. I think it's important
 25 to spell out what the role of IVGID is. I mean,

120

1 IVGID is a general improvement district, we are
 2 governed by the Nevada Revised Statutes. We're also
 3 a Dillon's Rule state. We can only engage in the
 4 areas that we're specifically allowed to engage.

5 I hear some of the public comments, let's
 6 do a citizen committee to decide how we spend this
 7 money and how we do this, that, and the next thing.

8 We do not have that flexibility. We are
 9 governed by the Nevada Revised Statutes, the Open
 10 Meeting Laws, the proper use of public funds. It's
 11 not just a -- this isn't nature way, despite what
 12 some people seem to think. It's -- I think we
 13 should formulate something of that to clarify some
 14 of those things.

15 CHAIR DENT: I would agree with that. I
 16 think this will be -- could be a valuable tool to at
 17 least getting information out there for IVGID to
 18 have, the District to have, and then when there is,
 19 potentially, misinformation out there, they could be
 20 just pointed back to, hey, the Board discussed this,
 21 here's the right information.

22 Regarding -- because Trustee Tonking is
 23 not here and because we went through every single
 24 one of those, she did have comments on that, and I
 25 feel like it would just be fair to read what they

121

1 are. We went in a lot different direction, I think,
 2 than how they were written. I think that was just
 3 intended to be in draft form.

4 But she says:
 5 "For item G 2, these FAQs are
 6 not what was discussed at the
 7 Board meeting. The idea was to
 8 start with easy-to-answer
 9 questions, such as who's in
 10 charge of plowing the roads.
 11 "I don't feel like, as a board,
 12 we need to be answering
 13 questions for individual
 14 trustees, including myself. I
 15 think it's hard because we can
 16 write them together, and it
 17 feels like these are not in
 18 agreement across the board.
 19 "If I was there in person, I
 20 think there are only two I would
 21 support. I think we need to
 22 start with much simpler
 23 questions that are not loaded,
 24 but maybe some of these topics
 25 could be a good part of a public

122

1 forum."
 2 That's Trustee Tonking's two cents on all
 3 this, and she sent me a bunch of texts, I guess
 4 she's backpacking or something like that, and
 5 there's no conversation going on except that.
 6 I just wanted to get that out there, and I
 7 feel like we did a good job working through this.
 8 Through legal counsel, we will bring this back at a
 9 later time.
 10 I think it is important if you hear things
 11 or things do come up, that we use this item as a way
 12 to address those. And I a hundred percent agree
 13 regarding some of the operational items; I think
 14 really low-hanging fruit we can address pretty
 15 quickly.
 16 All right. That closes out item G 3,
 17 formerly G 2. We're going to take a five-minute
 18 break.
 19 (Recess from 8:45 to 8:51 P.M.)
 20 CHAIR DENT: All right. Moving on to
 21 formerly G 3, now it's item G 4.
 22 G 4.
 23 CHAIR DENT: Review, discuss, and possibly
 24 approve the recommended changes to the general
 25 manager's job description, and authorize staff to

123

1 start the recruiting process. Requesting staff
 2 member Director of Human Resources Eric Feore. This
 3 could be found on pages 991 through 1003 of your
 4 board packet.

5 MS. FEORE: I had reached out to acting
 6 General Manager Mike Bandelin and Chairman Dent to
 7 talk about typically what the process is when
 8 there's a vacancy. And for other District
 9 positions, it's typical that we would start with the
 10 hiring managers to do a review of the job
 11 description, make some changes, get some updates
 12 going, and then take the process from there, which
 13 would typically be where the HR department would
 14 post the position, and we'd start the recruitment
 15 process.

16 Understanding this is a very important
 17 position and a very big position for a very
 18 important district, it might make sense to engage
 19 with other parties for assistance. So, trying to
 20 not to put the cart before the horse, I thought a
 21 really good opportunity would be to start with the
 22 job description.

23 The job description that had existed is
 24 something that the District has had for a while.
 25 Truthfully, when I got started on this, and I'm just

124

1 going to fall on the sword straight of the gate, I
 2 got started on it a little bit late, so there's
 3 still additional room for changes and
 4 recommendations. It's really going to come from the
 5 Board. But the only thing I did, kind of, take the
 6 initiative on was to update it to the formatting that
 7 matches the District's, and updated some of the --
 8 maybe some language that's a little outdated and
 9 adding some additional information.

10 Again, this is all just recommended. I
 11 was just spitballing ideas at this point. I figured
 12 if I can put some words down on some pages, it can
 13 help start the conversation.

14 So, pulling from some resolutions and some
 15 other job descriptions, I just put in some
 16 recommendations. But where I ran out of time was at
 17 the qualifications. So, everything from the
 18 qualifications down, I had not had a chance to
 19 update outside of my recommended, would be formatting
 20 and the like.

21 Really, this is just an opportunity to
 22 start the conversation, and I'm going to take your
 23 direction.

24 CHAIR DENT: Questions, comments? Who
 25 wants to go first?

125

1 TRUSTEE TULLOCH: Putting me in the hot
 2 seat again. I think it's good start. I think it's
 3 important, you know, if I look at it at high level
 4 first, I think it's important that we recognize this
 5 advert is not for a parks and rec manager, it's not
 6 for a manager of a small municipal of something.
 7 This is managing what this year is \$117 million
 8 budget business. It's a relatively big business.
 9 And it doesn't just have government functions; it's
 10 also got commercial functions.
 11 I think some of the general comments I
 12 have here is, obviously in the past, some of this
 13 job description has been tailored to individuals
 14 rather than getting the right fit, the right fit of
 15 skill set. I think we need to focus more, I think,
 16 more focus on the GM is going to be responsible for
 17 managing within the budget, making sure venue
 18 managers are being managed within the budget,
 19 particularly ensuring delivery on time and on
 20 budget. I think that's a key part of it.
 21 With regard to customer service, there's
 22 lots of references to customer service -- and don't
 23 take this the wrong way, yeah, customer service is a
 24 key part of it, but the general manager is really
 25 responsible for ensuring that his team delivers

126

1 excellent customer service. It's not -- this is far
 2 bigger an operation, and it shouldn't be a case
 3 where any member of the public can just go straight
 4 to the general manager for something. If the
 5 general manager is running his business properly,
 6 the venue managers are really the first point of
 7 contact and the department managers. They have the
 8 responsibility for customer service. I'd like --
 9 that should be reflected.
 10 I think, also, it's -- I made some here on
 11 just some random notes on item 4, on page 999,
 12 page 1 of 4 there, it's deliver in accordance with
 13 the Board policies as well. It's not just to
 14 present policy recommendations. It's to present
 15 viewpoints on policy recommendations to the Board
 16 and give comment on that, but then to implement the
 17 Board policy decisions.
 18 On 14, it said to deliver some customer
 19 service within budget -- deliver services within
 20 budgets and financial objectives. I can give you
 21 some of these notes afterwards.
 22 I think on item 20, I think if you go back
 23 to the January meeting, I think we made some changes
 24 in that in terms of the interface with the general
 25 counsel. That needs some updates there.

127

1 On the qualifications, on experience, item
 2 4, I don't think publically is the correct word. I
 3 think it's publicly.
 4 I think also we should not be limiting it
 5 just to -- I see some references to here. It's
 6 looking primarily for municipal governmental
 7 community based and recreational service
 8 environment. I think we need to make it much wider
 9 than that. I think if we look at Washoe County,
 10 they elected their chief executive that came from
 11 the public sector, rather than from the public
 12 sector. I think we need to make sure we're not
 13 limiting it to purely just government driven. I
 14 think it's, as I say, running major commercial
 15 businesses. Mr. Bandelin's business at Diamond Peak
 16 is \$50 million a year or something. I can't
 17 remember how many customers, but it's a large
 18 business. So this is more than just a typical
 19 government entity. I think we need to make sure
 20 we're not disqualifying people who haven't worked
 21 for government before.
 22 And I think if we're also looking at
 23 search agencies, we need to be very careful of the
 24 search agencies also doing that. If I go back to
 25 the search process for when Mr. Pinkerton was

128

1 recruited, the search consultants were looking
 2 purely at people that came out of local government,
 3 so we just got word of same there. We didn't cast a
 4 wide enough net. I think let's make sure it's not
 5 just that.
 6 I think the residency, residing within 45
 7 miles seems quite distant to me. I think we'd all
 8 love to see the general manager residing in the
 9 community. I know that's not always possible, but I
 10 think 45 miles, to me, starts becoming a bit of a
 11 stretch. I'd prefer to see that at 30, that's just
 12 an initial thought.
 13 Otherwise, a lot of the changes are good.
 14 I'm looking at page 1003, doesn't seem to
 15 tie in with the rest of the memo. But, yeah, I
 16 think it's a good start here. Obviously, there's a
 17 lot of editing to do, but, generally, I'd like to
 18 see the focus on the role, it's like a chief
 19 executive, it's managing the team.
 20 MS. FEORE: Would you be willing to send
 21 me your notes?
 22 TRUSTEE TULLOCH: Yeah. I'll touch base
 23 with you on that.
 24 TRUSTEE SCHMITZ: Just to bring all of you
 25 up to speed, the director of HR and myself met

129

1 briefly this afternoon, and I gave her my feedback.

2 And I think that item number 1 here, under

3 the essential duties and responsibilities, just

4 needs to be eliminated because what's really

5 important is number 14, and that is that the person

6 leads and supports a District-wide effort in

7 training to provide excellent service -- customer

8 service. I don't see that as being the number one

9 priority for a general manager.

10 The other thing I had suggested be

11 included is, in the summary, to give more

12 information about the size of the budget, the number

13 of the employees, the business entities that are

14 being managed to better explain a bit about what our

15 district is responsible for: Water, sewer, trash,

16 and recreation.

17 And make that clear because this is a very

18 big role, and it's a very important one.

19 As it relates to just language, I don't

20 know, I'm just going to bring it as a question, and

21 you don't have to answer, but number 6, in the blue

22 text, right before the very last sentence, it says,

23 "Generally accepted personnel practices." I just

24 don't really know what that means. So, if that's

25 proper language, then so be it.

130

1 And then I did talk to her as well about

2 number 7, number 12, and number 4 under leadership,

3 just using different language about management.

4 Sometimes it's department heads, sometimes it's --

5 so, that's just a consistency thing.

6 I think number 20 should be changed, the

7 one that's highlighted here in yellow, on page 1000,

8 number 20, because that doesn't align with what we

9 have in 1480. So I think we should just either

10 remove that or have that align with how the language

11 is in 1480.

12 And personal feeling is that as it relates

13 to residency, I really think we should go back to

14 they need to live in our community, because so many

15 of the decisions that we make, you want them to be

16 vested in our community. You want them to use our

17 recreation venues. You want to be here so that

18 they're impacted by our water and sewer rates, and

19 they're impacted by the things that we're making

20 decisions on. So, I just feel that if it's

21 possible, I think it would be preferred that the

22 person is actually residing in our community.

23 Other than that, I think you did a great

24 job.

25 CHAIR DENT: Trustee Tonking said, "I'm

131

1 good with the changes."

2 I think we need to describe -- through

3 this process, describe it a little bit more than

4 just "rec." There's a gym that they run, there's

5 two golf courses, there's a ski resort, there's

6 beaches, there's the parks component. I think

7 spelling that out in this process is important.

8 I do like the idea of casting a broader

9 net. I do recall when this process happened eight,

10 nine years ago for former general manager Pinkerton,

11 and I think it is important to not just limit this

12 to government managers. I think we want someone

13 that understands some of these business components

14 and venues that we have and how to run those.

15 Water, sewer, and trash, director Underwood, for the

16 most part, takes care of that, takes away a huge

17 chunk of the government piece, a lot of this other

18 stuff.

19 As it relates to the business, I think

20 it's important that we span that net a little bit

21 wider.

22 I agree with most of the comments, most

23 all the comments that the trustees made.

24 I think you took a really good stab at

25 this in updating this, last minute, before it was

132

1 going in the packet. As far as the job description,

2 I think you making those changes and then sending it

3 back to us to say, hey, here's what we settled on.

4 I think that's fair. I don't want to slow down this

5 process at all. I think it's important to allow you

6 to run and move forward.

7 As far as authorizing staff to start the

8 recruiting process, could you dive a little bit

9 deeper. I know you've had some conversations and

10 stuff on how to plan around that, but inform us,

11 please.

12 MS. FEORE: Our talent acquisition

13 specialist, Lisa Hoops, she's been with the District

14 forever, she and I had a really great conversation

15 with two fantastic folks at Washoe County who gave

16 us some great advice as to the process itself. They

17 briefly described a process that they had gone

18 through with their city manager and also their

19 recent public defender. They gave us a great

20 outline of that.

21 And one of the things that they talked

22 about, because I had a question about the

23 involvement of community stakeholders, so to speak,

24 because they included in their process involving

25 community stakeholders. The best way to describe

133

1 this would be, for example, the Public Defender's
2 Office, they had involved folks from other agencies
3 that would work very closely with the public
4 defender, all of whom are in the legal industry, and
5 they involved them in the process. But the process
6 was very controlled. This is where it gets a little
7 tricky when you start involving outside resources
8 because you start to lose a little control on the
9 integrity of the process. If I can't make sure that
10 I'm in the room to make sure that somebody isn't
11 asking a question they shouldn't be asking, it makes
12 me a little bit nervous. So I think there's a
13 little more vetting out that I have to do with this
14 so that I can come back with a more-realized
15 recommendation.

16 But they also did provide us with some
17 great names as to resources that they had utilized.
18 I can either talk about those resources now or I can
19 provide that information in an email to all of you
20 as we take it to the next step.

21 Yes, basically, I'll just kind of really,
22 really highlight this, they started the process
23 where their HR department did the formal posting,
24 which we would have to do as part of our personnel
25 policies. We just throw it out and we put it out

135

1 what invested stakeholders would be. Obviously with
2 our team, it would be the senior leadership team,
3 and it would be, obviously, members of Board of
4 Trustees. There may be regional folks that would be
5 important to be in on this, whether it's county
6 commissioners or folks of other agencies. I'd leave
7 that to you to determine.

8 Ultimately, the candidate pool shrinks
9 itself down, and then we make it to the final three,
10 four candidates.

11 They did say that, with the idea of having
12 community involvement, it would be great to open up
13 a meet-and-greet opportunity for those final
14 candidates, that it is informal, and provides a
15 little room for leeway. Again, these are things to
16 discuss and to consider.

17 And then, ultimately, it just comes down
18 to the final two. Then I believe that process is
19 done in a meeting environment.

20 TRUSTEE TULLOCH: Yeah. Thank you. Great
21 start. Can we just run this up our little process
22 at the moment? You can start reaching out, you
23 know, soliciting different agencies to try and start
24 doing that without the formal job description being
25 finalized so we can get -- I'm mean, not, obviously,

134

1 there on our website, and it's picked up by all of
2 the -- Spider, Indeed, Simply Hired, places like
3 that.

4 They received authorization from their
5 board to RFP, I believe, it was three, it could have
6 been more, but then it was narrowed down to three
7 outsourcing groups, and they gave me the name of the
8 top three that had been selected.

9 Ultimately, as that process went through,
10 they brought the final proposals back to the board.
11 The board selected the group that ultimately they
12 ended up working with, and then they were -- I don't
13 want to say hands off, I don't want to misrepresent
14 their process because I wasn't there, but they let
15 that group do what that group does while keeping the
16 HR department informed. And that way, the HR
17 department could go back to the board and say,
18 here's where we're at in this process, this is what
19 we've done. And you have weekly, monthly, however
20 it works, biweekly updates so that the board is
21 constantly in the know.

22 Ultimately when the group up of candidates
23 was selected, that began the process of having
24 invested stakeholders become involved in the
25 process. I would leave that to the Board to define

136

1 to just to discover the interest, so we can
2 basically bring both to the Board at the same time.
3 I think that would be helpful so we don't lose time
4 spending two meetings, going over the job,
5 finalizing the job description, then going out to
6 find an agency.

7 MS. FEORE: I think as long as the
8 material changes are made. Job descriptions are
9 living documents, so they change constantly anyway.
10 It's not like we're going to hand somebody a job
11 description and that's the end all be all, you can't
12 make any changes going forward.

13 I think there's a way of doing things
14 simultaneously.

15 TRUSTEE TULLOCH: Great point on being
16 very careful who is involved in the process, who is
17 invested in it. You won't remember, but if we go
18 back to the 2013/14 recruitment of Mr. Pinkerton,
19 when we thought we had two final candidates for
20 evaluation by the Board, and it turned out one was
21 disqualified and didn't meet the thing. We don't
22 want to find ourselves in that situation where we're
23 down -- we think we're down to two and in reality,
24 it's not a competition.

25 We want to make sure that we done proper

137

1 vetting and things as well. There's not been
2 untoward influence in the process anywhere.
3 MS. FEORE: When I was starting the
4 process of researching this for Chairman Dent, I
5 went back to look at some old notes. Some of the
6 notes that I could find indicated that the HR
7 department had been fairly well removed from the
8 process, and as a result, some of these things
9 hadn't necessarily been reviewed.
10 I absolutely -- I mean, listen, I'd love
11 to get as much as I can off of my plate, but I
12 absolutely believe that the HR department should be
13 the second set of eyes, as I'm kind of the last
14 defense for you.
15 TRUSTEE TULLOCH: I would agree with that.
16 I can add more color in a private conversation if
17 required, but I'm not going to say anything on the
18 record.
19 CHAIR DENT: As far as next steps or
20 direction from us at this time, what are we looking
21 at timeline-wise for some of this stuff like
22 bringing back the RFQ and going through that
23 process?
24 MS. FEORE: I can work on the job
25 description tomorrow. I believe by early next week,

139

1 those.
2 I would defer to the Board, and maybe
3 that's some good direction for us.
4 CHAIR DENT: What does the Board want to
5 do?
6 TRUSTEE TULLOCH: I think we have
7 flexibility under NRS, because this is a
8 professional services contract, we have quite a lot
9 of flexibility there.
10 I'd like to see the recommendations. I'm
11 sure director Feore will do some background
12 investigation, come with some good recommendations
13 so we actually get a fairly short process for that.
14 It's not a major, huge item for most of those firms
15 are used to responding at day's notice at the drop
16 of the hat, judging by a lot of requests I get and a
17 lot of the invitations I get in terms of that. I
18 think most of these firms operate pretty quickly on
19 that basis.
20 TRUSTEE SCHMITZ: I'm not exactly sure
21 what Trustee Tulloch just said. So if I'm repeating
22 what you're saying, just bear with me.
23 Personally, I feel that Washoe County just
24 did this, literally, two years ago, and I know they
25 probably vetted and brought in Eric Brown. He's a

138

1 I can have something that I get to the Board saying,
2 based on the feedback that I've received, here is a
3 draft copy.
4 This is probably where I'm going to need,
5 Josh, as to how to get the feedback needed.
6 MR. NELSON: I think we've got some
7 feedback this evening, and we'll get some more
8 feedback. Then we can incorporate all that
9 feedback, bring it back to the Board, ideally, at
10 the next board meeting to finalize.
11 And I think to Trustee Tulloch's point, to
12 the extent you were comfortable, we also at that
13 same meeting could issue a formal RFQ for a search
14 firm so we don't lose any time and have to do
15 multiple meetings.
16 MS. FEORE: Then the direction would be to
17 have the description basically finalized and ready
18 for your formal approval and recommended agencies to
19 begin the RFQ?
20 MR. NELSON: Yeah. Well, that's a good
21 point. I think we can send out just an RFP, like we
22 have in the past, and have identified firms, that we
23 send them a copy, hoping they send a response. Or
24 if we wanted to, we could limit to the folks that we
25 felt were most appropriate and just do an RFQ to

140

1 fantastic county manager. I would feel comfortable
2 reaching out to those firms and asking them for
3 quotes.
4 I don't know whether you were saying that
5 it should be broader net than that. I wasn't sure.
6 Sorry.
7 MS. FEORE: I can tell you that in our
8 conversation, they did provide me with three names.
9 So, I kind of got a little bit of a leg up on that.
10 In addition to that, I have received a
11 number of calls from folks who are wanting to help
12 fill some of our other top positions. Between Lisa
13 and I, we have kind of a list going of all the folks
14 who have reached out and asked to assist with this
15 process, so I think we can kind of narrow it down.
16 Just get the initial information from them and
17 narrow it down so that I can come back to you and
18 say, here's where we're recommending. What do you
19 have for me?
20 TRUSTEE SCHMITZ: So is it realistic to be
21 coming back to us with an RFP or an RFQ to approve
22 on the 26th? That means it would need to be pulled
23 together roughly by about Tuesday or Wednesday of
24 next week.
25 MS. FEORE: I will say that I can work

141

1 quickly, sometimes, sometimes I make mistakes. That
2 would be a little bit -- yeah, because I basically
3 have until Wednesday.

4 MR. NELSON: Yeah, I mean, this might be a
5 time where, given the need to move this forward,
6 maybe provides us with a little bit more flexibility
7 as far as meeting that agenda packet deadline, and
8 might be more comfortable with us providing that
9 information as soon as we can, even if it's the 24th
10 or 25th. I would defer to Erin on her schedule as
11 to what her scheduled is as to when she can get
12 something together.

13 CHAIR DENT: I think you heard from three
14 trustees that had feedback on this item, and the
15 other two, for the most part, are good with where
16 we're at. If you do need -- I don't think there's
17 surprises that are coming down the pipeline. If you
18 do need a couple of extra days, we're fine letting
19 that go for a couple days to get this process done.
20 It's hard for us to do things with all the tight
21 deadlines we have, so we have to be flexible from
22 time to time.

23 MS. FEORE: Okay. I will make sure I
24 have -- I think I have some really good marching
25 orders. I'll just do some check-ins to make sure

143

1 members for the two committees.

2 Then there's also like a second part to
3 that. I'll just read it right now so we're on the
4 same page. Review, discuss, and possibly determine
5 the need for advisory committees for tennis,
6 pickleball, Incline Beach House, skate park, general
7 manager search, and leave in tact the general
8 manager's dog park advisory and presently
9 constituted in accordance with Policy 3.1.0,
10 paragraph 9 advisory committees. And that came from
11 Trustee Tonking. This can be found -- both items
12 can be found on pages 1004 through 1079 of your
13 board packet.

14 I will -- Trustee Schmitz you have the
15 first part of this.

16 TRUSTEE SCHMITZ: So, the second part of
17 this, can I just get some clarity here? Because the
18 second part doesn't necessarily align with the first
19 part, unless we're going to address it.

20 So, I was focused solely on just coming up
21 with an idea for a structure of the Board
22 committees. And then the two that I had been tasked
23 with to just come up with something to begin the
24 process for golf and capital investment committee,
25 but the second part is talking about potentially

142

1 that I haven't dropped the ball. And, yeah,
2 hopefully then the next time I'm sitting in front of
3 you, I've got some great feedback and direction.

4 CHAIR DENT: One more question for you, as
5 it relates to all hands on deck and you guys being
6 overloaded in the HR department, please work with
7 General Manager Bandelin, and if there is something
8 we need to do to help in the interim, to help fill a
9 void, we'd all be in favor of that.

10 We talked about that through the budget
11 process. We were cutting back on budgets, but we
12 know we do have a huge surplus, and so if there's
13 areas where we need to shift a little bit of money
14 around to make the process easier for your team,
15 then, please, run that through the general manager.

16 That will close out item G 4. Moving on
17 to item G 5.

18 G 5.

19 CHAIR DENT: Review, discuss, and possibly
20 approve the structure of the Board's appointed
21 committees. The Board is to identify a trustee to
22 appoint as a leader for the golf committee, identify
23 one trustee to be appointed as a leader of capital
24 improvements slash investment committee, and
25 authorize staff to advertise for at-large community

144

1 adding additional ones. I'm not sure what this
2 second part was intended to do, except to, maybe,
3 expand it and have additional committees?

4 CHAIR DENT: That could be correct. Let
5 me just read the notes I got on this. This came to
6 me when the packet got approved -- or when the
7 agenda got approved, and thought this was worked
8 through by both of you guys.

9 I just -- this is coming from Trustee
10 Tonking, she says:

11 "I just wanted us to consider a
12 Beach House committee that is
13 done by the Board, and I would
14 nominate Sara as the committee
15 trustee. I think it would be
16 good to have community input on
17 an asset they would have for a
18 long time. Also, Sara's very
19 familiar with multiple capital
20 projects that are at play at the
21 beaches.

22 "I think we have to have a GM
23 search committee because I think
24 that is the only way we will
25 mend the rift in the community,

145

1 if community can feel heard."
 2 Then the last part is:
 3 "I would love to sit on to golf
 4 committee since I'm the golf
 5 liaison."
 6 So, that's Trustee Tonking's comments for
 7 this item.
 8 TRUSTEE SCHMITZ: So let's -- I appreciate
 9 that. So what I tried to do -- there were a lot of
 10 questions about what's the authority of this group,
 11 how does this work? And I tried to be as brief and
 12 as succinct as possible. I didn't want to create
 13 some huge policy, but I don't know whether this
 14 would end up having to be a policy.
 15 To be clear, the goal is just to engage
 16 community members, leverage their skills, and to be
 17 in a role that would help us and advise us. So,
 18 their responsibilities and authorities are solely an
 19 advisory nature.
 20 And so I just identified, you know, I
 21 threw it out there and said that committees shall be
 22 up to four, at-large community members, appointed by
 23 the Board of Trustees. That a trustee would be
 24 assigned to each committee, and they would be the
 25 chair, then, of that committee. And that we can

146

1 solicit applicants and assign people to the various
 2 committees based on the applicants that apply.
 3 I left it open to say the committee
 4 appointments could be -- I put a number of up to
 5 two years, but basically I said it's up to the
 6 Board's determination. Because some of these
 7 committees may be short term, it might be an ongoing
 8 thing. I was just leaving up to the Board to decide
 9 how long is this engagement, so to speak.
 10 That all of the meetings would be subject
 11 to Open Meeting Law. I think that would be great
 12 because then our community would be more engaged and
 13 informed.
 14 And, ideally, the at-large members would
 15 have relevant professional experience that they
 16 would leverage. I mean, we're seeing great success
 17 with the audit committee. The audit committee
 18 members are competent and are engaged and they're
 19 helping us do a better job. And I think that that's
 20 really the intention with these types of committees
 21 as well.
 22 But, again, they're advisory nature, and I
 23 said the committees shall review all relevant
 24 information and make recommendations to the Board in
 25 alignment with the strategic plan, any applicable

147

1 community master plan, and Board-identified
 2 priorities. So that would be like our five-year
 3 plan that we've mapped out.
 4 They should also help to identify the
 5 financial impacts of the recommendations that
 6 they're making, identify how the recommendations
 7 align with the budget, and if applicable, how they
 8 align with the five-year plan. But the Board is
 9 here to set the timelines, to set the committee
 10 goals, and the committee expectations.
 11 And that -- I wrote that the assigned
 12 trustee to that committee shall report monthly to
 13 the Board to give us an update.
 14 Some of this is really being driven out of
 15 the fact that the general manager committees have
 16 been good, they just haven't produced results fast
 17 enough for us, as a Board. It's been slowing our
 18 process down. The Ordinance 7 committee was a
 19 couple of years. The dog park committee is going on
 20 a year.
 21 And I really think that if we do it using
 22 Open Meeting Law and having agendas and whatnot,
 23 perhaps we'll get through things faster so that we
 24 can deliver projects that our community wants.
 25 So with that, that's sort of the core of

148

1 just the structure of the committees. Comments,
 2 feedback?
 3 TRUSTEE NOBLE: I was wondering if you
 4 could provide context with what goes on from
 5 page 1007 to, I think, 1040? I was looking at
 6 page 1007, the multi-year capital planning flow
 7 chart, and it looks like it's the same as the one on
 8 1018. And then the comments that are in red in the
 9 capital project delivery, on pages 1013 through
 10 1016, I didn't know if those were your red lines or
 11 somebody -- I just was having a hard time following.
 12 TRUSTEE SCHMITZ: So, I produced this. I
 13 think that Ms. Herron was being helpful and provided
 14 -- this is all of the new policies that staff
 15 created. I'm trying to think -- help me out, Chair
 16 Dent, about a year ago or less that they updated
 17 these policies. Moss Adams had given them
 18 recommendations. I believe that these are policies
 19 that the Board really hasn't seen, maybe, more than
 20 once. And I don't know where the red lines came
 21 from.
 22 I think that the intention was to say
 23 these committees would be following these policies
 24 and these processes that we have defined, but I
 25 noticed in some of these grids, it had a new

149

1 responsibility for a committee member.
 2 And I just -- personally, I don't think
 3 that -- unless we want to start going through and
 4 putting this into formal policy, this was more to
 5 say we have a committee, here is the structure,
 6 we're going to give them some goals and objectives
 7 to work toward, they need to take into consideration
 8 all of the policies.
 9 And if these are the policies they need to
 10 take into consideration, here they are.
 11 CHAIR DENT: I'll just say Trustee Tonking
 12 may have requested this stuff. Her memo may not
 13 have ended up in front of it. That could be part of
 14 what it is too. I just don't know.
 15 TRUSTEE SCHMITZ: I do think that --
 16 Ms. Herron did ask me if she could add the policies
 17 and things, and I said, oh absolutely.
 18 But when I was looking at this, I wasn't
 19 delving into this level of detail. It was really to
 20 say, as a board, are we comfortable, is this what we
 21 want people to do, and then let's identify if we
 22 want to have three committees, if we want to have a
 23 pickleball, tennis committee, a golf committee, an
 24 investment committee. Let's just identify those are
 25 the three. Say, yes, we're going to ask for

150

1 applicants. We will review them. We will assign
 2 people.
 3 And just as a board, identify what's the
 4 goal, what do we want each of these committees to
 5 actually produce and give to us for information?
 6 So, that's where I'm at.
 7 TRUSTEE NOBLE: Clarifying, but -- so on
 8 page 1006, under the golf committee and the goal, I
 9 believe Mick Homan emailed some language to us on
 10 Tuesday, yesterday, and he had under a revised
 11 suggestion on the goal: Assisting the staff and
 12 board on optimizing all aspects of the golf
 13 operations, including revenue growth opportunities,
 14 cost efficiency optimization, and expanding
 15 community participation.
 16 I think that might be a better way of
 17 saying what you're trying to achieve here, and I
 18 would suggest making that change.
 19 With regards all the various committees, I
 20 think if we tried to do all these at once, we might
 21 be overwhelmed. And so I would suggest starting
 22 with, maybe, one, but have a list of other ones that
 23 we would want to consider. Go through that process
 24 and see -- we're going to learn some from that
 25 process, not meaning the whole process, but the

151

1 selection process in getting it started. And then
 2 what's the next one and then the one after that.
 3 Because one I'd like to add on is
 4 Snowflake Lodge. Talking with Mr. Bandelin, that is
 5 -- with the funds that have been earmarked for to
 6 start that process, this would probably be a good
 7 time to get going. Especially now where we're right
 8 out of the gate.
 9 I'm not sure if some of these other ones
 10 are necessarily appropriate. The general manager's
 11 search, that's, I think, separate and apart, and
 12 director Feore is going to come back with
 13 recommendations in two weeks.
 14 I think the big one, probably the capital
 15 improvement investment, but then golf pretty soon.
 16 I would want to see golf get going so that we have
 17 recommendations late fall/early winter so that we're
 18 not pushing into May next year trying to figure out
 19 what to do. I would like to see everything done
 20 before Christmas with regards to golf. I know
 21 that's ambitious, but -- or at least have proposals
 22 back to us that we can act upon quickly for next
 23 season.
 24 That's my thoughts.
 25 TRUSTEE TULLOCH: Yeah, I agree with

152

1 Trustee Noble. I think the capital investment
 2 committee is the number one priority.
 3 I think, to me, I would see this committee
 4 as being saving a lot of time wasted that we would
 5 have had if we have staff coming forward with
 6 incomplete proposals. We've seen it both at the
 7 Beach House and the skate park, where, basically,
 8 when the Board thought that proposals were being
 9 developed, what was come back was, well, we need
 10 more money.
 11 I think I would see the capital investment
 12 committee as being able to streamline this process,
 13 get a lot of that, and actually bring these projects
 14 through to final proposal and design for the Board
 15 much more quickly and provide a more -- some
 16 regular -- save a lot of the time that we spend on
 17 the Board here asking questions that could have been
 18 done before.
 19 I'm certainly happy to volunteer to lead
 20 that committee. I think it aligns a lot with my
 21 background. I've done several investment committees
 22 through my career in terms of that. That is my
 23 thought.
 24 I think in regards to Mr. Holman's
 25 proposals on the golf committee, I think they're --

153

1 I think an outline that sound laudable. I think we
 2 need to be very careful. I think once you start
 3 seeing assisting staff and directing staff, I think
 4 you're starting to get into micromanagement, which
 5 seems to be the phrase of the moment. I think if
 6 you've got a committee assisting staff and running
 7 the business, who's responsible when something goes
 8 wrong? I think we need to be very mindful of that.
 9 I think we can refine the purpose stated
 10 here, but I think we need to be very careful it's
 11 not just turning something over. And, again, if it
 12 was just all golfers represented in the committee,
 13 I'm sure we can get some great, wonderful proposals
 14 for golfers, but we need to look at the impact, the
 15 wider impact.
 16 I think there's some positive points that,
 17 Mr. Holman's proposal, we can take, but I don't --
 18 it's -- I don't see these committees as interfering
 19 with staff or assisting staff in terms of actually
 20 running the operation, which is what it sounded
 21 like.
 22 CHAIR DENT: I do like the email received
 23 with the, I guess, overall goal. I think that's a
 24 good goal to plug in there for the golf committee.
 25 I do like the idea of having a capital improvement

154

1 committee, and also golf, and doing them
 2 simultaneously. I feel like if we wait too much
 3 longer, it'll be hard for us to start getting stuff
 4 back. And I think it's important, especially the
 5 golf committee to be observing and seeing what's
 6 going on now so they can then report back to us at
 7 the end of the year the process that was put in
 8 place a few years ago and the recommendations that
 9 past boards got from the golf committee, they were
 10 very helpful.
 11 And I think with, not only that committee,
 12 but other committees, taking the recommendations we
 13 get could help move us forward. That was the reason
 14 why I was an advocate of bringing back the golf
 15 committee earlier this year, and at least the
 16 recommendations. I wasn't aware that it even went
 17 away, so I'm excited for that. But I definitely
 18 think both need to go simultaneously.
 19 To address your point when it comes to
 20 Snowflake Lodge or even some of these other ones,
 21 Incline Beach House and stuff, I feel like a lot of
 22 that, by putting committees in place with those, in
 23 a way could slow down that process. And I almost
 24 would want to do something that may be a little bit
 25 more of a hybrid model or something that we saw when

155

1 it came to the Burnt Cedar pool, and there were a
 2 few people involved as the process was moving
 3 forward where there was a little bit of advisory on,
 4 hey, maybe we flip this around or do this. I think
 5 that's where we can add a lot of value to Snowflake
 6 Lodge or even the Incline Beach House, as we become
 7 a little bit more intimate with the design and the
 8 plan moving forward. They bring those
 9 recommendations to us. That could be very helpful.
 10 I like leaving those more of the general
 11 manager's advisory committees for that purpose.
 12 What else do we have on this item?
 13 TRUSTEE SCHMITZ: As it relates to the
 14 goal, I don't think that the beginning of the
 15 sentence should be included, but the ending of it, I
 16 like, and that would be: To formulate
 17 recommendations to the board related to optimizing
 18 all aspects of the golf operations, including growth
 19 revenues.
 20 I think that's what it is. It's
 21 clarifying you're formulating recommendations to the
 22 Board on those things. So if you're okay with that,
 23 that would clarify it.
 24 From my perspective, the capital
 25 investment committee, I guess I'm seeing them as

156

1 helping us to create a plan of all of the capital.
 2 So whether it's tennis, major improvements at the
 3 tennis courts, Snowflake Lodge, or the Incline Beach
 4 House is how did we effectively plan that out and
 5 schedule it, because there's only so much that can
 6 be done. That's where at the beginning when I
 7 talked about looking at our five-year plan and what
 8 needs to be done to say, look, all of those things
 9 are sitting on our plan, these are our priorities,
 10 but from an implementation perspective, how can we
 11 actually deliver on these projects and have a really
 12 good road map so that we can start ticking things
 13 off? Because it seems like sometimes we just jump
 14 from one thing to another. If we know this year
 15 we're going to do this, this year we're going to do
 16 this, it helps us to have a road map because we need
 17 to work on Snowflake Lodge, we need to work on the
 18 tennis courts, we need to work on the Beach House.
 19 But how do we fit all of those things together, and
 20 what's the timing that needs to be done?
 21 So, I would see all those things should be
 22 addressed as part of that capital investment
 23 committee.
 24 TRUSTEE TULLOCH: Yeah, I think that's a
 25 great point is looking at what it is, and make sure

157

1 that it's not just the group that sheds light.
2 They're prioritized in terms of the strategic plan
3 and where it goes, and also what's doable and what
4 the financial impacts are.
5 I think one of my frustrations as a board
6 member in six months has been we lose a lot of time,
7 proposals come in from staff, and then going back.
8 And we go back and forth and we miss the
9 construction season. I would have thought, based on
10 the guidance from the board last year, we would be
11 breaking ground on the Beach House project by now.
12 I see this as a good way cut out a lot of
13 wasted time with two weeks between Board meetings,
14 if something comes back and there's changes
15 required, there's more changes, it could be a six-
16 to eight-week process, and we lose time.
17 For a venue manager, I see General Manager
18 Bandelin nodding his head there. I know Mike gets
19 the same frustrations. If we look at the time it
20 took to get the RFID project approved and in place
21 and then we ended up missing it for the half the
22 season.
23 I would see the capital committee as being
24 a way to make sure most of these questions are
25 actually answered before it comes to the Board so

159

1 draft something up for us to bring back?
2 MR. NELSON: I think I have enough
3 information, provided the Board's comfortable with
4 the balance of what's on 1006 that we haven't really
5 discussed as far as how many people are on the
6 committee, talk a little bit about terms. Those are
7 the nuts and bolts that -- assuming we're good with
8 this, I can bring something back.
9 TRUSTEE TULLOCH: I'm happy volunteer to
10 work with general counsel on the capital investment
11 committee and refine the charter for that.
12 CHAIR DENT: Would it be a different
13 charter for each committee? Is that where you're
14 going or just a general --
15 MR. NELSON: I was thinking we will want
16 one for each committee, but then we also will want
17 general rules that apply. And you'll remember, we
18 have a little bit of guidance in this in, I think,
19 3.1. So we will try to build on that as much as
20 possible. We don't want a bunch of different rules
21 for different types of committees.
22 CHAIR DENT: Fair. I like that idea.
23 TRUSTEE SCHMITZ: I would like for us to
24 advertise for these so that we can get these moving
25 forward. And I'm comfortable if Trustee Tulloch

158

1 it's much easier for the Board to make a decision,
2 whether it's a sensible investment, whether we want
3 to move ahead with it. I would see it as being able
4 to reduce the time to breaking ground, if you like.
5 CHAIR DENT: Is there any conflict for,
6 let's say, community members to sit on multiple
7 committees, or even the audit committee and sit on
8 something like this? Do we just need to put some
9 guidelines in here as it relates to that?
10 MR. NELSON: That's pretty much up to the
11 Board's discretion. That would be my only comment.
12 However the Board wants to move forward, and you
13 could even authorize staff to start advertising for
14 these committees this evening.
15 I would recommend we bring back, taking
16 the direction we received this evening, some charter
17 or policy or resolution that outlines sort of the
18 guidelines that are going to apply to each of these
19 committees. Because, as we've seen with the audit
20 committee and others, inevitably, as they try to
21 implement things, things come up, and we want to
22 give them guidelines as to how we expect them to
23 operate.
24 CHAIR DENT: What do you need from us on
25 that? Or do have enough information to kind of

160

1 would like to take the lead on the capital
2 investment committee. And I would like to nominate
3 Trustee Dent to work on the golf committee.
4 TRUSTEE NOBLE: I know Trustee Tonking is
5 the liaison, and she had requested to be on this
6 one. I think she would be a good trustee for golf
7 in this instance. I think you have plenty on your
8 plate, and there's other -- I think Trustee Tonking
9 would be appropriate in this instance.
10 CHAIR DENT: I will respectfully decline
11 for the golf committee, but I appreciate that. I do
12 have a lot going on.
13 Is anyone else interested in being on the
14 golf committee? Okay. If not, then we would assume
15 it would be Trustee Tonking. Yeah. That's fine.
16 Legal, do you need anything else from us?
17 MR. NELSON: Nope. I'm comfortable with
18 the direction. Of course, if the Board would prefer
19 a motion, you can. If not, we'll start advertising
20 for two committees, and I'll work with Trustee
21 Tonking on the golf charter and Trustee Tulloch on
22 the capital improvement investment to be brought
23 back for the Board's consideration and approval.
24 CHAIR DENT: And then did you say we do
25 need to make a motion or we don't?

