

MINUTES

REGULAR MEETING OF MARCH 10, 2021 Incline Village General Improvement District

The regular meeting of the Board of Trustees of the Incline Village General Improvement District was called to order by Chairman Tim Callicrate on Wednesday, March 10, 2021 at 6:00 p.m. This meeting was conducted virtually via Zoom.

A. PLEDGE OF ALLEGIANCE*

The pledge of allegiance was recited.

B. ROLL CALL OF TRUSTEES*

On roll call, present were Trustees Tim Callicrate, Sara Schmitz, Matthew Dent, Kendra Wong, and Michaela Tonking.

Also present were District Staff Members Director of Finance Paul Navazio, Director of Community Services/Golf Darren Howard, General Manager Diamond Peak Ski Resort Mike Bandelin and Engineering Manager Nathan Chorey.

No members of the public were present in accordance with State of Nevada, Executive Directive 006, 016, 018, 021, 026 and 029.

Board Chairman Callicrate announced that former Trustee Bob Wolf passed away last week and in honor of his widow Cathie and their son Ryan, he now asks that we take a moment of silence in his honor.

Board Chairman Callicrate said that we will be removing General Business Item K.1. and District General Manager asked that General Business Item K.8.c. also be removed.

C. INITIAL PUBLIC COMMENTS*

Dick Warren said he is addressing Board packet General Business Item K.4, which will set the golf rates for 2021. Where is the Golf Venue Fully Loaded Income Statement, which by the way is a requirement for Enterprise Fund Accounting which starts on 7/1/2021, in the middle of the golf season? Certainly that complicates perhaps rates charged, but one could assume May & June are based on PY decisions but a ramp up is needed starting July 1st, or do a "blend" for May through September. Where is a detailed accounting for all revenues sources, supported by the numbers Keep It Simple Darren Howard has thrown together in his presentation? Where are the assumptions of how many folks will play daily

based on the whether they are residents, non-residents, etc.? Same for expenses, how does one know if all expenses are being included to determine breakeven fee rates? I know depreciation is not included because Darren stated that daily fee rates for 2021 will be consistent with 2020, which means depreciation is not included, and you will also continue to allow Facility Fees to subsidize golf fees. There is a lot here on the Golf play pass rate structure, but where are the assumptions that tie to a line item in revenues? You IVGID types never seem to get around to tying the details on assumptions to the Income Statement for specific revenues & expenses. None of this fits in with what came out of the mouth of Navazio at the last Budget Workshop. This looks to me like "business as usual". The Head of Golf comes in here with a presentation full of numbers that tie to nothing, and there is no discussion at all about ensuring that golf fees are at least recovering all costs related to golf. This is another typical "GIGO" (Garbage In Garbage Out) IVGID product. What are we going to spend, maybe 30 minutes on this at the meeting, and at the end no one will know anymore than they did walking in? Chair Tim, I think this item needs to be removed from the agenda until it matches what IVGID Management said they were going to do for FY2021-2022 budgeting at the last Workshop. I simply do not understand why IVGID Management is allowed to make presentations at Board meetings that make no sense. But I suspect the Board will meekly listen to the presentation, have no critical comments/questions on the presentation, and then at the end tell IVGID Management what a wonderful job they did, and you will approve the new rates without any understanding of what you just did. It should be okay for you to criticize IVGID Management; you seem to have no problem "praising their efforts", what about challenging them? Remember, they do work for you. What a waste of everyone's time. Thank you.

William Hale, president of TIGC, said there are probably a number of his members that are very unhappy with the presentation and there are a number of members that are fine with it. The key is what the numbers really are. The sliding scale that Staff is proposing is fine for a year - some people are angry and some people are perfectly ok. We should all feel we are getting a great deal for a great course. The goal should be breakeven, that it is Staff's job, so disparaging Staff is ridiculous and he is embarrassed by his members that will do so. There are 600 members in the clubs who spend a ton of money at the Chateau and the pro shop. He is the President of the largest club and they are open to people joining us and enjoying a variety of events. Before anybody complains about the club, this club does a tremendous amount for this community. Let's listen to Staff and hear them out.

Mike Briggs said he is a resident and a golfer. He is going to speak to General Business Item K.4. and it is not on the rates but on the idea of being able to cancel tee times with reallocation and penalties. There is no ability to cancel your tee

times online and he cancelled at the pro shop and was called about why he was not there. The pro shop has a systemic problem with cancellations. There needs to be a system for cancellation, there needs to be fees charged for insufficient cancellation, and there needs to be reallocation. Further, there needs to be an owner of the process to ensure that it works. By fixing the cancellation process, we can increase revenues and it might help with the price increases on unlimited play passes.

John Jansen said he is an Incline Village resident and a member of one of the six local golf clubs along with nearly 600 local residents. These local golf clubs were formed for the purpose of encouraging golf at the Incline Village golf courses, developing lasting relationships with our neighbors, and sharing a love for the active participation in our community. The golf club concept, within municipal golf courses, is neither new nor unique to Incline Village. Virtually all municipal golf courses encourage local club participation to develop local repeat customers who will utilize the golf courses as their primary golfing venue. He is a member of IVGC and this year, his club is celebrating our 50th anniversary as a golf club consisting of all Incline Village residents and continue a dedication to the Incline Village golf courses, the Chateau and related facilities. What is consistent with the club he is a member of and all the other Incline golf clubs is that we are locals. We enjoy the use of all IVGID facilities, we are active in the community, and we have a long term commitment to maintaining the beauty and quality of life offered to all residents of our community. We understand that the IVGID Board must and should and does listen to all who seek to address local issues. It is with that understanding that the golf clubs seek to share our collective insight with you to provide an involved perspective to ensure that the Board hears from all residents and not just the loudest ones. What do the local clubs want for the Incline Village golf courses? We want to maintain a high quality golfing experience for all locals and visitors. We want continual quality consideration consistent with all IVGID amenities including Diamond Peak, the Recreation Center, and the beaches. We support and we want local golf management and we want active participants by locals to develop consistent and long lasting friendships centered on our common interests. Thank you.

Sharon Heider, current President of the Incline Village Teesters Women's Golf Club. Our Board has had a chance to review the Staff report and proposal and would like to make a few comments for your consideration. She sent each of you a study of the research done on community impacts with regards to golf courses and golf course communities. She thinks it is most important to take a look at this in context before we get into the detail and in that study you will find that the impact of golf courses on property values is significant. It is by the Journal of Sustainable Real Estate and it provides the defensible data on the value of golf courses to

communities. The research finds that having a golf course within a community increases all property values within the community by 9%. This increase in property value is for all houses within a community with a golf course. In addition, those houses that are adjacent to or close to a golf course or on the golf course have even higher values. It notes that golf courses are difficult and expensive to maintain and that many golf courses in the United States have been closed due to lack of play amid challenges in maintaining them. This study identifies that if a course closes it is difficult to find purposes for the derelict land and that the acreage becomes a maintenance item which does not produce revenue. The study shows that if a golf community loses its golf course, there is a 17% loss in property values to all properties within the community. We know that you hear from many people within the community that are not golfers who suggest that golfers should carry the cost of all the golf courses; this is simply untrue. This study and others shows that having a golf course within a community increases all property values. People who have moved to Incline know that they have moved to a golf course community and reap those benefits whether they play golf or not. The golf course has been a part of this community since its earliest days. The risk of driving your core users away, by increasing fees, have significant and costly ramifications to the entire community of Incline Village property values. With an understanding of the overall value of golf courses and what they have in this community, we have a few details that we would like to ask you to consider. We would like to bring to your attention that the Staff analysis is based on the anomaly of a COVID year. We believe that it is inappropriate to use this data as your basis. As you know, a number of people were not working and golf was one of the few things we were able to do during this time. We believe a more appropriate data analysis would be to actually throw out the COVID year and use the five previous years to determine the data points going forward. We would respectfully ask that you direct Staff to revise the analysis based on more consistent play patterns rather than with the anomaly of a COVID year. In addition, one of the assumptions is that the discount rate should be between 20 and 30%. This does seem arbitrary and we are confused as to where that is derived from and we would appreciate that information.

Cliff Dobler said as an IVGID management trio dives into the Moss Adams report regarding mismanagement of contracts, is it on the list to ask PICA and HDR to return money which IVGID overpaid them on the effluent pipeline assessments? The amounts could be as higher as \$300,000. As to the contract with Lumos, regarding the Mountain Golf Course cart paths, make sure that the paths are not abutting against pine trees. Also the forest is quite overgrown from neglect and the number of trees should be reduced to an appropriate level. He would like to have management tell the public when the key rates will be approved by the Board for the following venues as nothing has been presented for several years – the Recreation Center, Tennis Center, and the beaches. According to the budget for

the last 5 years, the Recreation Center has averaged 290,000 visits per year not including counter visits; averaged revenues have averaged \$1.3 million per year so for each visit, IVGID has received \$4.25. Costs on the other hand have averaged \$2.6 million so almost \$1.3 million or 50% is subsidized by the facility fee. For each visit at \$4.25, all residents are required to pay \$4.25. Maybe raising rates by \$1 or \$2 might be appropriate. The Tennis Center is even worse. For the past five years, visits have averaged 15,000 annually and revenues averaged \$10 per visit however costs averaged close to \$30 per visit so the facility fee subsidizes 65% or over \$400,000 per year. With the new pro shop and expanded deck area, costing \$1.3 million, and maybe a few more bucks to be added to each visit. The accounting for the beaches are quite odd as punch card transfers, shifting programs, and taking over the food and beverage operations has created a mush of data. At any rate, annual costs are at about \$2.3 million of which only about \$500,000 will be recovered from food and beverage sales, rents, and other concessions and 200,000 recovered from visits paid in cash. To sustain operations, the beach fee assessment to us property owners will have to be \$200 to \$225 annually. An extra bump will be required if and when a new Incline Beach building is accomplished; expect about another \$3 million there. Also should the rates of the Championship Golf Course include the \$30 discount given to Hyatt guests? In previous years, this discount has never been disclosed to the Board. He asks why the discount? Lastly, do not allow dynamic pricing to be put in the hands of management as it gives them the ability to give away our venues to their friends. Keep one set of pricing. Please make sure that the Davis Farr contract for the new auditor, that the annual engagement letter remains under the control of the Audit Committee not the General Manager. Thank you.

Steve Trevino said he is a 15-year resident of Incline Village and that he wants to comment on the incredible increases of the golf fees for our golfing community. He simply can't understand how, in one year, anyone in any entity or service can realistically approach a golfing community who have supported the two golf courses, pro shop and food facilities. He can imagine as a Board, and he would like to put this into perspective for you, if you were to approach this local community and proposed a 100% increase in sewer, water, garbage or even at Diamond Peak or the Recreation Center, this is what you are asking the local golfing community to absorb. He has seen the tables and the charts and you can manipulate the numbers any way you would like but the bottom line is in his specific instance and many other golfers and he don't agree with previous comments, is that it doesn't affect a fraction of golfers in the local community rather it impacts a significant amount. He loves this community and he loves this golf course and he has been loyal to it but these costs are making him looking elsewhere as well as others. Love this community so hates to do this. Last year, for \$3,300 for he and his wife, playing the same amount or less, this year, they would be looking at \$7,500 – 150%

increase in one year, how can you even imagine doing that to your local, loyal supportive group? It is unfathomable to him. Now, he does understand that costs do increase and that is a fact of life but 100%, 75%, 50%, 25% is outrageous. There are people who come here from around the world to Tahoe and they spend \$500 to \$1,000 a night at the Hyatt, they rent homes here for \$10,000, \$15,000 or \$20,000 a week yet we are the only ones that are being targeted and the out of towners are basically getting a free pass.

Margaret Martini said with only three business days and a weekend to absorb a 520 page Board packet, you must all be speed readers. Most of our citizens with jobs, families, volunteering and other responsibilities would not have the time to review the complete packet or understand the short-hand version of the itemized agenda items - like ETS. Instead of spending \$20,000 on a lobbyist maybe you should spend that money on speed reading courses for our citizens. Or better yet, provide more time for our community and our Board to actually have the time to understand and evaluate the public's business on the agendas. On that note, as it relates to Items K1 and K7, the Board Chair and the GM have forgotten the role of the Audit Committee or have decided they will simply violate Policy 15.1. again. Violating District and Board Policies and Practices have no consequences, so why not? Or maybe, the Board Chair didn't have time to read through these items before they were placed on the agenda. In any case, the GM cannot be the District representative overseeing the Independent Auditor. According to 15.1 the "Independent Auditor Reports Directly to the Audit Committee." As it relates to K7, selecting and overseeing consultants to implement new policies for financial accounting and reporting, capitalization, and internal controls fall under the authority of the Audit Committee and its recommendations to the Board. \$50,000 should be awarded to the Audit Committee to ensure that consultants act professionally and independently to provide the Board with the best advice and options. Please remove these items from the agenda and revise them so that they comply with Policy 15.1.0. As for paying Mr. Beko additional legal fees to continue to withhold public records from Mr. Smith - please recoup any money owed from Ms. Wong, Mr. Guinasso and Mr. Pinkerton. They engaged the Beko firm without Board approval and many of the actions Mr. Beko has taken have never been approved by the Board in a public meeting. In addition to the continued travesty of wasting our public money on legal fees to withhold public records dare she says that she doesn't believe that ALL Trustees willing to spend our money have even exercised their due diligence and read through the emails claimed to be privileged. As for the new rates proposed for our recreational venues, she can offer no advice as, just like you, she didn't have enough factual information from Staff on the actual costs of operating, maintaining, and improving these venues. So may she suggest you get a plan from staff on reducing operating costs before you look at increasing the revenues. That is only common sense and good business practice!