161

1 MR. NELSON: We don't. Unless you'd like
 2 to.
 3 CHAIR DENT: We're good. We'll pass.
 4 That closes out item G 5. Moving on to item G 6,
 5 formerly G 5.
 6 G 6.
 7 CHAIR DENT: Review, discuss, and possibly
 8 provide direction on Board meeting minutes.
 9 Requesting trustee Trustee Schmitz. And I think
 10 this was put on the agenda by accident, but we came
 11 up with a reason why we're discussing this tonight.
 12 TRUSTEE SCHMITZ: Thank you. I believe
 13 that Ms. Herron has shared with me in the past what
 14 we are delivered from our meeting minutes from the
 15 court reporter, and I believe there's something
 16 called a "condensed version," and it isn't anything
 17 other than multiple pages on one page. Given how
 18 large this font is, you know, I read these, I find
 19 them easy to read, but it's heck of a lot of paper.
 20 If we could use the condensed version, as long as
 21 it's legible, I think that would greatly reduce the
 22 paper, because they are what they are at this moment
 23 in time, but that's my suggestion.
 24 CHAIR DENT: The suggestion is to use the
 25 meeting minutes that have two or four pages? Okay.

162

1 TRUSTEE SCHMITZ: It's actually called --
 2 on their invoice, it actually is called the
 3 "condensed version." And so I believe they send to
 4 staff this version and then the condensed version.
 5 And if the condensed version is legible in print and
 6 it's much less paper, I would suggest that.
 7 CHAIR DENT: That would be half or a
 8 quarter of this 654 pages for meeting minutes. All
 9 right. Is there anything else to discuss on this
 10 item?
 11 All right. As far as direction, Josh?
 12 MR. NELSON: No. I was getting ready for
 13 the next one. I'm sorry.
 14 CHAIR DENT: All right. So I think we
 15 will go to Ms. Herron, general manager, see if we
 16 can put the condensed version in here, and that will
 17 close out item G 5. Moving on to item G 6.
 18 G 6.
 19 CHAIR DENT: Reconsider Policy 22.1.0,
 20 disclosure of external entity involvement, discuss,
 21 and potentially adopt edits to Policy 22.1.0,
 22 potentially suspend Policy 22.1.0 as the Board of
 23 Trustees considers potential edits. Requesting
 24 staff member District General Counsel Josh Nelson.
 25 Found on pages 1082 to 1082 of your board packet.

163

1 Legal counsel?
 2 MR. NELSON: Policy 22.1 does require
 3 disclosure of internal/external entity involvement.
 4 That was adopted earlier this year.
 5 The policy provides that qualifying
 6 trustees, audit committee members, and staff need to
 7 disclose their involvement in certain entities,
 8 those disclosures are filed quarterly, and the first
 9 report on the policy is actually due in a couple of
 10 days on July 15th.
 11 Staff distributed the draft disclosure
 12 forms in accordance with the policy. We received
 13 some concerns from some required filers. Those
 14 concerns are set forth in a little bit more detail
 15 in the staff report, but just generally, we would
 16 say they could be summarized as concerns the policy,
 17 as drafted, requires disclosure of entities that may
 18 not have a connection to IVGID.
 19 That those concerns, I think, echoed some
 20 of the considerations the Board discussed when you
 21 were considering the initial policy. For that
 22 reason, I sent out a note to the Board asking if
 23 anyone was interested in reconsidering the policy.
 24 As a reminder, under Policy 3.1, reconsidering any
 25 item that's gone to the Board within the six months

164

1 of its consideration requires a written request from
 2 two trustees. And I received requests from Trustees
 3 Tonking and Noble, so it is on the agenda for this
 4 evening.
 5 In addition to the requests about the BRET
 6 and types of entities that need to be disclosed, I
 7 wanted to make sure the Board was aware that there
 8 actually was a bill that was ultimately adopted by
 9 the legislature this year that would have
 10 prohibited, in part, local governments from
 11 requiring members or those who have donated funds to
 12 non-profits to disclose their identity, and would
 13 have made that information not a public record.
 14 You'll remember that the policy requires all
 15 disclosures to be public record.
 16 So, stated simply, if this bill had become
 17 law, our policy would have been inconsistent with
 18 it. The Governor ultimately vetoed that bill, so it
 19 is not law. I want to clarify. That being said, I
 20 think it does raise public policy considerations
 21 that if the Board was to reconsider the policy, I
 22 wanted to make sure you were aware of so you can
 23 consider.
 24 So this -- you have a lot of discretion as
 25 to how to move forward this evening. The first

165

1 thing you could do is make no changes to the policy
2 and continue as is. The second is you could
3 consider the proposed edits, which we've included
4 for your consideration, and I'll go through those in
5 a second. Or a third, you could decide this
6 requires a little bit more discussion, so why don't
7 we suspend the policy, and then give us direction as
8 to how you would like to see future edits brought
9 back at a meeting down the road.

10 For the second item, we have included red
11 lines in the packet which make changes. You could
12 consider all or any of those red lines. The first
13 proposed type of red line would be to limit the
14 geographic location in which qualifying groups are
15 located in. I want to emphasize as set forth in the
16 red lines, it isn't just those that are
17 headquartered in the local community. Rather, as
18 drafted, qualifying groups would be limited to those
19 entities that are located in, operated within, or
20 owner/lease property within the California/Nevada
21 counties that sort of comprise the Reno/Tahoe area.

22 The second potential type of edit or red
23 line for the Board to consider would be providing
24 more clarity as to the types of groups that are
25 qualified for disclosure under the policy.

167

1 questions.

2 CHAIR DENT: Any questions?

3 TRUSTEE SCHMITZ: I have a question. In
4 the paragraph where it talks about sole proprietors
5 that are located in or operate on, operating on
6 doesn't necessarily insinuate influence, because
7 with things being online, is it -- could we also add
8 that there would be, you know, having the ability to
9 influence in these locations? I just don't know
10 "operating on," that's like a physical place, but we
11 have a lot of things that are potentially on the
12 internet, they're not operating on anything.
13 They're out there, but they potentially could have
14 influence on our area and on our community.

15 So, that's sort of one of my questions.
16 Because this is looking very physical, like it's
17 located or operating on, but sometimes there's
18 things that can have an influence on our community
19 that -- via internet question there.

20 Then my only other question is, and I can
21 only use this as an example, I believe that our
22 former general manager was identified as a community
23 liaison for a non-profit. How does that -- how does
24 a community liaison fit in? Is that an officer? I
25 don't think it is. So, that's the only other

166

1 Previously, we had a very broad, very broad
2 definition of that, which included associations,
3 businesses, or entities, however organized. There
4 was some concerns that that could include things
5 like personal trusts that own property. It could
6 include employer stock program. It could include
7 potentially one person's clients. So as drafted, it
8 would be limited to corporations, limited liability
9 companies, partnerships, and sole proprietors/sole
10 proprietorships.

11 Then the last potential modification
12 consistent with the bill that would have been
13 proposed and considered by the legislature would
14 exclude members and would focus on those who have an
15 ownership interest, employees, or an officer of a
16 qualifying group.

17 And then the last consideration is just a
18 timing one. If you do decide to make edits to the
19 policy, would request that you either suspend the
20 policy, or if you adopt edits this evening for this
21 quarter only, disclosure forms would be due at the
22 end of the month, as opposed to July 15th, just to
23 provide folks an opportunity to get their form and
24 submit in time.

25 With that, I'd be happy to answer any

168

1 question I have.

2 MR. NELSON: Yeah, community liaison, it
3 would depend on how the organization is set up
4 whether it would be an officer. But that's
5 certainly one we could add as a red line, if we
6 wanted to call that out specifically given the
7 concerns we ran into with that type of issue. That
8 would be a very easy add-on on that one.

9 Influence, we can certainly add that. I
10 guess my only hesitation would just be that could be
11 a difficult term to interpret or apply, depending on
12 the type of entity and the situation it was. We can
13 try influence or we might try to think and
14 brainstorm some other language that I think would
15 get to the point. Maybe doing business in or could
16 do business in, something like that, or market
17 themselves as. Language to that effect might get us
18 there.

19 TRUSTEE SCHMITZ: I'm open to the
20 language. I was really trying to understand or
21 explain the intent. And when I see where it's
22 things like physical, sometimes it's not physical.

23 MR. NELSON: No. It's a good point.

24 TRUSTEE NOBLE: I do like the suggestion
25 of, instead of operate on, does business in. I

169

1 think it goes to what I think the majority of the
 2 Board is getting at when adopting this. I would
 3 think community liaison or something like that would
 4 also be appropriate.
 5 It's something more than just a member.
 6 It's somebody who has influence, and I think that's
 7 also what the majority of the -- the intent of the
 8 majority of the Board in putting this together.
 9 TRUSTEE TULLOCH: Yeah, I'm a little bit
 10 confused. I've got deja vu here and a bit confused.
 11 We seem to be revisiting discussions we've had.
 12 We've had about three board meetings discussing
 13 several things here. You're suggesting changes to
 14 comply with a law that was actually vetoed and
 15 things.
 16 I think with regard to the geographical
 17 restriction, I think we hashed that out pretty
 18 thoroughly at a previous board meeting, because we
 19 deal with national contracts with companies and
 20 things, and this would completely remove some of
 21 these things. I think we made that -- we left it
 22 wide open to cover that situation.
 23 MR. NELSON: A couple of responses. I
 24 think the last -- your last point. A national
 25 company that was doing business in, the area would

171

1 we've heard various things, we covered it in the
 2 FAQ. Talks about ethics complaints, about people
 3 not disclosing things. I think that message from
 4 the public was loud and clear, well, we want people
 5 disclosing things. Now we're suggesting that we
 6 don't disclose things? It seems weird.
 7 MR. NELSON: Just a clarification, I'm not
 8 suggesting -- this isn't intended as a policy
 9 recommendation from me. I'm not a policy maker. It
 10 was for me to put something for the Board to react
 11 to on paper.
 12 I think if the issue is somebody who is
 13 advertising to do business in the area, but doesn't
 14 have a contract yet, I think there's language that
 15 we could propose to at least address that issue.
 16 And what I've seen in these types of situations in
 17 other context would be doing business or intending
 18 to do business. In that case, if you're advertising
 19 that you're doing -- making a proposal, you would be
 20 covered under that language.
 21 TRUSTEE TULLOCH: I wasn't suggesting
 22 you're making policy, Josh. I was thinking out
 23 loud. If we're talking of it, we hear all sorts of
 24 things in public comment that there's all sorts of
 25 secret deals going on, and people are indebted to

170

1 be covered, I think, either they operate under or
 2 doing business in. I think to your broader points,
 3 absolutely, this is reconsideration, and the reason
 4 it's being reconsidered is because when we sent out
 5 the forms, we received some pretty strong pushback
 6 from some folks who were filers. They provided some
 7 specific examples of types of interests that they
 8 didn't feel needed to be disclosed.
 9 I felt that they were good points, and I
 10 wanted the Board have the opportunity to reconsider
 11 its policy.
 12 I would go back to the comments I made at
 13 the beginning that one option you have is to do
 14 absolutely nothing, and the only reason this is
 15 before you is because I sent the request: Do you
 16 want to reconsider this out?
 17 And per 3.1, I received two requests to do
 18 so.
 19 TRUSTEE TULLOCH: In terms of doing
 20 business and somebody could be bidding on a project
 21 here, but not currently doing business. You can
 22 certain have that. I mean, unless they are actually
 23 physically already doing business, that could be
 24 excluded.
 25 I think we've also heard from the public,

172

1 other people and other things.
 2 I mean, I'm for transparency in terms of
 3 this, so I'm not sure why we would then restrict it.
 4 I thought we hashed all that through.
 5 In terms -- once you start trying to write
 6 language to try and cover these different situations
 7 and try to do all sorts of carve outs, you end up
 8 with errors of omission in terms of that. That's
 9 why I prefer the broader language we had originally.
 10 CHAIR DENT: Okay. Anyone else?
 11 TRUSTEE SCHMITZ: I have a proposal:
 12 Instead of saying "operating on," if we could say
 13 "doing or intending to operate in." I started out
 14 with "doing" because it was going to be business, so
 15 doing doesn't work. But it's intending to operate
 16 in. Operating in or intending to operate in, that
 17 doesn't imply physical locale; right? The word "in"
 18 instead of "on," does that make sense? Because I
 19 understand being business, I understand intending to
 20 do business. Does that work?
 21 And I think this is the same language that
 22 we nixed the last time. It is. But when I looked
 23 at the examples that were being provided, it made
 24 sense. So as long as we're saying they -- if
 25 they're having any influence in our geography, in

173

1 some way or another, they would be covered by this.
 2 I was one of them who wanted the locations
 3 removed, but I'm understanding the impacts. And, to
 4 me, as long as we've got things where it's clear
 5 that if they're doing things here in any way and we
 6 left it open enough that it went to Placer County,
 7 it is more than just physically here in Incline
 8 Village/Crystal Bay, it includes Placer County, El
 9 Dorado County.
 10 So, I guess I felt a little comfortable
 11 because of that, and the fact that we're talking
 12 about having an influence in this community.
 13 TRUSTEE TULLOCH: Yeah, I think, perhaps
 14 Josh can explain how you can define intent. It
 15 becomes a very subjective phrase.
 16 MR. NELSON: Yeah, it is. And the way you
 17 look at it is it's sort of indicia of intent. And I
 18 was proposing that language based on the example
 19 that was put forward, which I thought was a good
 20 one, which is somebody who is about to open an
 21 office in an area and doesn't have a single
 22 contract, but they're in the process of getting a
 23 business license, making proposals, negotiating
 24 contracts, that would be intent.
 25 CHAIR DENT: Could we go back to the

174

1 specific -- could you list off the specific examples
 2 as to why this is being brought back?
 3 MR. NELSON: Sure. Those examples -- just
 4 for those folks following along -- are on page 1080,
 5 the second paragraph under background, the third
 6 sentence. And some of the examples that we listed
 7 in there are not intended to be exhaustive, but I
 8 thought they were good ones to give flavor,
 9 partnership to purchase a foreign vacation home,
 10 trust form to hold personal residences, interest in
 11 employers stock pension programs, clients located in
 12 other states.
 13 CHAIR DENT: I just wanted to circle back.
 14 Thanks.
 15 TRUSTEE TULLOCH: Perhaps maybe I've
 16 missing something. I didn't see anything in the
 17 language that would require you to disclose
 18 participation in an employer stock options scheme.
 19 Perhaps you could explain why that's covered.
 20 MR. NELSON: I think -- well, I don't
 21 think it was our intent to cover that. I think what
 22 was brought out by the person who raised this was
 23 the breadth of the definition of a qualifying group,
 24 and the fact it applied to all association,
 25 business, or entities, however organized. And if

175

1 someone had an interest, a financial interest in
 2 that type of entity or group, it's possible it could
 3 be included, given how broad that was.
 4 I think that concern is at least partially
 5 addressed by the definition or adding additional
 6 clarity as to what types of groups qualify, which we
 7 haven't talked about, we've been more focused on the
 8 geographic issue, but that's where that came from.
 9 TRUSTEE TULLOCH: But if somebody's
 10 participating in an employer stock option scheme,
 11 wouldn't they be declaring their employment already?
 12 So that would already be -- still be covered.
 13 MR. NELSON: Yeah. But I think this was a
 14 pension program which may have investments that are
 15 not anywhere near where we're located. But, you
 16 know, we're located in other areas, not necessarily
 17 just the company itself that created the pension
 18 program, if that makes sense.
 19 CHAIR DENT: Any other questions? What
 20 does the Board want to do with this item?
 21 TRUSTEE SCHMITZ: I'll make a motion that
 22 the Board approves the revisions to Policy 22.1.0,
 23 disclosure of community groups, with the language
 24 modifications, changing the word "operating on" to
 25 "operating or intending to operate in," and adding

176

1 to the list of qualifying groups to include
 2 community liaison.
 3 CHAIR DENT: Okay. Motion's been made.
 4 Is there a second?
 5 TRUSTEE NOBLE: Second.
 6 CHAIR DENT: Motion's been made and
 7 seconded. Any further discussion by the Board?
 8 All right. Seeing none, I'll call for the
 9 question. All those in favor, state aye.
 10 TRUSTEE NOBLE: Aye.
 11 TRUSTEE SCHMITZ: Aye.
 12 CHAIR DENT: Aye.
 13 Opposed?
 14 TRUSTEE TULLOCH: Nay.
 15 CHAIR DENT: Motion passes three to one.
 16 That will close out item G 6 -- or G 7. Moving on
 17 to item H 1.
 18 H. REDACTIONS FOR PENDING PUBLIC RECORDS REQUESTS
 19 CHAIR DENT: We do not have anything in
 20 the packet, I believe, Josh, on each one?
 21 MR. NELSON: That's correct. There are no
 22 redactions this evening.
 23 CHAIR DENT: Moving on to item I 1.
 24 I. LONG RANGE CALENDAR
 25 CHAIR DENT: Long range calendar, pages

177

1 1083 through 1087 of your board packet.
 2 MR. BANDELIN: Thank you. On July 26th, I
 3 think I was listening that we would bring back
 4 director of HR, and talk about the general manager
 5 recruitment process.
 6 Then I would just like to say, I had the
 7 privilege of sitting in the dog park committee
 8 yesterday afternoon for quite some time, and they
 9 will be bringing back that report.
 10 Then I don't think I need to sit here and
 11 list all the other items that are on the 26th. We
 12 will go through -- as you can see as you go down the
 13 list, through August we get kind of slim, but I can
 14 tell you that there will probably be some other
 15 reports. I know that I'll have a couple items from
 16 ski on August 9th, of consideration for capital
 17 procurement of the Snowcat that is in the plan, and
 18 the 14-passenger van. So, there might be a couple
 19 of other items that pop up on the calendar.
 20 Any questions about long range?
 21 MR. NELSON: I have an announcement. One
 22 of the items that is agendized for the July 26th
 23 meeting would be for the Board to consider the
 24 general counsel services, as our contract expires
 25 December 31st of 2023.

178

1 We -- earlier this week, we provided
 2 notice to the Board that we will be unable to serve
 3 as general counsel after the expiration of our
 4 current agreement.
 5 I just want to note how much of an honor
 6 it's been to serve as your general counsel for the
 7 past three years, and how much I personally have
 8 enjoyed working with the Board, each individual
 9 trustee, and all the staff members.
 10 I also want to emphasize, as I know
 11 there's been a lot of discussion in the community,
 12 this decision solely reflects an internal BBK
 13 decision based on personnel changes that we've
 14 experienced, and it is unrelated to any recent
 15 changes at IVGID.
 16 To that end, we're providing this notice
 17 now simply based on a decision to agendize the
 18 consideration of a potential extension of our
 19 agreement for the July 26th meeting, and to ensure
 20 that the District had adequate time to select a
 21 replacement.
 22 We are committed to honoring the term of
 23 our agreement, but certainly would be willing to
 24 step down earlier if a replacement firm is
 25 identified before that time.

179

1 Just, ultimately, we and I are completely
 2 committed to ensuring a seamless transition to the
 3 new general counsel under the timeline and terms
 4 directed by the Board.
 5 And just, again, would like to thank the
 6 Board and staff for the opportunity to serve as your
 7 general counsel the past three years.
 8 Thank you.
 9 CHAIR DENT: General Manager, could we
 10 bring back an RFQ for approval for legal counsel?
 11 Thank you.
 12 TRUSTEE SCHMITZ: I don't see the skate
 13 park. I thought the skate park was supposed to come
 14 back.
 15 CHAIR DENT: I thought we were bringing it
 16 back the end of July or first meeting in August? I
 17 don't recall, but we could check with director
 18 Underwood on that. That definitely is something we
 19 need to bring back, and if there's --
 20 General Manager, if there's clarification
 21 we need on that in getting that in the packet or
 22 what that is, I'm happy to jump in on that.
 23 Any other items? I want to address one.
 24 The second item down, I don't know where all this
 25 language came from, but I don't anticipate noticing

180

1 any of the trustees as it relates to this item. I
 2 believe it's really important for us to have a
 3 HR/legal report as it relates to this hostile work
 4 environment slash micromanagement. And I think that
 5 is what we should be receiving from HR, a report on
 6 that, and that's why I earlier said we can hold off
 7 on that FAQ item until after that meeting. Just see
 8 it being more of a report to the Board with possible
 9 questions.
 10 Any other items?
 11 TRUSTEE TULLOCH: Yes. And one of the
 12 August meetings, we should have the Moss Adams final
 13 report come forward. I'd love to see it on August
 14 9th; I suspect it's more likely to be August the
 15 30th, based on the current schedule. We should add
 16 that to it.
 17 CHAIR DENT: Good idea. Anyone else have
 18 anything?
 19 TRUSTEE SCHMITZ: Do we want to target
 20 anything in fall with Waste Management? Do we want
 21 to tag it?
 22 And then the other question I have for the
 23 Board is that we want to have, at some point in time
 24 -- it's not urgent, but do we want to have a
 25 discussion about this pricing pyramid and how it's

181

1 to be applied so that we have some element of
2 consistency and understanding? I don't see that as
3 being urgent, but I think it's something that we
4 should at least get on our calendar somewhere.
5 CHAIR DENT: I would say it's urgent as
6 staff starts to develop their budgets for next year,
7 and we know that does happen towards the end of this
8 year, even in the fall. I think it's important that
9 we would have something like that, say, maybe a
10 September. If it needs to come back earlier or a
11 little be pushed off, I don't think we need to be
12 set to that.
13 But, General Manager, we'll let you bring
14 that back as need be.
15 I think it's important for us to weigh-in
16 on that.
17 TRUSTEE SCHMITZ: The agenda item for --
18 the second agenda item, then, that you were just
19 discussing, that is going to be an agenda item
20 that's being brought forward by HR and legal?
21 CHAIR DENT: Yes.
22 TRUSTEE SCHMITZ: Okay.
23 TRUSTEE TULLOCH: Something we discussed
24 earlier, and General Manager Bandelin had an
25 excellent response to it in terms of the Board's

183

1 issues that are out there, whether it's the
2 elementary school or some of these.
3 We talked about it earlier this year, and
4 we know there's some of these big items out there
5 that are being considered by other agencies that a
6 huge portion of our community is either in favor of
7 or against, and I think we could stand behind and
8 make a statement from the Board level that would be
9 very beneficial in that process.
10 So, I'd like to see us bring something
11 like that back. And I know there was a whole list
12 of items that we were considering potentially
13 touching on. So, maybe we revisit that in the next
14 long range calendar or whoever, I know a few
15 trustees were drafting stuff like that, potentially
16 those come up at a future meeting.
17 That will close out Board of Trustees
18 Update. Final public comment, item K.
19 K. FINAL PUBLIC COMMENTS
20 MR. HOLMAN: Mick Holman, Incline Village.
21 I made some public comments earlier about
22 the topic on frequently asked questions. You chose
23 not to take my counsel on dropping it, and that's
24 fine, you're the trustees, that's your view. But
25 there are consequences of moving down that way, and

182

1 strategy and discussing the strategy. We should
2 pencil that in, the Moss Adams report, probably the
3 end of September, start of October, so we can review
4 the overall strategic plan.
5 TRUSTEE SCHMITZ: We also need to put on
6 our calendar the appointments to the committees. I
7 would think that -- I don't know whether it's
8 realistic by August 9th. We could tag it for August
9 9th.
10 CHAIR DENT: It could definitely be a
11 business item to appoint committee members. I would
12 be really excited if we had community members
13 interested. We don't have a good success rate with
14 the prior committees. We get a few of them, and
15 thank you guys for serving, but there's always only
16 a few out there. Let's tag that for August 9th.
17 Anything else? I think that closes out
18 long range calendar. Item J.
19 J. BOARD OF TRUSTEES UPDATE
20 CHAIR DENT: Any updates? All right.
21 Seeing none, I'll just take the floor for a second.
22 This, under the long range calendar item, and I
23 think it's important, just came to me, I think we
24 should definitely reconsider or revisit the idea of
25 the Board writing a letter regarding some of these

184

1 I just want to make sure you're aware of those.
2 You've got to be balanced. You've got to
3 dispel, not just those vapid rumors that are
4 convenient to you, but you need to dispel all of
5 them. As we know, this community is split right
6 now, and the community views the Board as being
7 split in a three-to-two fashion. Those comments
8 today that were political in nature were largely in
9 one camp. And, you know, that's fine, but you need
10 to dispel the rumors on the order side of the
11 presentation as well.
12 I'll give you a couple of examples that I
13 would like you to add.
14 One being comments that Trustee Schmitz
15 made, and Tulloch doubled down on, on the \$4 million
16 operating loss on golf. Those are wrong. I know
17 that Trustee Schmitz tried to explain in a
18 subsequent meeting where those numbers came from. I
19 looked at that. It's wrong. Numbers were double
20 counted to come up to that 4 million. Let's dispel
21 that.
22 I heard one of the community members
23 making salacious comments about a lady in the
24 audience that does business with the District and
25 accusing her of ripping off the District. You guys

185

1 hire her, and you've been hiring her for years. You
2 need to dispel that rumor, that you're getting value
3 for what she's providing.
4 Another one that I was involved with, the
5 rumor that the golf clubs are taking all of the
6 prime-time slots. I prepared a sheet going through
7 every single day of the season showing you that the
8 golf clubs, which comprise about 50 percent of the
9 golfers in the community, taking somewhere in the 30
10 to 35 percent range of the tee timings. That was
11 subsequently raised to show a narrower slice of the
12 season, but that was still about 40 percent. Okay?
13 Underrepresented. That rumor needs to be dispelled.
14 You need to think about who is going to
15 police this. You got all sorts of trash going on on
16 social media, people spreading false, on both sides.
17 Okay? Someone needs to monitor that. Who's going
18 to do that? You need to think about this. Who's
19 going to fact-check all the comments in these public
20 meetings? And there's a lot of lies in these public
21 meetings that come up. Someone's got to take
22 responsibility for that.
23 So if you're going to go down that path,
24 fine. Be balanced so both sides -- and you need to
25 be diligent. It needs to be complete. This is a

187

1 create revenue there.
2 My background, Bill (inaudible)'s
3 background is business, this is something we talk
4 about all the time, the potential for revenue there.
5 So, I would just urge you to reconsider
6 and, perhaps, put that committee together at the
7 same time you go golf.
8 Appreciate it. Thank you.
9 MS. SHACKFORD: I was deeply relieved in
10 reading question number 4 on the Board of Trustees
11 frequently asked questions, to see the Board does
12 not intend to privatize our recreational venues.
13 However, such a statement is completely meaningless
14 unless also backed up by some kind of permanently
15 visible memorandum of understanding. Such a
16 documents could be signed by each trustee,
17 confirming that you recognize that being the case
18 recognize our recreational venues are legitimately
19 the responsibility of IVGID, but they are first and
20 foremost for the enjoyment of community members, and
21 that in your tenure on the Board, you would never
22 ask for a study of or approve the privatizing or
23 outsourcing of any of our recreational venues or
24 otherwise invite an outside agency to take
25 managerial and/or financial control of any of these

186

1 big undertaking. And I agree with Dave, you're
2 heading down a rabbit hole. You haven't agreed to
3 anything yet, you have time to back out.
4 MR. CLING: The logic you used for the
5 necessity for a committee -- an advisory committee
6 on golf, and I may have this wrong, I believe, in
7 essence, you were saying that we need to get started
8 by December because it's a spring sport, because of
9 the season. I urge you to apply the same logic to a
10 tennis committee. It's the same thing here, and I
11 believe that -- right now, there's an informal
12 group, four or five people, who have taken that
13 role, and I believe that had we not, we wouldn't be
14 aware of the condition of the tennis courts.
15 If you look at the numbers of tennis and
16 pickleball, the participation is up there. There
17 more people coming last year than the year before,
18 we had COVID, but more people coming this year than
19 next year. And pickleball and tennis are like
20 competitive siblings. They're fighting for court
21 space right now. There's some inherent conflicts,
22 but with this group, we have worked through it. And
23 if we wait to put that committee together formally
24 until later, we're going to miss out on -- I believe
25 we're going to miss out on a lot of opportunities to

188

1 venues.
2 I've listed below my public comment, a
3 suggested draft, of such a memorandum of
4 understanding. I respectfully ask that a member of
5 the Board officially request the drafting and
6 signing such MOU be agendized for an upcoming
7 meeting of the Board of Trustees, so the five
8 trustees can approve the wording, each trustee can
9 sign his or her name on it as being a hundred
10 percent in agreement, and so it can then be posted
11 permanently on IVGID's website.
12 Should such an MOU not be discussed,
13 agreed upon, and individually and collectively signed,
14 such a statement on the frequently asked questions
15 page about question 4 is, as I mentioned, completely
16 meaningless, so please do the right thing.
17 Thank you.
18 CHAIR DENT: Matt, can go to Zoom?
19 MR. WRIGHT: Frank Wright, Crystal Bay.
20 Just to play off what I said earlier, the
21 fantasy fanatics that have come up with statements
22 on social media that are just not true, and then
23 after a couple of months, they become true in the
24 minds of people like Mary Becker, Alice McDonald,
25 and many others that are on there that just keep

189

1 rashing the same stuff over and over and over. It's
2 a lie to begin with. Myles Riner is one of the
3 worst at it. He just makes stuff up, and then a
4 couple days later, somebody on social media will
5 say, wow, that's really sounding good. Let's use
6 that.

7 Well, all these things that made its way
8 into the petition that are going after to the
9 trustees, totally, totally inaccurate information.
10 It's wrong. It's so wrong.

11 And these people that are on these social
12 media sites that actually believe the stuff that's
13 (inaudible) and comes through with reality at the
14 end, it's not real. It's all phony.

15 Some -- Alice McDonald calls me David M.
16 David M is David Mitchell, he runs another website.
17 Mary Becker keeps calling me David M. I'm not David
18 M; I'm Frank Wright. I'm always me. I always
19 acknowledge who I am.

20 Stuff like this has just got to stop. And
21 these people have to look at what the Board is
22 trying to do to make things better here. And for a
23 long time, things haven't been very good here.
24 They've been very bad.

25 Previous speaker just now sat there and

191

1 occur when relying on oral contracts.

2 Indeed, the English legal system of the
3 time suffered from a lack of written evidence. The
4 courts were clogged with lawsuits, and cases were
5 often settled by professional witnessed who were
6 paid for their testimony. Perjury and corruption
7 became the norm.

8 The purpose of the statute of frauds is to
9 prevent fraud or other injury. These purposes are
10 often described as being evidentiary or cautionary.
11 The evidentiary function is to provided
12 documentation that a legal, binding agreement
13 exists. The cautionary function is meant to make
14 each party more serious and deliberate in their
15 transactions.

16 The U.S. has adopted the statue of frauds.
17 Now, the intent or meaning of a subject means
18 nothing. The requirements must be within the four
19 coroners of a document, and only that proves what is
20 and what isn't.

21 Now, Mr. Noble, you need to brush up on
22 this because what intent or what your belief is
23 means absolutely nothing. It must be in writing.
24 And when we come to \$25 million, I would suggest it
25 be in writing.

190

1 told us that we need to follow his lead because he
2 knows everything and his numbers are always accurate
3 and always right. Well, you know, show me. Show me
4 the records. Show me the documentation that shows
5 these things are right. Show me that Ms. Schmitz
6 costs us \$25 million. Show me that in writing.
7 When you show me that, I'll believe, but you can't.
8 It's not in writing, never will be, never was. We
9 didn't have a donation for \$25 million, but they
10 keep saying it over and over and over again. It's
11 unbelievable.

12 Then Tim Callicrate with the petition.
13 You can't do it, Tim. It's a felony.

14 Thank you.

15 MR. DOBLER: Cliff Dobler, 995 Fairway.
16 Belief, intent, or written contract of \$25
17 million. I would like to introduce you to the
18 statue of frauds. The statute of frauds has its
19 roots in the active prevention of frauds and
20 perjuries, which was passed by the English
21 Parliament in 1677. The legislation, which
22 stipulated that a written contract be used for
23 transactions where a large amount of money was at
24 stake, aimed to prevent some of the
25 misunderstandings and fraudulent activities that can

192

1 Thank you very much.

2 MATT: There are no other callers in the
3 queue at this time.

4 CHAIR DENT: That will close public
5 comment.

6 L. ADJOURNMENT

7 CHAIR DENT: Our last item, it is 10:26.
8 I want to thank staff for staying a little bit later
9 tonight. We are adjourned.

10 (Meeting ended at 10:26 P.M.)
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1 STATE OF NEVADA)
2 COUNTY OF WASHOE) ss.

3

4 I, BRANDI ANN VIANNEY SMITH, do hereby
5 certify:

6 That I was present on July 12, 2023, at
7 the Public Meeting via Zoom, and took stenotype
8 notes of the proceedings entitled herein, and
9 thereafter transcribed the same into typewriting as
10 herein appears.

11 That the foregoing transcript is a full,
12 true, and correct transcription of my stenotype
13 notes of said proceedings consisting of 193 pages.

14 DATED: At Reno, Nevada, this 20th day of
15 July, 2023.

16

17 /s/ Brandi Ann Vianney Smith

18

19 BRANDI ANN VIANNEY SMITH

20

21

22

23

24

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\$	\$325 98:12	187:2	1076 43:25	14 92:22 126:18 129:5
\$1,000 82:14 101:25	\$35,000 27:23	<u>1</u>	1079 143:12	14-passenger 177:18
\$10 112:22	\$397,000 27:13	1 9:10 26:15,20, 21 36:12 37:1,3 41:24 114:19 126:12 129:2 176:17,23	1080 174:4	141-1895 29:2
\$100 100:9 101:25	\$4 184:15		1082 162:25	1437 13:10
\$102,513.34 27:18	\$4,000 27:18		1083 177:1	1480 130:9,11
\$117 125:7	\$5 44:6	1.1 119:7	1087 177:1	149 76:22
\$120,000 27:5	\$5,000 27:6	10 21:7 48:12 112:5 114:17	10:26 192:7,10	15 10:15 53:20 54:5 106:10
\$16 107:2	\$50 127:16	10- 107:25	11 11:25 44:20 53:12 54:8 57:18 65:9 114:17	15th 163:10 166:22
\$16,100 17:23	\$500 101:25 102:7	1000 130:7	11.1 53:17 54:8 60:22	16 55:5 58:17 59:4
\$160 98:20	\$53,000 27:22	1003 123:3 128:14	12 4:1,8 21:14 28:8 31:2 45:15 53:16 54:7 76:23 114:18 115:11 130:2	16-week 45:14
\$18 88:24	\$726,000 28:1	1004 143:12		1677 190:21
\$2,800 27:14	\$767 17:24	1006 150:8 159:4		1895 32:1
\$20,000 28:1	\$800 102:7	1007 148:5,6	120/48 112:20	193.130 24:6
\$25 14:3 114:20, 22 116:18,23 118:7,8 190:6, 9,16 191:24	\$900 82:13	1013 148:9	120/72 112:20	1975 46:5
	\$91 98:23 101:22 107:1	1016 148:10	12th 7:6 26:25	1988 18:20
	(1018 148:8	13 21:14 31:2 115:11 119:20	1992 46:7
\$27,000 27:8	((inaudible)'s	1040 148:5		

1995 44:3 46:8	2020 53:18	26 17:21	3022 22:7	40-play 108:1
1996 17:14	2021 27:23 45:6	26th 140:22 177:2,11,22 178:19	306.210 24:1	40-year 9:18
19th 96:15	2022 10:23 11:5 17:14 27:23 29:8 84:20 94:8	27th 10:23	30th 180:15	44 28:12
1st 53:18			31st 177:25	45 128:6,10
<hr/> 2 <hr/>	2022/'23 29:3	281A.520 22:2	32 45:21 55:2	4th 5:14
2 20:8 21:10 26:24 28:7,9 36:6,12 41:24, 25 63:18 70:16 76:1 114:19 116:7 121:5 122:17	2023 4:1,8 10:25 26:25 28:8 29:9 107:9 112:8 177:25	28th 7:16	321 7:8	<hr/> 5 <hr/>
20 29:17 48:16 126:22 130:6,8	21 17:21	290 49:9	33 86:18	5 20:16 26:23 81:15 142:17, 18 161:4,5 162:17
20- 107:25	22.1 163:2	2:00 30:2	35 9:11 185:10	5/0 94:10
2008 100:15	22.1.0 162:19, 21,22 175:22	<hr/> 3 <hr/>	<hr/> 4 <hr/>	5/13 107:15
2010 100:15	23/'24 33:14	3 8:22 36:12 43:10 63:18,19 76:2,17 80:1 122:16,21	4 13:12 20:16 22:10,22 26:11, 12 36:25 80:2 122:21,22 126:11,12 127:2 130:2 142:16 184:20 187:10 188:15	5/19/23 95:21
2011 100:15	23rd 17:1	3.1 159:19 163:24 170:17	4,000 18:21	50 10:8 38:4 88:10 185:8
2013/'14 136:18	24 9:6	3.1.0 22:12 143:9	4.5 44:6	50,000 27:2
2016 8:19 11:12 47:20	241 49:9	30 76:17 77:20 128:11 185:9	4/0 36:24 41:23	501 31:6,16
2017 70:24	24th 8:2 141:9	30- 9:18 108:1	40 37:25 76:18 77:21 185:12	515 5:10
	250 48:17	300 6:7		<hr/> 6 <hr/>
	25th 10:25 141:10			6 28:11 94:5

129:21 161:4,6 162:17,18 176:16	7:00 7:7	922 42:5	absolutely 25:25 39:20 64:22,23 72:22 73:12 75:4 87:23 88:3 115:5 116:13 137:10,12 149:17 170:3, 14 191:23	accident 161:10
60 38:4 77:22	7:18 63:16	986 42:5	abstain 5:24 71:1	accidentally 37:21
654 162:8	7:25 63:15	987 63:24	abstained 76:7	accomplish 85:17
6:00 4:1,7	7:28 63:16	990 63:25	abstaining 5:22 6:3,5	accordance 126:12 143:9 163:12
6th 17:2	<hr/> 8 <hr/>	991 123:3	absurdly 106:22	according 96:15
<hr/> 7 <hr/>	8 11:25 20:24 48:23 104:17 106:19 107:5	995 190:15	abundance 71:21	account 25:4 33:21 48:3
7 8:22 9:11 20:24 76:22 94:17 95:8,10 98:1 105:3,12 130:2 147:18 176:16	8.57 76:19	999 126:11	abuse 112:23	accuracy 30:7
7.5 101:9	81-year-old 19:1	9th 177:16 180:14 182:8,9, 16	accept 36:9,12 104:13	accurate 190:2
7/6 112:12	893 4:9	<hr/> A <hr/>	accepted 85:21 129:23	accusations 91:15
70 19:20	8:45 122:19	Aaron 22:6	accepting 114:20	accused 57:4 72:18 84:23
72/48 112:19	8:51 122:19	abbreviated 44:8	access 14:13 19:19 40:23 98:22 105:6	accusing 80:14 184:25
75 19:20 96:7	<hr/> 9 <hr/>	ability 23:10 103:11 167:8	acknowledge 7:21 189:19	achieve 150:17
767 18:21	9 48:19,20,21 49:1,3,4 107:6 143:10	able 33:9 35:16 69:5 74:23 79:14 98:19,25 152:12 158:3		
775-831-2971 50:2	917 37:6	above 46:6 48:19,20,21 49:3,4 58:8		
	921 37:7			

acknowledgement 87:5	85:1 86:15 88:13,21 91:10 93:24 97:14	addition 13:2 22:23 140:10 164:5	178:20	advert 125:5
acquisition 132:12	100:23 102:9 104:2 111:6 113:14,16,24 118:17 130:22	additional 44:6 45:9 46:1 47:11 54:15 58:17 74:7 100:25 124:3,9 144:1,3 175:5	adjourned 192:9	advertise 78:3,8 142:25 159:24
across 121:18	139:13 150:5 152:13 153:19 156:11 157:25	Additionally 7:12	ADJOURNMENT 192:6	advertising 158:13 160:19 171:13,18
act 151:22	162:1,2 163:9 164:8 169:14 170:22 189:12	additions 42:10 100:20	adjust 70:15	adverts 78:11
acting 28:10 34:18 123:5	Adams 33:7,19 34:2 148:17 180:12 182:2	address 13:11 38:10 43:16 61:11 64:4,5,11 66:5 69:22 74:23 77:2 79:6 84:6,12 87:17 89:6,24 91:7 93:11 101:20 122:12,14 143:19 154:19 171:15 179:23	adjusting 100:10	advice 24:24 26:1 132:16
action 28:15 95:4 112:12	add 34:2 39:25 41:6 46:19,22 47:17 58:3 68:16 73:19 79:2 92:22 100:11 101:11 103:24 105:15 119:24 137:16 149:16 151:3 155:5 167:7 168:5,9 180:15 184:13	addressed 66:20 70:24 90:8 156:22 175:5	adjustment 53:17,21	advise 145:17
actions 20:8,20, 23 21:21 32:23 33:3 85:25	add-on 168:8	addressing 14:12 65:14,17 66:14 68:2 70:1 90:6 93:22	administered 95:2	advisory 12:5 19:9 143:5,8,10 145:19 146:22 155:3,11 186:5
activate 43:8	added 22:8 40:10 47:13,14	adequate	administering 94:16 95:1,6,7	advocate 154:14
active 190:19	adding 18:24 124:9 144:1 175:5,25		administration 46:18	affect 16:8,9
actively 65:17			adopt 162:21 166:20	afoul 75:21
activities 190:25			adopted 163:4 164:8 191:16	after 48:4 65:10 84:5,9 151:2 178:3 180:7 188:23 189:8
actual 14:9 24:18			adopting 169:2	afternoon 129:1 177:8
actually 32:21 40:7 42:13 54:1,24 66:19 68:9 69:12 72:15 84:11,24			adult 7:12 10:18	afterwards
			advantage 59:1	

126:21	18,19	50:24 117:6	19:13,18 20:1	155:18 156:1,8,
again 22:17	agendas 147:22	121:18 178:4,	24:13,15,22	19,21 162:8,11,
37:20 38:5		19,23 188:10	25:4,8,21,22	14 164:14
45:22 46:3 54:4	agendize	191:12	26:17 27:18	165:12 171:23,
57:25 59:6 89:8	178:17	ahead 41:6	28:6 32:4,15,18	24 172:4,7
90:22 91:2 99:2		43:22 158:3	33:6 35:8 36:18	174:24 176:8,9
106:12 108:14	agendized	aide 29:15	38:12 40:11	177:11 178:9
109:8 112:17	177:22 188:6	aimed 190:24	41:18,23 44:5	179:24 182:20
113:6 124:10	agent 94:17	Air 18:6	46:14 47:17	184:4 185:5,15,
125:2 135:15	agent's 94:11	Airbnb 98:18	50:5,6 51:7,8	19 187:4 189:7,
146:22 153:11	aggregate 9:21	Airbus 18:5	55:11 57:20	14
179:5 190:10	ago 35:7,15	Airlines 18:6	58:6 60:5 62:1,	allegations 24:9
against 16:4	37:12 40:21	Airway 18:7	9 63:17 64:2	allegiance 4:12,
32:23 33:3 46:4	61:21 66:21	Alice 188:24	66:11,24 70:3,	13,14 6:6
73:6,16 88:13	85:1 107:25	189:15	5,14 71:17	
114:22 115:1	114:4 131:10	align 130:8,10	72:24 73:13	
183:7	139:24 148:16	143:18 147:7,8	74:9 76:1,13,16	
age 9:8	154:8	alignment 8:4	77:3 79:7,21	
	agree 61:18	12:8 146:25	80:1 81:13,17	alligations
agencies 45:13	77:14 79:1 81:3	aligns 152:20	82:4,5,18 83:5,	92:14
127:23,24	103:22 113:9	all 4:5 6:5,14	6 85:23 87:8	
133:2 135:6,23	114:15 120:15	12:22 14:7	89:10,20 90:7	allow 44:6,8
138:18 183:5	122:12 131:22	15:17 16:23	92:3,13 94:23	57:13 58:20
agency 27:25	137:15 151:25		97:10 101:15	115:14 116:5
136:6 187:24	186:1		103:6 107:4,9	132:5
	agreed 118:6		108:1,4,12	
agency's 91:8	186:2 188:13		110:14,18	allowed 42:13
	agreement		111:2,4,7,12,	120:4
agenda 5:17	29:20 33:9		22,23 112:1,5	
12:3 13:11	43:10 45:21		114:3,4,16	allows 61:2
22:11,22 26:8,			115:17 117:11,	115:22
9,11,12,16,17			20 118:1,11	
35:24 141:7			119:4 122:2,16,	almost 9:25
144:7 161:10			20 124:10	49:1 64:12
164:3 181:17,			128:7,24	154:23
			131:23 132:5	
			133:4,19 134:1	alone 18:13
			136:11 138:8	along 24:12,23
			140:13 141:20	
			142:5,9 146:10,	
			23 148:14	
			149:8 150:12,	
			19,20 153:12	

29:13,24 67:14 96:20 102:3 113:25 117:1, 18 174:4	88:22 128:9 182:15 189:18 190:2,3	another 32:25 35:14 99:8,14 104:10 117:7, 16 119:3 156:14 173:1 185:4 189:16	96:2,9,25 104:2 106:19 107:4 118:9 137:17 160:16 161:16 162:9 167:12 174:16 176:19 180:18,20 182:17 186:3	146:1,2 150:1
already 23:6 34:3 78:8 170:23 175:11, 12	amazing 25:25	answer's 109:16	Anytime 38:16	applied 90:11 113:22,24 174:24 181:1
also 14:3 15:2, 10 17:24 19:22 28:24 29:3,10 30:3 34:25 35:5 36:3 42:11,21 47:17 48:20 50:18,21 51:24 53:1,22 57:9 60:11,18 62:2 64:4,13 70:9 74:5 77:15 84:22 88:7,12 101:11,20 105:15 111:1 113:19 120:2 125:10 126:10 127:4,22,24 132:18 133:16 138:12 143:2 144:18 147:4 154:1 157:3 159:16 167:7 169:4,7 170:25 178:10 182:5 187:14	ambitious 151:21	answering 121:12	anyway 136:9	apply 44:22,23 146:2 158:18 159:17 168:11 186:9
amenities 93:7	American 18:6	answers 48:11, 17	anywhere 24:8, 20 38:4 84:16 85:14 137:2 175:15	appoint 15:8,14 142:22 182:11
amortize 44:9	amount 83:19 86:16 98:7 102:9 190:23	anticipate 58:22 179:25	apart 10:6 151:11	appointed 142:20,23 145:22
analogy 10:3	analysis 107:10	anticipated 44:5 76:21	apologize 37:15,18 38:6	appointments 146:4 182:6
and/or 5:8 14:8 29:15 187:25	ands 68:12	anybody 50:1 84:10 91:6 96:3 97:2	appear 56:5 85:3	appreciate 7:22 14:11 70:2 145:8 160:11 187:8
announcement 177:21	annual 13:1 27:5,6,25 28:25 29:11 53:21 81:22	anyone 16:4 67:3 70:14 82:16 106:8 112:15 160:13 163:23 172:10 180:17	appearance 46:9	approach 62:2 93:3 110:19
although 28:17 113:20	annually 98:7	anything 24:10 34:9 55:10 56:16,21 57:1, 21 58:7 70:6 74:2 75:13 76:1,7 80:16	appeared 37:24 113:20	approaching 10:7
always 38:1 43:4 47:23 49:5			applicable 40:13 146:25 147:7	appropriate 77:2,12 84:11 91:10 92:12 95:18 138:25 151:10 160:9 169:4

<p>approval 26:8,9 58:9 138:18 160:23 179:10</p> <p>approve 21:8 22:4 23:13 37:4 39:15,16 41:12 108:15 122:24 140:21 142:20 187:22 188:8</p> <p>approved 26:17 36:25 41:7 94:9 104:3 108:22 144:6,7 157:20</p> <p>approves 111:18 175:22</p> <p>approving 39:18 111:19</p> <p>April 30:16 82:1</p> <p>arbitrary 102:8 106:12</p> <p>area 27:20 79:18 165:21 167:14 169:25 171:13 173:21</p> <p>areas 120:4 142:13 175:16</p> <p>argument 99:14</p> <p>arguments 99:3</p>	<p>arise 79:4</p> <p>Arizona 8:19</p> <p>around 24:14 64:11 89:10 114:7 132:10 142:14 155:4</p> <p>Asia 13:14</p> <p>aspects 20:2 42:19 150:12 155:18</p> <p>assertion 23:1</p> <p>assessed 81:21</p> <p>Assessment 8:17</p> <p>asset 7:14 8:23 9:4 10:9 80:10 86:1,14 144:17</p> <p>assets 12:14,19 86:1 103:19</p> <p>assign 146:1 150:1</p> <p>assigned 145:24 147:11</p> <p>assignments 94:11,18</p>	<p>assist 20:1 24:2 140:14</p> <p>assistance 123:19</p> <p>assisting 150:11 153:3,6, 19</p> <p>association 174:24</p> <p>associations 166:2</p> <p>assume 17:10 160:14</p> <p>assuming 55:21 159:7</p> <p>at-large 142:25 145:22 146:14</p> <p>atop 86:17</p> <p>Attached 17:11</p> <p>attack 16:18 19:1,2</p> <p>attacked 17:2 25:16</p> <p>attempt 19:19 24:2 92:5</p>	<p>attend 10:25 18:22 39:6 68:22 69:3,5,9 70:6</p> <p>attendance 17:15 70:10</p> <p>attended 17:13</p> <p>attending 4:25 67:1</p> <p>attention 25:21</p> <p>attest 38:3</p> <p>audience 52:15 184:24</p> <p>audit 34:22 76:9 146:17 158:7, 19 163:6</p> <p>audited 30:19</p> <p>August 8:19 33:21 35:2 177:13,16 179:16 180:12, 13,14 182:8,16</p> <p>authorities 145:18</p> <p>authority 39:16 145:10</p>	<p>authorization 134:4</p> <p>authorize 122:25 142:25 158:13</p> <p>authorizing 132:7</p> <p>availability 21:3</p> <p>available 11:2 47:5 50:6 57:20,21</p> <p>average 17:23 44:24</p> <p>aviation 18:5</p> <p>avoid 14:1 99:25</p> <p>aware 62:7 71:16 72:5 73:7 74:2,18 79:10 95:22 116:12 154:16 164:7, 22 184:1 186:14</p> <p>away 6:15 16:6 23:8 44:15 131:16 154:17</p> <p>aye 36:19,20,21, 22,23 41:18,19,</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

20,21,22 176:9, 10,11,12	backed 187:14	base 9:21 29:18 128:22	157:11	157:25 170:15 178:25 186:17
<hr/> B <hr/>	background 139:11 152:21 174:5 187:2,3	based 18:15 76:4 127:7 138:2 146:2 157:9 173:18 178:13,17 180:15	beaches 6:20 13:24 16:5,6 95:13 100:23 103:12 106:8 131:6 144:21	began 11:4 134:23
back 6:2 8:15 31:23 35:12 37:9,10 41:3 54:4 57:15 60:1 63:1,5,15,17 67:7 68:11 76:8 82:1 84:4 86:20 87:8 89:12 90:22 91:5 93:2,21 97:19, 21 99:9 100:13 101:18 102:13 107:24 108:4, 21 109:6,8,23 110:25 112:13, 25 115:12 120:20 122:8 126:22 127:24 130:13 132:3 133:14 134:10, 17 136:18 137:5,22 138:9 140:17,21 142:11 151:12, 22 152:9 154:4, 6,14 157:7,8,14 158:15 159:1,8 160:23 165:9 170:12 173:25 174:2,13 177:3, 9 179:10,14,16, 19 181:10,14 183:11 186:3	backpacking 122:4	Basha 12:21	bear 139:22	begin 11:23 29:3 45:17 68:20 138:19 143:23 189:2
	backroom 110:9	basically 56:17 105:15 133:21 136:2 138:17 141:2 146:5 152:7	beautiful 10:4 49:20	beginning 33:13 51:9 53:17 118:16 155:14 156:6 170:13
	bad 91:4 189:24	basin 45:7	became 31:20 81:1 191:7	behind 30:15 183:7
	balance 159:4	basis 81:22 139:19	Becker 188:24 189:17	being 4:8 14:1 32:4,5 34:24 35:11 36:1 37:21 57:23 62:17 79:3 86:16 94:19 95:2 98:23 105:8 113:22, 24 115:24 125:18 129:8, 14 135:24 136:15 142:5 147:14 148:13 152:4,8,12 157:23 158:3 160:13 164:19 167:7 170:4 172:23 174:2 180:8 181:3,20 183:5 184:6,14
	balanced 184:2 185:24	basket 93:10	become 16:18 37:1 134:24 155:6 164:16 188:23	
	balances 73:14	Bay 23:23 173:8 188:19	becomes 173:15	
	ball 142:1	BBK 178:12	becoming 10:20 128:10	
	ballot 21:25	beach 14:13 21:4 98:1,4,22 101:10 104:21 106:4,22,23 107:1,2 143:6 144:12 152:7 154:21 155:6 156:3,18	before 8:1 10:22 12:20 40:8 46:21 47:18 54:24 71:19 82:14 90:18 123:20 127:21 129:22 131:25 151:20 152:18	
	Band-aids 11:20			
	Bandelin 27:19, 20 28:11,13,14 31:20 33:5 34:11 38:2 39:3 123:6 142:7 151:4 157:18 177:2 181:24			
backbone 6:24	Bandelin's 127:15			

187:17 188:9 191:10	21:15 24:16,17 26:2 32:1 46:2 77:22 82:7 96:1 129:14 146:19 150:16 189:22	binding 191:12	13 8:3,16 10:22,24 11:22 12:4 13:20 15:4,24 16:19, 20 17:1,9 20:1, 7,23 21:7 23:13 26:19,23 28:12 29:7,11 31:22 32:9,10,11,18, 21 33:11 34:13 35:24 36:17 37:7 42:5,12, 14,16 43:1 58:8 61:22,23 62:6 63:21,25 64:25 65:7,11 66:10 67:15 68:4,14, 17 69:2,13,24 71:6,7,11,12,16 72:1,2,20 74:4, 23,24 79:10 80:4,5,9,13 81:2,15 84:1,3, 18,19 85:2 87:16 88:7 90:7,8,10,16, 18,23 91:16,23 92:12 93:4,13 94:6,9 96:14,25 99:22 100:2,7 101:23 102:13, 14,18 103:4 105:4 106:24 107:6,8 108:9, 11 109:5,16,25 111:4,17,18,19, 25 112:6,13,19 113:1,7,12 114:2,19 115:11,16 116:4 117:19 118:14,22 119:10,11,15,	16,17 120:20 121:7,11,18 123:4 124:5 126:13,15,17 134:5,10,11,17, 20,25 135:3 136:2,20 138:1, 9,10 139:2,4 142:21 143:13, 21 144:13 145:23 146:8, 24 147:8,13,17 148:19 149:20 150:3,12 152:8, 14,17 155:17, 22 157:5,10,13, 25 158:1,12 160:18 161:8 162:22,25 163:20,22,25 164:7,21 165:23 169:2,8, 12,18 170:10 171:10 175:20, 22 176:7 177:1, 23 178:2,8 179:4,6 180:8, 23 182:19,25 183:8,17 184:6 187:10,11,21 188:5,7 189:21
belief 190:16 191:22		bins 48:24		
believe 7:13,23 18:23,25 19:10 20:21 21:4 26:12 35:1,7 62:19 84:25 100:16 134:5 135:18 137:12, 25 148:18 150:9 161:12, 15 162:3 167:21 176:20 180:2 186:6,11, 13,24 189:12 190:7	betterment 14:20	biometric 27:7		
below 188:2	between 8:4 87:16 140:12 157:13	bit 30:15 31:3, 22 38:20 40:15 43:19,21 68:17 71:3 73:24 88:4 90:2 95:22 99:19 100:11, 14 101:1 102:25 104:25 110:5 113:3 124:2 128:10 129:14 131:3, 20 132:8 133:12 140:9 141:2,6 142:13 154:24 155:3,7 159:6,18 163:14 165:6 169:9,10 192:8		
beneficial 183:9	Beyond 58:10			
benefit 15:25 23:18 31:11 33:23 40:3 71:24	bidding 170:20	bite 91:22		
benefited 76:25	big 29:24 46:7 48:24 93:9 123:17 125:8 129:18 151:14 183:4 186:1	biweekly 134:20		
benefits 44:11 45:9 46:1	bigger 126:2	black 67:8,21 68:12 99:17	board's 20:17, 19 75:4 80:2 81:11 106:14 107:11 142:20 146:6 158:11 159:3 160:23 181:25	
best 17:11 39:8 132:25	bike 83:24	block 113:15	board- appointed 62:8	
better 18:12	bill 8:3 10:13 28:5 49:10,12, 13 98:13 117:21 164:8, 16,18 166:12 187:2	blue 129:21		
	billing 27:17 49:5,7	BMP 47:8		
	bills 26:22	board 5:7,11,12,		

board-based 71:15	106:16 136:2 143:11 144:8 152:6 154:18 185:16,24	bridge 87:18,19	broken 45:15 77:8,11,12 79:19	159:19
Board-identified 147:1	Boulevard 4:9 43:25 46:4,9 50:3	brief 145:11	broker 28:1	building 14:2 44:8 46:5,6,7, 17,18,22,23,24 47:13,14 116:20
boardroom 4:8		briefly 129:1 132:17	brought 42:14 81:10 103:3 105:4 107:22 108:3 109:5,7, 24 112:25 134:10 139:25 160:22 165:8 174:2,22 181:20	built 46:5,6,8
boards 69:24 81:9 100:5 154:9	boundary 74:22	bring 32:17 50:14 63:5 87:5 106:10 109:25 122:8 128:24 129:20 136:2 138:9 152:13 155:8 158:15 159:1,8 177:3 179:10,19 181:13 183:10	Brown 139:25	Bull 29:17
Bobby 34:16	bow 16:1			bunch 122:3 159:20
Boeing 18:6	Box 22:7			burdensome 79:23
boing 172:19	boy's 7:10	bringing 37:9, 10 62:13 63:1 106:3 108:4,10 110:12 137:22 154:14 177:9 179:15	brush 191:21	Bureau 44:25
bolster 16:20	Brad 42:4 43:7 47:25	brings 108:8	bucks 80:18	Burnt 155:1
bolts 159:7	brainstorm 168:14	broad 166:1 175:3	budget 5:23 7:18 8:14 11:15 15:10 80:6 88:18 90:11 125:8,17,18,20 126:19 129:12 142:10 147:7	busiest 30:1
bookings 113:15	breadth 174:23	broaden 71:3	budgeting 86:5	business 37:2 50:15 51:11 52:6,9,10 125:8 126:5 127:15, 18 129:13 131:13,19 153:7 168:15, 16,25 169:25 170:2,20,21,23 171:13,17,18 172:14,19,20 173:23 174:25 182:11 184:24 187:3
booth 46:20	break 18:22 39:11 45:17 63:15 78:16 122:18	broadening 19:25	budgets 7:22 80:7 88:18 126:20 142:11 181:6	
born 66:1	breaking 157:11 158:4	broader 131:8 140:5 170:2 172:9	build 12:25 18:9	
borne 56:6	BRET 164:5			
both 7:1 10:17 19:21 20:5 21:17 43:12 45:12 52:9 70:19 99:3,15	brick 9:9			

business-to-business 18:3	California 49:22	can't 6:11 10:5 24:19 56:8,9 58:10 59:6 64:24 68:13 73:21 83:25 84:15 87:17 91:23 97:12 103:5 106:8 119:15 127:16 133:9 136:11 190:7,13	104:22 142:23 143:24 144:19 148:6,9 151:14 152:1,11 153:25 155:24 156:1,22 157:23 159:10 160:1,22 177:16	career 152:22
businesses 44:1,14 127:15 166:3	California/nevada 165:20	call 4:5,15,17 41:17 43:5 49:10 106:6 168:6 176:8	Capitol 50:15	careful 72:4 78:6 127:23 136:16 153:2, 10
buts 68:12	called 49:11 161:16 162:1,2	Canada 18:6	capped 45:1 53:2,11,15 54:16	cars 29:23
buyer's 104:12	callers 192:2	cancellation 21:8 109:9 112:6,7,9 113:1,21	caps 44:21	cart 123:20
C	Callicrate 23:25 24:7,11 26:2 80:15 92:19 190:12	candidate 135:8	captain 7:12	carve 172:7
C3 31:6	calling 189:17	candidates 14:23 15:1 21:25 134:22 135:10,14 136:19	car 48:25	case 43:16 59:21 126:2 171:18 187:17
C3s 31:16	calls 140:11 189:15	cannot 34:23	card 20:25 21:3 94:15 101:10 102:7 105:15 106:4 107:3	cases 8:8 113:23 191:4
calculating 55:7	came 37:23 60:2 80:23,25 82:1,9,18 89:12 109:6,8 110:23 111:4,13,14 116:19,24 127:10 128:2 143:10 144:5 148:20 155:1 161:10 175:8 179:25 182:23 184:18	cap 44:22 53:3, 10 54:20 57:7,8 58:4	card's 107:1	cast 128:3
calculation 102:15	calendar 27:22, 23 36:7,8,10, 12,25 53:19 63:8 86:23 176:24,25 177:19 181:4 182:6,18,22 183:14	capital 7:17 21:3 43:22 51:23 80:9 85:20,22,24 98:8 101:12,14, 15 103:25	cards 6:18 94:7, 20 96:5,10 97:7,11 98:20, 24 101:25 104:18 105:17, 22 106:7	casting 131:8
calculations 56:19 86:16	camp 184:9		care 46:16 83:6 131:16	catch 57:17
calculators 110:10,16			care 46:16 83:6 131:16	categories 40:6
calendar 27:22, 23 36:7,8,10, 12,25 53:19 63:8 86:23 176:24,25 177:19 181:4 182:6,18,22 183:14			care 46:16 83:6 131:16	category 37:22 38:1 39:5,7
				caught 30:17
				cause 37:17
				caused 38:7

caution 20:7 71:21	41:10,15,22 42:1 50:8 60:6, 23 61:18 62:4, 23 63:12,17,20 67:17,19,23 68:8,15 69:11, 19 70:5,11,13 72:1,8,25 73:18 74:11,21 75:7 76:1,14 77:14 78:13 79:1,25 81:3 83:12 88:16 90:13,16 91:11 92:20 93:18 96:22 97:22 99:18 100:1 101:17 102:23 104:14 105:13 106:2 107:4 108:21 109:13,21 112:3 113:3,8 114:8,15 115:9 116:6,10 117:1 119:19 120:15 122:20,23 124:24 130:25 137:19 139:4 141:13 142:4, 19 144:4 145:25 148:15 149:11 153:22 158:5,24 159:12,22 160:10,24 161:3,7,24 162:7,14,19 167:2 172:10 173:25 174:13 175:19 176:3,6, 12,15,19,23,25 179:9,15 180:17 181:5,	21 182:10,20 188:18 192:4,7 Chair's 66:25 Chairman 42:25 63:24 123:6 137:4 challenge 80:15 challenges 79:11 chance 37:13 124:18 change 6:12 56:13,14,15 82:23 83:14 87:4 89:2 105:16 136:9 150:18 changed 6:14, 18 66:13 81:15, 17 82:22 101:13 110:6 112:19,20,21 130:6 changes 26:16 37:11 39:18 42:10 61:15 67:4 70:15 88:8 94:9,20 95:15 104:19 112:16 122:24 123:11 124:3 126:23	128:13 131:1 132:2 136:8,12 157:14,15 165:1,11 169:13 178:13, 15 changing 20:17 55:10,11 71:14 81:16 82:4 83:17 87:12 175:24 character 46:2 charge 83:7 121:10 charged 44:14 60:9 98:7 charges 51:1 81:20 83:7 84:17 charging 102:10 charities 31:6 charity 80:18 chart 28:21 38:21 88:5 148:7 charter 158:16 159:11,13	160:21 charts 86:11 chase 84:5 chasing 84:9 Chateau 115:13 check 30:7 60:1 116:18 179:17 check-ins 141:25 checked 54:24 checking 73:10 checks 27:2 73:14,16 chief 14:15 127:10 128:18 children 10:20 chime 34:20 chipping 27:9 choice 14:6 80:18 chose 16:12
------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

183:22	39:25 59:14	clients 166:7 174:11	coatings 9:20	31:23 32:21
Christmas 151:20	72:11 77:6 95:11 97:20 110:22 171:7 179:20	Cliff 190:15	cocaptain 7:12	50:11,18 63:15 65:22,23 69:23, 24 80:15 85:22 89:7 90:22 92:17 99:9 108:9 115:22 119:15 122:11 124:4 133:14 139:12 140:17 143:23 151:12 152:9 157:7 158:21 179:13 180:13 181:10 183:16 184:20 185:21 188:21 191:24
chunk 131:17	clarified 87:10 96:10	CLING 186:4	code 47:9	
CIP 7:19	clarify 33:22 39:22 50:9 51:4 52:2,17 53:7 56:25 63:5 71:22 72:22 88:15 91:18 97:9,21 106:20 120:13 155:23 164:19	clogged 191:4	coded 37:21	
circle 174:13		close 26:6 28:6 29:3 36:6 45:12 115:24 142:16 162:17 176:16 183:17 192:4	collaboration 12:22	
circulated 70:23		closed 30:19,20	collect 48:23	
circumstances 21:19		closely 47:19 133:3	collection 44:12,13,17 45:6,10,14 55:2 58:18	comes 34:22 62:15 95:13 97:21 106:18 135:17 154:19 157:14,25 189:13
cities 65:15	clarifying 52:15 56:4 57:6 150:7 155:21	closer 76:22	collective 188:13	
citizen 120:6		closes 5:3 114:17 122:16 161:4 182:17	collector 53:20	comfortable 47:23 74:5 138:12 140:1 141:8 149:20 159:3,25 160:17 173:10
citizen's 22:21	clarity 87:5 100:11 143:17 165:24 175:6	closing 12:20	collector's 53:18 60:20	
city 132:18	clear 31:21 38:14,21,25 41:5 57:16 76:15 118:10, 23 119:13 129:17 145:15 171:4 173:4	club 31:12	color 137:16	
Civil 8:18		clubs 19:19 31:11 185:5,8	combination 20:6	coming 25:10 59:15 66:4 68:19 69:14 87:11 91:5,20 140:21 141:17 143:20 144:9 152:5 186:17, 18
claim 6:12 66:24 101:2	clearer 109:3	clue 82:3 89:13	combine 115:11 117:4 119:21	
claimed 104:1 106:21,25	clearly 13:14 21:7	coach 7:10	Combined 21:2	
claims 52:16 104:9			come 7:5 12:2	
clarification				

<p>comment 5:4 17:12 26:7 32:13 65:24 73:7 76:5 81:7 82:16,21,23 88:13 89:18 91:15 100:22 101:3,18 106:21 126:16 158:11 171:24 183:18 188:2 192:5</p> <p>commenting 20:22</p> <p>comments 5:5,7 11:1 17:3 19:2, 8,16 25:3 26:4 33:3 59:12 60:25 62:16 65:22 67:7 79:5 91:16,19,24 92:3 95:16 98:14 104:1 105:13 120:5, 24 124:24 125:11 131:22, 23 145:6 148:1, 8 170:12 183:19,21 184:7,14,23 185:19</p> <p>commercial 48:21 100:24 125:10</p> <p>commercial 127:14</p>	<p>Commission 70:20 71:22 73:2 74:6,9,13, 19 75:1,6,10, 12,19,22 116:10</p> <p>commissioned 8:1</p> <p>commissioners 135:6</p> <p>commitment 115:4 118:4,16</p> <p>commitments 118:24</p> <p>committed 178:22 179:2</p> <p>committee 13:13 15:9 19:10,24 22:21, 23 62:8 76:9 100:2 105:3,12 110:1 111:1 120:6 142:22, 24 143:24 144:12,14,23 145:4,24,25 146:3,17 147:9, 10,12,18,19 149:1,5,23,24 150:8 152:2,3, 12,20,25 153:6, 12,24 154:1,5, 9,11,15 155:25 156:23 157:23</p>	<p>158:7,20 159:6, 11,13,16 160:2, 3,11,14 163:6 177:7 182:11 186:5,10,23 187:6</p> <p>committee's 109:23</p> <p>committees 12:5 19:9 142:21 143:1,5, 10,22 144:3 145:21 146:2,7, 20,23 147:15 148:1,23 149:22 150:4, 19 152:21 153:18 154:12, 22 155:11 158:7,14,19 159:21 160:20 182:6,14</p> <p>common 87:15 92:8</p> <p>communication 47:21 87:18,19</p> <p>communities 16:10 45:8</p> <p>community 7:14,16 8:5 10:17 11:3 12:15,23 15:18, 20,25 20:4,15 23:18 31:9</p>	<p>33:23 37:17 43:4 46:3 59:13 63:22 65:25 66:2 68:13 70:23 79:22 80:10 81:17 83:3,15 86:13, 14 87:16,20 89:15 93:5,9, 16,21 103:11 105:18,20,22 115:12 116:17 127:7 128:9 130:14,16,22 132:23,25 135:12 142:25 144:16,25 145:1,16,22 146:12 147:1, 24 150:15 158:6 165:17 167:14,18,22, 24 168:2 169:3 173:12 175:23 176:2 178:11 182:12 183:6 184:5,6,22 185:9 187:20</p> <p>community's 75:2</p> <p>companies 51:9 52:14 166:9 169:19</p> <p>company 17:7 50:12,21 51:1,7 56:23,24 169:25 175:17</p>	<p>compare 62:18 79:17 90:20</p> <p>compared 79:17 90:17</p> <p>comparing 78:14</p> <p>comparison 111:16</p> <p>compatible 114:5</p> <p>competence 22:18,19</p> <p>competent 146:18</p> <p>competition 136:24</p> <p>competitive 23:10 186:20</p> <p>complaint 72:12,13 73:22 96:15,18</p> <p>complaints 73:6,11,13,20 74:18 171:2</p> <p>complete 14:14 30:12 77:7,13</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

118:19 119:16 185:25	concerned 113:12	25:6	164:23 165:3, 12,23 177:23	construction 44:7 118:5 157:9
completed 11:19 30:8 61:9	concerns 11:6 20:14 45:12 163:13,14,16, 19 166:4 168:7	confirmed 70:21	consideration 10:11 42:11 107:11 149:7, 10 160:23 164:1 165:4 166:17 177:16 178:18	construed 19:18 21:24
completely 30:19 169:20 179:1 187:13 188:15	concierge's 94:19	confirming 187:17	considerations 163:20 164:20	consultants 128:1
compliant 46:10	concise 38:14	conflict 5:25 70:18 71:2,10, 13,18 158:5	considered 40:2,12 166:13 183:5	consumer 44:24
complimentary 28:25	conclusion 11:16	conflicts 69:10 186:21	considering 163:21 183:12	contact 48:10 49:18 126:7
comply 22:12 98:9 110:24 169:14	conclusions 115:15,22 116:5	confused 31:3 38:20 169:10	considers 162:23	contacting 95:19 96:14
component 131:6	concrete 84:10	confusion 38:6, 15 94:10,22	consistency 130:5 181:2	contacts 48:2
components 131:13	concur 60:24	congratulate 15:23	consistent 10:15 29:1 166:12	contained 29:9
comprise 165:21 185:8	condensed 161:16,20 162:3,4,5,16	conifers 27:10	conspire 24:3	contending 24:18
concept 20:9 64:2	condition 186:14	connection 163:18	constantly 134:21 136:9	context 15:6 90:3 112:18 113:7 148:4 171:17
concern 11:10 33:1 37:17 38:6 49:10,11,12 93:12 112:23, 25 175:4	conditions 8:6 11:9 116:20,25	consent 36:7,8, 10,12,24	constituted 143:9	continue 14:1,4, 10 30:7 31:25 43:13,24 52:5 165:2
	conducts 107:10	consequences 183:25		continued 9:1
	conference	consider 135:16 144:11 150:23		

21:16 47:25	184:4	112:2 115:5 127:2 144:4 176:21	costs 44:9 50:25 51:17,18, 19,20,23,25 55:3,5,6,19,20, 21,22,23,24 56:10,11 57:10, 13 58:17 59:3 61:1 82:6 190:6	141:18,19 147:19 163:9 169:23 177:15, 18 184:12 188:23 189:4
continues 9:7	conversation 122:5 124:13, 22 132:14 137:16 140:8	correction 30:8	corrections 30:11	course 16:1 19:20,23 27:11 49:5 86:12,14 160:18
continuing 12:13	conversations 63:3 132:9	corrective 95:4	costs/expenses 28:22	courses 19:15 81:10,18 85:24 114:7 131:5
contract 33:9 42:2,13,20 43:9,13 44:16, 18,20 45:4,19, 23 47:20,22 50:11,13,14,19 51:10,16 52:5, 11,22 53:3,12, 16 54:8,10,19 56:4,6,13 57:2, 6,8,12,19,20 59:12 61:2,14 139:8 171:14 173:22 177:24 190:16,22	conversion 11:24	correctly 70:21 95:14 119:8	counsel 22:3 61:13 62:2 94:13,14,25 95:9 96:11 97:14,15 101:19 115:9 116:7 122:8 126:25 159:10 162:24 163:1 177:24 178:3,6 179:3,7,10 183:23	court 8:6 9:16 11:9,19 15:22 161:15 186:20
contracts 43:15 169:19 173:24 191:1	copy 8:20 50:14 138:3,23	correlation 98:3	counted 184:20	courts 7:18,20, 24 8:10 9:10 10:1,4,7 11:25 12:1 25:14 156:3,18 186:14 191:4
contrast 90:21	core 147:25	corruption 191:6	counties 165:21	cover 52:3 169:22 172:6 174:21
control 133:8 187:25	coroners 191:19	cosigners 23:25 24:13	county 16:8 98:12 127:9 132:15 135:5 139:23 140:1 173:6,8,9	covered 170:1 171:1,20 173:1 174:19 175:12
controlled 133:6	corporation 96:4	cost 17:23 44:5 52:3 55:7 150:14	COVID 100:19 186:18	CPI 45:2 53:15, 21 58:4 60:22
controller 34:22,25	corporations 94:6,12 97:23 166:8	cost-efficiency 20:3		
convenient	correct 49:25 50:12,17,21 51:1,20,25 52:25 53:15 54:3,12 55:23, 25 57:14 58:18 59:25 79:1 83:21 85:15 88:3,12 95:24 96:24 106:24	Costa 42:25 43:1 50:13,22 51:2,4,6 52:1, 24 53:7,11 54:4,11,14 55:9 56:1,8,12 57:3, 15 58:15,19 59:6,19,22 62:19		

create 18:11 19:9 145:12 156:1 187:1	customer 39:13 46:3 48:8 125:21,22,23 126:1,8,18 129:7	185:7	decided 73:3	deeply 37:18 187:9
created 112:6 148:15 175:17	customers 44:11 45:9,13 46:1 48:13 51:1 55:7,13,24 127:17	day's 139:15	decides 101:23	defend 21:21
crews 30:2		days 89:13 112:10,14 141:18,19 163:10 189:4	decision 16:16 42:15 102:13 107:15 114:2 158:1 178:12, 13,17	defender 132:19 133:4
critical 14:16,20 92:10 119:17	cut 15:12 88:18, 19 104:2 157:12	deadline 141:7	decisions 14:21,24 15:25 92:11 126:17 130:15,20	Defender's 133:1
critically 87:9, 14,23	cutting 142:11	deadlines 141:21	deck 142:5	defense 137:14
critics 16:2,19	<hr/> D <hr/>	deal 18:10 20:16 68:10 169:19	declaring 175:11	defer 61:5,15 139:2 141:10
cross 29:14		dealing 20:24 21:14 22:16 67:9 91:8	decline 160:10	deficit 111:15
Crystal 23:23 188:19	data 17:11 30:16	deals 20:18 171:25	declined 21:5	define 81:4 82:17 88:16 89:5 134:25 173:14
CS 89:2	date 107:14 116:4 118:2	debacle 119:7	decreases 103:20	defined 93:23 148:24
curb 44:14	dates 118:1	debris 45:14	dedicated 116:21 118:20	defining 93:13
current 13:20 14:17 15:23 16:19,20 21:25 29:8 44:20 47:9 75:16 76:19 178:4 180:15	daughter 10:19	December 29:8 78:25 177:25 186:8	deducted 55:21	definitely 40:18 41:5 154:17 179:18 182:10, 24
currently 45:15 61:23 74:15 77:4 170:21	Dave 90:2 186:1	decide 65:5 115:19 120:6 146:8 165:5 166:18	deep 82:5,10 109:14	definition 166:2 174:23 175:5
cursory 7:24	David 189:15, 16,17		deeper 132:9	deflecting 91:6
	day 34:24 82:13 102:11 106:11			

deja 169:10	denote 40:5	153:22 158:5, 24 159:12,22 160:3,10,24 161:3,7,24 162:7,14,19 167:2 172:10 173:25 174:13 175:19 176:3,6, 12,15,19,23,25 179:9,15 180:17 181:5, 21 182:10,20 188:18 192:4,7	depends 103:17 120:11	
delay 61:16 96:3,5 97:6,10, 11,13	Dent 4:5,15,18, 20,22,24 5:1,6, 24 23:21 26:6, 10,21 28:5,10 33:25 34:14 36:6,9,13,16,23 37:4 40:20 41:10,15,22 42:1 50:8 60:6, 23 61:18 62:4, 23 63:12,17,20, 24 67:17,19,23 68:8,15 69:11, 19 70:5,11,13, 17,21 71:1 72:1,8,25 73:18 74:11,21 75:7 76:1,14 77:14 78:13 79:1,25 81:3 83:12 88:16 90:13,16 91:11 92:20 93:18 96:22 97:22 99:18 100:1 101:17 102:23 104:14 105:13 106:2 107:4 108:21 109:13,21 112:3 113:3,8 114:8,15 115:9 116:6,10 117:1 119:19 120:15 122:20,23 123:6 124:24 130:25 137:4, 19 139:4 141:13 142:4, 19 144:4 148:16 149:11	Dent's 21:10	derailed 117:20	detail 68:17 149:19 163:14
delayed 94:15		deny 6:11	describe 131:2, 3 132:25	determination 74:19 146:6
deliberate 191:14		department 39:14 58:1 62:10 123:13 126:7 130:4 133:23 134:16, 17 137:7,12 142:6	described 132:17 191:10	determine 72:15 135:7 143:4
deliver 126:12, 18,19 147:24 156:11		department-specific 38:23	description 85:13 122:25 123:11,22,23 125:13 132:1 135:24 136:5, 11 137:25 138:17	determined 38:23 44:23
deliverable 118:24		departmental 62:20	descriptions 124:15 136:8	develop 181:6
deliverables 105:11		depend 168:3	deserves 87:21	developed 152:9
delivered 161:14		dependent 52:21	design 18:20 115:3 117:8 152:14 155:7	developing 31:25
delivering 118:17		depending 168:11	designee 38:24	developments 13:15
delivers 125:25			designed 9:17	dials 50:2
delivery 125:19 148:9			designer 38:24	Diamond 6:8 27:22 29:14,15 78:10 81:18 83:7 88:14 90:24 127:15
Delta 18:6			desire 70:9	
delving 149:19			desk 37:24 39:10 95:20 96:15	differences 18:10
demolish 46:19			despite 14:5	different 15:14