Mike Abel said he has a couple of things he wants to talk about and the first thing is on the CAFR they always have this certificate from the Government Finance Officers Association. This is a sham and a scam. IVGID pays the application fee of \$920 to get this so called certificate of excellence. It is a joke and why would you spend money to have somebody pat you on the back? This is like him joining the Safeway club except that he doesn't even pay for the Safeway club, they just let him in so why are we wasting \$920 on this ridiculous thing? It is supposed to give people a better feeling about the CAFR and give a better feeling about what a great job our government is doing for us but in fact it is a stupid sham and scam. The next thing is that he has a question – we have this thing called an MOU, a memorandum of understanding that is being acted on tonight with regard to the Public Works union. He doesn't understand what an MOU is. If you are having an agreement with the union, it is either a contract or an agreement. Inside the so called MOU, it is called an agreement, not a contract, so why don't we decide what it properly is as it is certainly isn't a memorandum of understanding because it represents a commitment by IVGID and it is a contract or an agreement. Let's get it straight so the public doesn't have some idea that oh we are just having an agreement that we get along with these people. The next thing that he wanted to bring up and he has already sent an e-mail to everybody a couple of days ago and it is apparent that IVGID has been giving some employees some rich benefits and unreported cash compensation without reporting these benefits as compensation and paying withholding taxes on those benefits. He has referenced in a letter to the IVGID Trustees the IRS publication that is applicable to this which says and he quotes "any fringe benefit you provided is taxable and must be included in the recipients pay unless the law specifically excludes it" and there are some exclusions which he also sent a list of. IVGID needs to come into compliance on this matter immediately now that it has been brought to your attention. And question, as the so called contract/agreement/MOU with the Public Works union been evaluated for compliance with IRS rules? He will bet it hasn't. That is something that our Staff attorney should look at. Anyway, this tax compliance item needs to be addressed and rectified as soon as possible. As a taxpayer, he resents tax cheating at any level.

Ray Tulloch said he is a resident and a member of the Audit Committee and that he wants to talk about items K.3. through K.5. on the agenda, setting rates for facilities. He has gone through all these documents and he must compliment Staff for all the fancy graphs and grandiose projections of revenue they have provided which all reflect some fantasyland they appear to inhabit. A place where money grows on trees while they let costs spiral out of control. What is completely missing in any of these presentations is any mention of costs. As every real business person knows, it really doesn't matter what your revenues are if they remain less

than your costs. But it appears that this is of no concern in IVGID land as the Recreation Fee will simply bail them out of any losses which we see happening all over the place and the Director of Finance's so called break even budget is only breaking even when taking into account subsidies. And while they keep pushing for other visits and trying to sell more visits they can continue to send advertising contracts to their buddies at EXL Media to attract even more visits and to lose even more money. And then let's look at this nonsense about yield management. As a previous caller pointed out, this is simply a device to allow IVGID Staff to provide special deals, sweetheart deals, to their friends and preferred parties. He will wager anything that the yield management has never been used to increase fees to attract more revenues so what is the point of it? Time for the Board to end that nonsense and just set rates so the public know what rates they are going to be charged and that we are charging equitable rates to everybody and not special rates to friends and family. So he urges the Board to reject these proposals and instruct Staff to come back with realistic pricing proposals based on realistic projected profit and loss accounts showing the revenues and most importantly showing the actual costs and for once to ask Staff to actually manage costs not just spend money like drunken sailors on leave. If Staff is incapable of doing that, then it is past time that IVGID Board consider outsourcing and franchising that management of these venues to people who actually understand business economics. He should also add, based on a lot of the previous public comments that have been made, that these comments are his own, they have not been prepared by any golf club that he paid \$325 to join and circulated to him to make comments, in a slightly different format, but all reflecting the same thing. Please provide golfers lower rates because we spend so much money here forgetting the subsidies that are provided so he asks the Board to reject.

John Johnson calling regarding clubs and preferred tee times. He finds it wrong that the clubs get preference on their tee times, many tee times thus the residents inability to get them. If a resident wants to get an advanced tee time, they have to pay \$10. He thinks that the clubs should pay at least that \$10 for the blocks of tee times they get. One of the men's clubs and perhaps one of the women's clubs too, is nearly a private club. 100 members and they vet the people that come before them with an application for membership. There is no reason why a public course, our public course, should have a private club operating on it and that club get preferred tee times without paying a fee. He has no problem with the club's getting preferential tee times, give them the preferential tee times, but charge them at least the same \$10 that the non-club members pay. There is no reason why the residents of Incline subsidize these clubs. The golf course gets plenty of play, the tee times are sold out and the course can survive at market rates that management sets. It does not have to subsidize these clubs. The clubs should not get preference

over the residents. The residents own the course. Thank you very much for your time.

Aaron Katz said he has some written statements to submit. The whole presentation for the rates at the facilities is a waste. He wrote to the Board and as long as Staff has the discretion to exercise its own rate structure, why are we going through this dog and pony show which he is sure is going to take at least an hour and a half so dispense with it or take away the right of Staff to change the rates. Now to the people who are complaining from the golf clubs on these horrendous increase in rates, take a step back and maybe you can understand the excessive subsidizes that non-golfers have been involuntarily paying for decades and there has been no justification for it. He is encouraged that now we are trying to increase rates and by the way, let's get the facts straight. 600 golfers represent about maybe 400 housing units in the community which works out to less than 5% of the 8,200 parcels. That being the case, you guys are the minority and we are not the minority, we are the majority. This arrogance that these golfers have that their neighbors are supposed to subsidize their meals and subsidize their golf, he finds it absolutely outrageous as these are your neighbors. Why don't you pay the full fare? And if you don't want to pay it, his suggestion is you go golf someplace else. The arrogance and the narcissism just needs to end. It has destroyed our community and we are trying to improve it and now, to Staff, if you are losing \$7 million annually, why don't you do something to lower your overspending? Never do we hear about any of that. Why do you continue to budget a level Recreation Fee simply because that is what the market will bear? Why do you perpetuate the low cost pricing for nonresidents? Why do you perpetuate special golf rates for guests of golfers and yet you don't allow special rates for guests at our other venues? Why do you disingenuously charge a 23 year old nonresident a child's rate that we are losing how much money on? Why do you give away the store to nonresident Sierra Nevada University students? Why do you give away to the nonresident Hyatt guest? Haven't they raped us sufficiently at the Hyatt Sport Shop? Why do you sell unlimited golf passes to nonresident juniors for only a couple of hundred dollars? No wonder Staff is incapable of operating these facilities at breakeven so he says make a profit or get out of the business. It is that simple.

Gail Krolick said tonight the Board of Trustees will be approving the February 10, 2021 meeting minutes and on the those meeting minutes, she had called in and quite upset in regards to a community member and community members who went after her daughters in regards to scholarships that one of them had received from the Veterans Club and she had asked if the General Manager would please inform the community what exactly the process was because there was an accusation that perhaps the community members were spending money on the scholarships.

She is here to thank the District General Manager for not only reaching out to her and her husband via email but she, her husband and the Board of Trustees all received that clarification on how scholarships, in particular the Veteran's Club scholarships, are awarded and, if she may, and she quotes "all of these funds are collected and dispersed from a single account dedicated to the revenues and expenditures associated with the club activities. This account is managed by IVGID Finance Staff and Senior Program Staff. The club has a designated Treasurer who manages the club accounting along with Staff. The Treasurer, coupled with a majority vote of the Board [of the Vet's Club] authorizes all disbursements from this dedicated Incline Village/Crystal Bay Veteran's Club account." So with that, she just wanted to set the record straight and she wishes to thank those Trustees who did in fact reach out to her after hearing the deplorable comments that were made in regards to her daughters. Thank you and she just wanted to put that on the record.

Judith Miller said for years we have been told that the Recreation Fees were supposed to pay for the capital expenses and debt service and that we only expect user fees to cover operating expenses. Well, the Moss Adams reports as well as the Director of Finance's pricing workshop made it abundantly clear that user fees don't even come close to covering operating costs. Among other things, IVGID Staff has been improperly recording operating expenses to capital projects. And anyone who still criticizes to those that objected to the convoluted financials that were designed to make IVGID venues look good, has not read the Moss Adams reports. And why is it acceptable to our homeowners that user fees shouldn't be expected to cover most if not all expenses? Who would keep operating a business like that? Golfers have often dominated IVGID Boards keeping their user fees unjustifiably low while demanding prime tee times and the best of everything. She has seen golf managers quietly disappear because they didn't tow the party line and instead suggested freeing up some prime tee times for more availability for higher paying visitors or heaven forbid advocating cost saving measures. Most communities gladly support simple amenities; perhaps a nine-hole course to learn the basics through property taxes based on property values not mandatory fees. She cannot justify forcing all property owners to subsidize what amounts to a private country club for the few with a mandatory annual fee instead of setting user fees for full cost recovery. Consider her neighbor – a 90 year old widow who hasn't been able to use most facilities for decades and owns a modest 1,672 square foot home built by her and her husband when the Recreation Fee was just \$25. Now she is forced to pay the same \$830 as a golf club member with a 6,178 square foot custom home to subsidize his green fee that, depending on the type of pass, were as much as \$80 per round under actual costs; something is terribly wrong with this kind of assessment. Please take a long overdue look at how the facility fee and user fees are assessed and come up with a more equitable solution. User fees,

even for residents, need to cover more than operating expenses and yes, we do need to look at costs, not just revenues. If golfers demand a high quality product and service, then they need to pay fees that cover more of the costs of this very capital intensive use or maybe we need to cut some of those costs. We can't keep robbing the poor to benefit the rich. Thank you.

Frank Wright said he is a member of the Ordinance 7 Committee and after listening to the many golfers and their crying and pleading for their rights from this community, he has been here for 45 years, and some of these people have just arrived here and haven't paid into this community. He would like to know how these members have achieved their privilege status? Were they part of an Indian group? Do they have some kind of first American status? Because they seem to get an awful lot of preferential treatment that the rest of the parcel owners in this community do not get. Preferred tee times, locking up quality tee times because they are members of a private club and we subsidize their golf because their fees that are paid don't cover the costs. They are asking us to subsidize their costs, everyone is equal, and this is a municipal course that is owned by the members of this community. When you have to get down to whose fault is it this treatment of elite golfers - how did this happen and how did this take place? It took place because Management didn't charge enough, they didn't know what they were doing, and they didn't look at fairness of living in a community where everyone is paying the same Recreation Fee. Unless these golfers are paying 2 or 3 Recreation Fees, they shouldn't be treated any different from anybody else. They shouldn't be blocking out tee times all summer long. He agrees with John Johnson 100%. It is wrong to take from the community members to give to another community member that doesn't really deserve it. Expand that to the employees – free everything. They get to use all our venues for free whether they work at that venue or not and there are people who can't use the beaches but our employees who live in Reno can use them all for free. How did this happen? How did this take place? Management. You can't allow this to go on – beach deed is in serious jeopardy. No one is doing anything about it, including our Board, and you have known about it for a couple of months.

D. APPROVAL OF AGENDA *(for possible action)*

Chairman Callicrate asked for changes to the agenda; Trustee Schmitz asked for General Business Item K.5. be removed as there are no related materials submitted as is required and that it can be brought back with the supporting materials. Trustee Tonking said that the documents for K.5. ended up at the end of K.4. Trustee Schmitz said they should have been included with the agenda item presented. District General Manager Winquest offered that this item was to be one item and we separated it out and thus it was included in the K.4. materials however

if the Board wishes us to bring it back, Staff will comply. Chairman Callicrate said if the material has been included in the packet, do you still want it pulled? Trustee Schmitz said she does because from the general public's perspective, they have no idea that they have to go search someplace else for that material, it should have been included with the agenda item and if we could bring it back with all the supporting materials and after we have the discussion with the golf, there will probably be other materials that we would like to request come with it. But, from the public's perspective, the materials are not included with that agenda item. Chairman Callicrate said ok and the agenda was approved as modified – General Business Item K.1., K.5. and K.8.c. are removed in their entirety from this agenda.

E. PUBLIC HEARINGS *(for possible action) Reference: Nevada Revised Statutes 288.153*

E.1. Review, discuss, and possibly approve the Memorandum of Understanding between and for Incline Village General Improvement District and the Operating Engineers Local Union No. 3, Public Works Operations & Maintenance & Skilled Trades, July 1, 2020 through and including June 30, 2023 (Requesting Staff Member: District General Manager Indra Winquest)

District General Manager Winquest asked District General Counsel Nelson to explain that this public hearing is being done in accordance with Nevada Revised Statute 288.153; District General Counsel Nelson gave an overview and stated that the District General Manager is required to provide a fiscal impact which is located in Section III of his memorandum. District General Manager Winquest gave a brief overview of the submitted materials which included the fiscal impact. Trustee Schmitz said that she had some clarification on wording and that it was something that District General Counsel Nelson was going to weigh in on. District General Counsel Nelson said that Trustee Schmitz asked for some clarifying language in Exhibit C – clarify that it is for the appropriate pay grade so he would request that the Board accept this MOU with that minor modification.

Trustee Tonking made a motion to authorize the Board Chairman and Board Secretary to execute a memorandum of understanding with the Operating Engineers Local Union No. 3 for the Non-Supervisory employees, as negotiated by the IVGID Management Team and with the clarification as identified by Trustee Schmitz. Trustee Dent seconded the motion. Chairman Callicrate called the question and the motion was unanimously passed.