39:18 40:15 49:24 51:8 85:3 90:10 92:7 99:7 110:19 115:17 121:1 130:3 135:23 159:12, 20,21 172:6	42:15 63:10 107:24 108:9, 11,13,19 118:11 121:1 124:23 137:20 138:16 139:3 142:3 158:16 160:18 161:8 162:11 165:7	disappointed 16:17	discovered 86:4 94:12	114:8,16 115:21 116:4 119:19,22 165:6 176:7 178:11 180:25
difficult 14:3 78:1 113:14,16 168:11	directly 8:22 78:18	disarray 5:12	discretion 158:11 164:24	discussions 60:17 80:4 119:10,12,14 169:11
dig 107:17	director 15:7 17:17 26:13 28:18 37:8 38:24 40:25 41:12 42:3 61:21 79:13 86:10 107:8 113:10 114:5 123:2 128:25 131:15 139:11 151:12 177:4 179:17	disclose 70:17 163:7 164:12 171:6 174:17	discuss 8:1 37:4 42:20 43:6 45:11 63:7,20 64:17 86:23 89:20 117:10 122:23 135:16 142:19 143:4 161:7 162:9,20	disingenuous 23:4
digging 14:11	director's 110:7	disclosed 71:9, 13,18 164:6 170:8	discussed 31:2 37:11 64:1 81:12 85:2,16 92:15 97:13 115:14 120:20 121:6 159:5 163:20 181:23 188:12	dispatch 46:5, 17
digits 13:6	directors 17:18, 19	disclosing 171:3,5	disclosure 71:23 73:9 162:20 163:3, 11,17 165:25 166:21 175:23	dispel 184:3,4, 10,20 185:2
diligence 11:15	directs 115:21	disclosures 70:22 163:8 164:15	discussing 12:4 28:23 161:11 169:12 181:19 182:1	dispelled 185:13
diligent 185:25	dis- 71:9	discount 31:4,7	discussion 28:15 33:1,6 36:17 41:16 54:24 63:12 64:24 65:1 74:15,16 79:8, 25 81:13 83:20 84:1 89:10 94:4 97:25 100:9 104:14 108:4 109:8 112:3	disposable 43:25
Dillon's 120:3	disagree 91:12	discounted 28:25 31:1,13		disposal 50:12, 15,25 60:9,17 62:16,22
dinner 7:7	disagreed 117:18	disclosures 70:22 163:8 164:15		disputing 55:18
dire 8:6		discounting 31:16		disqualified 136:21
direct 22:1 44:12 50:3		discounts 31:19 39:18		disqualifying 127:20
directed 32:14 80:6 179:4		discover 136:1		
directing 153:3				
direction 41:6				

distant 128:7	document 24:8, 10,16 37:15,22 38:15 40:12 41:7,12 191:19	door 89:18	163:17 165:18 166:7	Duffields 115:3
distracted 14:1		doorway 7:6		during 38:5 44:7 82:20 88:18
distributed 163:11	documentation 84:16 190:4 191:12	Dorado 173:9	drafting 183:15 188:5	duties 129:3
district 4:7 5:8 9:13 14:19 17:3 19:15,25 21:20, 24 28:10 29:7 30:4 34:5 37:5 43:18 63:23 76:17,23 94:13 119:1,5 120:1, 18 123:8,18,24 129:15 132:13 162:24 178:20 184:24,25	documented 14:25 15:3 85:9	double 13:6 184:19	drainage 9:19	duty 14:10
District's 29:5 67:9,10 124:7	documents 136:9 187:16	doubled 184:15	draw 115:15	<hr/> E <hr/>
District-wide 129:6	dog 104:8 143:8 147:19 177:7	doubling 45:20	drive 5:10 16:25 19:24 20:6	e.g. 15:11
dive 49:8 82:5, 10 102:6 109:15 132:8	dollar 102:9	down 15:12 29:24 47:2 56:17 66:3 76:22 79:19 82:20,22 84:7 91:3,13 117:20 124:12,18 132:4 134:6 135:9,17 136:23 140:15, 17 141:17 147:18 154:23 165:9 177:12 178:24 179:24 183:25 184:15 185:23 186:2	driven 104:6 127:13 147:14	each 6:16 8:19 14:18 15:11,14, 17 18:15,21 35:18 64:13 65:3 66:7,14 82:23 83:2 93:17 98:20 145:24 150:4 158:18 159:13, 16 176:20 178:8 187:16 188:8 191:14
divine 19:10	dollars 18:14 82:13	dozen 117:17	driver 46:5,17	Eagle 5:10
divisive 19:11	donated 164:11	draft 33:19 121:3 138:3 159:1 163:11 188:3	driving 12:10 19:15,23	earlier 31:2 43:20,21 69:18 94:23 154:15 163:4 178:1,24 180:6 181:10, 24 183:3,21 188:20
doable 157:3	donation 190:9	drafted 97:8	drop 24:25 100:5 139:15	early 33:20 62:8
Dobler 190:15	done 9:4,13 36:2 79:3 81:24 85:25 90:10,23 134:19 135:19 136:25 141:19 144:13 151:19 152:18,21 156:6,8,20		dropped 100:4 142:1	
	Donna 16:24		dropping 101:7 183:23	
			due 11:14 69:9 163:9 166:21	
			Duffield 6:10 21:15 114:20 119:5	

96:6 137:25	effect 168:17	election 22:1	emails 82:4	189:14
earmarked 151:5	effectively 100:24 156:4	electionary 75:23	emphasize 165:15 178:10	ended 134:12 149:13 157:21 192:10
easier 16:1 47:4 142:14 158:1	effectiveness 18:16	element 87:3 181:1	employee 10:20 38:21 39:5,7 76:18	ending 102:20 155:15
easily 20:12 21:3,24	efficiency 150:14	elementary 183:2	employee's 25:5	Endurance 29:12
easy 67:9 102:25 161:19 168:8	effluent 13:22 14:14 27:13 61:7	elevate 34:16	employees 25:8 37:6 40:12 76:25 129:13 166:15	Energy 27:17
easy-to-answer 121:8	effort 14:5 21:22 92:1 115:1 129:6	eligible 38:1	employer 166:6 174:18 175:10	engage 120:3,4 123:18 145:15
eat 7:6	egos 16:21	eliminate 45:17	employers 174:11	engaged 146:12,18
eating 39:11	eight 10:1 59:18 60:3 131:9	eliminated 98:10,11 111:4 112:22 129:4	employment 175:11	engagement 12:11 146:9
echoed 163:19	eight-week 157:16	eliminating 108:1	encourage 16:21 50:2	engineering 8:18 17:19
economy 101:6 104:7	either 25:23 47:1 118:5 130:9 133:18 166:19 170:1 183:6	elimination 98:4 112:8	end 30:9,16,20 33:20 45:18 72:23 74:7 82:1 88:22 102:10 119:7 136:11 145:14 154:7 166:22 172:7 178:16 179:16 181:7 182:3	English 190:20 191:2
edge 115:24	EI 173:8	else's 93:14	email 22:11 23:6 35:13 40:24 76:20 133:19 153:22	enhancements 12:18
edit 165:22	elected 15:4 127:10	emailed 8:3,19 150:9	enjoyed 178:8	
editing 128:17				
edits 162:21,23 165:3,8 166:18, 20				

enjoyment 187:20	entrance 106:22 107:2	especially 12:9 14:12 95:12 103:4 151:7 154:4	51:7 72:2 74:18 78:17,21,24 80:20 103:13 110:11 114:12 119:20 141:9 154:16,20 155:6 158:7,13 181:8	59:23 65:2 82:3 93:21 105:8,9
enough 78:19 118:9 128:4 147:17 158:25 159:2 173:6	entrances 106:25 107:3	essence 23:9 186:7	evening 7:8 10:12 22:6 28:18 138:7 158:14,16 164:4,25 166:20 176:22	everyone's 89:16
ensure 69:15 105:5 178:19	environment 65:9 127:8 135:19 180:4	essential 12:8 129:3	event 7:3 13:1 35:18,19	everything 5:20 6:4 7:5 24:11 57:17 77:4 80:15 83:25 92:16 124:17 151:19 190:2
ensuring 12:8 125:19,25 179:2	envy 91:6	essentially 83:22	events 35:17 36:4	everywhere 60:10
enter 60:17 117:6 118:15	equal 105:10	Establish 8:23	eventually 30:16 108:5	evidence 73:12 191:3
entertain 41:10	equality 105:5	established 9:5 22:23	eventually 30:16 108:5	evidentiary 191:10,11
entire 15:16 93:6 100:7 117:21	equally 105:8	ethics 5:22 21:11 22:2 70:17,20 71:7, 12,15,21,22,25 72:11,15 73:2, 5,11,20,21 74:6,8,13,18,25 75:10,12,19,21 116:10 171:2	every 31:12 65:4 69:5 73:21 83:10 88:3 105:6 106:10 120:23 185:7	ex-chair 80:13, 15
entities 51:16 94:19 97:7 129:13 163:7, 17 164:6 165:19 166:3 174:25	erected 44:3	Europe 13:14	everybody 5:6 10:12 63:7 76:15	ex-general 84:25
entitled 53:5,21, 24 54:21,23	Eric 123:2 139:25	evaluate 100:3	everybody's 102:7	exacerbated 113:19,25
entity 51:14 127:19 162:20 163:3 168:12 175:2	Erin 37:8 141:10	evaluation 136:20	everyone 32:7	exactly 5:22 31:24 92:23 96:13 115:17 139:20
	error 37:15	even 9:12 25:16 34:15 40:23		examination 7:24
	errors 172:8			
	escalators 61:4			
	escape 11:16			

<p>example 13:22 20:16 39:5 99:5 103:7 109:1 133:1 167:21 173:18</p> <p>examples 105:1 170:7 172:23 174:1,3,6 184:12</p> <p>exceed 117:7</p> <p>exceeds 53:20</p> <p>excellent 126:1 129:7 181:25</p> <p>except 42:16 107:9 111:21 122:5 144:2</p> <p>exception 110:18</p> <p>excited 34:5 154:17</p> <p>exclude 166:14</p> <p>excluded 170:24</p> <p>exclusive 16:7</p> <p>excuse 20:19 50:16 57:5,9</p>	<p>98:10</p> <p>executive 127:10 128:19</p> <p>executive-level 18:2</p> <p>exemplary 9:13</p> <p>exhaustive 174:7</p> <p>exhaustively 115:14</p> <p>exist 24:19</p> <p>existed 24:20 123:23</p> <p>existing 9:2 33:4 46:13,16, 17,18,19,24 47:7,9</p> <p>exists 43:9 191:13</p> <p>exit 46:23</p> <p>exited 34:1 182:12</p> <p>expand 46:18 144:3</p>	<p>expanded 20:3 45:9</p> <p>expanding 46:17 150:14</p> <p>expansion 11:17 60:19 116:2,3 118:5 119:6</p> <p>expect 158:22</p> <p>expectations 147:10</p> <p>expecting 33:19</p> <p>expenses 88:19</p> <p>experience 12:10 14:25 15:3 48:9 82:8 127:1 146:15</p> <p>experienced 178:14</p> <p>expertise 7:22 33:10</p> <p>expiration 13:8 26:3 178:3</p> <p>expires 177:24</p> <p>explain 51:13</p>	<p>111:10,11 113:7 129:14 168:21 173:14 174:19 184:17</p> <p>explanation 73:25 74:6 78:24 86:20 99:25 109:19</p> <p>explicit 74:9</p> <p>explore 60:18</p> <p>extended 17:16 34:25 45:16</p> <p>extending 9:14 44:18</p> <p>extension 22:14 42:3,12 43:9,14 45:21 50:19 51:15 52:22 56:17 58:3 59:16 60:5,8,18 178:18</p> <p>extent 72:20 138:12</p> <p>external 162:20</p> <p>externally 18:17</p> <p>extra 55:5 57:13 58:13,17 59:3,4 141:18</p>	<p>extraordinary 58:5</p> <p>extremely 113:11</p> <p>eye 10:2</p> <p>eyes 137:13</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>facilities 9:3 29:1 30:25 31:1,10 32:6 35:25 46:2 47:8 99:12</p> <p>facility 8:17 9:7 11:18 17:24 23:15 31:1,13 42:10 47:2 100:15</p> <p>fact 5:16,18,23 10:9 20:14 30:14 68:10 85:21 105:17 113:19,24 147:15 173:11 174:24</p> <p>fact-check 185:19</p> <p>facts 16:3,11, 16,20 24:11</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

67:9 68:3	114:22 185:16	faster 147:23	108:17 110:17 115:23 120:25 121:11 122:7 130:20 139:23 140:1 145:1 154:2,21 170:8	140:7,25 141:23 151:12
factual 21:2 24:19 54:13	falsity 24:21	favor 12:16 36:18 41:18 100:8 114:3,4 142:9 176:9 183:6	feeling 130:12	few 13:15 16:3 29:23 32:19 34:10 62:25 64:9 76:21 83:18 112:24 154:8 155:2 182:14,16 183:14
fail 25:4	familiar 144:19	Feast 8:3 10:12, 13	feelings 16:4, 11,16	
failed 110:23 111:14	family 10:13 96:2,9	February 117:5	feels 121:17	fiction 5:19
fair 32:4 33:5 65:19 120:25 132:4 159:22	fanatics 188:21	Federal 44:25	fees 6:19 20:25 27:25 28:1 31:1 99:10 104:21 106:22,23	fight 65:20 104:8
fairly 113:17 137:7 139:13	fantastic 132:15 140:1	fee 6:15,17 17:24 31:13 81:21 98:2,4 99:23 100:4,5, 8,15 101:10,13, 14,21 102:4,14 103:25 104:21 105:16 106:1 112:9,22 113:13	feet 47:24 48:1	fighting 186:20
fairness 19:13, 17	FAQ 65:11 74:7 75:21 91:7 171:2 180:7	fee/rec 98:1	fellow 11:6 12:16 23:25	figure 118:10 151:18
Fairway 190:15	FAQS 84:6,12 102:13 121:5	feedback 48:6 49:6 60:13 63:21 93:19 104:15 105:18, 20 129:1 138:2, 5,7,8,9 141:14 142:3 148:2	felony 190:13	figured 124:11
fall 10:6 13:4 40:5 45:16 61:17 63:8 124:1 180:20 181:8	far 23:17 25:3, 15 49:6 62:11, 15 65:14 67:17 71:17 74:22 75:1 78:14 96:12 110:6 112:23 118:9 126:1 132:1,7 137:19 141:7 159:5 162:11		felt 138:25 170:9 173:10	figures 67:9 68:10
fall/early 151:17	fashion 184:7		fence 46:17	file 73:11,13,14
falls 61:3	fast 147:16	feel 34:3 48:6 49:2,3 66:22 68:22,24	Feore 37:8,9 39:2,20,23 40:7,18 41:4,9, 13 123:2,5 128:20 132:12 136:7 137:3,24 138:16 139:11	filed 72:12,13 73:6,15,22 163:8
false 14:3 21:12 23:3,5,7 66:24 70:19 76:19 80:3 94:8 98:4 103:7,16				filers 163:13 170:6
				filings 73:17

fill 48:4,8,10,16 113:16 140:12 142:8	find 11:7 18:11 35:12 48:25 50:5 60:1 84:14,15 85:13 88:2 118:4 136:6,22 137:6 161:18	165:12 179:16 187:19	floor 182:21	footing 117:21
filling 13:25 113:15	fine 62:23 67:24 76:14 85:23,25 115:20 116:11 117:23 141:18 160:15 183:24 184:9 185:24	fiscal 29:4 33:13 85:11	flow 148:6	footnote 40:17 41:7
final 14:23 15:13 30:6 33:15 111:3 134:10 135:9, 13,18 136:19 152:14 180:12 183:18,19	finish 109:21	fiscally 19:21 83:21	fly 110:16	forced 16:12,13
finalize 11:15 138:10	fire 5:13 47:24 48:1	fit 46:2 96:21 125:14 156:19 167:24	focus 99:22 125:15,16 128:18 166:14	foreclosed 23:9
finalized 135:25 138:17	firestorm 6:22	five 5:1 7:18 9:23,25 13:3,13 29:19 51:22 59:17 107:3 112:10 186:12 188:7	focused 12:9 14:20 20:4,10 75:24 143:20 175:7	foreign 174:9
finalizing 136:5	firm 138:14 178:24	five-minute 122:17	focusing 13:20	foremost 187:20
Finally 15:17 16:17	firms 138:22 139:14,18 140:2	five-year 19:12 20:5 42:12 43:9 59:16 60:4,18 61:8 147:2,8 156:7	folks 17:12 67:1 94:22 107:16 117:14 132:15 133:2 135:4,6 138:24 140:11, 13 166:23 170:6 174:4	foreseeable 9:23
finance 52:8 86:10	first 4:11 13:17, 19 15:20 19:8, 17 22:10 33:19 34:23 35:2 43:7 50:9 66:6,13,20 67:6 70:24 117:5 124:25 125:4 126:6 143:15,18 163:8 164:25	flavor 174:8	follow 190:1	Forest 27:21
financial 8:14 13:23 14:13,15 30:5,7,16,18 35:16,18 126:20 147:5 157:4 175:1 187:25		flexibility 120:8 139:7,9 141:6	follow-up 43:5	forever 101:22 132:14
financials 82:11		flexible 141:21	followed 90:17	form 15:9 22:21 111:7 121:3 166:23 174:10
		flip 155:4	following 101:20 106:13 148:11,23 174:4	formal 133:23 135:24 138:13, 18 149:4
			font 161:18	formally 186:23
				formatting 124:6,19
				former 16:11,18

40:24 68:17 69:16 89:11 131:10 167:22	158:12 159:25 164:25 173:19 180:13 181:20	frequent 10:15	125:9,10	G
formerly 41:24 63:18 122:17, 21 161:5	found 26:23 28:11 37:6 42:4 44:19 53:4 63:24 95:2 123:3 143:11, 12 162:25	frequently 20:8 63:21 183:22 187:11 188:14	fund 83:16 98:8 104:22	
forms 163:12 166:21 170:5	foundation 114:20 119:5	Friday 5:12	fundamental 11:19	
formulate 19:12 120:13 155:16	four 5:1 45:16 66:21 117:4 135:10 145:22 161:25 186:12 191:18	friends 75:9	funded 81:20 101:12,15 103:24 104:3 119:5	
formulated 107:7	Fourteen 17:22	frivolous 73:13, 17	funding 8:25 11:22	
formulates 107:10	franchise 22:14 43:10 45:5	front 25:16 39:10 95:20 96:15 97:4,19 142:2 149:13	funds 98:9 117:7 119:8,14 120:10 151:5 164:11	
formulating 155:21	Frank 17:2 18:25 19:4 23:23 188:19 189:18	fruit 122:14	funky 40:10	
forum 122:1	fraud 191:9	frustrations 157:5,19	further 8:10 9:9 16:11 20:21 22:16 36:17 41:16 53:15 107:17 176:7	
forums 65:24	frauds 190:18, 19 191:8,16	full 29:19 31:4,6 73:9 77:3,8,9 79:20 116:4	future 5:24 6:2 8:25 9:23 14:17 19:14,22 31:25 35:25 56:23 58:11 59:7 70:25 76:6,10 165:8 183:16	
forward 12:12, 23 62:14 63:11 64:18 65:22 76:24 79:6 86:22 106:15 109:7,25 110:12 111:7 115:4,6 116:12 132:6 136:12 141:5 152:5 154:13 155:3,8	fraudulent 190:25	full-time 37:21, 24 76:22,24	general 4:6 13:12 14:16 16:15 17:16 22:3 26:25 28:7,10 32:16 34:18 37:2 42:9 75:8 83:16 89:11 101:6 104:7 116:7,22 120:1 122:24 123:6 125:11, 24 126:4,5,24 128:8 129:9 131:10 142:7, 15 143:6,7 147:15 151:10 155:10 157:17 159:10,14,17 162:15,24 167:22 177:4, 24 178:3,6 179:3,7,9,20 181:13,24	
	free 32:5 36:2	fully 101:12,15 103:24		
		function 31:12 104:20 191:11, 13		
		functions		

generally 37:25 43:15 45:7 48:15 128:17 129:23 163:15	109:19 126:16, 20 129:11 147:13 149:6 150:5 158:22 165:7 174:8 184:12	golf 5:15 7:3 17:19 19:10,15, 23 20:2 25:23 27:10 28:17,20 31:4,9,11,12 35:9 78:19 81:10,18 82:2, 6,19 83:19,22 84:20 85:16,19, 24 86:7 90:25 107:8 109:16, 23 110:1 111:1 112:5 113:11 114:5 131:5 142:22 143:24 145:3,4 149:23 150:8,12 151:15,16,20 152:25 153:24 154:1,5,9,14 155:18 160:3,6, 11,14,21 184:16 185:5,8 186:6 187:7	74:11 80:19 86:19 91:21 92:1,4 93:18 99:18 102:23 104:15 107:21 108:7 111:21 114:2 121:25 122:7 123:21 125:2 128:13, 16 131:1,24 138:20 139:3, 12 141:15,24 144:16 147:16 151:6 153:24 156:12 157:12 159:7 160:6 161:3 168:23 170:9 173:19 174:8 180:17 182:13 189:5, 23	91:8 115:24 125:9 127:13, 19,21 128:2 131:12,17
generated 27:19	given 11:24 34:4 64:7 107:23 141:5 148:17 161:17 168:6 175:3			governmental 127:6
gentleman 35:7				governments 164:10
gentleman's 7:21				Governor 164:18
geographic 165:14 175:8	giving 24:24 26:1 48:22 108:13			graduate 18:15
geographical 169:16	glad 84:13 88:1			graduates 17:16 18:21
geography 172:25	glossed 5:20			grammar 76:15
getting 6:19 25:10 31:11 48:18 49:4 82:4 90:19 94:23 97:5 115:23 117:25 120:17 125:14 151:1 154:3 162:12 169:2 173:22 179:21 185:2	GM 5:13 16:11 125:16 144:22	golfers 153:12, 14 185:9	goofy 25:6 110:14	Granlibakken 17:25
girl's 7:11	goal 19:10,12, 17 80:7 93:8 145:15 150:4,8, 11 153:23,24 155:14	golfs 107:7	Google 49:19, 20,22,24	grant 21:15 24:19 114:21, 23 116:15,19 117:15,16 118:8,9
give 15:9 18:22 25:11 48:5,11 75:12 102:6	goals 147:10 149:6	gone 7:1 25:8 89:13 112:24 132:17 163:25	gosh 86:25	graph 48:13
	goes 34:6 76:8 101:17 104:24 111:12 148:4 153:7 157:3 169:1	good 7:8,20 10:2,8,12 14:4, 18 20:9 22:6 29:4 34:12 37:18 38:16 49:4 64:16 65:13 66:3 72:8	gotten 118:18	gray 99:17
			governance 65:13	great 12:24 70:13 79:8,24 86:6 130:23
			governed 120:2,9	
			government	

<p>132:14,16,19 133:17 135:12, 20 136:15 142:3 146:11, 16 153:13 156:25</p> <p>greatly 161:21</p> <p>green 45:10 55:2 60:19</p> <p>grids 148:25</p> <p>Grill 82:14</p> <p>gross 55:22,23</p> <p>ground 157:11 158:4</p> <p>grounds 22:15</p> <p>group 14:6 134:11,15,22 145:10 157:1 166:16 174:23 175:2 186:12, 22</p> <p>groups 134:7 165:14,18,24 175:6,23 176:1</p> <p>grown 13:6</p> <p>growth 20:2</p>	<p>150:13 155:18</p> <p>guarantee 25:1</p> <p>guaranteeing 25:23</p> <p>guess 40:11 61:18 83:17 90:19 100:6 103:17,20 109:13 122:3 153:23 155:25 168:10 173:10</p> <p>guest 106:3</p> <p>guests 98:21, 22,23 106:10</p> <p>guidance 74:13 157:10 159:18</p> <p>guidelines 158:9,18,22</p> <p>guilty 88:7</p> <p>guns 102:20</p> <p>guys 63:13 89:15 91:2 142:5 144:8 182:15 184:25</p> <p>gym 14:3 116:21 131:4</p>	<p>gymnastics 116:21 118:20</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>habitual 69:3</p> <p>half 117:17 118:18 157:21 162:7</p> <p>hand 69:22,23 136:10</p> <p>handing 116:17</p> <p>hands 134:13 142:5</p> <p>hang 48:16</p> <p>happen 16:10 25:2 42:21 45:23 58:6,7,10 59:7 69:2 100:22 110:17 181:7</p> <p>happened 33:24 76:11 97:24 107:14 115:17 116:3 131:9</p> <p>happening 29:12 69:1</p> <p>happy 30:23</p>	<p>47:10 49:15 60:4 114:6 152:19 159:9 166:25 179:22</p> <p>hard 11:16 15:24 56:22 57:17 101:8 121:15 141:20 148:11 154:3</p> <p>hardly 106:25</p> <p>hashed 169:17 172:4</p> <p>hat 139:16</p> <p>haul 62:21</p> <p>hailed 44:15</p> <p>hauling 27:10 51:10 52:5,11 56:13</p> <p>having 5:12,13 24:10,11 62:16 63:6 64:24 91:20 103:8 106:15 134:23 135:11 145:14 147:22 148:11 153:25 167:8 172:25 173:12</p> <p>hazardous 8:8</p> <p>head 7:10 25:13</p>	<p>39:9 157:18</p> <p>heading 186:2</p> <p>headquartered 165:17</p> <p>heads 130:4</p> <p>hear 45:13 120:5 122:10 171:23</p> <p>heard 13:17 31:8 55:12 64:16 66:22 70:9 74:14 75:16 84:24 89:19 92:18 105:18,25 141:13 145:1 170:25 171:1 184:22</p> <p>hearing 49:6 91:20 103:10</p> <p>hearsay 24:13, 22</p> <p>heartened 12:3</p> <p>heck 161:19</p> <p>height 38:5</p> <p>held 4:8 47:24</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>help 22:21 38:15,17 39:3 43:2 48:2 81:23 82:6 124:13 140:11 142:8 145:17 147:4 148:15 154:13</p> <p>helpful 28:23 41:2 63:7 75:3 79:21 81:5 100:12 136:3 148:13 154:10 155:9</p> <p>helping 146:19 156:1</p> <p>helps 93:17 156:16</p> <p>here 4:19,21 13:10 31:3,13, 15 32:19 38:11, 16,20,25 40:1 42:8,10 44:1 47:3,5,10 49:19 50:3,10,24 52:6,15 55:16 58:21,23 59:15 60:2 64:25 66:7,24 70:18, 25 78:10 86:17 87:1,2,12,20 89:7 91:4,19 99:21 103:23 105:15 106:2 107:14 112:11 119:4 120:23 125:12 126:10 127:5 128:16</p>	<p>129:2 130:7,17 138:2 143:17 147:9 149:5,10 150:17 152:17 153:10 158:9 162:16 169:10, 13 170:21 173:5,7 177:10 186:10 189:22, 23</p> <p>here's 27:3 46:11 56:2 68:15 70:1 77:8,10 90:24 99:4 120:21 132:3 134:18 140:18</p> <p>Herron 148:13 149:16 161:13 162:15</p> <p>herself 17:7</p> <p>hesitation 168:10</p> <p>hey 64:15 65:2 69:1 109:23 120:20 132:3 155:4</p> <p>hidden 117:19</p> <p>high 6:20 7:11 77:15 106:22 113:11 125:3</p>	<p>high-level 18:4</p> <p>higher 45:2 88:4</p> <p>highest 45:3</p> <p>highlight 8:21 133:22</p> <p>highlighted 130:7</p> <p>himself 113:11</p> <p>hindsight 118:13</p> <p>hire 185:1</p> <p>Hired 134:2</p> <p>hires 34:7 76:21</p> <p>hiring 77:4,19 123:10 185:1</p> <p>historical 62:5 112:18</p> <p>historically 81:24</p> <p>history 107:21</p> <p>hit 39:12 118:1</p>	<p>hold 47:25 59:17,22 60:3 65:10 97:1 116:6 174:10 180:6</p> <p>holder 106:10</p> <p>holders 19:14, 18 88:10,11</p> <p>holding 51:7 59:24 83:23 91:21</p> <p>hole 25:12 84:7 91:3,14 92:6 186:2</p> <p>holistically 36:2</p> <p>Holly 5:10</p> <p>Holman 19:6 150:9 183:20</p> <p>Holman's 152:24 153:17</p> <p>home 16:8 21:1, 5 49:21 174:9</p> <p>honor 178:5</p> <p>honorable 59:11</p> <p>honoring</p>	<p>178:22</p> <p>Hoops 132:13</p> <p>hope 118:8</p> <p>hopefully 7:1 30:6 38:14 108:12 142:2</p> <p>hoping 30:11 138:23</p> <p>horizon 18:7 20:5</p> <p>horse 123:20</p> <p>hostile 65:9 180:3</p> <p>hot 49:5 125:1</p> <p>hours 7:23 37:25 38:4 50:4</p> <p>house 10:4 66:2 100:16,18 143:6 144:12 152:7 154:21 155:6 156:4,18 157:11</p> <p>houses 101:7</p> <p>Howard 28:18 107:22</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>however 8:2 15:18 34:4 38:10 134:19 158:12 166:3 174:25 187:13</p> <p>HR 15:7 17:20 40:24 77:16 79:13 123:13 128:25 133:23 134:16 137:6, 12 142:6 177:4 180:5 181:20</p> <p>HR/LEGAL 180:3</p> <p>huge 31:8 100:14,16,19 131:16 139:14 142:12 145:13 183:6</p> <p>human 26:13 37:8 38:12 41:12 76:20 123:2</p> <p>hundred 6:7 78:4,9 80:17 122:12 188:9</p> <p>hundreds 18:14</p> <p>husband 18:19</p> <p>hybrid 108:5 154:25</p>	<p>hypothetically 98:16</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>idea 29:4 51:20 64:7,9,15 66:1 75:7,9 81:2 121:7 131:8 135:11 143:21 153:25 159:22 180:17 182:24</p> <p>ideally 138:9 146:14</p> <p>ideas 64:5 65:14 124:11</p> <p>identified 79:9 138:22 145:20 167:22 178:25</p> <p>identify 142:21, 22 147:4,6 149:21,24 150:3</p> <p>identifying 55:5</p> <p>identity 164:12</p> <p>immersive 18:2</p> <p>impact 20:24 21:1,25 44:12 98:5 103:9</p>	<p>104:19 153:14, 15</p> <p>impacted 130:18,19</p> <p>impacting 8:7 101:4 104:10</p> <p>impacts 60:19 147:5 157:4 173:3</p> <p>imperative 8:12 9:8 11:25</p> <p>implement 84:18 91:1 110:3 126:16 158:21</p> <p>implementation 92:24 94:11 156:10</p> <p>implemented 86:3 87:9 94:18</p> <p>implicate 60:21</p> <p>imply 172:17</p> <p>important 23:13,17 34:15 35:23 40:5 62:6 64:11,13 66:23 68:16 77:17,23 80:12 82:15</p>	<p>87:10,14,24 89:6,9,19,23 94:3 100:1 101:11 103:23 106:2,5 107:13 117:2,13 118:1 119:3,24 122:10 123:16, 18 125:3,4 129:5,18 131:7, 11,20 132:5 135:5 154:4 180:2 181:8,15 182:23</p> <p>impression 116:16</p> <p>improprieties 70:22</p> <p>improve 34:5 46:8 64:23 106:17</p> <p>improvement 4:7 14:19 43:23 45:20 120:1 151:15 153:25 160:22</p> <p>improvements 7:17 42:2 43:22 44:3,5 45:23 46:12 52:3 85:21,22,24 98:8 104:23 142:24 156:2</p> <p>improving</p>	<p>76:14</p> <p>inaccuracies 54:13</p> <p>inaccurate 189:9</p> <p>inadequacies 16:14</p> <p>inadequate 16:21</p> <p>inappropriate 21:11,20</p> <p>inaudible 41:8 189:13</p> <p>incident 95:19, 21</p> <p>incidentals 39:19</p> <p>Incline 4:1,6,9 7:11 8:16 10:14 12:15,24 13:4, 10,15 14:7 15:1 19:6 44:2,7 45:5,7 49:19 50:16 60:11 65:17 66:17 67:15 68:3 70:6 143:6 154:21 155:6 156:3 173:7 183:20</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

inclinevillageatwm.com. 50:7	57:10 58:5,13 103:14 107:23 110:8	individuals 5:9 16:19 125:13	informed 67:1 68:23 75:2 79:22,23 119:12 134:16 146:13	94:14 111:8 144:16
include 55:22 67:6 166:4,6 176:1	increased 18:16 45:6 53:22 61:1 113:25	industries 18:5		inquiring 95:20
included 16:14 17:16 20:11 21:23 28:16,24 129:11 132:24 155:15 165:3, 10 166:2 175:3	increases 53:2, 11,15 60:22 88:14 103:20	industry 133:4	infringing 104:18 105:9	inside 18:16
includes 173:8	increasing 12:9 51:25 84:17	inevitably 158:20	inherent 186:21	insight 33:10
including 11:4 20:2 81:18 121:14 150:13 155:18	indebted 171:25	infested 10:6	initial 5:4,5 15:12 26:7 110:23 128:12 140:16 163:21	insinuate 167:6
incomplete 152:6	index 44:24 79:16	influence 108:11 137:2 167:6,9,14,18 168:9,13 169:6 172:25 173:12	initially 10:22 107:22	inspection 7:19
inconsistent 164:17	indicated 40:8 137:6	inform 132:10	initiative 124:6	inspections 7:25
incorporate 138:8	indicates 7:20 99:10	informal 135:14 186:11	initiatives 33:16	instance 78:2 160:7,9
incorrect 53:8 111:17	indicia 173:17	information 30:3 35:9,22 47:11 49:8,14, 18,25 50:10 54:15 87:24 92:7,9,11 93:20 106:15 113:4 117:11 118:3 119:16 120:17, 21 124:9 129:12 133:19 140:16 141:9 146:24 150:5 158:25 159:3 164:13 189:9	injured 8:9	instead 6:17 15:8,15 22:20 36:1 39:11 168:25 172:12, 18
increase 23:3 44:17,23 45:1 53:13 54:23 55:1,3,19,20, 23,24 56:10,11	individual 20:15,22 21:21 64:14 65:19 66:19 74:17,24 103:21 121:13 178:8		injury 191:9	insurance 27:24,25
	individually 188:13		inner-company 62:20	integral 12:14
			innuendos 102:18	integrity 133:9
			inordinate 83:19	intend 187:12
			input 12:7 15:10	intended 43:2 121:3 144:2

171:8 174:7	175:1	40:5 45:15	142:24 143:24	19:21
intending 57:21 80:2,21 171:17 172:13,15,16, 19 175:25	interested 160:13 163:23 182:13	46:21 51:23 58:3 68:6 82:5, 10 88:23 96:17 97:5 99:2,6,17 102:5,6 107:17 109:15 110:5 115:23 117:6, 25 118:15 149:4,7,10,19 151:18 153:4 168:7 189:8	149:24 151:15 152:1,11,21 155:25 156:22 158:2 159:10 160:2,22	issuance 94:15 96:5 97:1
intense 18:2	interests 170:7	introduce 17:11 190:17	investments 9:10 99:11 175:14	issue 22:19 49:6 61:10 69:22 71:4 94:16 97:3 99:25 103:3 138:13 168:7 171:12,15 175:8
intent 20:17 64:5 87:4 99:21 117:6 168:21 169:7 173:14, 17,24 174:21 190:16 191:17, 22	interface 126:24	introduced 85:1 88:9	invitations 139:17	issued 94:21 96:10
intention 59:8 146:20 148:22	interfering 94:6 96:12 153:18	introducing 84:23	invite 187:24	issues 14:12 21:25 62:12 67:3 70:14 72:23 87:17 112:15 183:1
intentionally 23:5	interim 142:8	inventory 27:15	invoice 162:2	issuing 97:7
intentions 20:19,20 59:10 87:22	internal 178:12	invested 134:24 135:1 136:17	invoices 27:12	item 4:11,15 5:3 13:12 22:10,22 26:6,7,10,11, 12,14,15,18,24 28:7 35:24 36:6,25 37:1 40:25 41:16,24 45:19 63:18 65:4,8 70:7,16 76:1,2,17 79:25 80:2 81:14 94:4 95:15,16 97:25 98:1,14 104:15 107:12,19 112:4 114:9
intents 40:11	internal/external 163:3	investigation 21:13 25:2 73:3 139:12	involved 14:22 61:13,22,23 62:8 65:20 95:12 119:15 133:2,5 134:24 136:16 155:2 185:4	
intentions 20:19,20 59:10 87:22	internet 24:14 167:12,19	investigations 72:5	involvement 119:10 132:23 135:12 162:20 163:3,7	
inter-company 62:21	interpret 87:21 168:11	investing 73:4	involving 119:14 132:24 133:7	
interacted 48:5	interpretation 103:21	investment 98:18 103:18	irresponsible	
interest 5:25 25:21 71:2 104:7 136:1 166:15 174:10	interrupting 39:13			
	intimate 155:7			
	into 6:19 25:4 33:21 34:18,21			

<p>117:17 119:20 121:5 122:11, 16,21 126:11, 22 127:1 129:2 139:14 141:14 142:16,17 145:7 155:12 161:4 162:10, 17 163:25 165:10 175:20 176:16,17,23 179:24 180:1,7 181:17,18,19 182:11,18,22 183:18 192:7</p> <p>items 28:15 36:12 66:8 117:3 122:13 143:11 177:11, 15,19,22 179:23 180:10 183:4,12</p> <p>IVGID 7:23 8:1,5 10:20 13:22 14:11,17,25 15:7 17:12 18:15,16 20:13 43:12,18 51:15, 19 75:22 119:25 120:1, 17 163:18 178:15 187:19</p> <p>IVGID's 11:23 18:22 20:10 50:11 188:11</p> <p>IVGID- AFFILIATED</p>	<p>31:17</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>January 8:2 10:25 48:14 126:23</p> <p>job 9:14 10:5 38:16 95:11 122:7,25 123:10,22,23 124:15 125:13 130:24 132:1 135:24 136:4,5, 8,10 137:24 146:19</p> <p>jobs 25:9</p> <p>Joe 15:22 18:19</p> <p>John 7:8 11:4, 11</p> <p>Josh 75:11 96:24 138:5 162:11,24 171:22 173:14 176:20</p> <p>jotting 66:3</p> <p>judging 139:16</p> <p>July 4:1,8 5:14 10:23 17:2</p>	<p>26:25 28:8 45:18 53:18 117:7 118:6 163:10 166:22 177:2,22 178:19 179:16</p> <p>jump 156:13 179:22</p> <p>June 7:6,16 17:1 28:17 29:9 48:14 96:6</p> <p>jurisdiction 74:20</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>Katz 22:6,7</p> <p>Kay 16:24 25:24</p> <p>keep 5:7 16:21 17:6 24:25 52:10 67:20 84:4 85:4 99:11 116:15 188:25 190:10</p> <p>keeping 68:11 134:15</p> <p>keeps 35:18 47:5 189:17</p> <p>Kendra 42:22</p>	<p>43:1 55:18 62:13</p> <p>kept 69:16</p> <p>key 13:20 15:2 125:20,24</p> <p>kicking 62:25</p> <p>kids' 10:19</p> <p>kind 29:21 33:7, 14 38:9 39:9 40:25 47:3 48:24 62:7 63:2 66:3 87:24 110:15 124:5 133:21 137:13 140:9,13,15 158:25 177:13 187:14</p> <p>Klein 7:8</p> <p>knew 100:5,6</p> <p>knowing 41:7</p> <p>knowledge 62:5 72:13,14,19</p> <p>known 13:5</p> <p>knows 5:17 190:2</p>	<hr/> <p style="text-align: center;">L</p> <hr/> <p>labor 45:1 79:16</p> <p>lack 22:18,19 114:11 191:3</p> <p>lady 34:21 184:23</p> <p>Lam 18:7</p> <p>landed 67:11</p> <p>landing 119:13</p> <p>language 8:21 11:12 53:4 58:4,7 76:4 87:15 95:24 124:8 129:19, 25 130:3,10 150:9 168:14, 17,20 171:14, 20 172:6,9,21 173:18 174:17 175:23 179:25</p> <p>large 27:10 105:21 111:15 113:23 116:16 127:17 161:18 190:23</p> <p>largely 184:8</p> <p>larger 58:25</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>last 6:20 8:8 12:25 27:2 28:3 29:7 34:8 53:23 54:3 61:20 64:1 67:7 77:20,21 82:14 84:7 90:15,17 98:19 100:18 103:13 105:5,12 107:23 109:24 110:3 112:12 118:6 119:20 129:22 131:25 137:13 145:2 157:10 166:11, 17 169:24 172:22 186:17 192:7</p> <p>Lastly 34:7</p> <p>late 13:4 78:5 124:2 151:17</p> <p>later 10:19 12:24 42:21 44:4 63:8 122:9 186:24 189:4 192:8</p> <p>latest 30:3</p> <p>laudable 153:1</p> <p>law 71:25 146:11 147:22 164:17,19 169:14</p> <p>Laws 120:10</p>	<p>lawsuit 8:9</p> <p>lawsuits 191:4</p> <p>lay-down 27:19</p> <p>lead 15:8 152:19 160:1 190:1</p> <p>leader 142:22, 23</p> <p>leadership 7:2 130:2 135:2</p> <p>leads 129:6</p> <p>league 10:18 13:2</p> <p>learn 25:9 150:24</p> <p>learned 18:15 81:25 82:12 89:22 117:10 118:14,21 119:3</p> <p>learning 18:4,9 75:9</p> <p>least 19:3 54:2 63:1 84:1,3 89:9,23 96:8 107:2 111:5</p>	<p>120:17 151:21 154:15 171:15 175:4 181:4</p> <p>leave 71:5 102:22 134:25 135:6 143:7</p> <p>leaving 15:15 146:8 155:10</p> <p>Lee 18:13</p> <p>leeway 135:15</p> <p>left 111:15 118:19 146:3 169:21 173:6</p> <p>leg 140:9</p> <p>legal 14:7 61:13 62:2 72:23 94:13,14,24 95:9 96:11 101:19 115:9 122:8 133:4 160:16 163:1 179:10 181:20 191:2,12</p> <p>legible 161:21 162:5</p> <p>legislation 190:21</p> <p>legislature</p>	<p>164:9 166:13</p> <p>legitimately 187:18</p> <p>length 86:6</p> <p>lens 22:4</p> <p>less 13:5 21:5 98:23 114:3 148:16 162:6</p> <p>lesson 118:14, 21 119:3</p> <p>let 4:24 22:25 23:8 29:22 51:2 68:25 109:21 134:14 144:4 181:13</p> <p>let's-make-you-smile 17:4</p> <p>letter 42:9 43:8, 14 50:10 182:25</p> <p>letting 52:4 141:18</p> <p>level 15:11,12, 13,14 71:6 79:20 119:6 125:3 149:19 183:8</p>	<p>leverage 145:16 146:16</p> <p>liability 166:8</p> <p>liaison 62:10 145:5 160:5 167:23,24 168:2 169:3 176:2</p> <p>license 173:23</p> <p>lie 189:2</p> <p>lies 185:20</p> <p>life 9:15,19</p> <p>lifeguards 78:19</p> <p>light 19:16 157:1</p> <p>like 4:5 5:25 6:1 7:6 8:2,21 10:4 12:20 13:16 14:2 15:23 22:1 25:12,23 29:21 31:5 33:14 34:3,9 35:19 38:8,10 39:19 42:20 43:15,23 45:14 48:7,22, 25 49:3 52:2 55:13 60:16 63:4 66:15,18,</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

23 67:16,23 68:22,24 72:21 74:23 75:7,9,20 76:11 79:4,16 83:7 86:18,25 88:11,20 92:13 97:10 98:21 99:21 100:2 107:18 108:17 109:9,14 110:7, 17 116:7,24 117:24 118:15, 22 119:21 120:25 121:11, 17 122:4,7 124:20 126:8 128:17,18 131:8 134:2 136:10 137:21 138:21 139:10 143:2 147:2 148:7 151:3,19 153:21,22,25 154:2,21 155:10,16 156:13 158:4,8 159:22,23 160:1,2 161:1 165:8 166:5 167:10,16 168:16,22,24 169:3 177:6 179:5 181:9 183:10,11,15 184:13 186:19 188:24 189:20 190:17	138:24 165:13 limited 165:18 166:8 limiting 127:4, 13 line 33:8 48:4, 10 75:3 116:11 118:12 165:13, 23 168:5 lines 67:14 89:17 96:20 102:3 117:2 148:10,20 165:11,12,16 link 74:5 107:14 Lisa 132:13 140:12 list 4:11 79:3 140:13 150:22 174:1 176:1 177:11,13 183:11 listed 35:11 174:6 188:2 listen 137:10 listening 25:19 91:19 177:3	literally 37:23 111:25 139:24 little 30:15 31:3, 22 38:20 40:10, 15 43:19,21 49:7 63:6 68:16 71:3 72:3 88:4 90:2 99:19 100:11,13 102:25 104:25 110:5,14 113:3 124:2,8 131:3, 20 132:8 133:6, 8,12,13 135:15, 21 140:9 141:2, 6 142:13 154:24 155:3,7 159:6,18 163:14 165:6 169:9 173:10 181:11 192:8 live 13:10 49:23 60:1 66:17,24 68:3,13 69:14 70:5 107:16 130:14 living 136:9 LLC 95:21 96:4 LLCS 94:6,11 96:12 97:11,17, 22 Lloyd 8:18 11:12	loaded 121:23 local 128:2 164:10 165:17 locale 172:17 locally 13:7 located 165:15, 19 167:5,17 174:11 175:15, 16 location 50:4 165:14 locations 167:9 173:2 locks 56:17 lodge 29:14,18, 20 30:1 151:4 154:20 155:6 156:3,17 logic 186:4,9 long 11:8 63:8 86:23 119:11 136:7 144:18 146:9 161:20 172:24 173:4 176:24,25 177:20 182:18, 22 183:14 189:23	long-festering 14:12 long-range 33:17 long-term 8:13 longer 11:20 154:3 looked 25:17 172:22 184:19 looking 36:1,2 37:22 43:22 45:24 48:13 52:7 76:11 83:19 86:11 127:6,22 128:1, 14 137:20 148:5 149:18 156:7,25 167:16 looks 12:23 148:7 loop 93:19 loosely 113:22 lose 133:8 136:3 138:14 157:6,16 losing 82:12
likely 48:18,19 180:14 limit 131:11				

<p>loss 184:16</p> <p>lot 12:16 18:21 29:24 38:3 48:9 49:21 57:16 62:12 88:22 96:7 105:18 108:8 117:11, 14 118:3 121:1 128:13,17 131:17 139:8, 16,17 145:9 152:4,13,16,20 154:21 155:5 157:6,12 160:12 161:19 164:24 167:11 178:11 185:20 186:25</p> <p>lots 59:12 91:15 105:19,25 125:22</p> <p>loud 171:4,23</p> <p>love 46:15 128:8 137:10 145:3 180:13</p> <p>low-hanging 122:14</p> <p>lower 29:23 45:7 98:2,16 99:4 100:9</p> <p>lowered 99:22</p>	<p>lowering 98:1,5 99:9 100:8 103:18</p> <p>lunch 39:12</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>made 6:16 7:15 9:10 14:6,24 23:1 25:15 30:10 36:13,16 37:15 41:15 52:16 53:1 56:5 59:12 60:25 73:7 81:7 88:8, 13 91:15 92:2 94:20 95:21 99:14 101:2,3 106:21 107:15 113:15 114:2 126:10,23 131:23 136:8 164:13 169:21 170:12 172:23 176:3,6 183:21 184:15 189:7</p> <p>Madonna 47:25</p> <p>magically 37:23</p> <p>main 29:14 30:1</p> <p>maintained 12:2 86:2</p> <p>maintaining</p>	<p>9:14 44:9</p> <p>maintenance 9:2 12:18 17:17 27:5,6 46:22 47:1,13,15,16 51:13</p> <p>major 28:3 105:11 127:14 139:14 156:2</p> <p>majority 13:20 15:19 113:23 169:1,7,8</p> <p>make 14:23 15:24 32:6 33:8 35:20 36:11 41:11 59:13 61:14 71:14,20 83:9,12 92:10 93:8 95:13 99:25 101:23 103:23 104:9 106:17 108:18 111:11 114:5 116:5 123:11, 18 127:8,12,19 128:4 129:17 130:15 133:9, 10 135:9 136:12,25 141:1,23,25 142:14 146:24 156:25 157:24 158:1 160:25 164:7,22 165:1, 11 166:18 172:18 175:21 183:8 184:1</p>	<p>189:22 191:13</p> <p>maker 171:9</p> <p>makes 12:15 47:4 52:9 78:22 133:11 175:18 189:3</p> <p>making 31:10 37:18 38:17 52:19 54:2,9 70:1 75:7 76:20 83:20 88:20 91:16 99:10 100:19 112:24 125:17 130:19 132:2 147:6 150:18 171:19, 22 173:23 184:23</p> <p>malinformation 92:8,9</p> <p>manage 8:24 15:7</p> <p>managed 70:21 125:18 129:14</p> <p>management 8:5,23 9:4 22:17 23:1,8 42:1,8,23 43:1 47:8 49:22 50:11,18,20 51:6,8 60:11 130:3 180:20</p>	<p>management's 11:24</p> <p>manager 13:12 14:16 16:15 17:17,18,20 28:11 32:17 34:19 39:14 42:9 43:17,18 84:25 89:11 123:6 125:5,6, 24 126:4,5 128:8 129:9 131:10 132:18 140:1 142:7,15 143:7 147:15 157:17 162:15 167:22 177:4 179:9,20 181:13,24</p> <p>manager's 26:25 28:7 122:25 143:8 151:10 155:11</p> <p>managerial 187:25</p> <p>managers 15:2 17:20,21 123:10 125:18 126:6,7 131:12</p> <p>managing 125:7,17 128:19</p> <p>manner 14:21 15:5 94:20</p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

many 7:23 8:8 13:3,17 14:19 21:22 37:12 61:21 64:11 70:23 127:17 130:14 159:5 188:25	21:23 22:4 math 106:24 Matt 23:21 26:4 188:18 192:2	99:21,23 106:2 108:22 121:24 124:8 139:2 141:6 144:2 148:19 150:22 155:4 168:15 174:15 181:9 183:13	191:17,23 meant 100:23 191:13 mechanism 44:19,21 55:10 56:15 media 24:14 65:21,23 185:16 188:22 189:4,12 meet 45:11 111:14 136:21 meet-and-greet 135:13 meeting 4:6,25 7:16 10:25 11:4 20:11 22:8 64:1,25 65:5,6, 8 66:22 67:7 69:5 89:7 95:3, 18 107:15,17 108:22 112:12 113:5 115:13 116:4 117:8,9 118:11 120:10 121:7 126:23 135:19 138:10, 13 141:7 146:11 147:22 161:8,14,25 162:8 165:9 169:18 177:23 178:19 179:16 180:7 183:16	184:18 188:7 192:10 meetings 5:12, 13 17:1 37:12 47:24 68:19 108:23 117:5 136:4 138:15 146:10 157:13 169:12 180:12 185:20,21 member 7:16 30:9 37:7 42:3 57:22 61:22,23 68:18 71:17 119:10,15 123:2 126:3 149:1 157:6 162:24 169:5 188:4 member's 66:2 members 10:16, 24 11:3 16:18 20:15 42:25 65:25 69:2,4 74:24 84:3 103:11 108:12 115:12,14 135:3 143:1 145:16,22 146:14,18 158:6 163:6 164:11 166:14 178:9 182:11, 12 184:22 187:20 memo 38:9
map 156:12,16	matter 5:22 6:9 19:2 91:3 102:1	Mcdonald 188:24 189:15		
mapped 147:3	matters 12:23 13:21 102:10	Mcgee 34:16		
March 82:2	Matthew 5:21 6:24 63:24	meal 39:11		
marching 141:24	may 10:2 14:4 16:14 17:9,10 21:5,15 32:15 43:3,4 49:16,25 55:16 56:23 69:8 70:6 71:20 72:4 74:5,17,21 84:20 85:5 94:8,12 96:6,15 98:25 99:1 112:23 135:4 146:7 149:12 151:18 154:24 163:17 175:14 186:6	mean 6:1 38:2 44:13 55:4 56:2 57:16 59:14 74:24 78:8 80:20,22 82:25 84:8,9 88:17 91:18 92:8 96:19,22 97:9, 10 119:25 135:25 137:10 141:4 146:16 170:22 172:2		
market 168:16		meaning 80:21 150:25 191:17		
marketing 17:18		meaningless 187:13 188:16		
Mary 188:24 189:17	maybe 31:14 34:20 35:24 39:21 62:9,15 69:7 76:11 77:17 78:16 81:4 83:14,17 89:1,2,24 93:22	means 19:23 31:24 39:1 62:9 80:20 81:1,8 129:24 140:22		
master 8:17 147:1				
match 114:7				
matches 124:7				
matching 14:24				
material 136:8				
materials 20:11				

128:15 149:12	103:8 115:11	22:8 26:3	32:15	6:10,17 17:6
memorandum	123:18 141:4,8	107:17 161:8,	Mitchell 189:16	18:22 25:10,13
187:15 188:3	146:7 150:16,	14,25 162:8		31:10 88:21,22
mend 144:25	20 168:13,17	miscellaneous	model 6:14,18	117:23 119:4
Menif 27:24	177:18	27:15	20:6,18 81:16,	120:7 142:13
mention 106:3	Mike 27:24	miscommunicat	17,25 82:4,9,	152:10 190:23
mentioned 8:15	28:11 123:6	ion 97:24	16,17,18,22,23	monitor 185:17
43:8 47:18	157:18	misinformation	83:14,17 84:9,	monitoring 86:3
188:15	miles 128:7,10	120:19	15 85:8,9,10,	month 12:24
menu 44:18	mill 68:7	misrepresent	11,12,13 87:12,	27:3,19 28:3
message 171:3	million 14:3	24:2,3 134:13	13 88:2,17	30:20,21 33:20
met 128:25	44:6 51:22	miss 157:8	89:2,3,5,15,18,	35:7 166:22
Michaela 12:11	88:24 114:20,	186:24,25	25 93:2,5,13,	monthly 27:17
Mick 19:6	22 116:18,23	missed 13:15	14,16,23,25	45:11 79:10,14,
183:20	118:7,8 119:7	missing 35:13	154:25	24 134:19
micromanagem	125:7 127:16	85:5 157:21	modification	147:12
ent 153:4 180:4	184:15,20	174:16	166:11	months 31:8
middle 64:7	190:6,9,17	misstate 57:21	modifications	35:15 63:1
might 6:20	191:24	mistakes 37:19	52:20 175:24	64:9,12 66:21
40:21 70:9	mindful 153:8	38:17 141:1	modified 112:10	83:18 91:14
72:10 79:13	minds 188:24	misunderstandi	114:18	157:6 163:25
92:23 99:25	minimize 38:15	ng 31:15	modify 96:19	188:23
100:22 101:18	minimum 54:21	ngs 190:25	97:6	more 18:21 20:6
	minus 36:25	misunderstandi	Mole 102:17	21:8 23:17
	minute 131:25	ngs 190:25	moment 101:7	31:10 37:10
	minutes 13:8	misunderstood	135:22 153:5	38:14 49:7
			161:22	58:20 65:13
			Monday 7:20	68:17 71:5,15
			money 5:23	74:16 75:8,9
				76:15 78:17
				84:3 88:21,22
				90:2 93:19
				95:18 98:22
				100:9,11 101:8

<p>103:13 104:7, 25 105:7 106:15 108:11 109:7,9,11 113:3 114:5 118:23 125:15, 16 127:18 129:11 131:3 133:13 134:6 137:16 138:7 141:6,8 142:4 146:12 148:19 149:4 152:10, 15 154:25 155:7,10 157:15 163:14 165:6,24 169:5 173:7 175:7 180:8,14 186:17,18 191:14</p> <p>more-realized 133:14</p> <p>mortar 9:9</p> <p>mortgage 101:9</p> <p>Moss 33:6,19 34:1 148:17 180:12 182:2</p> <p>most 11:19 20:10,12,14 23:13 24:21 37:14 49:12 65:15 78:7 108:17 110:17 131:16,22</p>	<p>138:25 139:14, 18 141:15 157:24</p> <p>mostly 13:14</p> <p>motion 36:9,11, 24 41:10,11,23 69:17 111:7 160:19,25 175:21 176:15</p> <p>Motion's 36:13, 16 41:15 176:3, 6</p> <p>MOU 188:6,12</p> <p>mountain 17:20 27:10 86:12,13</p> <p>move 54:25 115:4 132:6 141:5 154:13 158:3,12 164:25</p> <p>moved 26:15</p> <p>moving 5:3 26:7,18 36:7 37:16 41:24 63:18 70:16 83:16 104:17 107:6 115:6 116:12 122:20 142:16 155:2,8 159:24 161:4 162:17 176:16,</p>	<p>23 183:25</p> <p>Mt 6:6</p> <p>much 16:1 32:13 35:20 38:13 48:22 68:2 91:13 99:1 104:6 118:25 121:22 127:8 137:11 152:15 154:2 156:5 158:1,10 159:19 162:6 178:5,7 192:1</p> <p>multi-year 148:6</p> <p>multiple 138:15 144:19 158:6 161:17</p> <p>multipurpose 116:21</p> <p>municipal 125:6 127:6</p> <p>municipality 43:17</p> <p>must 14:21 54:2 67:14 68:3,13 119:14 191:18, 23</p> <p>Myles 189:2</p>	<p>mythical 84:14</p> <hr/> <p>N</p> <hr/> <p>naked 10:2</p> <p>name 10:13 13:9 19:4 24:22 34:23 66:16,19 134:7 188:9</p> <p>names 51:8 133:17 140:8</p> <p>narrow 19:11 140:15,17</p> <p>narrowed 134:6</p> <p>narrower 185:11</p> <p>national 169:19, 24</p> <p>nationally 13:6</p> <p>natural 47:9</p> <p>nature 16:9 20:12 120:11 145:19 146:22 184:8</p> <p>Navazio 86:10</p>	<p>Nay 176:14</p> <p>near 11:8 175:15</p> <p>near-term 20:5</p> <p>necessarily 5:8 58:19 75:18 95:25 105:19 137:9 143:18 151:10 167:6 175:16</p> <p>necessary 52:20 99:11</p> <p>necessity 186:5</p> <p>need 7:5,17 8:9 9:22 14:14 15:2 18:22 25:12 35:12,24 46:15 67:12 69:14 76:8 79:6 83:6, 21 88:16 90:5 95:13 102:10, 13 103:24 106:4 111:11 117:24 118:16 121:12,21 125:15 127:8, 12,19,23 130:14 131:2 138:4 140:22 141:5,16,18 142:8,13 143:5 149:7,9 152:9 153:2,8,10,14 154:18 156:16,</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

17,18 158:8,24 160:16,25 163:6 164:6 177:10 179:19, 21 181:11,14 182:5 184:4,9 185:2,14,18,24 186:7 190:1 191:21	negotiationsolutions.com 19:4	120:2,9	44:21 53:2,5,25 54:2,16,22 131:10	non-profits 164:12
needed 26:11 28:16 32:22 80:8 81:21 88:21 98:9 104:21,22 138:5 170:8	negotiation 18:3	never 5:15 6:8 7:4 9:4 24:20 40:10 47:4 80:4 81:7 82:25 83:2,10 84:24 87:18 89:19 102:20 187:21 190:8	nixed 172:22	none 26:17 28:6 36:18 41:17 68:23 73:6 176:8 182:21
needing 84:2	negotiations 61:24 62:1	new 5:16 7:2 10:4 26:15 33:16 46:8,13, 19,22 47:13,15 67:23 114:14 148:14,25 179:3	Noble 4:20,21 36:21 41:14,20 60:16 67:5,18, 20 68:1,9 69:7 74:12 77:1 78:16 83:18 90:5,20 91:13 95:17 98:15 102:12 104:5 107:12,20 108:25 109:18 112:17 113:6, 10 114:24 115:20 148:3 150:7 152:1 160:4 164:3 168:24 176:5, 10 191:21	norm 191:7
needs 14:24 15:1 32:11 45:11 86:1 108:15 126:25 129:4 156:8,20 181:10 185:13, 17,25	neighbor's 95:20	next 18:25 26:24 28:20 32:13 33:13 54:25 65:5,6,8 79:12 89:7 94:5 95:18 102:5 106:16 120:7 133:20 137:19, 25 138:10 140:24 142:2 151:2,18,22 162:13 181:6 183:13 186:19	Noble's 92:21 93:2,11 96:19 100:21 103:7 110:22	Northern 60:10 62:17
negative 21:1 103:9	Nelson 70:8,12 71:19 72:2,20 74:4,14 75:4,15 96:17 97:3,18 99:20 115:10 116:9,13 138:6, 20 141:4 158:10 159:2, 15 160:17 161:1 162:12, 24 163:2 168:2, 23 169:23 171:7 173:16 174:3,20 175:13 176:21 177:21		noted 8:10 29:6	notation 69:25 72:10
negatively 8:7	nervous 133:12		note 8:2 13:19 28:16,20 29:10 66:7 83:12 163:22 178:5	note 8:2 13:19 28:16,20 29:10 66:7 83:12 163:22 178:5
negotiated 61:20	net 55:6 128:4 131:9,20 140:5	nice 15:1	nodding 157:18	notes 70:11 97:18 126:11, 21 128:21 137:5,6 144:5
negotiating 17:13 22:16 61:13 173:23	Nevada 4:1,9 22:2 24:5 27:12,25 60:10 62:17 70:19 79:17 98:10	Nick 150:9	nominate 144:14 160:2	nothing 6:4 20:13 54:20 65:13 93:19 96:23,25 170:14 191:18, 23
		night 5:13,14	non-pass 88:10	notice 113:14, 17 139:15 178:2,16
		nine 27:12	non-profit 167:23	

noticed 148:25	187:10	occur 8:11 191:1	49:19	18 130:7 132:21 136:20 142:4,23 148:7 150:22 151:2,3, 14 152:2 156:14 157:5 159:16 160:6 161:17 162:13 166:7,18 167:15 168:5,8 170:13 173:2, 20 176:15,20 177:21 179:23 180:11 184:9, 14,22 185:4 189:2
noticing 179:25	numbers 86:11 184:18,19 186:15 190:2	October 117:10 118:2 182:3	old 9:12 10:8 37:22 113:1 137:5	
notification 43:11	nuts 159:7	off 5:17 7:3 25:24 34:10 39:13 48:23 62:25 65:10 67:7 91:6 134:13 137:11 156:13 174:1 180:6 181:11 184:25 188:20	omission 172:8	
notified 73:1	NV 27:17		on-video 70:10	
notify 73:4	O		once 40:4,8 106:12 112:24 148:20 150:20 153:2 172:5	
noting 8:3	object 22:16	offer 15:19 34:25 116:8	one 5:17 11:10 12:5 13:18 15:15 23:9,14, 16 30:5 31:18 34:4 37:22 38:2,19 39:5,7 40:22,23 47:15 48:5 49:7 64:13 65:6,10 66:6,7, 13 74:12 75:18 78:4 79:3 80:12 81:22 83:12 84:7,8,14 88:2, 24 89:8 91:24 92:14 95:10 99:16 100:1,25 101:17 103:8, 15 104:9 105:2, 11 107:20 108:11 109:4 110:24 111:25 114:22,25 117:7,17 118:2, 25 119:20 120:24 129:8,	one's 68:23
November 78:5	objective 81:1 93:8 104:6	offered 37:5 74:25		one-fifth 101:21 102:4 105:16
now's 23:19	objectives 126:20 149:6	office 11:18 46:3 49:18,24 50:3,4 70:20 116:22 133:2 173:21		ones 78:7 144:1 150:22 151:9 154:20 174:8
NRS 22:2 24:1 98:10 139:7	objects 14:2	officer 14:16 65:16 166:15 167:24 168:4		ongoing 72:5 146:7
nuance 108:14	observe 60:24	officially 188:5		online 48:4 167:7
nuanced 109:11	observing 154:5	offset 27:18		only 6:11 8:7 13:18 24:21 26:10 38:23 40:2,22 48:7,16 56:23 69:23 82:8 84:14 88:2,24 92:16, 17 97:11,16
number 8:22 11:10 23:14,16 49:25 52:16 76:21 81:15 92:22 94:5 98:19 102:8,9 104:17 106:19 107:5,6 112:5 114:18 116:7 119:20 129:2,5, 8,12,21 130:2, 6,8 140:11 146:4 152:2	obtaining 94:7	often 191:5,10		
	obviously 32:11 113:23 125:12 128:16 135:1,3, 25	 Oftentimes		
	occupancy 19:20			

<p>100:17 103:12 120:3 121:20 124:5 144:24 154:11 156:5 158:11 166:21 167:20,21,25 168:10 170:14 182:15 191:19</p> <p>open 12:24 21:12 55:13,14 76:12 120:9 135:12 146:3, 11 147:22 168:19 169:22 173:6,20</p> <p>Opengov 30:4, 12,22 35:4</p> <p>opening 55:12</p> <p>opens 58:20</p> <p>operate 139:18 158:23 167:5 168:25 170:1 172:13,15,16 175:25</p> <p>operated 165:19</p> <p>operating 78:20 167:5,10,12,17 172:12,16 175:24,25 184:16</p>	<p>operation 13:21 14:11 28:22,24 126:2 153:20</p> <p>operational 14:17,24 64:5 122:13</p> <p>operations 13:24 17:20 20:2,10 67:10, 11 78:20,24 80:8 81:23 83:20 98:8 104:22 150:13 155:18</p> <p>opine 75:19</p> <p>opinion 71:21 75:1 115:19 116:11</p> <p>opportunities 20:3 150:13 186:25</p> <p>opportunity 23:17 39:15 40:3 45:24 61:4 118:22 123:21 124:21 135:13 166:23 170:10 179:6</p> <p>opposed 36:24 166:22 176:13</p> <p>optimization</p>	<p>150:14</p> <p>optimizing 20:1 150:12 155:17</p> <p>option 170:13 175:10</p> <p>options 174:18</p> <p>oral 191:1</p> <p>order 4:7 68:4 87:14 184:10</p> <p>orders 141:25</p> <p>ordinance 94:9, 17,25 95:3,8,10 102:2 105:3,12 147:18</p> <p>organization 168:3</p> <p>organizations 31:3,5,17 32:5 65:16</p> <p>organized 166:3 174:25</p> <p>original 107:24 111:13</p> <p>originally 66:10 172:9</p>	<p>other's 93:17</p> <p>others 18:8 24:3 31:5 72:6 158:20 188:25</p> <p>otherwise 16:13 115:23 128:13 187:24</p> <p>ourselves 118:20 136:22</p> <p>outcome 114:6</p> <p>outcry 31:8</p> <p>outdated 124:8</p> <p>outline 132:20 153:1</p> <p>outlines 40:9 53:13 158:17</p> <p>outright 91:20</p> <p>outs 172:7</p> <p>outside 47:1 64:25 71:24 81:10 124:19 133:7 187:24</p> <p>outsource 80:21</p>	<p>outsourcing 80:24 134:7 187:23</p> <p>over 5:20 9:11 16:3,7 17:21 18:20 24:25 27:2 38:9 52:8 54:3 62:15 90:7 97:17 116:17 136:4 153:11 189:1 190:10</p> <p>over-budgeted 88:25</p> <p>over-budgeting 80:7 82:10 88:20 89:1,3</p> <p>over-collecting 54:1 88:25 89:1</p> <p>overall 48:19 99:13 110:8 153:23 182:4</p> <p>overloaded 142:6</p> <p>overnight 8:11, 12</p> <p>oversee 14:10</p> <p>overseen 15:4</p> <p>oversight 15:11</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

overstate 72:7	141:7 143:13 144:6 162:25 165:11 176:20 177:1 179:21	parking 29:24	18:1 20:4 150:15 174:18 186:16	108:2,5 110:15, 19 176:15
overview 46:11		parks 17:18 83:15,24 125:5 131:6	particularly 31:4 32:3 92:14 125:19	passthrough 51:18 58:4
overwhelmed 150:21	pages 28:11 42:5 63:24 123:3 124:12 143:12 148:9 161:17,25 162:8,25 176:25	Parliament 190:21		past 6:1 10:9 20:20 56:24 69:15,24 76:7, 11 81:9 83:18 85:17 86:13 90:10,14 102:1, 4 111:24 114:13 125:12 138:22 154:9 161:13 178:7 179:7
own 6:11 62:21 83:23 92:10 108:16 115:15, 19,22 116:5 166:5	paid 6:6 17:14, 23 29:20 191:6	part 12:6,15 14:6 17:8 19:17 29:18 45:21 50:24 77:3,10, 18 78:1 110:17 121:25 125:20, 24 131:16 133:24 141:15 143:2,15,16,18, 19,25 144:2 145:2 149:13 156:22 164:10	parties 123:19	
owned 51:14	paint 10:5	Partial 46:16	partner 49:2	
owner 52:18,21	paper 161:19,22 162:6 171:11	partially 175:4	partners 32:8	path 185:23
owner/lease 165:20	paragraph 143:10 167:4 174:5	participants 17:21 18:4	partnership 174:9	Paul 13:9
owners 10:14 12:17 16:6 81:22	Parasol 14:2	participate 69:8	partnerships 166:9	pause 94:24
ownership 21:5 166:15	parcel 16:6 81:21 105:6	participated 10:19	party 118:5 191:14	pavement 9:16, 20 46:13,15
<hr/> P <hr/>	paring 15:12	participating 175:10	pass 6:7,20 19:14,18 57:13 69:12 88:10 106:10 108:1 111:3,5,8,22,23 112:1 161:3	pay 25:20 28:6 46:20 104:12
P.M. 4:1,7 63:16 122:19 192:10	park 83:24 143:6,8 147:19 152:7 177:7 179:13	participation	passed 24:14 50:25 51:24 69:17 84:19 190:20	paying 84:3 105:23
packet 26:24 28:12 37:7 42:5 63:25 66:10 75:17 117:19 123:4 132:1	parked 29:23		passes 36:24 41:23 94:23 100:25 107:9	payment 26:22

pays 18:21 46:21	percent 6:7 19:20 44:21 45:2,3,4 48:16 49:11 53:2,5, 12,16,20,25 54:2,5,22 76:18,19,22 77:20,21,22 86:18 88:10 101:9 107:23 122:12 185:8, 10,12 188:10	period 8:14 45:10 54:1 119:11	12:7 61:12 93:15 155:24 156:10	11:17,25 12:6 143:6 149:23 186:16,19
Peak 6:8 27:22 29:14,15 78:10 81:18 83:7 88:14 90:24 127:15		perjuries 190:20	perspectives 115:18	pickup 59:5
pencil 182:2		Perjury 191:6	petition 19:3 24:4,12,18 25:20 189:8 190:12	picture 69:16 77:7,13 93:9
PENDING 176:18		permanently 187:14 188:11		pictures 47:10
pension 174:11 175:14,17	percentage 105:21	permits 27:21	petitions 14:8	piece 52:8 131:17
people 15:2 24:23 25:18,19, 21,23 30:1 48:10,15,17 49:9,11,12 58:21,25 70:2 73:11 87:11 89:25 91:5,16 92:7,18 99:8 105:19 113:15 115:21 116:5 120:12 127:20 128:2 146:1 149:21 150:2 155:2 159:5 171:2,4,25 172:1 185:16 186:12,17,18 188:24 189:11, 21	perception 114:13 116:23	person 69:6,9, 15 72:12,18 117:17 121:19 129:5 130:22 174:22	phonetic 12:21 27:24	pieces 52:9
	perfect 41:9 64:22	person's 166:7	phony 17:4 189:14	piggybacking 33:25
	perfectly 69:20	personal 69:9 71:24 75:23 115:25 130:12 166:5 174:10	phrase 153:5 173:15	Pinkerton 127:25 131:10 136:18
	performance 16:15 35:17,19	personally 14:4, 22 15:18 139:23 149:2 178:7	phrased 74:16	PIO 65:16
	performed 8:17	personnel 78:20 96:16 129:23 133:24 178:13	physical 167:10,16 168:22 172:17	pipeline 13:22 14:14 23:14 27:14 61:7 141:17
	perhaps 32:10 51:12 53:2,9,14 54:18 61:17 76:4 79:9,13 113:25 147:23 173:13 174:15, 19 187:6		physically 170:23 173:7	pivot 74:16
perceived 84:2	perimeter 46:16	perspective	pick 14:18 32:11 84:2	place 154:8,22 157:20 167:10
			picked 134:1	Placer 173:6,8
			pickleball 10:16	

places 83:10 134:2	pleased 13:19	policies 20:10 39:19 40:14 84:16 85:14 90:25 126:13 133:25 148:14, 17,18,23 149:8, 9,16	pool 27:25 135:8 155:1	posting 133:23
plan 8:17,24 9:5 19:12 29:6 32:15,18,19,20, 22,23 33:2,4,8, 12,16,24 34:2 61:8 132:10 146:25 147:1,3, 8 155:8 156:1, 4,7,9 157:2 177:17 182:4	pledge 4:11,13, 14	policy 5:15,23 20:13 21:9 22:12 31:16,23 32:9,10 38:25 40:9,17 69:13 70:10 84:19 85:17 86:2,21 87:8 88:8 90:8, 11,17 92:24,25 95:1,7,8 109:10 110:24 111:15, 16 112:6,7,9, 13,14 113:21 114:14 126:14, 15,17 143:9 145:13,14 149:4 158:17 162:19,21,22 163:2,5,9,12, 16,21,23,24 164:14,17,20, 21 165:1,7,25 166:19,20 170:11 171:8,9, 22 175:22	poor 10:2 48:8	potential 60:19 73:23 162:23 165:22 166:11 178:18 187:4
planned 8:13	plenty 73:5 160:7		pop 177:19	potentially 19:11 42:9 60:21 114:11 117:3 119:1 120:19 143:25 162:21,22 166:7 167:11, 13 183:12,15
planning 8:14 148:6	plowing 121:10		portfolio 83:5	practice 39:3 43:13
plans 20:19,20 23:2 46:8	plug 153:24		portion 183:6	practices 20:14 77:19 106:14 129:23
plate 137:11 160:8	plus 28:1		position 14:18 34:23 35:1 123:14,17	Pratt 18:6
platform 30:5, 12	point 18:14,16 49:17 64:20 72:8,9 74:11,21 84:10 85:8 92:22 93:2,12, 18 96:19 103:23 107:12 109:22 110:22 111:21 119:13 124:11 126:6 136:15 138:11, 21 154:19 156:25 168:15, 23 169:24 180:23		positions 76:23 77:3 123:9 140:12	pre-booking 112:22
play 8:7 10:17 13:3 102:17 107:9 108:2,4 110:15,19 111:3,4,8,22,23 112:1 144:20 188:20	pointed 66:19 120:20	political 20:12 115:25 184:8	positive 153:16	precise 38:14
players 11:7	points 52:15 74:9 153:16 170:2,9	politicians 18:18	possibility 12:4	prefer 61:16 66:11 128:11 160:18 172:9
playing 10:16	police 185:15	pond 23:15	possible 21:11 73:23 128:9 130:21 145:12 159:20 175:2 180:8	preferred 32:8 130:21
			possibly 57:23 122:23 142:19 143:4 161:7	premature
			post 123:14	
			posted 188:10	

22:15	158:10 169:17 170:5	185:6	privileges 37:5 38:2,21,23 39:7 40:9 94:17	17,24 133:5,9, 22 134:9,14,18, 23,25 135:18, 21 136:16 137:2,4,8,23 139:13 140:15 141:19 142:11, 14 143:24 147:18 150:23, 25 151:1,6 152:12 154:7, 23 155:2 157:16 173:22 177:5 183:9
prepared 55:1 104:12,13 185:6	prevent 190:24 191:9	principles 33:17	probably 29:16 30:13 35:15 78:2 90:9 95:18 96:20 101:8 138:4 139:25 151:6,14 177:14 182:2	
prerogative 75:5	prevention 190:19	print 38:22 162:5	problem 91:2 103:1	
present 4:23 5:2 21:22 28:18 126:14	previous 12:11 30:21 32:16 84:19 94:9 100:2,5 101:23 106:13,23 112:18 169:18 189:25	prior 53:19 78:15 108:23 112:13 182:14		processes 148:24
presentation 22:14 26:13 42:1,23 43:2 51:10 58:14 63:2 184:11	previously 32:16 166:1	priorities 12:8 147:2 156:9	procedural 37:10	procurement 177:17
presented 13:17 41:12	price 44:24 53:1	prioritized 157:2	procedures 85:14	produce 24:16, 17 150:5
presently 143:8	prices 6:16 100:17,18	private 137:16	proceed 21:17	produced 147:16 148:12
presents 71:2	pricing 50:5 84:19,24,25 85:4,5,17 86:2, 20,24 87:8 88:8,14 90:8,9, 11,17,25 92:24, 25 110:24 111:14,15,16 180:25	privatization 92:15	proceeded 116:19	professional 7:25 139:8 146:15 191:5
preserved 12:2		privatize 80:3,5, 14 84:8 92:16 187:12	process 11:15 14:7 15:6,15,16 42:18 61:22 64:21 72:22 73:25 74:6,17 75:13,14 80:6 82:12,15 86:5 88:17 91:18 94:24 100:3 102:1 109:4 123:1,7,12,15 127:25 131:3,7, 9 132:5,8,16,	professionally 12:1
press 34:17		privatized 81:9		profit 35:20
pressing 62:12	primarily 127:6	privatizing 20:17 80:17,20 81:4,7 187:22		profits 6:18 44:21 81:22 83:8
pretty 11:13 24:17 31:20 43:23 104:5 115:14 122:14 139:18 151:15	prime-time	privilege 177:7		

program 45:15 59:1 60:20 101:12,15 103:25 166:6 175:14,18	proper 12:17 73:1 120:10 129:25 136:25	proposed 7:18 42:2 67:24 75:17 107:25 165:3,13 166:13	98:21 112:17 129:7 133:16, 19 140:8 148:4 152:15 161:8 166:23	121:25 126:3 127:11 132:19 133:1,3 164:13, 15,20 170:25 171:4,24 176:18 183:18, 19,21 185:19, 20 188:2 192:4
programs 10:19 29:1 174:11	properly 13:20 70:17 71:8,9,13 126:5	proposes 45:20	provided 29:7 35:21 113:6 148:13 159:3 170:6 172:23 178:1 191:11	publically 127:2
progress 14:20 29:9	properties 96:8 99:1,13	proposing 55:12 173:18	provides 19:13 43:25 135:14 141:6 163:5	publicly 37:14 50:6 57:7,19 66:20 70:24 127:3
progression 109:2	property 44:15 71:9 80:10 95:4,20 98:2,5, 6,12,16,18 99:4,7,8 100:20 101:4,5,6 103:20 104:4,6, 10,11,19,20 165:20 166:5	proprietors 167:4	providing 19:17 32:5 48:17 56:18 104:25 141:8 165:23 178:16 185:3	published 44:25
prohibited 164:10	proponents 92:17	proprietors/sole 166:9	prudent 83:21	pull 26:11,12
prohibition 75:22	proposal 11:24 19:9 110:23 111:13,14 152:14 153:17 171:19 172:11	protection 19:22	public 5:4,5,7 15:5 16:7,13,18 17:3,12 19:1,16 26:4,7 27:16,25 35:6,11 42:4 46:20 57:22 58:1 65:22,23 73:7,20,21 74:8 76:5 82:21 87:25 88:13 89:18 91:15,16, 19,24 92:3 101:2,3 104:1 106:21 111:8 115:15 119:4,8, 14 120:5,10	pulled 140:22
project 21:16 27:14 61:7 115:3 118:19 148:9 157:11, 20 170:20	proposals 108:8,9 111:3 134:10 151:21 152:6,8,25 153:13 157:7 173:23	protect 10:9 95:4	protects 19:14	pulling 115:4 124:14
projected 98:7	propose 107:24 171:15	proved 22:18	proves 191:19	punch 6:18 20:25 21:3 96:5,10 97:7,11 98:20,24 101:10,25 102:7 104:18 105:15,17,22 106:4,7 107:1,3
projects 8:25 61:7 101:16 104:2,3 144:20 147:24 152:13 156:11		provide 11:22 28:21 29:5,23 31:22 33:9 34:13 42:23 63:20 74:7		punished 24:5
proof 56:19				punitive 21:8
propane 47:9				purchase 174:9