F. DISTRICT STAFF UPDATES (for possible action)

F.1. District General Manager Indra Winquest

District General Manager Winquest introduced Mr. Brad Underwood who is the District's new Director of Public Works and who will be formally starting this coming Monday, March 15, 2021; Mr. Underwood thanked the District General Manager for the introduction and stated that he was looking forward to joining the IVGID team. Chairman Callicrate said welcome. District General Manager Winquest said that he would like to respond to a couple of comments – dynamic pricing, as we look to set rates, the Board would set the rates and Staff cannot go underneath those rates and yes, there may be times when we can increase rates. Two members of our Audit Committee both mentioned that by giving Staff this authority it led to sweetheart deals. He finds these statements extremely disrespectful especially when it is from two members of our Audit Committee. District General Manager Winquest then verbally went over his GM's Ordinance 7 Committee section in his submitted report and announced a new report that has been posted to the website. Trustee Schmitz asked if she heard correctly that the line item detail report will be posted to the website; District General Manager Winquest said yes. Trustee Schmitz said that the Washoe County Commissioners are having their meetings in person so what is the situation from where we are and continuing only the virtual meetings? Is it something that we can start planning that is meetings in person? District General Manager Winquest said they have serious restrictions on how many they allow in their chambers. He agrees with your request as it would be our goal to have some level of in person meetings. We want to make sure that all parties feel comfortable doing so. Trustee Schmitz said that the wording on surveys is very important and she was wondering if we are hiring someone to write the questions – curious on the approach? District General Manager Winquest said you are absolutely correct and how you frame questions is important. We are not hiring an outside firm as we have one member of our committee who is pretty savvy as is our Staff so we don't see the value in hiring an outside service to do this community survey.

F.1.a. Report from Tri-Strategies for the 81st Legislative Session of the State of Nevada

Tri-Strategies Eddie Ableser went over the submitted materials and said that Assemblywoman Krasner's bill draft request has been assigned a bill number (ACR 4). Trustee Tonking said since the legislative session

is closed, how have you found it to meet with the legislators? Mr. Ableser said that Tri-Strategies is a spirited and innovative team, there is a new lobby on the outskirts of the building, and they have met with many, many legislators in person and then with Zoom with Google Teams. We are also sending texts and emails. There are moves to be more in person and he has participated in those discussions. They are moving towards that and excited about the building opening up and seeing people in person. The Board had no further questions.

G. REVIEW OF THE LONG RANGE CALENDAR (for possible action)

District General Manager Winqest went over the long range calendar and stated that Staff would like to hold the upcoming budget workshop during the day. Also, based on the removal of the Davis Farr agenda item tonight, Staff will need to bring back soon. Director of Finance Paul Navazio said that the Nevada Revised Statutes requires that the Board designate its auditor by March 30 so he will double check that date. District General Manager Winqest said that Ordinance 7 will be brought forth sometime soon and that he will know more next week. Staff will make sure that we get that on the long range calendar soon. Trustee Wong said that she can only make either the March 24 or the March 31 meeting and that daytime meetings are very difficult for her so please proceed. Trustee Dent said, regarding Auditor Designation, haven't we already done that? He has no question and he doesn't see an Audit Committee meeting happening between now and March 30. Director of Finance Navazio said it his recollection that the Audit Committee, who was involved in the selection process, designated Davis Farr. Tonight's item was going to kill two birds with one agenda item as the Audit Committee has already made that recommendation and that he needs to talk to District General Counsel Nelson about what action now needs to be taken. District General Manager Winqest said Staff will look into it and provide an e-mail to the Board. Trustee Schmitz said she would like to request a couple of things – (1) In the Moss Adams 1 report, it stated that the District is not using best practices in professional services and they suggested we develop a policy and criteria and she doesn't see that on the long range calendar; (2) she requested that the Board be provided the framework for pricing across the District and that this information be shared with the Board so she is assuming that would need to be on an agenda; and (3) there is tax implications with various benefits and gold and silver cards and she is requesting some clarification from District Legal Counsel. District Legal Counsel Nelson said his office is preparing an opinion on that subject and that he won't let that one slip by.

H. **DISTRICT GENERAL COUNSEL UPDATE** *(for possible action)*

There is no District General Counsel update for this agenda.

I. **REPORTS TO THE BOARD*** - Reports are intended to inform the Board and/or the public.

I.1. **Management responses and implementation plan regarding recommendations from the final report regarding the District's contract administration submitted by Moss Adams, LLC (Presenting Staff Members: District General Manager Indra Winquest, Director of Finance Paul Navazio and Engineering Manager Nathan Chorey)**

District General Manager Winquest gave a brief introduction to this item and then Director of Finance Navazio gave an overview of the submitted materials. District General Manager Winquest clarified that we have gone to bid and only got one bid which is not sole sourcing and then there are times when we have an emergency and there is only one vendor that specializes in that work. Staff takes these recommendations seriously, our team has provided good responses, and we are working on some of them and some will be upcoming in the future. Director of Finance Navazio said that he will note Observation 1 is an overarching recommendation, agenda packet page 71 is about updating policies and we will be talking about that on the agenda item K.7. and that is engaging some help with this work. Trustee Schmitz said Observation Number 8 is sort of tied to Observation Number 10. The payment that was made over the contractual amount and services that weren't received - has there been a change put in place and can you clarify the resolution comment? Director of Finance Navazio said that Moss Adams did identify that after looking at contracts issued over several years, there were two instances where payments were made in excess of contract amount and that he didn't see anything about payments for services not received. We have had and are tightening up the payments to ensure that they are in accordance with the contract and authorized before they are being paid. We have a pretty good process and that there were a couple of instances that Moss Adams identified and Staff continue to strive to be better. Trustee Schmitz said that Moss Adams did identify in Observation Number 10 that services were paid for that weren't delivered. If we can, as a Board, be in support of Staff getting training on contract training, etc. to have the knowledge and skills to carry out these things. She thinks that training is part of the equation and that we should have that in the budget. District General Manager Winquest said he has given direction to our team

to look for training in that area and that Staff is in the process of hiring a new position for Project Management. We learned a tremendous amount from the Moss Adams report and it is always a great idea to get that training. He hopes that the Board supports training across the District.

I.2. Treasurers Report *(for possible action)*

I.2.A. Payment of Bills *(for possible action)*

Trustee Tonking said she reviewed the bill pays, reached out to Director of Finance Navazio who answered her query about capital identification, and she reviewed the procurement cards. She is also working on the recurring payments being on the bill pays.

J. CONSENT CALENDAR *(for possible action)*

There are no Consent Calendar items for this agenda.

Chairman Callicrate called for a break at 7:37 p.m.; the Board reconvened at 7:45 p.m.

Before moving to General Business, District General Counsel Nelson said Staff received a telephone call from a member of the public and that that caller wants to make public comments regarding item E. Public Hearing and that while it is not required, he would recommend that the Board consider having a special public comment section for item E. which is the Memorandum of Understanding. Chairman Callicrate said that the Board will have a special public comment section, after General Business Item K.9., for the Memorandum of Understanding.

K. GENERAL BUSINESS *(for possible action)*

K.1. Review, discuss, and possibly approve the award of a contract for independent audit services to Davis Farr, LLC for Fiscal Years Ending June 30, 2021 through June 30, 2025 (Requesting Staff Member: Director of Finance Paul Navazio) *(removed from the agenda in its entirety)*

K.2. Review, discuss, and possibly approve a design services contract for the Mountain Golf Cart Path Replacement Project – Fund: Community Services; Division: Golf; CIP# 3241LI1903; Vendor: Lumos and Associates in the amount of \$75,100 (Requesting Staff Members: Engineering Manager Nathan

Chorey and Director of Community Services/Golf Darren Howard)

Engineering Manager Nathan Chorey gave an overview of the submitted materials. Trustee Schmitz said that she believes that it was Mr. Dobler that mentioned something about the trees and that the Director of Golf/Community Services Howard showed her the paths and she is assuming there will be some tree removal. Engineering Manager Chorey said that this project is a lot more than just paving as we want to address the issues with the cart paths. The District does have an ongoing program with the North Lake Tahoe Fire Protection District to thin tree and yes, there will be some tree removal associated with this project. District General Manager Winqest said he wanted to add that there is funding in the budget to increase the overall approach for tree health at all our venues. Trustee Schmitz said she is looking for perspective from either of you – we have made decisions of not buying new carts because of this condition and we all understand that situation. There is a cost related to this – do at once, break it apart, and then when she hears about concerns about golf rates and one of those things is cost reductions. She wants to get your thoughts and recommendations and how to balance both sides of that equation? Engineering Manager Chorey said we want to provide a quality product to the users and that threshold is a bit nebulous however it does reach a threshold where it needs to be addressed and it is an ongoing internal conversation. District General Manager Winqest said that he didn't understand the question. Trustee Schmitz said that another agenda item is the rates for the golf course. We have users who are very uncomfortable and unhappy with the rates. We have been shown the breakeven and the costs for golfing and now we are raising awareness of taking on another project while dealing with the cost of the golf courses. We have talked about moving along quicker however the irony is that we are spending more money while having users being unhappy with the rates being proposed. District General Manager Winqest said he understands and that this is going to be a significant cost and we need to take care of our asset. There is a safety issue there, there has been a few close calls, and we are at the point in time where we need to address these paths. The Board can decide not to do this if you don't want to and Staff does understand the sensitivity to golf rates. Trustee Tonking said she played the Mountain Golf Course this summer and there are definite safety concerns so she is in favor of moving forward and understand

what Trustee Schmitz said but wants to address this so we don't have a larger issue.

Trustee Wong made a motion to:

1. Authorize a Design Services Contract for the Mountain Golf Cart Path Replacement Project – Fund: Community Services; Division: Golf; CIP#3241LI1903; Vendor: Lumos and Associates in the amount of \$75,100.
2. Authorize Staff to approve payment of permitting fees associated with the Mountain Golf Cart Path Replacement Project estimated to be \$10,000.
3. Authorize Staff to execute the contract documents.

Trustee Tonking seconded the motion. Chairman Callicrate asked for further comments, receiving none, he called the question and the motion was passed unanimously.

K.3. Review, discuss, and possibly approve Diamond Peak Ski Resort's 2021-2022 Picture Pass Holder daily ticket and Picture Pass Holder/Non Picture Pass Holder season pass Key Rate proposal (Requesting Staff Member: Diamond Peak Ski Resort General Manager Mike Bandelin)

Diamond Peak Ski Resort General Manager Mike Bandelin gave an overview of the submitted materials. Trustee Schmitz said thank you for doing the number crunching as it is important to understand what the costs are and what the cost recovery is and she just wanted to ask the Director of Finance Navazio if he had anything to add as we are supposed to be looking at our framework with the costs of capital improvement, debt service and depreciation and have it fully loaded as that would have been helpful had it been included here. It was done for Golf but Staff didn't do the same thing with Ski as it could make the golfers feel like they are under a little bit more scrutiny so having the same type of analysis for both of these would have been helpful. Are you comfortable with the numbers as it relates to the overhead and costs? Director of Finance Navazio said generally comfortable as our rates meet or exceed the defined thresholds. Staff pointed out, in February, that we didn't have the season pass information and Diamond Peak Ski Resort General Manager Bandelin has reported

that to the Board. Based on an average utilization of 5 days per pass, it does result in an amount well above the threshold that the Board indicated. District General Manager Winqest said as Staff presented in February, it would be very beneficial for the Board to provide some perimeters as without that it leaves Staff guessing on where you want to set rates and what you want to have covered. When we have that model set by the Board, Staff is ready to implement that and until we get there, will have to work together to get there. Trustee Schmitz said she agrees and thought it was great in February to have had the information which is the place to start. What was done in February, if we could do that every time we are talking about pricing, it really helps us all and the community to understand where our breakeven point is, what our costs are, and that is a really positive thing.

Trustee Wong made a motion to:

1. Approve a zero-dollar increase to all Picture Pass Holder season passes and daily ticket products for fiscal year 2021/2022.
2. Approve a Fiscal Year 2021/2022 non Picture Pass Holder full season pass rate increase to pass products as shown in Table 1 of the memorandum.
3. Authorize Staff to practice yield management with non Picture Pass Holder full season pass products included in (Tier 3) of the date based pricing proposal.

Trustee Tonking seconded the motion. Chairman Callicrate asked for further comments. Trustee Schmitz asked if Trustee Wong included the yield management and the floor being used. Trustee Wong said not explicitly but yes, it can be included. Trustee Tonking said that is fine.

The motion, as made by Trustee Wong and seconded by Trustee Tonking, now reads as follows:

1. Approve a zero-dollar increase to all Picture Pass Holder season passes and daily ticket products for fiscal year 2021-2022.

2. Approve a Fiscal Year 2021/2022 non Picture Pass Holder full season pass rate increase to pass products as shown in Table 1 of the memorandum.
3. Authorize Staff to practice yield management with non Picture Pass Holder full season pass products included in (Tier 3) of the date based pricing proposal with a floor of Table 1, Tier 3 pricing.

Chairman Callicrate called the question and the motion was passed unanimously.

K.4. Review, discuss, and possibly approve Golf play pass rate structure, daily green fees and range fee rates for the Incline Village Golf Courses (Championship Golf Course and Mountain Golf Course) for the golf season of 2021 (Requesting Staff Member: Director of Community Services/Golf Darren Howard)

Director of Community Services/Golf Darren Howard gave an overview of the submitted materials. Trustee Tonking said that yes, we do need to be raising some of these passes. In looking at some options, in the PM time slot, can we do unlimited and help raise their revenues? In terms of the years, we are at \$40.92 now so what is the trend? Director of Community Services/Golf Howard said that Staff looked back to 2015 and the average price per round was \$69.60. It has steadily decreased with a 22% decrease and that is not a good trend. Around 2016/2017 is when the limited, PM, and couples passes came into effect. There was no math done and no one saw what that was going to do to our average round revenue. Trustee Tonking said and that didn't pop out in 2020? Director of Community Services/Golf Howard said no, as the average was a little higher one year because of snow however every other year, it has dropped. Trustee Tonking said that those graphs are showing every player that has bought a pass; Director of Community Services/Golf Howard said yes, those are real people and he took the names out. Trustee Wong said thank you for this information as it gives a good starting point. Part of the problem is that the Board hasn't set that pricing policy and that the Board has to accept the fact that the Board hasn't given great direction to our Staff especially on these play passes and that the Board hasn't established a pricing policy at each venue however this is a good starting point to have a conversation. For her, she would like for the Board to figure out where we want to be three years from now and

give our Staff direction to get there so the public doesn't feel like they are getting blindsided. She knows that even with all the communication, she thinks maybe taking our pass collection and applying a 3 to 5% increase with a discussion with the clubs and letting know that we know we have a problem with play passes and talking to them about a strategy to get to where the Board wants the District to be. Chairman Callicrate said that these are some pretty steep increases and that there needs to be a fuller discussion about bringing down the costs. While we should have been raising rates by 3%, we didn't do it. Now, 5 years out, it is quite a shock. He is sensitive to all the people and that the tee time reservations have gotten better. We should have given more justification on how we can control our costs and make increases that are adjusted to inflation and cost of goods and the Board does need to have a robust discussion on service levels. Our previous District General Manager was going to put together metrics and that didn't happen and here we are having a discussion about raising rates and how to do that. The concerns from the LaBarge's are valid as are the concerns from many people. There is merit to trying to come to a hybrid situation and not hitting everyone with a 30 to 70% increase on the passes. He is not faulting what Staff did however he wants to make sure that when we are moving forward, and that when the District General Manager is asked if he had clear direction, and he says not really, that we hear him. This Board tasked Staff with coming back with a solution as we are not covering our costs and that he doesn't know what the right answer is. It is a critically important decision that the Board has to make and it always comes down to golf as it should because it is why they live and recreate here. This Board needs to do the right thing and maybe that is coming back on March 24 so we can make the right decision and live with them. District General Manager Winquest said that there is a fair level of frustration from our Staff, it is painful to watch, painful for Staff and painful for the Board. These are difficult decisions. Staff knows that we are just getting started with this discussion and that we will get better and better. Regarding service levels, we have rangers, we have pro shop people, bar carts, etc. and those are service levels and we can identify all of those. We have a hybrid at both golf courses and he doesn't know if we can reduce service levels especially when a customer is paying \$200 to play at the Championship Golf Course because that customer will have an expectation of that level of service. Our parcel owners are paying \$90 to \$100 and they are paying a facility fee and this dynamic is difficult to navigate through. The best route is to determine if we want the golf courses to

breakeven at the operations level as we are close at Championship or breakeven at full cost recovery. If given this direction, Staff can then put together a 10-year plan. Our current structure is not sustainable and Staff has heard that we need to raise prices and cut expenses and that is what Staff is trying to do and now Staff is getting beating up over it. The Board needs to establish that model. Chairman Callicrate said we had a couple of different consultants that came in and their reports were shelved and not executed. For the here and now, the District has to make some changes to get us closer. Many people weighed in on the past reports. These reports need to be updated and say here is the blueprint, let's tweak it, really be earnest about it, and then stick to it. We can't shelve recommendations anymore as we are frustrating everyone. The same experience should be given to all and there has to be a happy medium but raising the prices as much as put forth in here, tonight, it is going to be tough to agree to as it is listed here. This is what is called discussion at the Board level in order to come out with a workable solution that benefits the entire community. His feeling is that from what Staff has heard from the Board members tonight, could Staff bring something back to us on March 24 and still meet the deadlines or do you need this done tonight? Is it doable to come up with something that is a stepped approach? Director of Community Services/Golf Howard said he thinks these are all really good comments and yes, he thinks he can get something done. He also thinks that all venue managers are trying to get clearer direction from the Board, and that if the direction is to get close to operating costs, it is not going to get there in one season and that is why Staff put that in a 5-year plan and he will come back with something very similar. On play passes, he doesn't think 3 to 5% will cover it. Chairman Callicrate said he is just trying to find a happy medium and he thinks you are close to that. Trustee Schmitz said we all in alignment on things and that she would suggest Staff do four things and come back to the Board - (1) tie the numbers, include the numbers that the Director of Finance had used as what were our operating expenses are and use his numbers; (2) pull together a group of people from both courses and ask them for their ideas and help in identifying ways to increase revenues and ways to decrease costs; because, and she will throw an idea out there this is potentially a revenue increase - what if mid-week we reserved at least 20% of the tee times for non-resident play and it got filled up, well that suddenly gives more revenue to offset more of the costs because the more nonresidents we have playing it does help to offset it so there is a balance, right, so she would ask you to see what their ideas are for

increasing revenues and, at the same time, ideas for decreasing costs; (3) dust off the Global Golf study and see if there are any nuggets that we should take from that and maybe we just haven't; and (4) come back to the Board with some ideas and if possible, include the timing and phasing that in. Trustee Dent said those are all very good points and too often we just focus on the revenues and we fail to get creative in ways to save money and focus on the cost side of it. He appreciates the presentation and knows that Staff is looking out for the golf courses, yes, there is a need to raise rates and he likes the suggestions made by Trustee Schmitz. He thinks we have a little time and so take a creative approach and involve the clubs and see where there can be a cost savings. We can't cut service levels at a \$220 rate and that becomes tough. He appreciates the presentation and looks forward to seeing what Staff comes back with. District General Manager Winqest said that these were very good comments and if he was a member of the golf club and you needed to work with me, the first thing he is going to ask is what is the expectation? So, right now, what he is hearing is, where we are going to start at Champ is to cover the operating costs and where we need facility fees would be for debt and capital. When you don't know the target, it is hard to get there. Staff appreciates the flexibility and what we come back with may not be what we want but that when Staff does bring some ideas to the Board, the Board can say that is sufficient to get to where we want to go. If the Board decides that we need to get to breakeven, we will need to a robust plan. Chairman Callicrate said that the Global Golf report was a thoroughly vetted document that languished so take a look at it. It is an opportunity to look at it because they had a 5-year plan for both golf courses making some money and don't know if that is possible and throw away last year. Trustee Tonking said it was helpful to have an in-depth plan and that she likes a 5-year plan and getting close. Director of Finance Navazio said he is happy to work with Director of Community Services/Golf and do want to caution that it is an imperfect exercise because we are working on next year's budget and the golf season starts soon and there will be an impact. He would like to remind the Board that the non-resident rates are set and do cover the full cost for the non-resident. The reality is what we need to know is what do we want from residents and guests? His question is the business model - is that the facility fee covers capital and debt? And, if the breakeven is there, is it but not for play passes? There will be a lot of moving parts and we might bring back a couple of options so the Board can land on something that is right. Chairman Callicrate asked if Staff has a clearer idea, from tonight's

conversation, on where the Board is trying to steer this; a better conversation and have stronger feelings on what the Board is trying to do. Director of Finance Navazio said what he got is the process may be incremental and the direction on where this is going is going to require some work. District General Manager Winqest said he agrees with the Director of Finance and Staff does have a clearer idea and we hope we can help the Board to get to that point. No matter the decision we make, there is going to be a segment of the community that will not be happy. Chairman Callicrate said if we can shrink that portion, address the major concerns of most of the people, and address all of the people that use the golf courses that would be good. The passes are critically important and glad to hear Staff has a clearer idea and this is his 10th time, it is always out there, and what are we trying to do when we grow up. Demographics have changed and let's address those rates that the user, non-residents, and guests are going to pay and we, as residents, will reap the benefit. District General Manager Winqest said he agrees that incremental increases are the way to go and we can see if COVID-19 had an impact. Trustee Schmitz said something else that we could potentially explore is that the excess revenue from Diamond Peak is to be used for capital projects at the golf courses and that is part of the equation we, as a Board, can look at.

- K.5. Review, discuss, and possibly approve facility rates for the Chateau and Aspen Grove, effective immediately for all future bookings (Requesting Staff Member: Director of Community Services/Golf Darren Howard) *(removed from the agenda in its entirety)***

- K.6. Review, discuss, and possibly (1) Authorize re-allocating \$12,000 from unallocated Golf capital funds to augment Driving Range Nets replacement project (CIP#3143GC1201); (2) Award a construction contract for Driving Range Nets - 2020/2021 Capital Improvement; Fund: Community Services; Division: Golf; Project #3143GC1201; Vendor: Judge Netting, Inc. in the amount of \$96,000; (3) Authorize Staff to approve change orders to the construction contract, up to \$3,000, for additional work not anticipated at this time and (4) Authorize staff to execute the contract documents (Requesting Staff Members: Director of Community Services/Golf Darren Howard and Engineering Manager Nathan Chorey)**

Director of Community Services/Golf Howard gave an overview of the submitted materials. Trustee Schmitz asked if District General Counsel is reviewing all the contracts in the packet; clarify so we know. District General Counsel Nelson said he is reviewing if asked, working on a preparing template agreements, and that is in the process of being developed. District General Manager Winquest said it is when he is being asked and he is reviewing about 90% of our contracts.

Trustee Wong made a motion to:

1. Authorize re-allocating \$12,000 from unallocated Golf capital funds to augment Driving Range Nets replacement project (CIP#3143GC1201).
2. Award a construction contract to Judge Netting, Inc. in the amount of \$96,000 for construction of the Driving Range Nets.
3. Authorize Staff to approve change orders to the construction contract, up to \$3,000, for additional work not anticipated at this time.
4. Authorize staff to execute the contract documents.

Trustee Dent seconded the motion. Chairman Callicrate asked for any further comments, none were received, so he called the question and the motion was passed unanimously.

- K.7. Review, discuss, and possibly authorize funds from the Fiscal Year 2020/2021 existing General Fund budget (up to \$50,000) and authorize the District General Manager to execute contract(s) for the purposes of executing one or more professional services contract(s) to review selected District policies (Requesting Staff Members: District General Manager Indra Winquest and Director of Finance Paul Navazio)**

District General Manager Winquest gave a brief overview along with Director of Finance Navazio and said that Trustee Tonking has agreed to serve as the Board representative. Trustee Wong said she thinks \$50,000 is really high and propose we start at \$10,000 as she was not impressed by either of the Moss Adams presentations that we

received. Trustee Dent asked what was the timeline proposed? Director of Finance Navazio said it depends on each policy and approach as some haven't been updated in a while and Staff wants to do a peer review and there may be some longer term issues. We have done some research and he is hoping to bring some updates to Board policies so that the Board can approve them concurrent with the budget; between now and end of May. Chairman Callicrate said he likes the aggressive time schedule, no concern with the dollar amounts, and we are not going to spend money that we don't need to spend.

Trustee Dent made a motion to authorize up to \$50,000 in existing FY2020/2021 General Fund appropriations to support one or more professional service consultant contracts to assist in updating selected District policies, practices and procedures. Trustee Schmitz seconded the motion. Chairman Callicrate asked for further comments, receiving none, he called the question – Trustees Schmitz, Dent, Tonking and Callicrate voted in favor; Trustee Wong voted in opposition – the motion passed.

K.8. Three (3) Capital Improvement Program (CIP) Budget Amendments

K.8.a. Review, discuss, and possibly award Construction Contracts for interior reservoir coating repairs and reservoir ladder wire mesh installation utilizing excess funds from completed FY2021-22 Capital Project: Water Reservoir Safety and Security Improvements; CIP#2097DI1701; Marine Taxonomic Services, Ltd. in the amount of \$18,750 and Resource Development Company in the amount of \$8,900 (Requesting Staff Member: Engineering Manager Nathan Chorey)

Engineering Manager Chorey gave an overview of the submitted documents.

Trustee Wong made a motion to:

1. Award a construction contract to Marine Taxonomic Services, Ltd. in the amount of \$18,750 for interior reservoir coating repairs.

2. Authorize Staff to approve change orders to the project for additional work not anticipated at this time of up to 10% of the project bid – \$1,875.
3. Award a construction contract to Resource Development Company in the amount of \$8,900 for reservoir ladder wire mesh installation.
4. Authorize Staff to approve change orders to the project for additional work not anticipated at this time of up to 10% of the project bid – \$890.

Trustee Tonking seconded the motion. Chairman Callicrate asked for further comments, receiving none, he called the question – the motion was passed unanimously.

K.8.b. Review, discuss, and possibly approve augmenting the budget by \$4,883 to a total of \$61,883 for the replacement of the 2004 GMC Flatbed Truck #542 (Utility Fund CIP#2097LV1746) so as to reflect the actual cost of the replacement vehicle (Requesting Staff Member: Director of Finance Paul Navazio)

Director of Finance Navazio gave an overview of the submitted materials.

Trustee Tonking made a motion to approve augmenting the budget by \$4,883 for the replacement of the 2004 GMC Flatbed Truck #542 (Utility Fund CIP#2097LV1746) so as to reflect the actual cost of the replacement vehicle. Trustee Wong seconded the motion. Chairman Callicrate asked for further comments, receiving none, he called the question – the motion was passed unanimously.

K.8.c. Review, discuss, and possibly approve the re-allocation of \$3,000 in budgeted appropriations from the Parks Maintenance budget (Fund 380) to the Rosewood Creek Foot Bridge (Parks CIP#4378BD1705) to cover capital project costs charged to Parks Operations and Maintenance (Requesting Staff Member: Director of

Finance Paul Navazio) (*removed from the agenda in its entirety*)

K.9. Review, discuss, and possibly approve a payment in the amount of \$20,485.96 to Erickson, Thorpe & Swainston, Ltd. – reference: Case No. CV18-01564 Mark E. Smith v. IVGID (Requesting Trustee: Board Chairman Tim Callicrate)

Chairman Callicrate gave a brief overview of the submitted materials. District General Manager Winquest said we had a discussion and the Board requested us to go back and negotiate with Mr. Beko which we have done. Trustee Wong said she was originally named but she was dismissed so no conflict in voting on this item. Trustee Dent said that he appreciated that the Board Chairman and District General Manager Winquest negotiating the balance down to the stated amount. Trustee Schmitz asked how much more do we expect to spend and when is the Board going to establish a budget for this lawsuit? District General Manager Winquest said that the next time we come before the Board is to authorize some more funding to finish up this case. District General Counsel Nelson said we are awaiting the special master report to come in and then that is the time to come to the Board for budget and then do legal non-meetings to discuss other options.

Trustee Wong made a motion to approve a payment in the amount of \$20,485.96 to Erickson, Thorpe & Swainston, Ltd. Trustee Tonking seconded the motion. Chairman Callicrate asked for comments, receiving none, he called the question. Trustees Callicrate, Dent, Wong and Tonking voted in favor of the motion and Trustee Schmitz voted in opposition of the motion – the motion was passed.