<p>purely 39:19 98:6 104:20 127:13 128:2</p> <p>purporting 24:12</p> <p>purpose 13:11 75:8,23 153:9 155:11 191:8</p>	<p>98:3 111:6 112:11 114:19 119:1 123:20 124:12,15 133:25 146:4 154:7 158:8 161:10 162:16 171:10 173:19 182:5 186:23 187:6</p>	<p>166:16 174:23 176:1</p> <p>quality 8:7</p> <p>quarter 162:8 166:21</p> <p>quarterly 163:8</p>	<p>50:8 63:22 64:19 79:4 97:17 98:14 121:9,13,23 124:24 145:10 152:17 157:24 167:1,2,15 175:19 177:20 180:9 183:22 187:11 188:14</p>	<p style="text-align: center;">R</p> <hr/> <p>rabbit 84:7 91:3, 13 92:6 186:2</p>
<p>purposes 39:25 40:11 100:24 115:25 191:9</p> <p>pursue 42:16,17</p> <p>push 21:8 105:11</p>	<p>puts 25:6</p> <p>Putter 15:22</p> <p>putting 63:7 69:25 125:1 149:4 154:22 169:8</p>	<p>question 5:19 10:7 20:18 21:7,10,15 30:24 38:19 40:20 49:9 65:25 66:4,8,9, 12 70:23 75:17, 24 77:15 81:6 93:1 95:25 96:6,20 97:6,8, 15 99:19,24 101:19 103:2,3, 6 109:15 115:2 129:20 132:22 133:11 142:4 167:3,19,20 168:1 176:9 180:22 187:10 188:15</p>	<p>queue 26:5 192:3</p> <p>quick 26:13 39:11 109:22 116:6</p> <p>quickly 24:17 37:13,16 122:15 139:18 141:1 151:22 152:15</p>	<p>race 29:13</p> <p>radar 29:21</p> <p>railroad 48:25</p> <p>raise 6:7 60:12 164:20</p> <p>raised 20:15 174:22 185:11</p>
<p>pushback 170:5</p> <p>pushed 181:11</p> <p>pushing 80:13 151:18</p>	<p>pyramid 84:24, 25 85:4,5 86:17,21,24 180:25</p>	<p style="text-align: center;">Q</p> <hr/> <p>questioned 7:17</p> <p>questions 20:9, 16,24 21:14 28:5,19 30:23 33:24 35:3 38:10 41:17 43:3,6 47:11,12 48:18 49:16</p>	<p>quiet 16:10</p> <p>quite 13:15 29:23 38:24 48:22 49:1 60:4 128:7 139:8 177:8</p>	<p>raises 60:11</p> <p>raising 6:16</p> <p>Raley's 19:3 25:16</p> <p>ran 124:16 168:7</p> <p>random 126:11</p>
<p>put 5:16 15:20 23:14,15,16 24:4 25:13 34:3 40:16 41:5 58:7 64:17 65:11 67:12,13 69:7 70:19,25 75:20 76:18,24 79:6, 14 80:3,17 86:17,23 89:21 91:4 94:24 97:1</p>	<p>qualifications 124:17,18 127:1</p> <p>qualified 165:25</p> <p>qualify 175:6</p> <p>qualifying 163:5 165:14,18</p>		<p>quote 5:24 7:19 8:22 9:6</p> <p>quotes 140:3</p>	<p>range 19:15,23 63:8 86:23 176:24,25 177:20 182:18, 22 183:14 185:10</p>

rashing 189:1	reaching 135:22 140:2	really 25:12,20 30:17 47:18,24 57:16 64:10 69:22 73:24 74:16 78:4 79:8 86:7 89:14 93:19 97:4 99:22 101:25 102:8,10 103:5 114:24 115:16 118:1,8 122:14 123:21 124:4, 21 125:24 126:6 129:4,24 130:13 131:24 132:14 133:21, 22 141:24 146:20 147:14, 21 148:19 149:19 156:11 159:4 168:20 180:2 182:12 189:5	20:25 39:6,8 83:1,23 87:1 94:17 98:4 99:9,22 100:4, 5,8 101:13,14, 21 103:25 104:21 116:2,3 125:5 131:4	recommend 48:18,19 108:17 158:15
rate 19:20 44:17,19,20,23 53:13,17 55:10 58:5 60:3,9 61:2,3 62:17, 21,22 76:18,19 77:5,9,10,18 107:10 110:8 182:13	react 171:10	118:1,8 122:14 123:21 124:4, 21 125:24 126:6 129:4,24 130:13 131:24 132:14 133:21, 22 141:24 146:20 147:14, 21 148:19 149:19 156:11 159:4 168:20 180:2 182:12 189:5	104:21 116:2,3 125:5 131:4	recommendatio n 102:6 108:19 110:8 133:15 171:9
rate-making 56:15	reader 27:7	126:6 129:4,24 130:13 131:24 132:14 133:21, 22 141:24 146:20 147:14, 21 148:19 149:19 156:11 159:4 168:20 180:2 182:12 189:5	recall 14:5,8,9 19:3 21:22 84:20 88:9 115:1 119:8 131:9 179:17	recommendatio ns 11:17 105:4 107:11 109:24 111:1 124:4,16 126:14,15 139:10,12 146:24 147:5,6 148:18 151:13, 17 154:8,12,16 155:9,17,21
rates 23:3,11,12 44:9,12,13,14 45:5,6 53:23 57:19 59:17,23, 24 60:11 83:21 101:9 104:7 107:7,23 109:3, 16 111:18,19, 20,25 130:18	reading 54:9 57:1 59:11 187:10	Realtors 103:4	receive 40:3 60:6	recommended 107:8 122:24 124:10,19 138:18
rather 15:5 17:5 32:19,22 65:2 66:14,15,16,18 67:25 71:4 74:15 125:14 127:11 165:17	reads 97:10	reason 13:16 31:18 40:14 43:20 55:14 68:16 102:19 110:25 112:21 154:13 161:11 163:22 170:3, 14	received 134:4 138:2 140:10 153:22 158:16 163:12 164:2 170:5,17	recommended 107:8 122:24 124:10,19 138:18
rattle 34:10 89:8	ready 30:12 138:17 162:12	Realors 103:4	receiving 36:3 180:5	recommending 111:23 140:18
Ray 6:4 26:22	real 67:8 105:10 109:21 116:6 189:14	reason 13:16 31:18 40:14 43:20 55:14 68:16 102:19 110:25 112:21 154:13 161:11 163:22 170:3, 14	recent 19:16 31:8 91:14 113:20 132:19 178:14	recommends 110:13
reached 123:5 140:14	realistic 11:7 83:1 140:20 182:8	reasons 23:6	recently 100:17	reconsider 162:19 164:21 170:10,16 182:24 187:5
reality 9:15 101:4 136:23 189:13	reality 9:15 101:4 136:23 189:13	reboot 12:25	recess 63:16 122:19	reconsideration 170:3
realize 93:23	realize 93:23	rec 6:15,17	recognize 125:4 187:17,18	

reconsidered 170:4	recruitment 15:11 123:14 136:18 177:5	127:5	151:20 152:24	18:10
reconsidering 163:23,24	red 148:8,10,20 165:10,12,13, 16,22 168:5	referencing 13:12 117:2	regional 79:18 135:4	relative 86:6
reconstruction 9:22 11:20,23	redactions 176:18,22	referring 40:17 75:13 92:18 108:24 116:15	registered 31:6	relatively 125:8
record 17:9,12 35:6,11 57:7 59:23 74:1 80:16 85:23 88:12,15 92:18 137:18 164:13, 15	redirect 116:1	refers 33:7	regular 4:6 15:5 27:17 152:16	release 34:17
records 13:23 35:18 73:20 176:18 190:4	reduce 19:19 80:6 158:4 161:21	refine 153:9 159:11	regularly 58:2	relevant 11:12 15:3 78:18 146:15,23
recovering 70:4	reduced 98:23 103:25	reflect 30:15 31:23 101:6	regulators 18:17	relieved 187:9
recreation 17:19 19:13 37:5 81:19,21 94:7 129:16 130:17	reducing 20:25 99:13 101:13 103:18 105:20, 25	reflect 30:15 31:23 101:6	reiterate 37:20	relying 191:1
recreational 12:14 93:7 127:7 187:12, 18,23	reduction 100:14,16 101:9 104:17	reflected 126:9	relate 20:14	remaining 12:1 30:5,6
recruited 128:1	refer 8:16 41:3 53:3 79:16	reflects 28:14 178:12	related 6:5 13:21 14:13 20:8 21:10,22 28:21,22 30:4 75:18 101:8 155:17	remark 7:15
recruiting 123:1 132:8	reference 70:10 84:15 107:13 113:4 115:12	regard 104:4 111:2 125:21 169:16	relates 35:6,9 36:4 85:18 93:1 129:19 130:12 131:19 142:5 155:13 158:9 180:1,3	remedied 8:11
	references 116:2 125:22	regarding 28:5 40:25 63:21 65:9 71:5 82:18 117:11 120:22 122:13 182:25	relationship 45:12	remember 127:17 136:17 159:17 164:14
		regardless 52:11	relationships	remembered 40:22
		regards 90:25 95:23 150:19		remind 5:6
				reminder 74:17 163:24
				remotely 67:2

68:20,22 69:8, 14 70:6	47:7,9	request 12:7 22:10 35:11 42:2 50:10,18 75:5 92:2 111:9 164:1 166:19 170:15 188:5	164:11	resident-owned 13:24
removal 23:11 111:23 113:13	replacement 9:1 46:16 178:21,24	requested 22:13 94:14 149:12 160:5	rescind 5:14	Residential 48:21
remove 14:6 22:10 47:7 94:18 130:10 169:20	report 8:1,2,15, 20,22 10:1 11:12 26:21,25 28:7,14,17,20, 24,25 29:8,10 30:25 31:1,23, 25 33:20 34:9, 12 35:16 36:3 65:7,11 78:21 79:10,15,24 147:12 154:6 163:9,15 177:9 180:3,5,8,13 182:2	requesting 26:22 35:8 37:7 42:3,9 50:19 63:23 123:1 161:9 162:23	research 18:7 118:4	residents 10:14 14:7 18:17 20:21 21:4 44:1
removed 101:14 137:7 173:3	reporter 161:15	requests 35:6, 11 139:16 164:2,5 170:17 176:18	researching 137:4	residing 128:6,8 130:22
renegotiating 55:9 56:3	reporting 14:13 27:1 30:18	require 163:2 174:17	resent 22:14	resign 16:12
Reno 47:2 50:12,15,25 60:12,17	reports 13:23 26:19 32:16 35:8 177:15	required 43:11 137:17 157:15 163:13	reservation 112:9 113:13	resolution 29:2 32:1 158:17
Reno/tahoe 165:21	represent 11:6	requirement 67:16,21 69:21	reservations 112:24	resolutions 124:14
renovation 11:18	represented 11:11 111:16 153:12	requirements 46:10 191:18	reserve 88:24	resolved 94:16
rent 98:25	representing 13:4	requires 163:17 164:1,14 165:6	reserves 88:23	resort 131:5
repair 11:19	replace 46:12	requiring 70:3	reset 113:1	resorts 78:7
repairs 51:13 52:20			reside 67:14	resources 21:20,24 26:14 37:8 41:13 75:22 76:20 115:24 123:2 133:7,17,18
repeating 139:21			residences 174:10	respect 7:22 98:25
			residency 128:6 130:13	respectfully
			resident 15:10, 14,15 19:7	

160:10	restore 111:7	20:2 53:19 60:21 85:18 150:13 187:1,4	169:11	Rockwood 27:8
respectively 188:4	restrict 172:3		RFID 157:20	role 34:15,18,22 119:25 128:18 129:18 145:17 186:13
respond 91:24 92:2	restriction 97:16 169:17	revenues 36:4 82:6 155:19	RFP 33:7 134:5 138:21 140:21	
responded 48:14	restrictions 16:4	reverted 112:13 114:12	RFQ 137:22 138:13,19,25 140:21 179:10	roll 4:15,17 48:23
responding 7:15 91:17 92:3 111:8 139:15	restroom 11:18	review 11:2 16:14 28:15,17 32:21 35:16 37:4 63:20 122:23 123:10 142:19 143:4 146:23 150:1 161:7 182:3	rhyme 31:18	rolled 47:20
response 41:8 67:17 73:1 81:4 114:21 138:23 181:25	result 21:6 37:16 48:1 83:8 102:15 115:3 137:8		rift 144:25	rolling 56:18 59:3
responses 169:23	resulted 115:7	reviewed 137:9	rights 21:1,4 95:5 99:7 104:19,20 105:7,9,10	room 118:20 124:3 133:10 135:15
responsibilities 129:3 145:18	resulting 98:11	reviewing 35:25 51:19	Rim 29:11,13	roots 190:19
responsibility 85:12 126:8 149:1 185:22 187:19	results 100:7 147:16	revised 24:6 98:11 120:2,9 150:10	Riner 92:19 189:2	Rose 6:6
responsible 52:18,21 125:16,25 129:15 153:7	resurgence 100:18	revising 114:4	rip 25:24	roughly 48:17 94:15 140:23
rest 62:17 128:15	retains 44:18	revisions 32:18 175:22	ripping 184:25	round 77:8 85:18
	return 53:5,19, 25 54:2 57:8 60:20 61:2,3	revisit 110:25 111:1 182:24 183:13	risk 73:22 119:1	rounds 85:18
	returned 13:13		road 117:20 156:12,16 165:9	routinely 45:13
	revenue 12:10	revisiting	roads 121:10	rubber 109:5
				rug 68:25

rule 72:18 120:3	34:1 37:24 51:9 58:12 60:2 64:8 79:4 80:16 85:23 86:12,13, 19 89:14 95:23 106:6,8 126:18 130:25 139:21 145:21 146:5, 23 149:17 164:19 180:6 188:20	save 17:6 152:16	160:24 163:16 172:12 177:6 181:5,9 189:5	95:19 96:13 103:1 104:5,24 105:2 111:21 114:10 115:1 118:13 128:24 139:20 140:20 143:14,16 145:8 148:12 149:15 155:13 159:23 161:9, 12 162:1 167:3 168:19 172:11 175:21 176:11 179:12 180:19 181:17,22 182:5 184:14, 17 190:5
rules 159:17,20		saved 18:14	saying 17:10 31:9 57:3,17 59:15 68:20 69:1 78:13 87:11 91:5 138:1 139:22 140:4 150:17 172:12,24 186:7 190:10	
rumor 64:16 66:9,22 67:24 68:7 69:23 70:16 76:17 80:2,13 81:15 94:5 104:17 107:6 185:2,5, 13	salacious 184:23	saving 152:4	says 5:23 47:15 48:9 60:8 64:18 66:8 102:3 104:5 110:12 121:4 129:22 144:10	Schmitz' 115:2
rumors 64:3,19 68:2,11 84:6 102:18 184:3, 10	same 21:23 44:18 58:24 60:9 62:17,22 64:17 69:15 78:14 89:21 105:6,7,8,10 128:3 136:2 138:13 143:4 148:7 157:19 172:21 186:9, 10 187:7 189:1	saw 58:6 100:16 154:25	schedule 53:18 141:10 156:5 180:15	scholarships 17:15,22 18:23
run 6:8 10:8 29:12 52:23 65:3 81:10 131:4,14 132:6 135:21 142:15	Sanitation 50:16	say 11:9 39:10 44:13 52:2 56:9,12 57:16, 18 58:10 59:16, 22 60:2,12 64:2,3 65:2,8, 23 66:8,9,14, 15,16,18,21,23 67:10 69:21 70:1,7 71:6 73:15,21 76:6 78:9 81:3 83:14 86:16,24,25 92:23 93:4,12, 24 95:9 99:9 101:24 102:21 103:6,8,16,17 107:13,19 109:18,23 111:17 115:10 117:1,3 118:14 127:14 132:3 134:13,17 135:11 137:17 140:18,25 146:3 148:22 149:5,11,20,25 156:8 158:6	scheduled 44:7 141:11	school 7:11 183:2
running 18:19 75:21 78:20 83:13 126:5 127:14 153:6, 20	Sara 6:9,23 7:3 24:9 144:14		scheme 174:18 175:10	Schultz 15:22
runs 189:16	Sara's 144:18		Schmitz 4:18,19 21:17 24:9 35:5 36:11,22 38:12 39:24 41:21 60:24 69:20 72:9 73:19 76:3 79:7 80:19 82:20 85:15 90:15 92:21	scope 19:25
S	sat 189:25		score 48:19,20 49:1	scores 48:23
sad 14:5	Saturday 30:2			Scoring 49:3
said 7:19 17:5				Scottsdale 8:18

screen 27:6	secret 117:18 171:25	128:7 153:5 156:13 171:6	138:21,23 162:3	9:15,18 27:8,21 28:1 45:11 46:3 47:3 48:9,21 81:17 94:19 98:6 125:21,22, 23 126:1,8,19 127:7 129:7,8
script 89:21,22	Secretary 70:20	seen 33:15 63:1 71:23 148:19 152:6 158:19 171:16	sending 132:2	
search 13:12 14:22 15:8,9 127:23,24,25 128:1 138:13 143:7 144:23 151:11	section 9:6 34:12 43:10 44:20 53:12,17 54:8 57:18 60:22 116:16	select 178:20	senior 135:2	
season 38:5 44:8 88:19 151:23 157:9, 22 185:7,12 186:9	sector 127:11, 12	selected 134:8, 11,23	sense 52:9 61:6 78:22 83:9 123:18 172:18, 24 175:18	services 44:1, 19 48:6,20 50:5 55:11 57:14 58:13 81:20 83:4,8,16 93:5, 10,16 126:19 139:8 177:24
seasonal 37:21, 24 38:3 77:3,9 78:1,7,17,18, 21,23 79:20	secure 23:10	selection 14:15 15:6,13 151:1	sensible 158:2	
seasons 111:24	secures 44:16	self-funded 83:11	sent 22:11 42:8 43:8 64:15 122:3 163:22 170:4,15	serving 182:15
seat 125:2	seek 15:10	self-supporting 83:11	sentence 129:22 155:15 174:6	set 14:18 99:23 102:2,7,14 106:13,23 109:4,16 111:25 113:11 125:15 137:13 147:9 163:14 165:15 168:3 181:12
second 6:15 14:15 20:7 35:2 36:14,15 41:14 49:21 137:13 143:2,16,18,25 144:2 165:2,5, 10,22 174:5 176:4,5 179:24 181:18 182:21	seeking 44:17	self-sustaining 93:9	separate 50:21 51:11,14,16 52:14 151:11	sets 107:7 111:17
seconded 36:17 41:16 176:7	seem 31:5 88:8, 20 114:11 120:12 128:14 169:11	sell 85:10 101:8 104:9	September 117:9 181:10 182:3	setting 111:19
	seemed 113:21 114:6	seller's 104:13	serious 10:10 191:14	settled 132:3 191:5
	seeming 16:20	semiconductor 18:5	serve 87:20 178:2,6 179:6	seven 9:24,25 12:1
	seemless 179:2	seminars 17:4	service 7:23	
	seems 25:4 99:21 114:6 116:16,22	send 43:14 49:23 128:20		

seven-minute 63:15	Sheila 11:4 12:21	133:11	Silvon 12:21	91:19 142:2 156:9 177:7
several 44:3 85:1 112:7 119:17,24 152:21 169:13	shift 142:13	show 36:3 53:9 68:18 73:21 78:23 85:8 90:9 109:2 185:11 190:3,4,5,6,7	similar 94:20 114:18	situation 8:10 136:22 168:12 169:22
sewer 129:15 130:18 131:15	shiny 10:4 14:2	showing 78:4 185:7	simple 10:3 67:20	situations 171:16 172:6
shack 46:20	shop 47:16	shows 24:17 53:3 190:4	simpler 121:22	six 13:3 27:14 29:19 45:2,3,4 49:11 53:12,16 157:6 163:25
Shackford 16:24 25:24 187:9	short 47:4 113:14,17 139:13 146:7	shrinks 135:8	simply 115:12 134:2 164:16 178:17	six- 157:15
Shackford's 25:3	short-term 8:13	shutdown 58:6	simultaneously 136:14 154:2, 18	size 129:12
shame 5:11	should 5:15,18 11:1 16:10 19:25 20:4,9 22:20 30:8,20 32:6,7 39:25 51:14 52:21 53:20 61:10,13 64:19 69:18 71:3 79:9 85:3 86:23 88:10 90:6 92:22 93:3 99:6 103:16,17 118:23 120:13 126:9 127:4 130:6,9,13 137:12 140:5 147:4 155:15 156:21 180:5, 12,15 181:4 182:1,24 188:12	shuttle 29:25	since 10:1,17 45:6 51:16 66:22 70:24 97:13 112:11 145:4	skate 83:24 143:6 152:7 179:12,13
shape 7:20 10:3	side 13:18 22:9 47:21,22 184:10	siblings 186:20	sincerely 38:5	ski 6:5,8 27:22 29:24 78:2 131:5 177:16
share 29:11 30:14 33:10 48:7 49:15	sides 99:3,15 185:16,24	sign 14:8 60:4 188:9	single 49:8 120:23 173:21 185:7	skill 125:15
shared 63:22 161:13	signed 187:16 188:13	signing 51:15 188:6	sit 25:20 145:3 158:6,7 177:10	skills 14:25 145:16
sharing 6:17	signed 187:16 188:13		site 46:12	skipped 62:15
sheds 157:1	shouldn't 76:6 114:25 126:2		sites 189:12	Skipping 114:17
sheet 5:16,18, 23 185:6			sitting 87:12	slack 84:2

slander 73:23	151:4 154:20 155:5 156:3,17	somebody's 175:9	171:10 174:16 179:18 181:3,9, 23 183:10 187:3	153:20
slash 66:25 67:24 142:24 180:4	snowplow 64:7, 9	somehow 89:5 92:15 101:3	something's 29:21	sounding 189:5
slice 185:11	social 10:18 24:14 65:21,23 185:16 188:22 189:4,11	someone 8:9 34:20 68:25 89:7 116:17 131:12 175:1 185:17	sometimes 72:4 91:21 130:4 141:1 156:13 167:17 168:22	sounds 6:1 63:4 99:18
slides 44:4	software 27:4	Someone's 185:21	somewhere 81:5 117:9 181:4 185:9	source 81:10
slim 177:13	sole 166:9 167:4	something 6:3 23:18,24 25:2, 22 31:14 32:11, 24,25 39:25 41:3 57:4 61:10 66:18 67:13,16 72:17,21 75:20 77:22 79:5,9 81:11 84:9 88:9 92:23 98:20 99:6 102:3 104:9 106:20 107:19 108:16 109:6,7 114:12 116:1,7 117:3, 23 118:15 120:13 122:4 123:24 125:6 126:4 127:16 138:1 141:12 142:7 143:23 153:7,11 154:24,25 157:14 158:8 159:1,8 161:15 168:16 169:3,5	Southwood 4:9	space 41:4 116:22 186:21
slopes 27:22	solely 143:20 145:18 178:12	soon 7:1 13:3 141:9 151:15	sorry 6:9 44:22 76:3 109:20 140:6 162:13	span 131:20
slots 185:6	solicit 146:1	sort 33:16 76:9, 10 79:14,17 85:21 108:5 109:9 147:25 158:17 165:21 167:15 173:17	speak 22:13 30:9 37:14 64:2 65:25 66:2 132:23 146:9	
slow 30:15 132:4 154:23	soliciting 135:23	sorts 73:13 171:23,24 172:7 185:15	speaker 13:17 189:25	
slowing 147:17	solid 14:18 23:10	sound 153:1	speakers 13:17	
small 38:22 46:6 125:6	solutions 8:13 11:8 17:13 49:2	sounded 119:20	speaking 13:16 16:4	
smile 25:7,9	somebody 48:2 85:8 87:13 93:14 98:17 106:6,21 133:10 136:10 148:11 169:6 170:20 171:12 173:20 189:4		special 15:19 25:21 27:21 94:14,24 95:9 97:13,15	
Smith 13:9			specialist 132:13	
sneaky 56:21 57:1,4				
snippet 77:6				
Snowcat 177:17				
Snowflake				

specific 8:21 11:11 39:16 40:8 49:18 116:25 170:7 174:1	spin 6:10 25:11	94:10,13,16,18 95:1,6,7 102:5 107:10 108:7, 13,16 109:5 110:2,3,23 111:22 122:25 123:1 132:7 142:25 148:14 150:11 152:5 153:3,6,19 157:7 158:13 162:4,24 163:6, 11,15 178:9 179:6 181:6 192:8	standpoint 62:6 83:15 100:10	22:15 53:22 55:1,18 57:6,9 83:10 109:12 153:9 164:16
specifically 72:11 80:14 97:14 120:4 168:6	spitballing 124:11		start 13:2 35:1 66:6 78:25 84:3 113:14 121:8, 22 123:1,9,14, 21 124:13,22 125:2 128:16 132:7 133:7,8 135:21,22,23 149:3 151:6 153:2 154:3 156:12 158:13 160:19 172:5 182:3	statement 23:3, 4,5,7 52:16 53:1,8 67:24 183:8 187:13 188:14
specifics 96:18	split 184:5,7			statements 22:7 24:3 25:15 56:5 71:20 188:21
spectators 30:2	splitting 101:21			
speculation 76:13	spoke 10:22	staff's 29:5	started 6:22 18:19 61:25 63:2 66:3 94:16 100:17 123:25 124:2 133:22 151:1 172:13 186:7	states 40:1 174:12
speed 128:25	Spooner 29:13	stage 78:11		stating 57:11 76:10
spell 119:25	sport 7:4 186:8	stake 119:4,8 190:24		station 23:2 29:15,16,17 42:11 43:25 44:2,10 46:19, 22,23,24 50:20, 23,25 51:11,14, 17,23,24 52:4, 11,19
spelling 131:7	Sports 8:18	stakeholders 132:23,25 134:24 135:1	starting 43:7 64:20 78:2,7 84:6 95:7 137:3 150:21 153:4	statistics 45:1 79:15,18
spend 49:21 51:22 97:5 116:24 120:6 152:16	spreading 185:16	stand 7:5 106:9 183:7	starts 128:10 181:6	statue 190:18 191:16
spending 17:6 25:5 117:23 136:4	spring 45:16 186:8	standard 43:13 99:12	state 13:23 21:12 36:19 41:18 70:20 74:1 120:3 176:9	statute 24:6 190:18 191:8
spent 86:5 119:7	stab 64:21 131:24	standardization 87:3	stated 19:11	
Spider 134:2	stable 44:9	standby 98:6		
	staff 20:1 22:16 28:21 29:9 33:12 35:18 37:7,25 38:3 42:3,14 45:11, 22 47:19 48:5 59:4 60:17 61:5,15,16 78:3,8 80:6			

statutes 22:2 24:1,5 98:10,11 120:2,9	stipulated 190:22	streamline 152:12	21 183:15 189:1,3,12,20	146:16 182:13
stay 43:16 48:3, 10 52:10 76:4	stipulation 117:19 118:23	stretch 101:1 128:11	subject 51:15 146:10 191:17	successful 12:25
staying 48:15 192:8	stock 27:15 166:6 174:11, 18 175:10	strict 116:19	subjective 173:15	succinct 145:12
stealing 17:3	stop 23:11 80:7 189:20	strike 22:25	submit 22:20 166:24	such 5:11,12 11:17 34:15 72:14 119:14 121:9 187:13, 15 188:3,6,12, 14
steered 40:25	stops 46:21	stripping 55:4,6	submitted 8:19 10:23 11:1 22:8 23:6 66:10 72:17	suddenly 84:23 88:9
step 118:25 133:20 178:24	storage 23:15	strong 170:5	subsequent 7:25 184:18	suffered 191:3
stepped 34:21	storm 47:8	structural 9:21 10:3	subsequently 10:23 185:11	suffice 11:21
stepping 34:18	STR 100:22,25	structure 142:20 143:21 148:1 149:5	subsidizing 85:23	suggest 15:13 19:25 150:18, 21 162:6 191:24
steps 137:19	straight 51:17 124:1 126:3	struggling 84:14	subsidy 86:16 88:5	suggested 22:24 60:2 129:10 188:3
stick 102:20	strategic 29:6 32:14,18 33:7 146:25 157:2 182:4	stuck 24:22	substantial 43:23 83:8	suggesting 169:13 171:5,8, 21
stickers 58:22, 24	strategically 8:24	study 187:22	substantiate 24:9	suggestion 60:3 150:11 161:23,24 168:24
sticky 95:22 99:2	strategy 80:5 182:1	stuff 65:17 67:8 71:5 74:23 75:24 91:1,8 96:13 101:14 102:18 131:18 132:10 137:21 149:12 154:3,	substitute 7:24	
still 6:24 38:19 52:22 58:24 85:4 86:20 88:17 90:6 101:15 124:3 175:12 185:12	stream 60:1 107:16	success 14:17		

summarized 163:16	surprised 22:3	6	70:11 74:20 83:15 154:12 158:15 185:5,9	tax 98:12
summary 27:3 28:2 129:11	surprises 141:17	tabling 74:12	talent 132:12	teaching 25:7
summer 11:5 13:4 45:17 64:8 78:17,18	survey 48:4,8, 14	tact 143:7	talk 25:16 64:6 94:1 118:7 123:7 130:1 133:18 159:6 177:4 187:3	team 7:11 8:6 11:5 30:10 34:25 47:25 125:25 128:19 135:2 142:14
suppliers 18:17	surveys 48:11, 17	tag 180:21 182:8,16	Tahoe 29:11 43:25 46:4,9 50:3	teams 7:13 13:3
supplies 27:15	suspect 180:14	tailored 125:13	talked 72:21 80:24 82:25 83:2,3 85:20 132:21 142:10 156:7 175:7 183:3	Technologies 27:4
Supply 27:12	suspend 162:22 165:7 166:19	take 25:4,13 33:21 39:11 44:4 50:1 58:25 63:14 68:11 75:16 83:6 106:8 110:19 122:17 123:12 124:5,22 125:23 133:20 149:7,10 153:17 160:1 182:21 183:23 185:21 187:24	talking 54:5 82:2,3 86:6 89:16 143:25 151:4 171:23 173:11	tee 185:10
support 6:16 30:2 81:23 82:24 121:21	sustain 93:17	sustainability 13:21	talks 167:4 171:2	tells 53:24,25
supporting 83:1,3	sustainable 19:12 20:6	sustainable 19:12 20:6	target 86:24 180:19	temporary 34:15
supportive 61:16	sweep 68:25	sword 124:1	targets 113:11	ten 89:13
supports 129:6	system 191:2	takedown 27:9	tasked 143:22	tenant 114:25
supposed 35:1 179:13	systems 9:17, 19	taken 16:6 33:3 95:4 186:12	tasks 34:4	tennis 7:11,13, 18 8:5,6,16 9:16 10:16,18, 21 11:5 12:5, 12,22 13:5 25:13 81:19 83:2 87:2 143:5 149:23 156:2,3, 18 186:10,14, 15,19
surgery 70:4	<hr/> T <hr/>	takes 47:3 131:16	taught 10:20	tennis-playing
surplus 142:12	table 19:3 65:5,	taking 47:2		
surprise 100:4				

8:4 11:3 12:23	11,18 130:23 131:3 140:5 148:19 161:17 169:5 173:7 186:17,18	89:19 99:8 101:17 102:24 103:10 111:11 117:22 120:7 124:5 129:10 130:5 136:21 146:8 156:14 165:1 186:10 188:16	thought 17:11 29:4 31:15 67:8 70:8 83:13 101:18 123:20 128:12 136:19 144:7 152:8,23 157:9 172:4 173:19 174:8 179:13,15	thrilled 103:11
tenure 187:21	thanking 105:20	things 6:5 18:12 23:13 36:1 39:16 47:18,21, 22 56:4 57:10 58:14 62:7 63:4 85:11 87:1,10, 21,22 88:11 91:22,23 92:4, 13 93:6,22 95:2 105:2 113:17 120:14 122:10, 11 130:19 132:21 135:15 136:13 137:1,8 141:20 147:23 149:17 155:22 156:8,12,19,21 158:21 166:4 167:7,11,18 168:22 169:13, 15,20,21 171:1, 3,5,6,24 172:1 173:4,5 189:7, 22,23 190:5	thoughts 151:24	through 9:11 11:13,25 17:7 22:4 28:12 31:12 37:6 42:5,19,24 50:25 51:25 54:19 57:13 63:25 64:13,21 65:3 70:23 72:6 77:16 80:6 81:20 82:12 83:13 86:5 96:11 97:19 115:16 118:19 120:23 122:7,8 123:3 131:2 132:18 134:9 137:22 142:10, 15 143:12 144:8 147:23 148:9 149:3 150:23 152:14, 22 165:4 172:4 177:1,12,13 185:6 186:22 189:13
term 11:8 81:25 82:9 92:8 146:7 168:11 178:22	their 9:15 12:22 15:24 16:21 17:15 20:22 21:4,5 25:8 33:8 42:10 44:15 48:3,6 49:10,12,13 72:6 74:6,10 88:4 89:21 94:7,23 98:21, 24 99:1 105:4, 22 115:4,15,19, 22 116:5 127:10 132:18, 24 133:23 134:4,14 145:16,18 162:2 163:7 164:12 166:23 175:11 181:6 191:6,14	thousand 82:13	thousands 18:14	thoroughly 11:13 169:18
termites 10:6	themselves 168:17	three 6:20 13:8 15:19 17:2,19 23:16 26:3 27:13 33:13 52:23 53:23 66:21 106:25 112:10,14 117:4 134:5,6,8 135:9 140:8 141:13 149:22, 25 169:12 176:15 178:7 179:7	three-to-two 184:7	throw 133:25
terms 57:6,12 59:11,13 61:14 73:14 84:17,20 85:2,5 88:5 100:21 111:12, 20 113:2,10 126:24 139:17 152:22 153:19 157:2 159:6 170:19 172:2,5, 8 179:3 181:25	therefore 38:1 98:9	thinking 92:10 99:20 159:15 171:22	three-year 60:8	throwing 62:5
testimony 191:6	thing 8:8 31:18 35:14 55:1 64:16,17 66:7 69:3 76:9 86:4	third 119:16 165:5 174:5	threw 64:6 145:21	Thursdays 5:14
text 39:22 60:6 64:15 129:22				ticket 30:6,10
texts 122:3				
than 18:21 32:20,22 43:20 45:2,7 65:2,13 66:14,15,18 67:25 71:4 74:15 75:13 77:17 93:19 101:9 109:11 114:3 121:2 125:14 127:9,				

ticking 156:12	25 180:23 186:3 187:4,7 189:23 191:3 192:3	18:11 34:3 52:10 79:14 121:16 140:23 141:12 156:19 169:8 186:23 187:6	145:6	town 6:15,18 25:18 42:11
tie 90:23 102:13 128:15			took 6:15 64:21 74:24 131:24 157:20	track 14:19
tied 86:20	timeframe 45:20		tool 120:16	traditional 96:2
ties 87:8	timeline 97:19 117:10 179:3	told 30:8 35:17 96:8 97:15 109:6 190:1	top 29:15,17 45:19 54:8 134:8 140:12	Trail 29:12,13
tight 141:20	timeline-wise 137:21	tomorrow 30:13 137:25	topic 20:8 183:22	training 38:17 129:7
Tim 190:12,13	timelines 147:9	ton 25:10 48:15	topics 20:11,13 21:23 121:24	transaction 46:20
time 10:9,10 19:1 22:17 23:19 25:22 26:5 31:22 39:13 40:24 43:20 44:6 45:23 49:21 50:6 52:8 58:20,21 60:15 61:20 62:14 63:6 69:2 72:14 77:3,4,8,9,10, 18 78:1,14,22 79:20 86:5 94:5 97:5 109:5 114:1 115:6 117:11 118:25 122:9 124:16 125:19 136:2,3 137:20 138:14 141:5,22 142:2 144:18 148:11 151:7 152:4,16 157:6,13,16,19 158:4 161:23 166:24 172:22 177:8 178:20,	timely 12:17 14:21	tongue 91:22,23	total 17:21,22 27:13 48:17 55:24	transactions 190:23 191:15
	times 17:2 35:15,22 108:8, 17	tonight 13:11, 16 32:25 42:8, 15,22 43:6 49:15 50:1 64:24 161:11 192:9	totaling 27:13, 14	transfer 23:2 42:11 43:24 44:2,10 46:7, 19,21,23,24 50:20,23,24 51:11,13,17,22, 24 52:4,10,19
	timeshares 94:21	tonight's 4:25 12:3	totally 189:9	transition 179:2
	timing 63:11 156:20 166:18	Tonking 4:24 60:7 64:17 68:19 111:6 120:22 130:25 143:11 144:10 149:11 160:4,8, 15,21 164:3	touch 27:6 86:7 114:25 128:22	transparency 74:8 172:2
	timings 185:10		touching 183:13	transparent 57:23
	Tirol 13:10	Tonking's 12:6 60:13 62:16 66:15 122:2	toward 149:7	trash 22:13 23:3,12 44:24 45:6 129:15
	today 13:5 30:10 97:4 106:6 184:8		towards 30:20 116:20 181:7	
	together 11:7			

131:15 185:15	23	80:11,19 82:20	174:15 175:9,	try 5:7 25:11
travel 66:25	truly 15:20 80:8	83:18 84:13	21 176:5,10,11,	28:19 37:19
traveling 13:14	86:14 90:3	85:15 88:1	14 178:9	64:3 66:5 82:17
treadmill 39:12	117:15	90:5,15,20	179:12 180:11,	93:8 110:11
Treasurer 26:22	trust 96:2,4,9	91:12,13 92:21	19 181:17,22,	111:10 135:23
treasurer's	174:10	93:2,11 95:17,	23 182:5	158:20 159:19
26:21	trustee 4:18,19,	19 96:13,18	184:14,17	168:13 172:6,7
treated 105:8	20,21,22,23,24	97:9 98:15	187:16 188:8	trying 25:19,24
tree 27:8 96:2	5:1,24 12:6	100:13,21	trustees 4:16,17	46:11 52:2
trending 77:19	15:8,17 21:10,	102:12 103:1,7,	5:1 16:18	56:20 65:20
79:12	17 26:22 27:1	22 104:5,24	20:16,22 21:21	82:21 84:5,11
tricky 133:7	30:24 32:3	105:2,14	22:6 29:7 33:11	91:6 96:14
tried 7:4 84:18,	33:18 34:1 35:5	106:20 107:12,	34:13 40:1,5,	98:15 102:17
21 145:9,11	36:11,15,20,21,	20 108:25	22,23 60:14	104:8 105:3
150:20 184:17	22 38:12,16	109:18 110:21,	63:21 64:14	108:18 109:14
TRPA 46:10	39:17,21,24	22 111:6,21	65:19 66:17,24	110:10 123:19
truck 46:25 47:2	40:9,16,17	112:2,17 113:6,	67:15 68:4	148:15 150:17
trucks 47:4,5	41:11,14,19,20,	9 114:10,24	69:8,13 70:5	151:18 168:20
59:4	21 50:9,17,23	115:1,2,20	71:6,11,12	172:5 189:22
true 65:15 72:23	51:3,5,12	116:14 118:13	74:17 111:5	Tuesday 140:23
92:11 103:6,16	52:13,25 53:9,	119:2,23	121:14 131:23	150:10
106:9 188:22,	14 54:7,12,18	120:22 122:2	135:4 141:14	tuition 17:14,22,
	55:17 56:3,9,25	125:1 128:22,	145:23 162:23	23
	57:5 58:12,16	24 130:25	163:6 164:2	tuition-free
	59:2,9,20,25	135:20 136:15	180:1 182:19	17:15,22
	60:7,12,16,24,	137:15 138:11	183:15,17,24	Tulloch 4:22,23
	25 62:9,16	139:6,20,21	187:10 188:7,8	6:4 26:23 27:1
	63:10,23 64:14,	140:20 142:21,	189:9	30:24 32:3
	17 66:15,19	23 143:11,14,	trusts 97:1,12,	33:18 34:1
	67:5,14,18,20	16 144:9,15	13,16,23 166:5	36:15,20 38:16
	68:1,3,9,19	145:6,8,23	trustworthy	39:17,21 40:16
	69:7,12,16,20,	147:12 148:3,	49:1	41:11,19 50:9,
	21 70:17,21	12 149:11,15	truth 17:10	17,23 51:3,5,12
	71:1,24 72:9	150:7 151:25	Truthfully	52:13,25 53:9,
	73:9,19 74:12	152:1 155:13	123:25	14 54:7,12,18
	75:11,15,18	156:24 159:9,		
	76:3 77:1,25	23,25 160:3,4,		
	78:16 79:7	6,8,15,20,21		
		161:9,12 162:1		
		167:3 168:19,		
		24 169:9		
		170:19 171:21		
		172:11 173:13		

55:17 56:3,9,25 57:5 58:12,16 59:2,9,20,25 60:25 63:10 64:14 69:12 73:9 75:11,16 77:25 80:11 84:13 88:1 91:12 97:9 100:13 103:22 105:14 106:20 110:21 112:2 113:9 116:14 119:2,23 125:1 128:22 135:20 136:15 137:15 139:6,21 151:25 156:24 159:9,25 160:21 169:9 170:19 171:21 173:13 174:15 175:9 176:14 180:11 181:23 184:15	tweaked 109:9 twisting 16:20 two 17:18,19,20 22:24 23:16 24:12,23 27:8, 21 51:16 53:23 54:3 68:18 85:17 92:17 94:15 97:8 111:24 119:21 121:20 122:2 131:5 132:15 135:18 136:4, 19,23 139:24 141:15 143:1, 22 146:5 151:13 157:13 160:20 161:25 164:2 170:17 Tyler 27:4 type 71:23 108:10 165:13, 22 168:7,12 175:2 types 71:20 146:20 159:21 164:6 165:24 170:7 171:16 175:6 typical 123:9 127:18 typically 9:17	102:3 123:7,13 <hr/> U <hr/> U.S. 191:16 ugly 49:20 ultimate 109:3 ultimately 12:10 109:17 134:9, 11,22 135:8,17 164:8,18 179:1 unable 69:8 178:2 unanimous 8:4 unbelievable 190:11 unclear 19:22 under 21:19 29:21 45:3 68:25 129:2 130:2 139:7 150:8,10 163:24 165:25 170:1 171:20 174:5 179:3 182:22 underneath 95:24	Underrepresent ed 185:13 understand 15:3 38:13,25 39:4 52:1,14 54:11 55:17 59:9 62:4 77:23 80:8,20 82:6, 11,21 90:4 93:4,5 97:12 109:14 110:6, 11 168:20 172:19 understanding 16:5 32:2,20 54:16 71:17 87:15 89:25 123:16 173:3 181:2 187:15 188:4 understands 131:13 understatement 11:9 understood 33:2 73:18 118:12 undertaking 186:1 Underwood 42:4,6,7 61:21, 25 63:9 131:15	179:18 unfortunate 80:12 119:9 unfortune 116:15 ungrammaticall y 17:5 unless 73:2 143:19 149:3 161:1 170:22 187:14 unpredictable 55:15 unrelated 178:14 unsafe 8:8 until 30:19 61:17 72:14 73:7 74:13,18 78:5,22,25 108:18 141:3 180:7 186:24 untoward 137:2 untruths 91:20 unwarranted 19:21
Tulloch's 138:11 turn 78:9 turned 16:7 136:20 turning 153:11 tweak 65:4 75:17 99:19,24 101:19				

upcoming 22:1 188:6	USDA 27:21	utilities 17:17	99:13 101:10 102:7 103:14, 20 104:18 106:12 155:5 185:2	84:1,17 85:3 86:8,25 88:6 93:8,10,17 130:17 131:14 187:12,18,23 188:1
update 10:24 33:15,18 34:7 35:4 124:6,19 147:13 182:19 183:18	use 10:3 15:7 16:7 28:25 29:14,20 30:25 32:5 39:4,14 58:21,25 62:20 98:24 101:24 103:7,12 105:17,22,24 114:11 120:10 122:11 130:16 161:20,24 167:21 189:5	utilization 35:10	values 16:9 20:25 21:1 80:10 98:2,5,6, 17 99:4,8 100:20 101:4,5, 7,22 104:4,6,11	verification 73:10
updated 32:17 33:3 38:13 124:7 148:16		utilize 19:19 21:20		version 161:16, 20 162:3,4,5,16
updates 28:15 29:5,6,9 32:14, 19,23 123:11 126:25 134:20 182:20	used 5:15 85:10,11 115:24 139:15 186:4 190:22	utilized 133:17	van 177:18	versus 16:3,11 77:20
updating 32:22 131:25	user 12:10 88:3	utilizing 21:24	vans 29:25	vested 130:16
upfront 118:23	User-based 12:7	vacancies 76:23 78:4,5, 10,11,12	vapid 184:3	vetoed 164:18 169:14
upgrade 23:2 46:18	using 6:17 29:25 58:23 64:20 66:15 98:18 100:23 130:3 147:21	vacancy 13:25 76:18 77:5,18 123:8	various 12:5 35:17 102:17 146:1 150:19 171:1	vetted 139:25
upset 89:14	USTA 7:12 10:18 13:2	vacation 66:25 68:21 82:1 89:12 174:9	vendor 30:6	vetting 14:22 133:13 137:1
urge 11:14,22 14:7 186:9 187:5	usual 43:20	valid 69:21	venue 6:16 28:17,18,21 31:4 38:24 40:4 81:20,23 82:23 83:2,11 88:3,4 91:10 93:6 98:8 104:22 125:17 126:6 157:17	via 4:10 167:19
urgent 61:10 180:24 181:3,5	usually 30:1 108:12	validation 73:11	venues 20:17 27:18 80:3,5,9, 17 81:12,18,23 82:10 83:4,5	video 69:14,18 70:2,3 115:18
usage 12:9		valuable 7:14 72:10 74:22 99:1 120:16		view 23:12 86:13 92:7 183:24
		value 18:11,24 19:24 34:2 49:4 79:2 83:6 86:1		viewed 20:12 22:4

viewing 28:23 30:4,11,13	visible 187:15	W	21 159:15,16, 20 164:19 165:15 170:16 171:4 175:20 178:5,10 179:23 180:19, 20,23,24 184:1 192:8	45:10,22 47:19 49:2,22 50:11, 18,19 51:6,8 55:2 58:1 60:10,20 180:20
viewpoints 126:15	visit 40:3	wages 25:5,8		wasted 152:4 157:13
views 11:6 20:22 80:9 184:6	visits 6:21	wait 30:18 32:24 64:8 154:2 186:23		watch 7:6 115:18
Village 4:1,6,9 8:16 10:14 12:15,24 15:1 44:2 45:5,7 49:19 65:18 66:17 67:15 68:4 70:6 100:17 183:20	visualize 39:9	walk 42:24	wanted 29:10, 22 33:22 35:5 49:15 59:13 72:21 75:20 77:11 80:14 110:3 122:6 138:24 144:11 164:7,22 168:6 170:10 173:2 174:13	water 29:16,24 47:8 129:15 130:18 131:15
Village's 44:8	vocal 14:5 105:19	walked 25:17 89:17	wanting 35:9 57:4 140:11	way 7:9 29:24 37:16 72:6 76:12 89:24 91:25 93:3,20, 21 95:6 99:24 104:10 110:5 116:12 118:18 120:11 122:11 125:23 132:25 134:16 136:13 144:24 150:16 154:23 157:12, 24 173:1,5,16 183:25 189:7
Village/crystal 173:8	void 142:9	want 16:3 17:5 22:13 32:4 37:14 38:17 42:16,17,18 43:12,15 46:12 47:7,17 49:17 52:5,17 54:4,12 55:14 57:15,18 59:15 60:14 65:3,6 66:7,8,9, 20 67:13 68:6 70:8 72:3,7 82:16 83:10 85:4 86:24 96:17 97:4 99:16 108:20 109:3,14 110:4, 11 115:11 130:15,16,17 131:12 132:4 134:13 136:22, 25 139:4 145:12 149:3, 21,22 150:4,23 151:16 153:20 154:24 158:2,	wants 14:6 17:6 88:4 124:25 147:24 158:12	ways 92:7
violate 70:17	volunteer 152:19 159:9		warn 24:1	weather 55:15
violated 5:21 71:12	vote 14:8 76:9 94:10 114:20 115:2,7 117:15, 16		warranted 97:20	Weber-koch 18:13
violation 21:11 22:2 24:4 72:16	voted 6:10,12, 23 21:17 88:13 114:3,4,22 115:7		Washoe 16:8 98:12 127:9 132:15 139:23	
violations 71:7, 16 73:15,16	voters 14:6		waste 22:17 23:1,8,11 42:1, 8,22 43:1 44:15	
virtually 6:19	votes 21:18 117:17			
visibility 51:18	voting 5:25 71:1			
	vu 169:10			

website 50:4 63:23 74:10 91:8 134:1 188:11 189:16	181:15	whether 21:16 32:22 42:16 51:20 75:19 92:11 103:19 104:10 135:5 140:4 145:13 156:2 158:2 168:4 182:7 183:1	wider 127:8 131:21 153:15	willingness 15:24
wedding 35:19, 20	weird 171:6	while 7:21 10:1 11:16 20:9 25:5 44:9 85:22 86:5 108:1 123:24 134:15	widow 19:1	window 45:24 55:14,15 58:20, 25
Wednesday 140:23 141:3	welcome 43:5 62:1 63:17	white 67:8,22 68:12 99:17	wife 10:17	winging 110:15
weeds 110:5	well-planned 12:18	Whitney 18:7	will 5:24 7:1 8:11 9:21 11:20 12:4 13:2 14:18 20:6 23:2,9 24:5 26:6,24 28:6,21 29:25 30:12,14 33:21 35:12 36:6,25 38:15 41:10 44:6,12 45:17 46:8 47:13,14 48:7 49:23 50:5 51:23 52:10 54:14 58:4,10 61:1,15 65:9 67:1 71:1 75:23,24 86:9 87:18 102:20 120:16 122:8 139:11 140:25 141:23 142:16 143:14 144:24 150:1 159:15, 16,19 160:10 162:15,16 176:16 177:9, 12,14 178:2 183:17 189:4 190:8 192:4	Winquest 85:1
week 5:14 25:7, 9 30:9 35:2 37:25 38:4 40:4 75:6 112:12 114:3 137:25 140:24 178:1	went 17:24 86:4 88:23 109:8 110:7,13 115:16 120:23 121:1 134:9 137:5 154:16 173:6	whoever 5:18 183:14	withheld 119:17	winter 78:3,17, 21,23 151:17
week-long 18:2	west 46:23	whole 6:20,22 20:23 25:9 72:1,2 83:4,5 88:18 93:16 100:2 111:11 119:7 150:25 183:11	within 28:24 30:21 37:17 105:18 125:17, 18 126:19 128:6 163:25 165:19,20 191:18	wish 71:20 74:5 116:18 118:10
weekend 29:12	Western 27:12 79:16	whom 133:4	witnessed 191:5	WM 43:8,12 44:8 45:10,20 48:2,10,25
weekly 35:8 134:19	Whack 102:17	wicket 95:23 99:2		
weeks 13:13 34:8 45:15,16, 21 55:2,5 58:17 59:4 91:14 94:15 97:8 112:24 119:17, 18 151:13 157:13	whatever 74:1 112:20 116:18	wide 128:4 169:22		
weigh-in 60:14 75:23 94:25	whatnot 35:10 42:20 70:2 79:11,20 147:22			
	whatsoever 72:19 73:12			
	Wheel 29:17			

WM's 44:21	156:17,18 159:10 160:3, 20 172:15,20 180:3	write 33:12 121:16 172:5	94:13,23 98:19, 22 100:4 102:5 103:13 105:5, 12 106:16 109:1 110:3 112:18,19 113:24 118:6 125:7 127:16 147:20 148:16 151:18 154:7, 15 156:14,15 157:10 163:4 164:9 181:6,8 183:3 186:17, 18,19	yesterday 150:10 177:8
Wolf 5:10		writers 89:21		yet 31:12 61:9 85:13 171:14 186:3
wonderful 59:18 153:13	worked 77:16 110:1 127:20 144:7 186:22	writing 11:1 182:25 190:6,8 191:23,25		yourself 11:14
wondering 39:24 40:4 148:3	working 18:9 34:17 45:22 47:20 72:6 86:10 122:7 134:12 178:8	written 10:24 22:7 24:8,20 43:11 74:25 95:1,3 121:2 164:1 190:16, 22 191:3		<hr/> Z <hr/>
Woodridge 7:9		wrong 24:10 96:24 125:23 153:8 184:16, 19 186:6 189:10	year's 12:25 90:17 107:23 109:25	zero 31:14 78:23
word 80:23 89:21 127:2 128:3 172:17 175:24	works 27:16 39:8 42:4 58:1 73:25 134:20	wrote 5:18 35:8 82:20,22 95:10 147:11	years 9:11,24, 25 10:1,8,15 12:2 14:19 17:21 29:17,19 33:13 40:21 52:23 53:23 54:3 59:17,18 60:3 61:21 64:12 68:18 69:4 70:24 85:1,17 86:12 90:10,13 100:19 102:1 107:25 112:8 113:20 131:10 139:24 146:5 147:19 154:8 178:7 179:7 185:1	zoom 4:10 23:21 188:18
word-of-mouth 24:13	workshop 17:13 18:3,20	<hr/> Y <hr/>		
wording 76:12 188:8	worse 18:12,13 91:5	yard 45:14		
words 6:10,12 17:8 124:12	worst 189:3	year 7:19 27:23 29:4 33:13 45:18 53:19,21 55:2 69:18 77:8,20,21 78:15 79:12 82:14 88:22 90:9,12,15		
work 11:7 12:22 14:4 15:4 37:25 38:4 39:10 47:18 50:20 57:25 62:10 63:10 64:13,21 65:9 66:25 68:21 69:9 133:3 137:24 140:25 142:6 145:11 149:7	worth 21:5 73:24 98:20 107:1			
	worthless 6:19			
	wow 189:5			
	Wright 17:2 23:23 92:17 188:19 189:18		yellow 130:7	

INVOICE

1 of 1



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Susan A. Herron, CMC
Incline Village General Improvement District
893 Southwood Boulevard
Incline Village , NV 89451

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Incline Village General Improvement District
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MY NAME IS BILL FEAST AND MY FAMILY AND I HAVE BEEN OWNER/RESIDENTS IN INCLINE VILLAGE FOR 15 YEARS. WE HAVE BEEN CONSISTENT, FREQUENT MEMBERS OF THE TENNIS & PICKLEBALL PLAYING COMMUNITY EVER SINCE. MY WIFE AND I BOTH PLAY SOCIAL AND USTA LEAGUE TENNIS AND OUR NOW ADULT DAUGHTER PARTICIPATED IN KIDS PROGRAMS, LATER BECOMING AN IVGID EMPLOYEE WHO TAUGHT CHILDREN TENNIS AT THE CENTER.

I SPOKE BEFORE THE BOARD INITIALLY ON JULY 27, 2022 AND SUBSEQUENTLY SUBMITTED A WRITTEN UPDATE TO BOARD MEMBERS FOR THE JANUARY 25, 2023 MEETING, AS I COULD NOT ATTEND. MY COMMENTS WERE SUBMITTED IN WRITING AND SHOULD BE READILY AVAILABLE FOR YOUR REVIEW.

MEMBERS OF THE TENNIS PLAYING COMMUNITY, INCLUDING MYSELF AND JOHN, BEGAN MEETING WITH SHEILA AND TENNIS CENTER TEAM IN SUMMER 2022 TO REPRESENT THE CONCERNS AND VIEWS OF OUR FELLOW PLAYERS AND WORK TOGETHER TO FIND REALISTIC SOLUTIONS, NEAR AND LONG TERM.

IT IS AN UNDERSTATEMENT TO SAY THAT THE COURT CONDITIONS WERE THE #1 CONCERN.

JOHN HAS WELL REPRESENTED THE SPECIFIC, RELEVANT LANGUAGE FROM THE 2016 LLOYD REPORT. I URGE YOU TO READ IT FOR YOURSELF IN YOUR DUE DILIGENCE AS YOU FINALIZE THE BUDGET PROCESS. IT IS HARD TO ESCAPE THE CONCLUSION THAT, WHILE SOME RECOMMENDATIONS SUCH

AS EXPANSION OF PICKLEBALL AND THE RENOVATION OF THE OFFICE/RESTROOM FACILITY WERE COMPLETED, THE MOST FUNDAMENTAL COURT REPAIR AND RECONSTRUCTION WAS NOT.

BANDAIDS WILL NO LONGER SUFFICE.

I URGE THE BOARD TO PROVIDE THE FUNDING FOR RECONSTRUCTION TO BEGIN AS PER IVGID MANAGEMENT'S PROPOSAL. GIVEN THE CONVERSION OF COURTS 8-11 TO PICKLEBALL, IT IS IMPERATIVE FOR THE REMAINING 7 COURTS TO BE PROFESSIONALLY MAINTAINED AND PRESERVED NOW AND FOR YEARS TO COME.

I AM HEARTENED TO SEE ON TONIGHT'S AGENDA THAT THE BOARD WILL BE DISCUSSING THE POSSIBILITY OF VARIOUS ADVISORY COMMITTEES, ONE OF WHICH IS TENNIS/PICKLEBALL, AS PART OF TRUSTEE MICHAELA TONKING'S REQUEST. USER BASED INPUT AND PERSPECTIVE ARE ESSENTIAL TO ENSURING ALIGNMENT ON PRIORITIES, ESPECIALLY THOSE FOCUSED ON INCREASING USAGE, REVENUE AND ULTIMATELY THE USER EXPERIENCE. THANKS TO MICHAELA FOR HER PREVIOUS ENGAGEMENT WITH THE TENNIS CENTER AND WE WOULD LOOK FORWARD TO THAT CONTINUING.

OUR RECREATIONAL ASSETS ARE AN INTEGRAL PART OF OUR COMMUNITY AND WHAT MAKES INCLINE VILLAGE WHAT IT IS. I AM IN FAVOR, AS ARE A LOT OF FELLOW OWNERS I KNOW,

OF THE PROPER, TIMELY AND WELL PLANNED MAINTENANCE AND ENHANCEMENT OF THOSE ASSETS.

BEFORE CLOSING, I WOULD LIKE TO THANK SHEILA, SYLVAIN AND BASIA FOR THEIR WORK AND COLLABORATION ON TENNIS CENTER MATTERS.

THE TENNIS PLAYING COMMUNITY LOOKS FORWARD TO A GREAT INCLINE VILLAGE OPEN LATER THIS MONTH TO BUILD ON LAST YEARS SUCCESSFUL REBOOT.

IN ADDITION, WE WILL START USTA LEAGUE PLAY SOON WITH AS MANY AS 5 OR 6 TEAMS REPRESENTING INCLINE.

LESS WELL KNOWN TODAY IS THAT TENNIS HAS GROWN BY DOUBLE DIGITS NATIONALLY AND WE KNOW THIS LOCALLY AS WELL, THOUGH ANECDOTALLY. INCLINE VILLAGE DESERVES A TENNIS CENTER COMMENSURATE WITH THAT GROWTH.

BILL FEAST

BOARD OF TRUSTEES MEETING

JULY 12, 2023

**PUBLIC COMMENT - IVGID BOT - JULY 12, 2023.
KAYE SHACKFORD. DONNA DRIVE.**

At the Board meetings on June 23rd and July 6th, Frank Wright attacked me three times in his Public Comments for "stealing from the district with her phony 'let's make you smile' seminars." He said, rather ungrammatically, that "She doesn't want us to save that money, she wants to keep spending it on herself through her company that she has." Because his words are now part of the Board record, and those who don't know him may assume there may be some truth in what he's saying, I thought it best to introduce some data.

Attached to this Public Comment is my record of IVGID folks who attended our *Negotiating Solutions* workshops from 1996 to 2022, the tuition that was paid for their attendance, and the tuition-free scholarships we extended to them. Graduates include a General Manager, Director of Utilities, Maintenance Manager, Marketing Manager, two Directors of Parks & Recreation, two Directors of Golf, three Engineering Managers, Mountain Operations Manager, and two HR managers. In total, 21 participants over 26 years, 14 tuition-free scholarships, total tuition paid \$16,100, for an average cost for tuition of \$767. There was also a facility fee that went to Granlibakken not to us.

What did they get? Participation in a week-long, immersive, intensive, executive-level workshop in business-to-business negotiation, learning from and with high level participants from the aviation and semi-conductor industries - Airbus, American Airlines, Boeing, Delta, Air Canada, Pratt & Whitney, Horizon Air, Raytheon, Lam Research, and others. Learning how to build the working relationships that can deal well with differences, and how to create value together, to find those things better for you not worse for us, and better for us not worse for you.

Lee Weber Koch alone can point to hundreds of thousands of dollars she saved IVGID based on what she learned. Each graduate can point to increased effectiveness inside IVGID and externally with residents, suppliers, regulators, and politicians.

My husband Joe and I started running this workshop - of my design - in 1988. We have over 4000 graduates; each pays a lot more than \$767 to attend. Do I need IVGID's money? Give me a break. But we gave those scholarships because we believe in adding value. What do you believe in, Frank?

So the next time you attack an 81-year-old widow in your Public Comments, or, for that matter, attack her at the Recall Petition table at Raleys, at least get the name right. That's *Negotiating Solutions.com*, Frank.

Thank you.

IVGID Graduates of the Negotiating Solutions Workshop - 1996-2023

<i>Roger Eggenburg, Director of Utilities</i>	1996	<i>tuition-free scholarship</i>
<i>Mike Workman, Maintenance Manager</i>	1996	<i>tuition-free scholarship</i>
<i>Doug Doolittle, Director of Parks & Recreation</i>	1996	<i>tuition-free scholarship</i>
<i>John Hughes, Director of Golf</i>	1996	<i>tuition-free scholarship</i>
<i>Ned Stock, Ski Resort Manager</i>	1996	<i>tuition-free scholarship</i>
<i>Pat Finnigan, GM</i>	1996	<i>tuition-free scholarship</i>
<i>Janice Lewandowski, Co-manager, Golf Courses</i>	1997	<i>Can't find reference</i>
<i>Kim Kelsch, Director, Finance & Admin</i>	1997	<i>tuition-free scholarship</i>
<i>Dan St. John, Director of Engineering</i>	1997	<i>tuition-free scholarship</i>
<i>Laurie Gwinn, HR Manager</i>	1997	<i>tuition-free scholarship</i>
<i>Lee Weber Koch, Marketing Manager</i>	1997	<i>tuition-free scholarship</i>
<i>Ed Youmans, Mountain Operations Mgr</i>	1997	<i>tuition-free scholarship</i>
<i>Beth Coffey-Curle, Business Office Mgr.</i>	1998	<i>\$1400</i>
<i>Ramona Cruz, Controller</i>	1998	<i>\$1400</i>
<i>Charlie Kent, Director of Golf</i>	2012	<i>tuition-free scholarship</i>
<i>Brad Johnson, Director of Engrg & Asset Mgmt</i>	2017	<i>tuition-free scholarship</i>
<i>Indra Winquist, Director Parks & Recreation</i>	2017	<i>\$3100</i>
<i>Susan Herron, IVGID District Clerk</i>	2018	<i>tuition-free scholarship</i>
<i>Dee Carey, HR Director</i>	2017	<i>(Alternative currency worth \$2600)</i>
<i>Kate Nelson, Engineering Manager</i>	2022	<i>\$3800</i>
<i>Mike Gove, Director of IT</i>	2022	<i>\$3800</i>

21 total participants over 26 years.

Total tuition or equivalent tuition paid for 6 attendees: \$16,100.

14 tuition-free scholarships...

(Data on Janice Lewandowski not available.)

Average out-of-pocket cost for tuition = \$767 apiece

Kaye M Shackford

July 12, 2023

Mick Homan

Incline Resident

I have comments on a couple items.

First – The proposal to create advisory committees in Topic G.4., I believe the defined goal for the golf committee is too narrow and potentially divisive.

The stated Goal is to “Formulate a 5-year sustainable plan that **provides fairness and equity to all recreation passholders** and protects the future of our District golf courses and driving range”

In light of recent public comments, the first part of the goal – providing fairness and equity to all passholders – could be construed as an attempt to reduce access for the clubs that utilize the course. At a 70-75% occupancy rate, this would be both unwarranted and fiscally irresponsible. It’s also unclear what “protecting the future of the golf courses and driving range” means. For the committee to drive value for the district, I suggest broadening the scope. It should be to “assist the staff and board in optimizing all aspects of the golf operations, including revenue growth and cost efficiency opportunities and expanding community participation.” It should be focused on both a near-term **and** 5-year time horizon. That combination will drive a more sustainable model.

Second, I’d caution the board on any actions related to Topic G.2 - Frequently Asked Questions. While the concept is good, it should be focused on IVGID’s policies and operations. Most of the topics included in the meeting materials can easily be viewed as political in nature. And Most of the topics have nothing to do with IVGID policy and practices. In fact, most relate to concerns community members have raised about individual Trustees.

For example, questions 4 and 5 deal with the board’s **intent** on privatizing venues or changing the model. The question itself deals with the board’s intentions or plans – not past actions. Further, I believe residents are commenting on individual trustees and their views and actions – not the board as a whole. Questions 7 and 8 deal with the impact of reducing rec fees and punch card values and the negative impact on home values and rights. There is no factual answer for this. Combined with the cap on punch card availability, I can easily see how residents believe their beach rights have declined and that their home ownership may be worth less as a result. On question 10, the Board very clearly **did** push for and approve the more punitive golf cancellation policy that they just rescinded. On question 2 related to Trustee Dent’s possible ethics violation, it’s inappropriate to state this is false when there is an open investigation. And on questions 12 and 13 dealing with the Duffield grant, the better question to ask is whether the project would have continued to proceed if Trustee Schmitz had voted yes on both votes.

Under any circumstances, it's inappropriate to utilize District resources to defend the actions of individual Trustees. At present, with a recall effort related to many of the same topics included in the materials, it could easily be construed as utilizing district resources to impact current ballot issues or candidates in an upcoming election. That would look like a direct violation of Nevada Ethics Statutes - NRS 281.A.520 – and I'd be surprised if General counsel would approve the materials if viewed through that lens.

GOOD EVENING. MY NAME IS JOHN KLEIN. I LIVE AT 321 WOODRIDGE WAY. I AM THE HEAD COACH FOR THE BOYS AND GIRLS TENNIS TEAMS AT INCLINE HIGH SCHOOL. ADDITIONALLY, I CAPTAINED OR CO-CAPTAINED USTA ADULT TENNIS TEAMS AT THE TENNIS CENTER.

I BELIEVE THE TENNIS CENTER IS A VALUABLE COMMUNITY ASSET.

I AM RESPONDING TO A REMARK MADE BY A MEMBER OF THE PUBLIC AT THE JUNE 28TH MEETING WHO QUESTIONED THE NEED FOR CAPITAL IMPROVEMENTS FOR THE TENNIS COURTS IN THE PROPOSED BUDGET AND THE FIVE-YEAR C I P. HE SAID, AND I QUOTE: *"MY INSPECTION ON MONDAY INDICATES THE COURT ARE IN GOOD SHAPE"*.

WHILE I ACKNOWLEDGE THE GENTLEMAN'S EXPERTISE ON BUDGETS AND RESPECT AND APPRECIATE HIS MANY HOURS OF SERVICE TO IVGID, I DO NOT BELIEVE HIS CURSORY EXAMINATION OF THE COURTS IS A SUBSTITUTE FOR THE PROFESSIONAL INSPECTION AND THE SUBSEQUENT REPORT COMMISSIONED BY IVGID. BEFORE I DISCUSS THAT REPORT I WOULD LIKE TO NOTE...

ON JANUARY 24TH, BILL FEAST EMAILED THIS BOARD, NOTING THERE IS UNANIMOUS ALIGNMENT BETWEEN THE TENNIS PLAYING COMMUNITY, IVGID MANAGEMENT AND TENNIS CENTER TEAM THAT TENNIS COURT CONDITIONS ARE DIRE AND NOT ONLY NEGATIVELY IMPACTING PLAY QUALITY BUT IN MANY CASES ARE UNSAFE AND HAZARDOUS. THE LAST THING WE NEED IS A LAWSUIT BECAUSE SOMEONE GETS INJURED ON THESE COURTS.

HE FURTHER NOTED THIS SITUATION DID NOT OCCUR OVERNIGHT NOR WILL IT BE REMEDIED OVERNIGHT BUT IT IS IMPERATIVE THAT SHORT TERM AND LONG TERM SOLUTIONS BE PLANNED FOR IN THIS FINANCIAL BUDGET PLANNING PERIOD.

NOW, BACK TO THE REPORT I MENTIONED: I REFER THE BOARD TO "INCLINE VILLAGE TENNIS CENTER FACILITIES ASSESSMENT AND MASTER PLAN," PERFORMED BY LLOYD CIVIL & SPORTS ENGINEERING OF SCOTTSDALE, AZ, SUBMITTED AUGUST 2016. I EMAILED EACH OF YOU A COPY OF THIS REPORT.

I'D LIKE TO HIGHLIGHT SPECIFIC LANGUAGE DIRECTLY FROM THE REPORT. QUOTE:

PAGE 7"#3: ESTABLISH AN ASSET MANAGEMENT PLAN TO STRATEGICALLY MANAGE THE FUNDING OF FUTURE PROJECTS AND THE CONTINUAL REPLACEMENT AND MAINTENANCE OF EXISTING FACILITIES."

END QUOTE.

THIS WAS NEVER DONE. AN ASSET MANAGEMENT PLAN WAS NOT ESTABLISHED.

QUOTE:

SECTION D; PAGES 24: "AS THE FACILITY CONTINUES TO AGE....., IT IS IMPERATIVE THAT FURTHER BRICK AND MORTAR INVESTMENTS BE MADE."

"COURTS 1-7 ARE NOW OVER 35 YEARS OLD AND EVEN THOUGH THE DISTRICT HAS DONE AN EXEMPLARY JOB MAINTAINING AND EXTENDING THEIR SERVICE LIFE, THE REALITY IS THAT TENNIS COURT PAVEMENT SYSTEMS ARE TYPICALLY DESIGNED FOR A 30 TO 40 YEAR SERVICE LIFE. THE DRAINAGE SYSTEMS, PAVEMENTS, COATINGS AND STRUCTURAL AGGREGATE BASES WILL NEED RECONSTRUCTION IN THE VERY FORESEEABLE FUTURE, 5-7 YEARS." END QUOTE.

5-7 YEARS... IT IS NOW ALMOST 8 YEARS SINCE THAT REPORT, AND THE COURTS, WHILE THEY MAY LOOK GOOD TO THE NAKED EYE, ARE IN POOR STRUCTURAL SHAPE. TO USE A SIMPLE ANALOGY, OUR COURTS LOOKS LIKE A BEAUTIFUL HOUSE WITH A SHINY NEW PAINT JOB, BUT WHAT YOU CAN'T SEE IS IT IS INFESTED WITH TERMITES AND ABOUT TO FALL APART.

THE COURTS IN QUESTION ARE APPROACHING 50 YEARS OLD. THEY'VE HAD A GOOD RUN, BUT IT IS TIME, PAST TIME IN FACT, TO PROTECT THIS ASSET.

THANK YOU FOR YOUR TIME AND SERIOUS CONSIDERATION.

COMMENTS TO IVGID BOARD OF TRUSTEE'S

12 JULY 2023

My name is Paul Smith and I live at 1437 Tirol Drive here in Incline Village. My purpose tonight is to address Agenda item G 4 referencing the General Manager Search committee.

I just returned from five weeks traveling mostly in Asia and clearly missed quite a few developments here in Incline. Fortunately, I was able by internet to see parts of recent meetings.

First, I am pleased to note that the current Board majority is properly focusing on key matters related to the operation and sustainability of IVGID. For example, the effluent pipeline, financial records and reports to the State, operations at the resident owned beaches, and now vacancy filing. Thank you.

Please continue to avoid being distracted by “shinney objects” like the Parasol building and the false \$25 million for a gym. Also, as difficult as it may be personally, please continue your good work despite the recall effort. It is sad that a vocal group wants to remove the choice voters made as part of the legal election process. I urge all Incline residents to not sign any recall petitions and/or vote NO on any actual recall.

So...continue doing your duty to oversee the operation of IVGID. I appreciate you digging in and addressing long-festering issues especially related to beach access and financial reporting and the need to complete the effluent pipeline.

Second, the selection of a chief financial officer and a General Manager are critical to the current and future operational success of IVGID. A good solid pick for each position will set our improvement district on track for many years of focused progress and betterment. These are critical decisions that must be made in a timely manner.

Please be personally involved in the search and vetting of the candidates and make certain that the final decisions are made by matching the operational needs of IVGID with the skills and documented experience of the candidates. Incline Village needs nice people but we also need key managers who have relevant and documented experience and understand how to work with an elected Board that is overseen by the public in a rather regular manner.

In the context of the selection process; please do not use the IVGID HR director to manage this search. Instead appoint a Trustee to lead and form a search committee and give the committee a budget. Please also seek resident input and oversight at each level e.g., recruitment level, then at the paring down or initial cut level, and then at the final selection level. I suggest that you appoint a different resident for each level of the process instead of leaving one resident for the entire process.

Finally, thank you to each Trustee for all that you personally do for our community. However I offer a special thanks to the majority three who have truly put the community first. Thank you.

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN
MINUTES OF THE IVGID BOARD'S REGULAR JULY 12, 2023 MEETING – AGENDA
ITEM G(1) – WASTE-MANAGEMENT’S REQUEST FOR A FIVE (5) YEAR EXTEN-
SION OF ITS SOLID WASTE FRANCHISE IS CONCERNED**

Introduction: Well “here’s another one” according to my friend DJ Khaled¹! It doesn’t matter what it is this District does/fails to do. Because it’s essentially *everything*! Over and over and over again. Essentially everything one examines having anything to do with the District eventually leads to a finding of evilness, incompetence and waste. Which is generally hidden from the IVGID Board and the public by our wonderful staff who are so quick to publicize the “transparency” card. And here we have another example; staff’s granting of a request by Waste-Management to address the Board with its request for a premature extension of its solid waste franchise agreement. Members like me can’t get an audience before the IVGID Board. But if you’re a favored collaborator like Waste-Management, our doors are open to you.

I keep telling the Board and the public that the District is not being properly managed² and as a consequence, the facilities and services it furnishes can and should be more efficiently provided by another district³ or Washoe County. Or more preferably, IVGID should simply be dissolved³ and its functions taken over by the private sector. Regardless, in the interim, and in order to provide evidence in support of dissolution, let’s examine another episode of the waste and incompetence the District engages in which ends up costing local parcel/dwelling unit owners even though this waste

¹ Go to <https://www.djkhaledofficial.com/>.

² NRS 318.515(1)(a) and 318.515(3)(a)-(d) instruct that “upon notification by the Department of Taxation or upon receipt of a petition signed by 20 percent of the qualified electors of the district, that...a district of which the board of county commissioners is not the board of trustees is not being properly managed...the board of county commissioners of the county in which the district is located shall hold a hearing to consider...(a) adopt(ion of) an ordinance constituting the board of county commissioners, *ex officio*, as the board of trustees of the district; (b) adopt(ion of) an ordinance providing for the merger, consolidation or dissolution of the district...(c) fil(ing) a petition in...district court for the...appointment of a receiver for the district; or, (d) determin(ing) by resolution that management and organization of the district...remain unchanged.”

³ NRS 318.490(1)-(2) instruct that “whenever a majority of the members of the board of county commissioners...deem it to be in the best interests of the county and of the district that the district be merged, consolidated or dissolved, or if the board of trustees of a district, by resolution...agrees to such a merger, consolidation or dissolution, the board of county commissioners shall so determine by ordinance, (that)...(b) the services of the district are no longer needed or can be more effectively performed by an existing unit of government (or)...that the district should be dissolved, merged or consolidated.”

has nothing to do with parcel/dwelling unit owners' "availability" to access and use District recreation and beach facilities and the programs offered thereat⁴. That's the purpose of this written statement.

The Board's June 28, 2023 Board Meeting: Agenda item G(1) to the Board's June 28, 2023 meeting⁵ sought a staff initiative "that the Board of Trustees makes a motion to accept Waste Management's proposal to...[prematurely (the current solid waste franchise agreement 'is set to expire June 30, 2026))] approve (a) 5-year extension (of the current solid waste franchise)...contract (in consideration of)...expan(sion of) the residential green waste program to a 32 week seasonal collection period." When I and others objected to this stupid proposed agreement staff apparently approved of, this matter was removed from the agenda altogether.

My Written Statement to be Attached to The Minutes of The Board's June 28, 2023 Meeting: I prepared a written statement to be attached to the minutes of this meeting. And since those minutes have not as of yet been prepared for approval by the Board, I note that therein I proposed the many reasons why any request on Waste Management's behalf was premature, as well as the fact that the District's acquisition of Refuse, Inc.'s Incline Village transfer station be made a part of the negotiations for any solid waste extension with Waste Management. I refer the reader to this written statement once it becomes available for public viewing.

This July 12, 2023 Board Meeting: Now Waste Management is back for a second bite at the apple. Except now rather than seeking approval of this proposed extension, staff are asking the Board for direction as to how to respond. Of course this assumes our staff is competent enough to even be involved in such negotiations...WHICH IT IS NOT!

My E-Mails of July 8 and 12, 2023: On July 8, 2023 I sent an e-mail⁶ to the IVGID Board objecting to this matter being on the agenda. I argued that due to our staff's incompetence, there were and are much larger issues at play with any such extension agreement and that a citizens advisory committee should be selected in lieu thereof to deal with Waste-Management. Rather than regurgitate more from my July 8, 2023 e-mail, I refer the reader to the particulars of the same.