Chairman Callicrate said that this was the time for the public to comment on the Memorandum of Understanding with the Public Works Union.

Margaret Martini passed on her opportunity to speak.

Aaron Katz said his concern is that you go to all this work and then enter into this agreement and then you don't follow it. He doesn't see anything about free use of recreational venues by the Union employees. You have disregarded this item and thinks that what you will do in the future. There are no free recreational privileges for these employees and he doesn't want to hear it is not fair. Adhere to the

contract and make sure no free recreational privileges are given and he doesn't think you can change the contract unilaterally.

District General Counsel Nelson asked if any Trustees wants to reconsider the MOU that we approved earlier; no one said they wanted to reconsider.

L. APPROVAL OF MINUTES (for possible action)

L.1. Meeting Minutes of January 28, 2021

Chairman Callicrate asked for any changes, none were received thus the minutes were approved as submitted.

L.2. Meeting Minutes of February 10, 2021

Chairman Callicrate asked for any changes, none were received thus the minutes were approved as submitted.

M. REPORTS* (Reports are intended to inform the Board and/or public)

There are no Reports for this agenda.

N. FINAL PUBLIC COMMENTS* - Limited to a maximum of three (3) minutes in duration.

There were no public comments at this time.

O. ADJOURNMENT (for possible action)

The meeting was adjourned at 9:46 p.m.

Respectfully submitted,

Susan A. Herron
District Clerk

Attachments*:

*In accordance with NRS 241.035.1(d), the following attachments are included but have neither been fact checked or verified by the District and are solely the thoughts, opinions, statements, etc. of the author as identified below.

Minutes

Meeting of March 10, 2021

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Submitted by Aaron Katz – Written statement to be included in the written minutes of this March 10, 2021 regular IVGID Board meeting – Agenda items K(3)-K(5) – Approval of Staff’s proposed Fiscal Year 2021-22 key rates for ski, golf and facilities

Submitted by Aaron Katz – Written statement to be included in the written minutes of this March 10, 2021 regular IVGID Board meeting – Agenda item C – Public Comments – Staff’s and the Board’s refusal to agendize matters of community concern requested by members of the public as Policy 3.1.0 instructs

Submitted by Diamond Peak Ski Resort General Manager Mike Bandelin – Season Pass information related to General Business Item K.3.

WRITTEN STATEMENT TO BE INCLUDED IN THE WRITTEN MINUTES OF THIS MARCH 10, 2021 REGULAR IVGID BOARD MEETING – AGENDA ITEMS K(3)-K(5) – APPROVAL OF STAFF’S PROPOSED FISCAL YEAR 2021-22 KEY RATES FOR SKI, GOLF AND FACILITIES

Introduction: Here staff seek Board ratification of their proposed fiscal year 2021-22 key rates for ski¹ [that “IVGID Picture Pass Holder season passes and daily ticket rate structure remain consistent with no change from the 2020-2021²...For...non Picture Pass Holder ski pass products, Staff's recommendation includes a rate increase to all age categories...as shown in Table 1.”³], golf⁴ [that “the Play Pass structure...be...overhaul(ed)”⁵], and facilities. These are the purposes of this written statement.

Why the Need for This Time Wasteful Dog and Pony Show Presentation? Notwithstanding the above, “staff proposes: the Board of Trustees authorize management to adjust non Picture Pass Holder pass prices to accomplish yield management”² for ski; “the IVGID Board of Trustees allow... management to adjust prices to accomplish yield management”⁶ for golf; and, “the IVGID Board of Trustees allow...management to adjust prices to accomplish yield management”⁷ for facilities. If staff have the discretion to adjust every rate that the Board may conditionally adopt, why do the Board and the public have to be subjected to staff’s wasteful presentation?

On March 6, 2021 I sent staff and the Board an e-mail which asked this very question⁸. I asked the Board to do something rather than their rubber stamping which seems to take place over and over again. Obviously, the Board did nothing.

If Staff Really Want to be Fair, Which They Don’t, Why Don’t They Suggest Elimination of Championship⁹ and Mountain¹⁰ Golf Preferred 18-23 Non-Resident “Youth” Round of Golf Rates? So

¹ See pages 345-358 of the packet of materials prepared by staff in anticipation of the Board’s March 10, 2021 meeting [“the 3/10/2021 Board packet” (https://www.yourtahoeplace.com/uploads/pdf-ivgid/0310_-_Regular_-_Searchable_Part2.pdf)].

² See page 346 of the 3/10/2021 Board packet.

³ See page 347 of the 3/10/2021 Board packet.

⁴ See pages 360-389 of the 3/10/2021 Board packet.

⁵ See page 360 of the 3/10/2021 Board packet.

⁶ See page 362 of the 3/10/2021 Board packet.

⁷ See page 392 of the 3/10/2021 Board packet.

⁸ This e-mail with an asterisk next to the question is attached as Exhibit “A” to this written statement.

⁹ See page 381 of the 3/10/2021 Board packet.

¹⁰ See page 382 of the 3/10/2021 Board packet.

year after year staff intentionally budget to overspend at least \$7 million annually¹¹. So why wouldn't they propose pricing which obviously reduced this shortfall? Instead, they propose pricing which extends unnecessary golf round discounts to NON-RESIDENT 18-23 year olds¹². I can understand why staff might want to do this for RESIDENT 18-23 year olds. But why NON-RESIDENTS? The only answer seems to be meting out preferred pricing to favored collaborators. What favored collaborators? How about Sierra Nevada University ("SNU") students!

If Staff Really Want to be Fair, Which They Don't, Why Don't They Suggest Elimination of Championship¹³ and Mountain¹⁴ Golf Preferred "Guest" Round of Golf Rates? Similarly, staff propose pricing which extends unnecessary golf round discounts to the guests of picture pass holders¹². Yet if one studies the user fees at the District's other recreational venues, one will learn that there is no such thing as a preferred guest fee. So why just golf? Could it be that this exists to appease another favored collaborator at local property owners' expense? How about core golfers?

If Staff Really Want to be Fair, Which They Don't, Why Don't They Suggest Elimination of Hyatt Hotel Preferred¹⁵ Golf Rates? Similarly, staff propose pricing which extends unnecessary golf round discounts to the Hyatt Hotel guests¹². Yet if one studies the user fees at the District's other recreational venues, one will learn that there is no such thing as a preferred Hyatt Hotel guest fee. So why just golf? Could it be that this exists to appease another favored collaborator at local property owners' expense? How about Hyatt guests?

Given Staff's Proposed Key Rates Don't Come Close to Achieving a "Cost-Recovery Framework" at the District's Various Recreational Venues, Why Did Staff State the Opposite at the Board's February 24, 2021 Budget Workshop? At the Board's February 24, 2021 budget workshop, staff hid the extent of its proposed overspending for 2021-22. However if the readers examines my Exhibit "B," and review overspending by venue, he/she will see that every recreational venue is budgeted to overspend, and by *quite a lot!*

Then staff had the gall to suggest that the District wouldn't be overspending, because at this Board meeting, pricing would be adopted which would be a "cost-recovery framework for venue

¹¹ On February 28, 2021 I sent staff and the Board a summary of proposed 2021-22 recreation and beach overspending after the Board's February 24, 2021 budget workshop on this subject. Note that unbelievably, the overspending totaled nearly \$14.5 million! I have attached this summary and e-mail cover letter collectively as Exhibit "A" to this written statement.

¹² A closer examination of Exhibit "B" reveals that on March 6, 2021 I brought this subject up to staff and Board. Yet I predict they will do nothing to eliminate this unnecessary, discriminatory and wasteful user fee which ends up being involuntarily subsidized by local property owners.

¹³ See page 381 of the 3/10/2021 Board packet.

¹⁴ See page 382 of the 3/10/2021 Board packet.

¹⁵ See page 383 of the 3/10/2021 Board packet.

pricing.”¹⁶ In other words, the revenues generated by each recreational venue would be sufficient to break even financially. As the public can see, this was an intentional misrepresentation by senior staff.

Conclusion: It’s business as usual. Budget to overspend. Rarely if ever reduce expenses. And continue to give away the store to staff’s preferred collaborators to local property owners’ detriment. I ask the Board to radically increase the proposed key rates staff suggest. Simultaneously, I ask the Board to meaningfully reduce expenses This is the only way the District’s financial shortfall can be reduced.

And to those asking why our Recreation (“RFF”) and Beach (“BFF”) Facility Fees are as high as they are, and never seem to go down, now you have another example of the reasons why.

Respectfully, Aaron Katz (Your Community Watchdog), Because Only Now Are Others Beginning to Watch!

¹⁶ I have replicated pages 1 and 3 to staff’s Budget Workshop power point, and they are attached as Exhibit “C” to this written statement. Note the asterisk on page 3 of the power point which declares that staff will be coming forward with venue pricing which represents a framework for cost-recovery.

EXHIBIT "A"

Re: Slight Mathematical Correction to My E-Mail of Yesterday Insofar as the Proposed Budgetary Overspending Mr. Navazio Suggests - Notwithstanding, the Conclusion Remains the Same

From: s4s@ix.netcom.com
To: Dick Warren , "Paul C. Navazio"
Cc: Tim Callicrate <callicrate_trustee@ivgid.org>, Matthew Dent <dent_trustee@ivgid.org>, Sara Schmitz <trustee_schmitz@ivgid.org>, Tonking Michaela <tonking_trustee@ivgid.org>, Kendra Wong <wong_trustee@ivgid.org>, "Winquest,Indra S." <ISW@ivgid.org>
Subject: Re: Slight Mathematical Correction to My E-Mail of Yesterday Insofar as the Proposed Budgetary Overspending Mr. Navazio Suggests - Notwithstanding, the Conclusion Remains the Same
Date: Feb 28, 2021 9:58 AM
Attachments: [2021-22.tentative.budget.losses.xlsx](#)

Thanks for bringing to my attention the mathematical mistake I made insofar as my e-mail below with respect to the proposed RFF subsidy for Champ Golf.

If Mr. Navazio had simply included a single RFF number rather than three numbers which requires dummies like me to add, I would have included the correct \$746,469 subsidy. Sorry about that.

Notwithstanding, at the end of the day Mr. Navazio is still proposing that staff budget to spend \$885,192 more than the operational revenues his beloved colleagues are capable of generating. And system wide insofar as recreation beach and the General Fund are concerned, budgeted over spending still be over \$12 million; \$12,100,492 to be exact. An updated summary is attached.

UNACCEPTABLE!

Thank you for the opportunity to correct the numbers. Aaron

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

From: s4s@ix.netcom.com
Sent: Feb 27, 2021 8:32 PM
To: Dick Warren , "Paul C. Navazio"
Cc: Tim Callicrate , Matthew Dent , Sara Schmitz , Tonking Michaela , Kendra Wong , "Winquest,Indra S."
Subject: Re: BOT Meeting, Wednesday February 24th

I agree Dick.

So I went to Mr. Navazio's "Status of Development of FY2021-22 Budget" page to determine how much each of our recreational venues is budgeted to LOSE money and thus require subsidy from the RFF/BFF and fund balance. Not that I believe any of staff's numbers, however, for purposes of argument I have accepted each as being true. And what I discovered, is that globally insofar as recreation, the beach and the general fund is concerned, the collective loss or overspending totals an unbelievable \$12,825,463. I have created a spreadsheet which replicates Mr. Navazio's numbers, it is attached to this e-mail, and you can see for yourself. Remember, these are Mr. Navazio's numbers, not mine.

Now let me go through the list by venue:

1. Champ Golf - \$1,610,163 LOSS;
2. Mtn Golf - \$ 939,582 LOSS;
3. Facilities - \$ 180,589 LOSS;
4. Ski - \$ 651,154 GAIN (what a cash cow Sara);
5. Recreation - \$2,022,418 LOSS;
6. C.S. Admin - \$2,184,439 LOSS;
7. Parks - \$987,118 LOSS;
8. Tennis - \$70,728 LOSS;
9. Beach - \$3,318,661 LOSS;
10. General Fund - \$3,153,919 LOSS;

Total LOSS - \$12,825,463.

NONE of this is acceptable and the fact it has been going on for 53 years says volumes about staff's and Trustee Wong's mentality or lack thereof.

Go ahead. Do nothing and lose another nearly \$13 million which is involuntarily subsidized by local property owners. Give us a choice of disconnecting from the District's recreational venues and the services operated therefrom as NRS 318.197(3) mandates and as I have requested, and watch how quickly the community tells you there's no value in your RFF/BFF!

Aaron Katz

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

>From: Dick Warren

>Sent: Feb 27, 2021 5:28 PM

>To: "Paul C. Navazio"

>Cc: Tim Callicrate , Matthew Dent , Sara Schmitz , Tonking Michaela , Kendra Wong , "Winquest, Indra S."

>Subject: BOT Meeting, Wednesday February 24th

>

>I enjoyed the Budget Workshop session, it was nice to see you recommending that Venues recover all costs, including capital & debt costs. As to the question of pricing primarily among residents and non-residents, you do need to balance market prices elsewhere, and also flexibility within the Venues. For example, the 5 or 6 Golf Clubs get the best tee times every day of the week, even to the exclusion of other residents. Why are Golf Club members given a better deal than other residents? I was told it was because they support the lunches at the Grill, etc. Are we breaking even on these Golf Clubs get-togethers? If you want to attract non-residents, why not allocate a few tee times in the mornings for those folks? If the Golf Club members want to get the best deals possible, maybe they should pay more than other residents. There seems to be an inequality when it comes to the Golf Venue, and if you want to soak the non-residents, at least give them a few decent tee times.

>

>Hopefully the Board will decide NOT to allow some Venues to not breakeven overall; if IVGID can not run a Venue without subsidization from somewhere else, then that Venue should not exist. After all, we are an enterprise fund, not a governmental fund.

>

>I do not believe I heard the word "outsource" during this presentation. Is "outsource" a 4 letter word at IVGID? I find it amazing that, given the size of IVGID, there are not any departments that could be outsourced. If you tell me that one of the unwritten strategies of our GM is to provide jobs for locals at IVGID so that he can control the support of who gets to become a Trustee, I will believe it. But if not that, why would you totally reject outsourcing?

>

>Thank you again for focussing on recovering all costs related to Venues.

Summary of Subsidies to Staff's Proposed FY2021-22 Baseline Budget

	General Fund	Golf Champ	Golf Mountain	Facilities	Diamond Peak	Recreation	Community Services Admin	Parks	Tennis	Beach
Total Sources	\$ 5,130,240	\$ 4,513,954	\$ 1,881,765	\$ 2,226,761	\$ 10,146,619	\$ 3,530,934	\$ 386,484	\$ 1,178,169	\$ 283,182	\$ 5,114,313
Total Uses	\$ 5,026,312	\$ 4,652,677	\$ 1,902,638	\$ 2,013,611	\$ 9,612,306	\$ 3,404,315	\$ 476,439	\$ 1,162,559	\$ 238,828	\$ 4,940,711
Net Sources	\$ 103,928	\$ (138,723)	\$ (20,873)	\$ 213,150	\$ 534,313	\$ 126,619	\$ (89,955)	\$ 15,610	\$ 44,354	\$ 173,602
RFF Subsidy		\$ 746,469	\$ 918,709	\$ 393,739	\$ 992,563	\$ 2,149,037	\$ 1,094,484	\$ 1,002,728	\$ 125,082	
BFF Subsidy										\$ 968,375
Cen Svcs Subsidy	\$ 1,471,440									
Transfers					\$ 1,640,400					
Fund Balance Use	\$ 1,578,551				\$ 530,996					\$ 2,522,888
Net Gain/(LOSS)	\$ (3,153,919)	\$ (885,192)	\$ (939,582)	\$ (180,589)	\$ 651,154	\$ (2,022,418)	\$ (1,184,439)	\$ (987,118)	\$ (80,728)	\$ (3,317,661)

	Total Subsidies
RFF Subsidy	\$ 5,782,411
BFF Subsidy	\$ 968,375
Diamond Peak Transfers	\$ 1,640,400
Cen Svcs Subsidy	\$ 1,471,440
Fund Balance Subsidy	\$ 4,632,435
Totals -	\$ 14,495,061



EXHIBIT "B"

Re: 2021/2022 Budget

From: s4s@ix.netcom.com
To: Dick Warren , "Paul C. Navazio"
Cc: "Winqest, Indra S." <ISW@ivgid.org>, Tim Callicrate <callicrate_trustee@ivgid.org>, Sara Schmitz <trustee_schmitz@ivgid.org>, Matthew Dent <dent_trustee@ivgid.org>, Tonking Michaela <tonking_trustee@ivgid.org>, Kendra Wong <wong_trustee@ivgid.org>
Subject: Re: 2021/2022 Budget
Date: Mar 6, 2021 8:46 PM

Dick -

If staff has the discretion to change every rate at every hour of the day (which they do), then why come to the Board to secure their affirmation of your proposed rates? What an incredible waste of time.

--
 Furthermore, at the February 24, 2021 workshop Mr. Navazio told us that he would be presenting a "Cost-Recovery Framework for Venue Pricing." So will the pricing being suggested result in a "cost recovery framework" for each of our recreational venues? In other words, nor RFF subsidy.

Of course not.

Mr. Navazio is committed to budgeting inclusive of a level RFF, as if the RFF were ad valorem tax revenue, regardless of venue pricing.

So why are we being forced to sit through dog and pony show pricing presentations? What a waste!

And speaking of waste,

1. Why are we continuing special Hyatt Hotel guest pricing at our golf courses? Given the way the Hyatt treats us, why are they entitled to any break in pricing which is subsidized at local property owners' expense?
2. Why are we continuing special non-resident guest pricing at our golf courses? We don't offer special guest pricing at any of our other recreation venues. Why not? What's so special about golf? Especially when the best of us are forced to subsidize the special interest group we know as golf.
3. Why are we continuing special non-resident pricing at our golf courses for 19-23 non-resident SNU youths who you and I are subsidizing?
4. Why are we continuing special non-resident pricing at Diamond Peak for 19-23 non-resident SNU youths who you and I are subsidizing?
5. Why are we continuing special non-resident pricing at Diamond Peak for 8-13 non-resident children who you and I are subsidizing?
6. Why are we continuing to give Diamond Peak season passes for and K1-12 child who gets straight A's who you and I are subsidizing (you don't know this one yet however if staff have the authority to adjust pricing, what makes you think they won't in this situation)?

I guess staff is more concerned with keeping the RFF level than taking steps to eliminate the subsidies and ensure that we adopt a "cost recovery framework."

Are you reading Board? DO SOMETHING because regardless of staff malfeasance, at the end of the day the buck stops at your feet.

Aaron Katz

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

>From: Dick Warren
 >Sent: Mar 6, 2021 3:23 PM
 >To: "Paul C. Navazio"
 >Cc: "Winqest, Indra S." , Tim Callicrate , Sara Schmitz , Matthew Dent , Tonking Michaela , Kendra Wong
 >Subject: Re: 2021/2022 Budget

>

>Paul, I scanned the Board packet for General Business Item K.4, which will set the golf rates for 2021. Where is the Golf Venue Fully Loaded Income Statement, which by the way is a requirement for Enterprise Fund Accounting which starts on 7/1/2021, in the middle of the golf season. Certainly that complicates perhaps rates charged, but you could assume May & June are based on PY decisions but a ramp up is needed starting July 1st, or do a "blend" for May through September. Where is a detailed accounting for all revenues sources, supported by the numbers Keep It Simple Darren Howard has thrown together in his presentation? Where are the assumptions of how many folks will play daily based on the whether they are residents, non-residents, etc.? Same for expenses, how does one know if all expenses are being included to determine breakeven fee rates? I know depreciation is not included because Darren stated that daily fee rates for 2021 will be consistent with 2020, which means depreciation is not included and you will also continue to allow Facility Fees to subsidize golf fees. There is a lot here on the Golf play pass rate structure, but where are the assumptions that tie to a line item in revenues? You never seem to get around to tying the details on assumptions to the Income Statement for specific revenues & expenses.

>

>None of this fits in with what came out of your mouth at the last Budget Workshop. This looks to me like "business as usual". The Head of Golf comes in here with a presentation full of numbers that tie to nothing, and there is no discussion at all about ensuring that golf fees are at least recovering all costs related to golf. This is another typical "GIGO" (Garbage In Garbage Out) IVGID product. What are we going to spend, maybe 30 minutes on this at the meeting, and at the end no one will know anymore than they did walking in?

>

>Chair Tim, I think this item needs to be removed from the agenda until it matches what IVGID Management said they were going to do for FY2021-2022 budgeting at the last Workshop. I simply do not understand why IVGID Management is allowed to make presentations at Board meetings that make no sense. But I suspect the Board will meekly listen to the presentation, have no critical comments/questions on the presentation, and then at the end tell IVGID Management what a wonderful job they did, and you will approve the new rates without any understanding of what you just did. It is okay for you to criticize IVGID Management; you seem to have no problem "praising their efforts", what about challenging them? Remember, they do work for you.

>

>What a waste of everyone's time.

>

>

>

>

>> On Mar 5, 2021, at 3:37 PM, Dick Warren wrote:

>>

>> Maybe we will find out at next week's Board meeting, Margaret. General Business Item K.4 relates to "...Golf play pass rate structure, daily green fees and range fee rates for the golf season of 2021..." The Golf season is split between FY2020/2021, which ends on June 30th, and then FY 2021/2022 commences. So I guess conceivably we could have two different fees, fees for May & June based on the old way of determining fees, and then new fees starting July 1st which would cover all expenses relating to golf.

>>

>> Over the past few months I have had a few email exchanges with Keep It Simple Darren Howard on the Golf Venue. Currently, when determining the breakeven fee for golf, Darren does not include in Operating Costs depreciation (the Cost of Capital). Darren calculates his breakeven fee around \$64 per round, but if depreciation was added as an expense, that breakeven fee would go to around \$103, depreciation costing around \$39 per round of golf. Darren tells me that in his 30+ years in the Golf Industry, no one has ever included depreciation in their breakeven fee. I then asked him, "Well, if you do not include depreciation in your break-even fee for pricing purposes, who pays for it?" To date I have not received a reply from Darren to this question. Darren also does not include interest expense (and there is some debt associated with the Golf Operation).

>>

>> Hopefully, whatever is presented on Wednesday will show new pricing for golf fees including ALL expenses related to golf. Additionally, any revenues like Facility Fees (Facility Fees should not be subsidizing the fee necessary to play a round of golf and breakeven) will not be in the Income Statement for the Golf Venue. And BTW currently Facility Fees subsidize golf fees.

>>

>> It should be interesting what is presented! Stay tuned!

>>

>>

>>

>>> On Mar 5, 2021, at 2:41 PM, Margaret Martini wrote:

>>>

>>>

>>> I also would like to see an income statement basis by venue.

>>> Based on pricing policies and confirmed by Paul's statement as noted below.

>>> That should not be such a hard thing to do using technology. We do have that technology, right ??? we sure have spent a lot of money on technology so that we have some transparency and some instant data, right???

>>> A click of a key should provide all the accounting systems data, right????

EXHIBIT "C"



GENERAL IMPROVEMENT DISTRICT
ONE DISTRICT ~ ONE TEAM

FY2021/22 Budget Workshop

Board of Trustees
February 24, 2021




Budget Workshop Outline

WORKSHOP #2 – February 24, 2021

1) Review of Venue / Program Budgets and Expectations

- a. Baseline Revenues / Fee Structure
- b. Staffing and Service Levels
- c. Professional Service Contracts
- d. Net Operating Revenues(Expenses) – “Financial Bottom Line”
 - Administration
 - Utilities
 - Community Services
 - Beaches

2) Discussion of Framework for District Pricing Policy

- 
- a. Policy 6.1.2.0 – Revenues
 - b. Cost-Recovery Framework for Venue Pricing

WRITTEN STATEMENT TO BE INCLUDED IN THE WRITTEN MINUTES OF THIS MARCH 10, 2021 REGULAR IVGID BOARD MEETING – AGENDA ITEM C – PUBLIC COMMENTS – STAFF’S AND THE BOARD’S REFUSAL TO AGENDIZE MATTERS OF COMMUNITY CONCERN REQUESTED BY MEMBERS OF THE PUBLIC AS POLICY 3.1.0 INSTRUCTS

Introduction: When I was a child my father you used to tell me “do as I say, not as I do.” Well now that I am an adult I see IVGID staff and the Board are guilty of the same double talk. They want outsiders to think IVGID is sincere and accommodating to members of the public when in reality, nothing could be further from the truth. A perfect example is ¶10.4 of Policy 3.1.0¹ which was recently modified (on September 20, 2020) to instruct as follows:

“Item(s) of Business/Agenda Preparation. The Board Chair, in cooperation with the General Manager, is responsible for preparing the agenda and supporting materials for each meeting. The Chair, in cooperation with the General Manager, will place on the Agenda any item requested by a fellow Trustee. *If a person or party, including the general public, wishes to have a matter considered by the Board, a written request should be submitted to the General Manager, in advance of the meeting, allowing enough time for staff research.* The amount of advance time required will be determined by the General Manager, based upon Board Policy, administrative procedure, and the facts in each instance. Unless directed otherwise by the Board, the Chair and the General Manager may delay consideration of an item, based upon the length of an agenda, need for coordination with other agenda items, meeting efficiency, or other considerations.”

In the last four (4) or more months I have requested that twelve (12) matters be agendized for possible action by the Board and *not one has been agendized!* If the Board and staff are not going to follow their own policy, then in my opinion the policy should be modified so members of the public and outsiders won’t think certain rights exist, when they do not. And these are the purposes of this written statement.

Agenda Request #1 – October 31, 2020: Adoption of an administrative process for those seeking refund of their Beach (“BFF”) and/or Recreation Fee(s). This request was memorialized next to the first asterisk which appears at the top of my January 20, 2021 e-mail to Chairperson Callicrate².

¹ See pages 8-14 at https://www.yourtahoepalace.com/uploads/pdf-ivgid/IVGID_Board_Policies_3.pdf.

² That e-mail is attached as Exhibit “A” to this written statement.

I remind the reader that when the Board adopts a new RFF/BFF, it passes a resolution³ almost identical to Resolution 1879 adopted May 27, 2020, which typically at ¶18 states as follows:

“All laws applicable to the levy, collection, and enforcement of general taxes of the District, including, but not limited to, *those pertaining to the matters of delinquency, correction, cancellation, refund, redemption and sale, are applicable to such charges.*”⁴

That resolution typically adopts a “report” at ¶16 which at ¶VI states as follows:

“The amounts of the charges shall constitute a lien against the lot or parcel of real property against which the charge has been imposed as of the time when the lien of taxes on the roll attaches, and all laws applicable to the levy, collection and enforcement of general taxes of the District, including, but not limited to, *those pertaining to the matters of delinquency, correction, cancellation, refund, redemption and sale, are applicable to such charges.*”⁵

The above language is included in the resolution because NRS 318.201(12)⁶ states as follows:

“All laws applicable to the levy, collection and enforcement of general taxes of the county, including, but not limited to, those pertaining to the matters of delinquency, correction, cancellation, *refund, redemption and sale, are applicable to such charges.*”

Notwithstanding the above, there are no laws applicable to general taxes of the county which would allow someone to seek refund of the Beach (“BFF”) and/or Recreation (“RFF”) Facility Fee(s). Hence the request for adoption of an IVGID policy which comports with the intent of the NRS.