On July 12, 2023 I sent another e-mail to the IVGID Board⁶ suggesting a series of questions to ask Waste-Management's presenter this evening (who I assume will be Mr. Barry Skolnick), given Mr. Skolnick's misrepresentation that Waste Management is "not seeking a rate increase associated with

⁴ This is the justification staff claims for its involuntary assessment of the Recreation ("RFF") and Beach ("BFF") Facility Fees (go to https://www.yourtahoeplace.com/uploads/pdf-ivgid/G.2._-_Recreation_Standby_and_Service_Charges.pdf).

⁵ Go to https://www.yourtahoeplace.com/uploads/pdf-ivgid/G.1._-_General_Business_-_Waste_Management.pdf.

⁶ That a string of e-mails including this particular one is attached as Exhibit "A" to this written statement.

(its) investment (as) the pricing mechanism will not change under this extension.”⁷ Rather than regurgitate more from my July 8, 2023 e-mail, I refer the reader to the particulars of the same.

Agenda Item G(4) to Tonight’s Board Meeting⁸: proposes “approv(al of) the proposed structure of the board committees, assign(ment of) a Trustee to the Golf...and...Capital Improvement/Investment Committee(s) and authoriz(ation for) staff to advertise for community at-large members for each committee.”⁹ Why not create a third committee? The Solid Waste Extension Negotiation Committee. Select a Trustee, and advertise for community at large members.

Conclusion: The solid waste franchise is one of the most important tasks this Board approves. It is only superseded by replacement of the existing effluent export pipeline, and construction of an effluent storage pond. Unless we control the current transfer station, our fate is doomed insofar as controlling our solid waste disposal fees. And if we let Refuse, Inc. improve that station to the tune of \$5 million or more, we will in essence never, never, ever be able to afford acquisition of the transfer station. So we need to take whatever measures we can now to bring this about. That means saying no to Waste Management’s current request. And creating a competent committee to negotiated with Waste Management for real consideration should we agree to the five (5) year extension it requests.

And you wonder why your public utility rates are as high as they are and never seem to go down in amount? I’ve now provided more answers.

Respectfully, Aaron Katz (Your Community Watchdog Because Nearly No One Else Seems to be Watching).

⁷ See page 928 of the packet of materials prepared by staff in anticipation of tonight’s Board meeting (“the 7/12/2023 Board packet”).

⁸ Go to https://www.yourtahoepace.com/uploads/pdf-ivgid/G.4._-_General_Business_-_Committees.pdf.

⁹ See page 1004 of the 7/12/2023 Board packet.

EXHIBIT "A"

The IVGID Board's July 12, 2023 Board Meeting - Agenda Item G(1) - Proposed Extension of The Reno Disposal aka Waste-Management Solid Waste Disposal Franchise - Questions to Ask Mr. Skolnick

From: <s4s@ix.netcom.com>
To: "Matthew Dent" <dent_trustee@ivgid.org>
Cc: "Schmitz Sara" <schmitz_trustee@ivgid.org>, "Tonking Michaela" <tonking_trustee@ivgid.org>, "Tulloch Ray" <tulloch_trustee@ivgid.org>, "Noble Dave" <noble_trustee@ivgid.org>
Subject: The IVGID Board's July 12, 2023 Board Meeting - Agenda Item G(1) - Proposed Extension of The Reno Disposal aka Waste-Management Solid Waste Disposal Franchise - Questions to Ask Mr. Skolnick
Date: Jul 12, 2023 10:53 AM

Chairperson Dent and Other Honorable Members of the IVGID Board:

After Waste-Management's dog and pony show presentation this evening, how about one or more of you asking Mr. Skolnick the following questions:

1. Is the owner of the transfer station charging Reno Disposal Co. anything to use its transfer station? If so what?
2. Does not that cost go into the mix of allowable expenses to determine the minimum return Reno Disposal Co. is guaranteed under the solid waste franchise? In other words, the greater the expense the lower the return to Reno Disposal Co., and the need for higher rates to meet the guaranteed minimum return. Right?
3. If the owner of the transfer station is going to invest \$5+ million in proposed improvements, does it not intend to recoup that investment in the form of the rent it charges Reno Disposal Co?
4. If so, isn't that going to increase the allowable expenses Reno Disposal Co. is entitled to charge against revenues for purposes of determining its guaranteed minimum under the trash franchise?
5. If so, isn't that likely to increase the refuse rates we pay?
6. So how do you get off representing that your proposal doesn't increase the refuse rates we pay based upon the formula contained in the trash franchise?

Thank you, Aaron Katz

-----Original Message-----

From: <s4s@ix.netcom.com>
Sent: Jul 8, 2023 1:34 PM
To: Matthew Dent <dent_trustee@ivgid.org>
Cc: Schmitz Sara <schmitz_trustee@ivgid.org>, Tonking Michaela <tonking_trustee@ivgid.org>, Tulloch Ray <tulloch_trustee@ivgid.org>, Noble Dave <noble_trustee@ivgid.org>
Subject: The IVGID Board's July 12, 2023 Board Meeting - Agenda Item G(1) - Proposed Extension of The Reno Disposal aka Waste-Management Solid Waste Disposal Franchise - Update

Chairperson Dent and the Other Honorable Members of the IVGID Board -

I hope this agenda item is what paragraphs I [see page 923 of the Board packet ("receive a presentation from Waste Management and advise Staff how to proceed")] and V (see page 925 of the Board packet) of the staff memo represent. That is that "this memorandum is for presentation purposes" only. In other words, as paragraph IX of the staff memo (see page 926 of the Board packet) represents, staff are seeking nothing more than "Board of Trustees...direction...on how to move forward with the request from Waste Management...for a 5-year contract extension as stated in Section 3,

Term and Renewal, of the current franchise agreement."

Madonna Dunbar tells us at paragraph VI of the staff memo (see page 925 of the Board packet) that this agenda item is not at the request of staff but rather, Waste-Management: "This presentation has been placed on the agenda at the request of Waste Management." So my question is WHERE DOES WASTE MANAGEMENT GET OFF HAVING AN ITEM IT WANTS ON THE BOARD'S AGENDA, ACTUALLY PLACED THEREON?

There are a number of items I have requested over the years be placed on the agenda of a Board meeting so I can address them to the Board. And NEVER have staff allowed this to take place. Yet when it comes to a favored collaborator like Waste Management, they benefit from special treatment. HOW COME?

Hopefully you will recall that on June 27, 2023 I wrote to each of you concerning problems with this agenda item. Please refer to that e-mail if you don't recall the issues at play, or ask me to send you another copy which I would be happy to do.

Regardless, please understand YOUR STAFF IS NOT COMPETENT TO DEAL WITH THIS MATTER. We already know from past experience that Mr. Underwood is not capable of negotiating anything with anyone. And Madonna Dunbar is nothing more than an admin person with no managerial nor negotiating skills. So why do we want to give either "direction?"

I don't know how many times I need to share this with staff and the Board. The issue here is ownership of the transfer station. Since staff is not equipped to deal with negotiating the issue, turn it over to people who can. And that's what you tell Waste Management. They will be contacted by negotiating representatives of the District (whoever they are) insofar as their request is concerned.

So when Madonna Dunbar asks at page 926 of the Board packet "if the Board desires to pursue the 5-year contract extension (proposed by Waste-Management) at this time," the answer should be no.

When she asks whether "there other contract terms the Board would like to discuss with WM for possible revision?

And if they can't wait or they're not interested in negotiating, then I guess they can wait three (3) more years for the contract to expire.

Respectfully, Aaron Katz...

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN
MINUTES OF THE IVGID BOARD'S REGULAR JULY 12, 2023 MEETING – AGENDA
ITEM C – PUBLIC COMMENTS – SOME OBSERVATIONS INsofar AS THE
APPARENT VIOLATIONS OF BEACH FREEDOM OF EXPRESSION ZONES
ARE CONCERNED**

Introduction: Well “here’s another one” according to my friend DJ Khaled¹! It doesn’t matter what it is this District does/fails to do. Because it’s essentially *everything*! Over and over and over again. Essentially everything one examines having anything to do with the District eventually leads to a finding of evilness, incompetence and waste. Which is generally hidden from the IVGID Board and the public by our wonderful staff who are so quick to publicize the “transparency” card. And here we have another example; staff’s refusal to enforce board policy insofar as use of the beaches for freedom of expression purposes.

I keep telling the Board and the public that the District is not being properly managed² and as a consequence, the facilities and services it furnishes can and should be more efficiently provided by another district³ or Washoe County. Or more preferably, IVGID should simply be dissolved³ and its functions taken over by the private sector. Regardless, in the interim, and in order to provide evidence in support of dissolution, let’s examine another episode of the waste and incompetence the District engages in which ends up costing local parcel/dwelling unit owners even though this waste

¹ Go to <https://www.djkhaledofficial.com/>.

² NRS 318.515(1)(a) and 318.515(3)(a)-(d) instruct that “upon notification by the Department of Taxation or upon receipt of a petition signed by 20 percent of the qualified electors of the district, that...a district of which the board of county commissioners is not the board of trustees is not being properly managed...the board of county commissioners of the county in which the district is located shall hold a hearing to consider...(a) adopt(ion of) an ordinance constituting the board of county commissioners, *ex officio*, as the board of trustees of the district; (b) adopt(ion of) an ordinance providing for the merger, consolidation or dissolution of the district...(c) fil(ing) a petition in...district court for the...appointment of a receiver for the district; or, (d) determin(ing) by resolution that management and organization of the district...remain unchanged.”

³ NRS 318.490(1)-(2) instruct that “whenever a majority of the members of the board of county commissioners...deem it to be in the best interests of the county and of the district that the district be merged, consolidated or dissolved, or if the board of trustees of a district, by resolution...agrees to such a merger, consolidation or dissolution, the board of county commissioners shall so determine by ordinance, (that)...(b) the services of the district are no longer needed or can be more effectively performed by an existing unit of government (or)...that the district should be dissolved, merged or consolidated.”

has nothing to do with parcel/dwelling unit owners' "availability" to access and use District recreation and beach facilities and the programs offered thereat⁴. That's the purpose of this written statement.

My E-Mail of July 4, 2023: On July 4, 2023 I sent an e-mail⁵ to the IVGID Board alerting members to the fact that persons staffing recall petition card tables, on beach property, were likely violating the beach deed and Board Policy 136. This is the policy which permits members of the public to exercise freedom of expression on our beaches, upon designated freedom of expression zones. Rather than reiterating in detail what I shared with the Board, I simply direct the reader to the attached e-mail. I learned that Director of Parks and Recreation Sheila Leijon was aware of the situation and according to her, the restrictions of Policy 136 would be enforced to the "T."

Sometime thereafter someone took a picture of our former Board chairperson, Tim Callicrate, staffing such a card table on beach property⁶, contrary to Policy 136 (he was not located upon a parking lot nor an adjacent parking lot or adjacent walkway).

Conclusion: Why do we have Board Policies if staff aren't going to adhere to them? And why won't our staff enforce those very policies? Either enforce your own policies, or rescind them once and for all!

Respectfully, Aaron Katz (Your Community Watchdog Because Nearly No One Else Seems to be Watching).

⁴ This is the justification staff claims for its involuntary assessment of the Recreation ("RFF") and Beach ("BFF") Facility Fees (go to https://www.yourtahoeplace.com/uploads/pdf-ivgid/G.2._-Recreation_Standby_and_Service_Charges.pdf).

⁵ That e-mail is attached as Exhibit "A" to this written statement.

⁶ That picture is attached as Exhibit "B" to this written statement.

EXHIBIT "A"

When Are You Going to Make Your Staff Comply With Board Policy, if Ever? Freedom of Expression Zones at Our Beaches

From: <s4s@ix.netcom.com>
To: "Dent Matthew" <dent_trustee@ivgid.org>
Cc: "Schmitz Sara" <schmitz_trustee@ivgid.org>, "Tonking Michaela" <tonking_trustee@ivgid.org>, "Noble Dave" <noble_trustee@ivgid.org>, "Tulloch Ray" <tulloch_trustee@ivgid.org>
Subject: When Are You Going to Make Your Staff Comply With Board Policy, if Ever? Freedom of Expression Zones at Our Beaches
Date: Jul 4, 2023 11:53 AM

Chairperson Dent and Other Honorable Members of the IVGID Board -

Why do we have policies if they're not enforced?

Why do we have overpaid senior staff if they refuse to do their jobs?

What are the consequences of noncompliance or less than professional compliance?

Why do members of the public have to do your jobs?

And you wonder why there's a recall effort.

Case in Point. Efforts to secure signatures to recall petitions at Ski Beach.

Today a card table with persons seeking such signatures was set up on the grass area kitty corner to the beach kiosk at the entrance to Ski Beach. According to Policy 136 there are designated freedom of expression zones on all recreational facilities including the beaches. Bottom line, parking lots and within/adjacent walkways. NOT grassy areas close by. And what is our wonderful staff doing to enforce this policy? Bueller? Bueller?

Don't play dumb Sheila. It's your job to monitor the beaches. Especially during 4th of July week. Didn't you walk by and see this violation for yourself? If not why not?

What about you Mike Bandelin. You're acting GM. Didn't you walk by and see for yourself? If not why not?

These matters were expressly called to Sheila's attention last week and her response was apparently that staff were strictly enforcing beach access for this purpose. Yet apparently they aren't!

Please do something Board members. Or maybe you should really resign? Respectfully, Aaron Katz

EXHIBIT "B"



**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN
MINUTES OF THE IVGID BOARD'S REGULAR JULY 12, 2023 MEETING – AGENDA
ITEM F(4) – EXPANDING STAFF RECREATIONAL PRIVILEGES AT LOCAL PARCEL
OWNERS' EXPENSE**

Introduction: Well “here’s another one” according to my friend DJ Khaled¹! It doesn’t matter what it is this District does/fails to do. Because it’s essentially *everything*! Over and over and over again. Essentially everything one examines having anything to do with the District eventually leads to a finding of evilness, incompetence and waste. Which is generally hidden from the IVGID Board and the public by our wonderful staff who are so quick to publicize the “transparency” card. And here we have another example; staff’s request essentially all public employees receive expanded recreational privileges which are paid for by local parcel owners with their Recreation Facility Fees (“RFFs”).

I keep telling the Board and the public that the District is not being properly managed² and as a consequence, the facilities and services it furnishes can and should be more efficiently provided by another district³ or Washoe County. Or more preferably, IVGID should simply be dissolved³ and its functions taken over by the private sector. Regardless, in the interim, and in order to provide evidence in support of dissolution, let’s examine another episode of the waste and incompetence the District engages in which ends up costing local parcel/dwelling unit owners even though this waste

¹ Go to <https://www.djkhaledofficial.com/>.

² NRS 318.515(1)(a) and 318.515(3)(a)-(d) instruct that “upon notification by the Department of Taxation or upon receipt of a petition signed by 20 percent of the qualified electors of the district, that...a district of which the board of county commissioners is not the board of trustees is not being properly managed...the board of county commissioners of the county in which the district is located shall hold a hearing to consider...(a) adopt(ion of) an ordinance constituting the board of county commissioners, *ex officio*, as the board of trustees of the district; (b) adopt(ion of) an ordinance providing for the merger, consolidation or dissolution of the district...(c) fil(ing) a petition in...district court for the...appointment of a receiver for the district; or, (d) determin(ing) by resolution that management and organization of the district...remain unchanged.”

³ NRS 318.490(1)-(2) instruct that “whenever a majority of the members of the board of county commissioners...deem it to be in the best interests of the county and of the district that the district be merged, consolidated or dissolved, or if the board of trustees of a district, by resolution...agrees to such a merger, consolidation or dissolution, the board of county commissioners shall so determine by ordinance, (that)...(b) the services of the district are no longer needed or can be more effectively performed by an existing unit of government (or)...that the district should be dissolved, merged or consolidated.”

has nothing to do with parcel/dwelling unit owners' "availability" to access and use District recreation and beach facilities and the programs offered thereat⁴. That's the purpose of this written statement.

Instead of Giving Away Severely Discounted Use of Our Recreational Facilities to Our Public Employees, They Should be Sold Pursuant to The Yield Management Tools Which Are Allegedly Available to The District: Most of the District's recreational facilities operate at a financial loss which is involuntarily subsidized by local parcel/dwelling unit owners. Part of the reason for the subsidy is the fact that our facilities are under-utilized. In other words, if we were able to increase the level of utilization, we might be able to increase the amount of revenue, and in turn reduce or eliminate the involuntary financial subsidy. I and others I know believe this can be done utilizing the principles of yield management. But instead staff push for use of our recreational facilities which reduces the under utilization, however, without a comparable increase in revenue.

Former Employee Bee Williams' Social Media (Facebook) Post Where She Admits These Recreational Privileges Are Worth Very Little to Most IVGID Employees: And now we learn our employees don't even care about recreational privileges. Recently Bee Williams, a former employee of the District and wife to a current employee, wrote a post on Facebook wherein she argued that the worth of these privileges is *overvalued*⁵. If overvalued, why do we even offer them?

Conclusion: If I am a private sector owner of a restaurant, although my employees may be entitled to a free meal before/after their shifts, as the owner *so am I!* But here in IVGIDville that is not the case. Our employees are able to access and use our recreational facilities for a fraction of what you and I must pay in user fees⁶. And this is on top of the RFF local parcel/dwelling unit owners involuntarily pay. Something is very, very wrong with this picture and it's not the messenger.

And now that we learn these privileges are not worth anything near what others represent, why do we continue to offer them? And why are we proposing to expand them via this agenda item? Since there apparently will be little outcry from staff if expanded recreational benefits are eliminated, why don't we just eliminate them? Make our employees pay the same user fees as the public pays?

And you wonder why your RFF is as large as it is and until recently never went down? I've now provided more answers. Respectfully, Aaron Katz (Your Community Watchdog Because Nearly No One Else Seems to be Watching).

⁴ This is the justification staff claims for its involuntary assessment of RFF and Beach Facility Fees ("BFFs") [go to https://www.yourtahoeplace.com/uploads/pdf-ivgid/G.2._-_Recreation_Standby_and_Service_Charges.pdf].

⁵ A print out of this post is attached as Exhibit "A" to this written statement.

⁶ Our former general manager, Indra Winquest, has admitted in public that when an IVGID employee obtains a user fee discount because he/she is an employee, that discount is off of the picture passholder ("PPH") rates. In other words, the user fees an employee pays to use the District's recreational privileges, are less than those paid by those whose properties are assessed the RFF.

EXHIBIT "A"

former employee on rec benefits

From: Judith Miller <pupfarm1@gmail.com>
To: Aaron Katz <s4s@ix.netcom.com>
Subject: former employee on rec benefits
Date: Jul 11, 2023 8:07 AM

Bee Williams on Facebook

"with the exception of Douglas county there are very few public agencies that run/manage utilities. Recreation access to golf/ski are only good for people who ski and golf (lower number than you may think- especially in working class households). The rec center only helps out of town employees if they have the ability to delay returning home after work to care for animals and family. I think you are overvaluing the other benefits but it would be great to have an idea of what the employees - current and perspective - value when looking for employment and at their benefits."

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN
MINUTES OF THE IVGID BOARD'S REGULAR JULY 12, 2023 MEETING – AGENDA
ITEM C – PUBLIC COMMENT – STAFF’S CONTINUED CONCEALMENT OF PUBLIC
RECORDS – HERE THE TIME AND AMOUNTS OUR INTERNAL STAFF INCUR
WHICH IS HIDDEN TO THE BOARD AND THE PUBLIC**

Introduction: Well “here’s another one” according to my friend DJ Khaled¹! It doesn’t matter what it is this District does/fails to do. Because it’s essentially *everything*! Over and over and over again. Essentially everything one examines having anything to do with the District eventually leads to a finding of evilness, incompetence and waste. Which is generally hidden from the IVGID Board and the public by our wonderful staff who are so quick to publicize the “transparency” card. And here we have another example; staff’s intentional concealment of public records.

I keep telling the Board and the public that the District is not being properly managed² and as a consequence, the facilities and services it furnishes can and should be more efficiently provided by another district³ or Washoe County. Or more preferably, IVGID should simply be dissolved³ and its functions taken over by the private sector. Regardless, in the interim, and in order to provide evidence in support of dissolution, let’s examine another episode of the waste and incompetence the District engages in which ends up costing local parcel/dwelling unit owners even though this waste

¹ Go to <https://www.djkhaledofficial.com/>.

² NRS 318.515(1)(a) and 318.515(3)(a)-(d) instruct that “upon notification by the Department of Taxation or upon receipt of a petition signed by 20 percent of the qualified electors of the district, that...a district of which the board of county commissioners is not the board of trustees is not being properly managed...the board of county commissioners of the county in which the district is located shall hold a hearing to consider...(a) adopt(ion of) an ordinance constituting the board of county commissioners, *ex officio*, as the board of trustees of the district; (b) adopt(ion of) an ordinance providing for the merger, consolidation or dissolution of the district...(c) fil(ing) a petition in...district court for the...appointment of a receiver for the district; or, (d) determin(ing) by resolution that management and organization of the district...remain unchanged.”

³ NRS 318.490(1)-(2) instruct that “whenever a majority of the members of the board of county commissioners...deem it to be in the best interests of the county and of the district that the district be merged, consolidated or dissolved, or if the board of trustees of a district, by resolution...agrees to such a merger, consolidation or dissolution, the board of county commissioners shall so determine by ordinance, (that)...(b) the services of the district are no longer needed or can be more effectively performed by an existing unit of government (or)...that the district should be dissolved, merged or consolidated.”

has nothing to do with parcel/dwelling unit owners' "availability" to access and use District recreation and beach facilities and the programs offered thereat⁴. That's the purpose of this written statement.

My July 12, 2023 E-Mail to The Board: On May 26, 2023 I made a public records request addressed to our Public Records Officer ("PRO"), Ms. Herron⁵. After hearing nothing, on July 12, 2023 I sent a follow up e-mail to Ms. Herron asking where my requested records were⁵. Ms. Herron provided a response and then provided an interrogatory response in lieu of the requested records⁵. But not only was that response NOT in accord with the Public Records Act ("NPRA"), but it was FALSE. None of the requested records were evidenced by Ms. Herron's response as I pointed out to Ms. Herron and the IVGID Board⁵. Rather than commenting further on the various e-mails, I direct the reader to the particulars attached as Exhibit "A."

Conclusion: Do you the reader see the concealment? What about Ms. Herron's disingenuous attempt to hide the truth? To those who say my records requests are inappropriate and staff are being unnecessarily bullied, do you still think that's the case insofar as this concealment is concerned? I ask the Board compel Ms. Herron to provide the records requested which she continues to conceal.

Respectfully, Aaron Katz (Your Community Watchdog Because Nearly No One Else Seems to be Watching).

⁴ This is the justification staff claims for its involuntary assessment of the Recreation ("RFF") and Beach ("BFF") Facility Fees (go to https://www.yourtahoeplace.com/uploads/pdf-ivgid/G.2._-Recreation_Standby_and_Service_Charges.pdf).

⁵ That request is part of an e-mail string attached as Exhibit "A" to this written statement.

EXHIBIT "A"

RE: Records Request - Unreimbursed Internal Services Staff Time Expended on ARPA Grant Funding as Well as the Skate Board Park Project

From: <s4s@ix.netcom.com>
To: Susan A. Herron <sah@ivgid.org>
Cc: Matthew Dent <dent_trustee@ivgid.org>, Sara Schmitz <trustee_schmitz@ivgid.org>, Michaela Tonking <tonking_trustee@ivgid.org>, Dave Noble <noble_trustee@ivgid.org>, Ray Tulloch <tulloch_trustee@ivgid.org>
Subject: RE: Records Request - Unreimbursed Internal Services Staff Time Expended on ARPA Grant Funding as Well as the Skate Board Park Project
Date: Jul 12, 2023 12:50 PM

Thank you Ms Herron -

But again, you haven't responded to my request.

And this is a common problem which plagues the District. Over and over and over again.

We had extensive efforts performed by UNREIMBURSED internal services staff. Primarily Kate Nelson, and likely Bree Waters as well.

I want to know what time was expended by internal services staff, and at what cost? That's what I attempted to learn. But so far NOTHING.

I asked to examine the following:

1. The names of all staff persons furnishing efforts to secure ARPA grant funding from Washoe County since January 1, 2022 ("scope of work"). I believe this included unsuccessful efforts to secure funding for our effluent export pipeline replacement project as well as successful efforts to secure funding for proposed skate board park repairs/renovations. In addition, I asked to examine the records I did with respect to Bree Waters' efforts including preparation of a staff memo in anticipation of the Board's May 25, 2023 meeting, as well as her time expended supporting her request at that meeting.

So to the extent you have responded only with respect to the District's successful grant request, you HAVEN'T responded to my request. Moreover, you have provided NO documents for my examination notwithstanding we know Kate Nelson was one of those staff persons. And records which respond to my request were not included in the GM reports referenced in your most recent response as you have stated.

2. The date(s) they provided these services. Again, you have provided NO documents. And records which respond to my request were not included in the GM reports referenced in your most recent response as you have stated. I want to learn all the dates where staff persons furnished the services they claim to have furnished.

3. A word by word description of the services actually performed by these person(s). Again, you have provided NO documents. And records which respond to my request were not included in the GM reports referenced in your most recent response as you have stated. I want to learn a word by word description of all services actually performed, and on all the dates where staff persons furnished those services (see paragraph 2 above) they claim to have furnished.

4. The time expended for each of the services actually performed. Again, you have provided NO documents. And records which respond to my request were not included in the GM reports referenced in your most recent response as you have stated. I want to learn the time expended for all services actually performed, and on all the dates where staff persons furnished those services (see paragraphs 2 and 3 above) they claim to have furnished.

5. The time billed to a department other than internal services for each of the services actually performed. Again, you have provided NO documents. And records which respond to my request were

performed. Again, you have provided NO documents. And records which respond to my request were not included in the GM reports referenced in your most recent response as you have stated. I want to learn the time billed to any District department other than internal services for all services claimed to have been actually performed, and on all the dates where staff persons furnished those services (see paragraphs 2, 3 and 4 above) they claim to have furnished.

6. The hourly rate(s) for the time billed to a department other than internal services for each of the services actually performed. Again, you have provided NO documents. And records which respond to my request were not included in the GM reports referenced in your most recent response as you have stated. I want to learn the hourly amounts charged by/on behalf of every staff person who advanced billable time towards the efforts described above, and on all the dates where staff persons furnished those services they claim to have furnished.

7. The identity of the department(s) other than internal services which were billed for each of the services actually performed. Again, you have provided NO documents. And records which respond to my request were not included in the GM reports referenced in your most recent response as you have stated. I want to learn the identity of all District departments which were billed for all services actually performed, and on all the dates where staff persons furnished those services they claim to have furnished.

8. The identity of each specific CIP to which internal services time with respect to this scope of work was billed. Again, you have provided NO documents. And records which respond to my request were not included in the GM reports referenced in your most recent response as you have stated. I want to learn each specific CIP for which internal services time was expended with respect to the work identified above.

9. Any out of pocket expense incurred in the prosecution of this scope of work which was billed to a department other than internal services. Again, you have provided NO documents. And records which respond to my request were not included in the GM reports referenced in your most recent response as you have stated. I want to learn all out of pocket expenditures incurred by staff with respect to the work identified above which was billed along with unreimbursed internal services staff time.

10. The district chart of account number assigned for each of the services actually performed pursuant to this scope of work as well as out of pocket expense(s) incurred which were billed to a department other than internal services. Again, you have provided NO documents. And records which respond to my request were not included in the GM reports referenced in your most recent response as you have stated. Not only do I want to examine records which will identify each and every billing to the recipient District department with respect to the work identified above, but I want to examine the chart of account number assigned by staff to every such billing.

So do you intend to provide the requested records for my examination and if so when? If you do not, will you please share your justification for refusing to provide the requested records.

Thank you for your cooperation. Aaron Katz

-----Original Message-----

From: Susan A. Herron <sah@ivgid.org>

Sent: Jul 12, 2023 11:26 AM

To: s4s@ix.netcom.com <s4s@ix.netcom.com>

Cc: Matthew Dent <dent_trustee@ivgid.org>, Sara Schmitz <trustee_schmitz@ivgid.org>, Michaela Tonking <lonking_trustee@ivgid.org>, Dave Noble <noble_trustee@ivgid.org>, Ray Tulloch <tulloch_trustee@ivgid.org>

Subject: RE: Records Request - Unreimbursed Internal Services Staff Time Expended on ARPA Grant Funding as Well as the Skate Board Park Project

Mr. Katz,

Thank you for following up on this records request. Our former District General Manager informed me, when this request was received, that he was going to handle this request personally. My recollection is that he told me that he discussed it with you verbally and that no further action was required. By your email of this morning I am assuming

discussed it with you verbally and that no further action was required. By your email of this morning, I am assuming that verbal discussion wasn't enough therefore I apologize and provide the following:

The history of this grant, and it is only one grant, was dialogued in the District General Manager's status reports which are available on the website; if you have trouble locating them, please let me know. The award of the grant came before the Board of Trustees, where it was approved, and that is also on our website and again, if you have trouble locating that item, please let me know. Further, I prepared the grant application with review from our Engineering Manager and former District General Manager. I submitted the application and worked with and continue to work with the Washoe County Grants team to ensure receipt of this non-competitive grant and its reporting which continues to date. As to any documents, those were included in the Board packet where this grant was approved.

Respectfully,
Susan

From: s4s@ix.netcom.com <s4s@ix.netcom.com>

Sent: Wednesday, July 12, 2023 8:10 AM

To: Susan A. Herron <sah@ivgid.org>

Cc: Matthew Dent <dent_trustee@ivgid.org>; Sara Schmitz <trustee_schmitz@ivgid.org>; Michaela Tonking <tonking_trustee@ivgid.org>; Dave Noble <noble_trustee@ivgid.org>; Ray Tulloch <tulloch_trustee@ivgid.org>

Subject: Re: Records Request - Unreimbursed Internal Services Staff Time Expended on ARPA Grant Funding as Well as the Skate Board Park Project

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Ms Herron -

Still waiting on this one.

It has been a boggling 6+ weeks!

Are you going to tell me you sent me records evidencing the same?

Aaron Katz

-----Original Message-----

From: <s4s@ix.netcom.com>

Sent: May 26, 2023 3:13 PM

To: Susan A. Herron <sah@ivgid.org>

Subject: Records Request - Unreimbursed Internal Services Staff Time Expended on ARPA Grant Funding as Well as the Skate Board Park Project

Hello Ms. Herron -

I would like to examine two sets of records.

The first involves internal services' staffs' efforts to secure ARPA grant funding from Washoe County since January 1, 2022 ("scope of work"). It was revealed last night that at least Kate Nelson was involved in these efforts. Which ultimately resulted in a \$250K grant for renovations to the skate board park. Prior to that, there were unsuccessful efforts for funding of the export effluent pipeline.

And so we are clear, I want to examine records which reveal:

1. The names of all persons furnishing these services;
2. The date(s) they provided these services;
3. A word by word description of the services actually performed by these person(s);
4. The time expended for each of the services actually performed;
5. The time billed to a department other than internal services for each of the services actually performed;
6. The hourly rate(s) for the time billed to a department other than internal services for each of the services actually performed;

7. The identity of the department(s) other than internal services which were billed for each of the services actually performed;
8. The identity of each specific CIP to which internal services time with respect to this scope of work was billed;
9. Any out of pocket expense incurred in the prosecution of this scope of work which was billed to a department other than internal services;
10. The district chart of account number assigned for each of the services actually performed pursuant to this scope of work as well as out of pocket expense(s) incurred which were billed to a department other than internal services.

Please do not provide a recreated summary of all of the above merely demonstrating hours expended and at an applied hourly rate. I want to examine the source documents themselves.

Now let's move on to the skate board park renovation project in particular. I want to examine records which reveal:

1. The names of all persons whose salaries are assigned to internal services who furnished these services;
2. The date(s) they provided these services;
3. A word by word description of the services actually performed by these person(s). This would include but not be limited to Ms. Waters' research in anticipation of preparing a staff memo in support of last night's agenda item on this subject matter; Ms. Waters' staff memo presented in support of last night's agenda item on this subject matter; Ms. Waters' preparation in anticipation of appearing at last night's agenda item on this subject matter; Ms. Waters' time appearing at last night's agenda item on this subject matter; all work Ms. Waters has done since last night's Board meeting in prosecution of this scope of work as requested by the Board; etc.
4. The time expended for each of the services actually performed;
5. The time billed to a department other than internal services for each of the services actually performed;
6. The hourly rate(s) for the time billed to a department other than internal services for each of the services actually performed;
7. The identity of the department(s) other than internal services which were billed for each of the services actually performed;
8. The identity of each specific CIP to which internal services time with respect to this scope of work was billed;
9. Any out of pocket expense incurred in the prosecution of this scope of work which was billed to a department other than internal services;
10. The district chart of account number assigned for each of the services actually performed pursuant to this scope of work as well as out of pocket expense incurred which were billed to a department other than internal services.

Please do not provide a recreated summary of all of the above merely demonstrating hours expended and at an applied hourly rate. I want to examine the source documents themselves.

Continuing, in Ms. Waters' staff memo in support of last night's agenda item on this subject matter, she represented that she had obtained or created an updated cost estimate for this project totaling \$500,000. I would like to examine that cost estimate.

Finally, in Ms. Waters' staff memo in support of last night's agenda item on this subject matter, she represented that there were multiple phases to this project. I would like to examine records evidencing the number of phases to this project, and a description of the work involved in each phase.

Thank you for your cooperation. Aaron Katz

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN
MINUTES OF THE IVGID BOARD'S REGULAR JULY 12, 2023 MEETING – AGENDA
ITEM F(4) – THE BOARD'S REFUSAL TO REMOVE THIS AGENDA ITEM FROM
TONIGHT'S MEETING AGENDA NOTWITHSTANDING NON-COMPLIANCE
WITH BOARD POLICY 3.1.0**

Introduction: Well “here’s another one” according to my friend DJ Khaled¹! It doesn’t matter what it is this District does/fails to do. Because it’s essentially *everything*! Over and over and over again. Essentially everything one examines having anything to do with the District eventually leads to a finding of evilness, incompetence and waste. Which is generally hidden from the IVGID Board and the public by our wonderful staff who are so quick to publicize the “transparency” card. And here we have another example; staff’s substitution of materials in support barely two (2) hours before tonight’s Board meeting. Because Board Policy No. 3.1.0 MANDATES that agenda items such as these go forward, I sent the Board an e-mail asking they do their job and remove this item from tonight’s Board meeting agenda². Rather than regurgitating the contents, I direct the reader to its particulars. Since I presume the Board will have ignored my request, this written statement has been prepared to be attached to the minutes of this meeting.

I keep telling the Board and the public that the District is not being properly managed³ and as a consequence, the facilities and services it furnishes can and should be more efficiently provided by another district⁴ or Washoe County. Or more preferably, IVGID should simply be dissolved³ and its

¹ Go to <https://www.djkhaledofficial.com/>.

² This e-mail is attached as Exhibit “A” to this written statement.

³ NRS 318.515(1)(a) and 318.515(3)(a)-(d) instruct that “upon notification by the Department of Taxation or upon receipt of a petition signed by 20 percent of the qualified electors of the district, that...a district of which the board of county commissioners is not the board of trustees is not being properly managed...the board of county commissioners of the county in which the district is located shall hold a hearing to consider...(a) adopt(ion of) an ordinance constituting the board of county commissioners, *ex officio*, as the board of trustees of the district; (b) adopt(ion of) an ordinance providing for the merger, consolidation or dissolution of the district...(c) fil(ing) a petition in...district court for the...appointment of a receiver for the district; or, (d) determin(ing) by resolution that management and organization of the district...remain unchanged.”

⁴ NRS 318.490(1)-(2) instruct that “whenever a majority of the members of the board of county commissioners...deem it to be in the best interests of the county and of the district that the district be merged, consolidated or dissolved, or if the board of trustees of a district, by resolution...agrees to such a merger, consolidation or dissolution, the board of county commissioners shall so determine by ordinance, (that)...(b) the services of the district are no longer needed or can be more effectively performed by an existing unit of government (or)...that the district should be dissolved, merged or consolidated.”

functions taken over by the private sector. Regardless, in the interim, and in order to provide evidence in support of dissolution, let's examine another episode of the waste and incompetence the District engages in which ends up costing local parcel/dwelling unit owners even though this waste has nothing to do with parcel/dwelling unit owners' "availability" to access and use District recreation and beach facilities and the programs offered thereat⁵. That's the purpose of this written statement.

Conclusion: When is there going to be a consequence to our public employees who arrogantly refuse to comply with Board policy? When is the Board going to impose that consequence? If you members had a back bone, that's exactly what you would do. Send a message that future non-compliance will not be allowed.

Respectfully, Aaron Katz (Your Community Watchdog Because Nearly No One Else Seems to be Watching).

⁵ This is the justification staff claims for its involuntary assessment Recreation ("RFF") and Beach ("BFF") Facility Fees (go to https://www.yourtahoeplace.com/uploads/pdf-ivgid/G.2._-_Recreation_Standby_and_Service_Charges.pdf).

EXHIBIT "A"

Please REMOVE Agenda Item F.4. From Tonight's Board Meeting

From: <s4s@ix.netcom.com>
To: Dent Matthew <dent_trustee@ivgid.org>
Cc: Schmitz Sara <schmitz_trustee@ivgid.org>, Tonking Michaela <tonking_trustee@ivgid.org>, Noble Dave <noble_trustee@ivgid.org>, Tulloch Ray <tulloch_trustee@ivgid.org>
Subject: Please REMOVE Agenda Item F.4. From Tonight's Board Meeting
Date: Jul 12, 2023 5:01 PM
Attachments: [F.4. - page 921 - updated.pdf](#)

Chairperson Dent and Other Honorable Members of the IVGID Board -

Look below at what I received a little over 2 hours prior to tonight's Board meeting. And I have no time to even take a look.

As you know Policy 3.1.04 states that all materials in support of a matter shall be posted to the District's web site a calendar week before the meeting. ALL MATERIALS means just that. ALL. And a calendar week before means just that. A CALENDAR WEEK BEFORE.

Furthermore, this Policy goes on to state that no matter shall be heard nor acted upon where the materials in support are inaccurate or missing. "Delayed and/or supplemental materials SHALL defer an agenda item."

What you have below are delayed and/or supplemental materials presumably posted to the District's web site two hours before the meeting. Therefore, the matter SHALL be deferred. Please do what your policy states. REMOVE this agenda item.

Furthermore, this matter has been placed on the consent calendar. Per Policy 3.1.04 justification shall be included in the staff memo for placement on the consent calendar. I have examined pages 917-919 of the Board packet and NOWHERE do I see justification for placement on the consent calendar. Nor do I see reasons justifying placement on the consent calendar insofar as the reasons stated in Policy 3.1.04 recite. This placement was and is 100% IMPROPER!

When are we going to sanction staff who just don't seem to be able to comply with Board policies? It makes those policies a mockery!

And why do I have to be the one to call out this improper staff conduct to the Board? It's NOT my job. Since it's YOUR job, please do your jobs. Remove this matter from tonight's agenda and start disciplining staff for non-compliance with Board policies.

Respectfully, Aaron Katz

-----Forwarded Message-----

From: Susan A. Herron <sah@ivgid.org>
Sent: Jul 12, 2023 3:39 PM
To: Susan A. Herron <sah@ivgid.org>
Subject: Remove and Replace - Item F.4. Consent Calendar - page 921

All,

Attached is an updated agenda packet page 921. Director of Human Resources Feore corrected an error and reconfigured the sheet itself. Please remove the existing page in your packet and replace with the attached.

Thank you,
 Susan

Susan A. Herron, CMC
Director of Administrative Services
IVGID
893 Southwood Boulevard
Incline Village, NV 89451
sah@ivgid.org
775-832-1207 (Office Ph#)