Agenda Request #2 – November 30, 2020: Refund of a portion of our monthly solid waste disposal fees given one of the services offered, disposal of hazardous waste, was unilaterally suspended by IVGID for a series of months. This request was memorialized next to another asterisk which appears at the top of my January 20, 2021 e-mail to Chairperson Callicrate² attached as Exhibit “A” to this written statement.

³ See pages 107-110 of the packet of materials prepared by staff in anticipation of the Board’s May 27, 2020 meeting [“the 5/27/2020 Board packet” (https://www.yourtahoeplace.com/uploads/pdf-ivgid/BOT_Packet_Regular_5-27-2020.pdf)].

⁴ See pages 109-110 of the 5/27/2020 Board packet.

⁵ See page 115 of the 5/27/2020 Board packet.

⁶ Go to <https://www.leg.state.nv.us/nrs/nrs-318.html#NRS318Sec201>.

Agenda Request #3 – January 20, 2021: Termination of Gold and Silver card lifetime recreation privileges, including beach access, for former IVGID employees and their immediate family members. The latest Board Resolution which provides the same, Resolution 1588, expressly states that such “benefits *may be changed* at any time without advance notice.” This request was memorialized next to another asterisk which appears towards the middle of my January 20, 2021 e-mail to Chairperson Callicrate² attached as Exhibit "A" to this written statement.

Agenda Request #4 – January 20, 2021: Directing our General Manager (“GM”) to forthwithly terminate all employee procurement (credit card) use because of massive mis-use. Simply stated, our public employees cannot be trusted and there are few if any internal controls to curb mis-use. This request was memorialized next to another asterisk which appears towards the bottom portion of the middle of my January 20, 2021 e-mail to Chairperson Callicrate² attached as Exhibit "A" to this written statement.

Agenda Request #5 – January 28, 2021: That the Board comply with NRS 318.197(3) by prescribing regulations for the connection with and disconnection from the properties and facilities of the District and the taking of its services. There are many property owners who see any special benefit to their properties insofar as the District’s public recreation facilities are concerned, and for this reason, wish to go through the process of disconnection. However because there is no process, the request. This request was memorialized next to an asterisk which appears towards the bottom portion of the middle of my January 28, 2021 e-mail to Chairperson Callicrate⁷.

Agenda Request #6 – January 29, 2021: That the Board rescind Resolution 1493⁸ which allows our GM to give away up to \$1,000 of public funds without Board approval. This request was memorialized next to an asterisk which appears towards the top portion of my January 29, 2021 e-mail to Chairperson Callicrate⁹.

Agenda Request #7 – January 29, 2021: That the Board rescind Resolution 1619¹⁰ which allows our GM or his designee to give away complimentary recreation privileges, including our beaches, without Board approval. This request was memorialized next to an asterisk which appears towards the top portion of my January 29, 2021 e-mail to Chairperson Callicrate⁹.

Agenda Request #8 – January 29, 2021: That the Board rescind Resolution 1701¹¹ which allows our GM or his designee to give away part or all of the public’s recreation facilities, including our beaches, without Board approval to qualified non-profits so they can use these facilities to raise funds for their social cause of the week, at local property owners’ expense. This request was memorialized

⁷ That e-mail is attached as Exhibit “B” to this written statement.

⁸ See pages 18-19 at https://www.yourtahoeplace.com/uploads/pdf-ivgid/IVGID_Policy_and_Procedure_Resolutions.pdf.

⁹ That e-mail is attached as Exhibit “C” to this written statement.

¹⁰ See pages 38-41 at https://www.yourtahoeplace.com/uploads/pdf-ivgid/IVGID_Policy_and_Procedure_Resolutions.pdf.

¹¹ See pages 53-58 at https://www.yourtahoeplace.com/uploads/pdf-ivgid/IVGID_Policy_and_Procedure_Resolutions.pdf.

next to an asterisk which appears towards the middle portion of my January 29, 2021 e-mail to Chairperson Callicrate⁹.

Agenda Request #9 – January 29, 2021: Termination of an inter-local agreement with the Washoe County School District (“WCSD”) which permits the WCSD to use the District’s recreation facilities for no charge. This request was memorialized next to an asterisk which appears towards the bottom third portion of my January 29, 2021 e-mail to Chairperson Callicrate⁹.

Agenda Request #10 – February 26, 2021: That the Board rescind Resolution 1588¹² and to the extent Resolutions 1505 and 1568 haven’t already been superseded, Resolutions 1505 and 1568. All of these resolutions give away free or severely discounted recreation privileges, including access to our beaches, to IVGID employees and their immediate family members. A number of us have issues with public employees getting free access, notwithstanding their *de facto* employers, the public, cannot get free access. This request was memorialized next to an asterisk which appears towards the middle of the page of a February 26, 2021 e-mail to GM Winquest¹³. Indra’s denial of my request appears next to the asterisk at the top of the page of my March 2, 2021 e-mail to GM Winquest¹⁴.

After this request and its in essence denial took place, Ms. Herron produced evidence that Resolution 1505 had been expressly repealed by Resolution 1716 (“the...District...hereby rescinds the Personnel Policies adopted by Resolution No. 1505 on November 14, 1985”), and Resolutions 1568 and 1588 may have been repealed as well by given: Resolutions 1568 and 1588 both address “Personnel Policies,” and expressly recite they “(t)hereby amend...Section(s) 5.5...and(/or) 5.4 of Title 5 of IVGID’s Personnel Policies.” So there may be nothing to rescind.

Agenda Request #11 – February 26, 2021: Consider appointment of a receiver in place of staff to administer and care for the beaches given the true equitable owners are local property owners with beach access rather than IVGID. This request was memorialized next to an asterisk which appears towards the bottom of my February 26, 2021 e-mail to GM Winquest¹³.

Agenda Request #12 – March 2, 2021: That the Board modify ¶0.4 of Policy 3.1.0¹ to remove the language which allows members of the public to request IVGID Board agenda items for possible Board action. Since staff and the Board have no interest in allowing members of the public to request that matters of community interest be agendized for possible Board action, why create a policy which states the exact opposite? This request was memorialized next to an asterisk on my March 2, 2021 e-mail to GM Winquest¹⁴.

Conclusion: So here the reader can see that although I made twelve (12) separate requests to agendize different matters I asked the IVGID Board consider for possible action, *NONE* was agendized. If none is going to be agendized for possible Board action, there’s no reason for ¶0.4 of Policy 3.1.0¹

¹² This resolution has not been posted as of yet to the District’s web site.

¹³ That e-mail is attached as Exhibit “D” to this written statement.

¹⁴ That e-mail is attached as Exhibit “E” to this written statement.

to exist. Moreover, one would think that if the Board Chair and our GM are not going to agendize matters required by members of the public for possible Board action, one or more of the other four trustees would intervene given ¶0.4 of Policy 3.1.0¹ also instructs that:

“The Chair, in cooperation with the General Manager, will place on the Agenda any item requested by a fellow Trustee.”

And the fact that here no trustee stepped forward to request that any of the subject agenda requests be placed on a Board meeting agenda for possible action, sends an equal voluminous message. So the public and others should know that policies such as ¶0.4 of Policy 3.1.0¹ exist *not* to extend rights to members of the public but rather, to make outsiders and members of the public think the exact opposite. So now the public and outsiders know.

And to those asking why our RFF/BFF are as high as they are, and never seem to go down, now you have another example of the reasons why.

Respectfully, Aaron Katz (Your Community Watchdog), Because Only Now Are Others Beginning to Watch!

EXHIBIT "A"

Agenda request - Gold and Silver Passes as well as Employee Procurement Cards

From: s4s@ix.netcom.com
To: Tim Callicrate
Cc: "Winquest, Indra S." <ISW@ivgid.org>, Dent Matthew <dent_trustee@ivgid.org>, Wong Kendra Trustee <wong_trustee@ivgid.org>, Schmitz Sara <schmitz_trustee@ivgid.org>, Tonking Michaela <tonking_trustee@ivgid.org>
Subject: Agenda request - Gold and Silver Passes as well as Employee Procurement Cards
Date: Jan 20, 2021 1:27 PM

Hello Tim -

As you know some weeks ago you sent me an e-mail suggesting you would agendize my requests dated October 31st (adoption of an administrative policy providing for a process for those seeking refund of the RFF/BFF given this right which appears in paragraph 8 of Resolution 1879 as well as paragraph VI of the report attached to and incorporated into that resolution, and NRS 318.201(12) doesn't exist] and November 30th (refund of a portion of our trash disposal rates given the disposal of hazardous waste services, for which we are charged via our franchise fee, has been "suspended") after the first of the year and Michaela had been sworn in as a Board member.

Well now it's after the first of the year and Michaela has been sworn in.

So are you going to agendize my requests which with all due respect are so much more important than Trustee Wong's request that Trustees Dent and Schmitz be censured (also my requests preceded hers)?

Additionally, I have two new requests for two new agenda items (you will recall Policy 3.1.0 gives the public standing to request agenda items. And since technically the request must be made to our GM, a copy of this e-mail request is being sent to Indra).

1. Termination of all outstanding Gold and Silver cards/passes (lifetime recreation privileges) issued to prior IVGID employees. Although Indra refuses to share how many are outstanding, and in favor of whom, I request they all be forthrightly terminated and rescinded. Since these privileges are being paid for by the RFF/BFF local parcel owners pay, we have standing to bring this matter to the attention of the Board so it can be addressed.
2. Directing Indra to terminate all outstanding employee IVGID procurement (aka credit) cards. Simply put, our staff have demonstrated time and time again that they cannot be trusted with the charges they make. And similarly, since all of these charges are being paid by the RFF/BFF and the utility rates local parcel owners pay, we have standing to bring this matter to the attention of the Board so it can be addressed.

Thank you, Aaron Katz

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

>From: s4s@ix.netcom.com
 >Sent: Dec 4, 2020 1:08 PM
 >To: Tim Callicrate
 >Cc: "Winquest, Indra S." , Joshua Nelson
 >Subject: Re: Agenda request
 >
 >Thanks Tim -
 >
 >So we give agenda space for DPSEF to make a request for the Board to give away public lands for next to nothing.
 >
 >And now we're giving agenda space for SNU to make a request for something (we just don't know what yet).
 >
 >And we don't give agenda space to a citizen to ask the Board to adopt a policy for parcel owners to administratively seek refund of the RFF/BFF where it has been improperly collected?
 >
 >Or to ask for refund of a portion of his solid waste fees which pay for e-waste recycling, when fees have been paid for this service and staff has chosen to suspend it for four (4) months?
 >
 >There's something wrong here Tim.
 >

>Aaron

>

>-----Original Message-----

>>From: Tim Callicrate

>>Sent: Dec 4, 2020 12:55 PM

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

>>Cc: "Winqest, Indra S." , Joshua Nelson

>>Subject: Agenda request

>>

>>Mr. Katz,

>>

>>After discussions with Mr. Winqest, we have decided not to agendize your requests dated October 31st and November 30th. Thank you for your emails.

>>

>>Tim Callicrate

>>

>>Chairman, Board of Trustees

>>

>>Incline Village General Improvement District

>>

>>893 Southwood Blvd.

>>

>>Incline Village, NV 89451

>>

>>Cell: 775-336-9925

>>

>>[https://lh4.googleusercontent.com/4oZZCbA3zNbR4_gljv067kdrC1i457NxnXGrommed48vAbJZcmfJoU4-mA2cew-xeDtrhd8DQeWFTaPUDQA7nECs7RN2g3BQyuEq3SDIBaDSGsNn12OQSXdIuJ-Bw_-hZ91TIqXZ]

EXHIBIT "B"

Re: Agenda request - Prescription of Regulations to Allow the Owners of Property Within the District to Disconnect From the Facilities and Services of the District - NRS 318.197(3)

From: s4s@ix.netcom.com
To: Tim Callicrate
Cc: "Winquest, Indra S." <ISW@ivgid.org>, Dent Matthew <dent_trustee@ivgid.org>, Wong Kendra Trustee <wong_trustee@ivgid.org>, Schmitz Sara <schmitz_trustee@ivgid.org>, Tonking Michaela <tonking_trustee@ivgid.org>
Subject: Re: Agenda request - Prescription of Regulations to Allow the Owners of Property Within the District to Disconnect From the Facilities and Services of the District - NRS 318.197(3)
Date: Jan 28, 2021 8:12 AM

Hello Indra and Tim:

This constitutes my fifth (5th) request you or some other member of the board agendize for possible action a matter of vital concern to the residents and parcel owners of Incline Village/Crystal Bay.

This request is made inasmuch as Policy 3.1.04 prescribes that "if a person or party, **including the general public**, wishes to have a matter considered by the Board, a written request should be submitted to the General Manager, in advance of the meeting." Please consider this e-mail my written request.

On October 31, 2020 I requested that the following matter be agendized for possible Board action:

1. Adoption of an administrative policy providing for a process for those seeking refund of the RFF/BFF given this right which appears in paragraph 8 of Resolution 1879 as well as paragraph VI of the report attached to and incorporated into that resolution, and NRS 318.201(12) doesn't exist.

On November 30, 2020 I requested that the following matter be agendized for possible Board action:

2. Refund of a portion of our trash disposal rates given the disposal of hazardous waste services, for which we are charged via our passed through franchise fee, has been "suspended."

On January 20, 2021 I requested that the following two matters be agendized for possible Board action:

3. Termination of all outstanding Gold and Silver cards/passes (lifetime recreation privileges) issued to prior IVGID employees and trustees. Since these privileges are being paid for by the RFF/BFF local parcel owners pay, we have standing to bring this matter to the attention of the Board so it can be addressed.

4. Directing Indra to terminate all outstanding employee IVGID procurement (aka credit) cards. Similarly, since all of these charges are being paid by the RFF/BFF and the utility rates local parcel owners pay, we have standing to bring this matter to the attention of the Board so it can be addressed.

And now my fifth (5th) agenda request given you have ignored the first four:

5. That the IVGID Board "prescribe and enforce regulations for the connection with and the disconnection from properties of the facilities of the district and the taking of its services" as NRS 318.197(3) mandates (note the word **SHALL**).

Besides the fact the NRS mandates the Board do what I request, this is an opportunity to learn for the first time what local property owners really think about the District's commercial for profit recreational businesses which are involuntarily subsidized by the RFF. If we don't think they're worth what staff and the Board really think they're worth, the District will learn very, very quickly as local property owners begin disconnecting from "properties of the facilities of the district and the taking of its services."

If staff require assistance in the preparation of a background memorandum, I am happy to assist.

I am sending a copy of this e-mail request to all members of the IVGID Board given any single trustee can request that a matter be agendized for a future Board meeting. Please. At least one of you grant my request that these matters be agendized for possible action at a future Board meeting.

Finally if you refuse, then I ask you modify Policy 3.1.0 to REMOVE the ability of members of the public to request that matters of concerned be agendized for possible Board action. If you're not going to honor your own policy, then why go

3/3/2021 Re: Agenda request - Prescription of Regulations to Allow the Owners of Property Within the District to Disconnect From the Facilities and ...
through the disingenuous artifice of making the public think otherwise?

Thank you for your cooperation. Aaron Katz

EXHIBIT "C"

Re: Agenda request - Termination of Resolutions 1493, 1619, 1701 and March 24, 1981 Inter-Local Agreement With the WCSD

From: s4s@ix.netcom.com
To: Tim Callicrate
Cc: "Winquest, Indra S." <ISW@ivgid.org>, Dent Matthew <dent_trustee@ivgid.org>, Wong Kendra Trustee <wong_trustee@ivgid.org>, Schmitz Sara <schmitz_trustee@ivgid.org>, Tonking Michaela <tonking_trustee@ivgid.org>
Subject: Re: Agenda request - Termination of Resolutions 1493, 1619, 1701 and March 24, 1981 Inter-Local Agreement With the WCSD
Date: Jan 29, 2021 12:23 PM

Hello Indra and Tim:

This constitutes my sixth (6th), seventh (7th), eighth (8th) and ninth (9th) requests you or some other member of the board agendize for possible action additional matters of vital concern to the residents and parcel owners of Incline Village/Crystal Bay.

These requests are made inasmuch as Policy 3.1.04 prescribes that "if a person or party, **including the general public**, wishes to have a matter considered by the Board, a written request should be submitted to the General Manager, in advance of the meeting." Please consider this e-mail my written request.

★ Resolution 1493 (community relations expenditures) allows the GM to donate up to \$1,000 cash without Board approval for an event sponsored by a non-profit group. Local property owners are paying for these giveaways.

★ Resolution 1619 ("complimentary recreation privileges") allows venue managers an our GM to give away free use of the public's recreational facilities. Local property owners are paying for these giveaways.

★ Resolution 1701 ("USE OF IVGID FACILITIES BY QUALIFIED LOCAL NON-PROFIT, VOLUNTEER ORGANIZATION, NATIONAL ORGANIZATION WITH A LOCAL CHAPTER, OR ACTIVITY BASED IN OR BENEFITTING INCLINE VILLAGE/CRYSTAL BAY, NORTH TAHOE REGION, GOVERNMENT AGENCY, OR A LOCAL SCHOOL, THAT ADMINISTERS AND CONDUCTS THE ACTIVITY THEMSELVES") allows venue managers and our GM to give away free or severely discounted exclusive use of the public's recreational facilities to qualified non-profits, other governmental organizations, and others. Local property owners are paying for these giveaways.

BTW, did you know that the agreement recites that "on a case by case basis, uses of the beaches by a qualified, non-profit, volunteer organization or activity based in Incline Village will be directed, **for possible consideration**, to the District Venue Manager?"

Did you also know that per paragraph 16 of the resolution, "a report, for Fiscal Year 2013/2014 (**and no similar reports for any subsequent fiscal years**), shall be provided to the Board of Trustees no later than September 30, 2014?"

★ On March 24, 1981, the District has entered into an inter-local agreement with the Washoe County School District ("WVCS D") which basically allows the WCS D to use the District's recreational facilities for no charge. There have been several addendums and updates to this agreement, but none which modify the WCS D's rights thereunder. Local property owners are paying for these giveaways.

BTW, did you know that per paragraph 2 of the agreement it is supposed to be reviewed by the IVGID Board yearly? For the 13 years I have been a resident, I have NEVER seen an agenda item bringing the subject agreement to the IVGID Board for review. Oversight or intentional Indra?

If staff require assistance in the preparation of a background memorandum for the termination of any or all of the above, I am happy to assist.

I am sending a copy of this e-mail request to all members of the IVGID Board given any single trustee can request that a matter be agendized for a future Board meeting. Please. At least one of you grant my request that these matters be agendized for possible action at a future Board meeting.

Finally if you refuse, then I ask you modify Policy 3.1.0 to REMOVE the ability of members of the public to request that matters of concerned be agendized for possible Board action. If you're not going to honor your own policy, then why go through the disingenuous artifice of making the public think otherwise?

Thank you for your cooperation. Aaron Katz

EXHIBIT "D"

Records Requests and Beach Access

From: s4s@ix.netcom.com
To: "ISW@ivgid.org"
Cc: Callicrate Tim <tim_callicrate2@ivgid.org>, Dent Matthew <dent_trustee@ivgid.org>, Wong Kendra Trustee <wong_trustee@ivgid.org>, Schmitz Sara <schmitz_trustee@ivgid.org>, Tonking Michaela <tonking_trustee@ivgid.org>, "Susan_Herron@ivgid.org" <Susan_Herron@ivgid.org>
Subject: Records Requests and Beach Access
Date: Feb 26, 2021 11:57 AM

Hello Indra -

Item 1: So as you know, at last night's meeting Resolution 1568 surfaced. The resolution makes reference to an earlier Resolution 1505 which was not produced. I would like Resolution 1505. Please consider this a records request.

Item 2: The District has a page on its web site which references a series of policy and procedure resolutions. Conveniently missing from these resolutions are Resolutions 1505 and 1568. Why if not for the obvious reasons? Please add both of these resolutions to the District's web site and the index of resolutions on the District's web site. And while you're at it, please add missing Resolution 1588 which appears to supersede Resolution 1568. And please confirm for my benefit that you're going to add these resolutions, and that you have in fact added these missing resolutions to the District's web site.

Item 3: Next, please share Resolutions 1568 and 1588 with Josh. I have been informed that Josh gave an off the cuff legal opinion that beach privileges cannot be withdrawn from IVGID employees who are not otherwise entitled to beach access (because they are property owners with beach access) because of the equitable doctrine of laches. But Board policy on employee access to the beaches arises from both of these resolutions. And both expressly state that "Silver and Gold Card benefits may be changed at any time, without advance notice." Which means Josh is wrong if he states silver and gold card benefits cannot be withdrawn.

And insofar as current employee beach benefits, the Board has the power to change this policy, as it can any policy.

Item 4: I ask you agendize for the next Board meeting the subject of rescinding both Resolutions 1568 and 1588. As you know, members of the public can request that matters be agendized for possible Board action pursuant to Policy 3.1.0. I hereby make such request. I am sending a copy of this e-mail and this request in particular to Chairperson Callicrate.

Item 5: Resolution 1568 states that non-resident employees not otherwise entitled to beach access (because they are property owners with beach access) may access the beaches as "guests" of IVGID (arguably, because IVGID is a property owner). But IVGID as a property owners is not entitled to any recreational or beach facilities unless it pays a RFF/BFF like all other property owners. And here it doesn't.

Moreover, nothing exempts IVGID from paying guest fees for its guests at the beaches much the same as any other property owner with beach access must pay. Given you maintain records of the number of persons who access the beaches every season, and I have been informed that last night you admitted you knew the number who are employees (2%), I would like to examine records evidencing the number of employees so accessing the beaches since November 10, 1988. I also want to examine records which evidence the amount of beach fees paid by IVGID, and I want to examine these fees' deposit into the equivalent of what would have been the Beach Fund at that time all the way to the present. Please consider this a records request Indra.

Item 6: I believe Josh will tell you that IVGID is a fiduciary when it comes to the beaches. Its ownership is legal and not equitable because it holds mere title to the beaches as a fiduciary for the benefit of all local parcel owners with beach access. In this capacity it cannot aid and abet in the violation of the beach deed's restrictive use covenants. Otherwise, it can be removed as beach steward. Yet it appears that's exactly what staff have been doing for some time. Since this means IVGID is NOT an appropriate beach steward on my behalf, I ask the Board remove the District as such and that it appoint a receiver to protect local property owners with beach access. Please agendize this issue for possible action at the next IVGID Board meeting. Again as you know, under Policy 3.1.0 members of the public have standing to request that matters be agendized for Board meetings. So please do as I request and provide me with notice of the same.

Item 7: I have been informed that the issue of beach access and boat launching in particular for our boat storage business operators came up last night as well. Apparently, these storage operators can launch ANYONE's boats from our private beach and boat launch whether or not their boat owners have beach access. Is this accurate?

What about season boat launch passes? Are they unique to a particular vessel? Or is the pass unique to a particular parcel owner? And if the latter, what stops a boat storage operator with beach access from launching his non-resident storage

clients' boats from our boat launch? What stops the operator from launching many dozens of boats in a single day? Depending upon your answers to these questions, I may ask that additional matters be agendized for a future possible Board meeting.

I am sending a copy of this e-mail to the Board asking they agendize the matters I have requested for future Board meetings should you and/or Chairperson Callicrate refuse. I remind Board members, any can make the request I have made that a matter be agendized for future Board action.

Thank you for your cooperation. Aaron Katz

EXHIBIT "E"

Please Agendize Further Modification to Policy 3.1.0 to Remove a Member of the Public's Right to Request Matters of Community Concern be Agendized For Possible Board Action

From: s4s@ix.netcom.com
To: "Winqest, Indra S."
Cc: Tim Callicrate <callicrate_trustee@ivgid.org>, Matthew Dent <dent_trustee@ivgid.org>, "Wong, Kendra" <Wong_trustee@ivgid.org>, Sara Schmitz <trustee_schmitz@ivgid.org>, Michaela Tonking <tonking_trustee@ivgid.org>, "Herron, Susan" <Susan_Herron@ivgid.org>
Subject: Please Agendize Further Modification to Policy 3.1.0 to Remove a Member of the Public's Right to Request Matters of Community Concern be Agendized For Possible Board Action
Date: Mar 2, 2021 10:16 AM

Dear Chairperson Callicrate and Other Honorable Members of the IVGID Board -

Please note below Indra's response to my latest request to agendize matters of community concern for possible Board action.

★ This now marks roughly ten (10) or more matters I have requested by agendized for possible Board action, NONE of which have been agendized. Instead staff agendize meaningless dog and pony show presentations such as an intro by the new president of Sierra Nevada University and Andy Wolf's opening salvo in DPSEF's request for a sweetheart deal on Diamond Peak land so a race team building can be constructed.

Policy 3.1.0 expressly states that members of the public can request that matters for possible board action be agendized by making request to the GM. But if the GM is going to ignore/refuse every such request, perhaps because his agenda doesn't mirror the public's, why does Policy 3.1.0 state otherwise? IMO if in the real world the right doesn't exist, then the real reason why it exists is simply to make it look to the world that IVGID is more accommodating and forthright than it really is (an example of "do as I say, not as I do"). So I ask the Board simply delete this portion of Policy 3.1.0.

I again remind Board members that any one of you can request a matter be agendized for possible Board action. So the fact Indra and Tim may choose not to agendize my requested matters, any of you can.

So here it appears that local boat storage operators whose owners have beach access may be using that access to launch their non-resident customers' boats from the Ski Beach boat launch. And they may not be paying the published rate to do so because staff has been allowed to create a season boat launch pass and there are not limitations on whose boats may be launched.

Additionally, IVGID staff are encouraging those not entitled to beach access to access our beaches under the guise they are IVGID staff's guests. Yet these persons are no more the guests of a parcel owner with beach access than all the residents of Crystal Bay are my guests. And unlike my guests, IVGID staff don't pay for their guests to access the beaches. And unlike me, the District doesn't pay an RFF/BFF.

In other words, just like preferential and discriminatory water and sewer rates created by and benefitting IVGID staff, here we have preferential and discriminatory beach access provisions created by and benefitting IVGID staff. And this is supposed to be acceptable?

Thank you for your hopeful positive action. Aaron Katz

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

From: "Winqest, Indra S."
Sent: Mar 2, 2021 9:39 AM
To: "s4s@ix.netcom.com"
Cc: Tim Callicrate , Matthew Dent , "Wong, Kendra" , Sara Schmitz , Michaela Tonking , "Herron, Susan"
Subject: RE: RE: Records Requests and Beach Access - Follow Up

Aaron -

I have received your email. I apologize but im extremely busy working on several high priority items so I cannot always respond right away. The Board and I are well aware of your request. I have no plans to put anything on the agenda at this time. This is a discussion that the board will have if they so desire and staff will provide any assistance needed. I will follow up with Susan as time allows.

Thanks, Indra

Indra Winquest

General Manager

Incline Village General Improvement District

893 Southwood Blvd, Incline Village NV 89451

P: 775-832-1323

F: 775-832-1380

isw@ivgid.org

<http://www.yourtahoeplace.com>



From: s4s@ix.netcom.com [mailto:s4s@ix.netcom.com]

Sent: Tuesday, March 2, 2021 9:24 AM

To: Winquest, Indra S. <ISW@ivgid.org>

Cc: Tim Callicrate <callicrate_trustee@ivgid.org>; Matthew Dent <dent_trustee@ivgid.org>; Wong, Kendra <Wong_trustee@ivgid.org>; Sara Schmitz <trustee_schmitz@ivgid.org>; Michaela Tonking <tonking_trustee@ivgid.org>

Subject: Fw: RE: Records Requests and Beach Access - Follow Up

Hello Indra -

So far no response to my questions. Why not Indra?

When you fail to respond (in a timely manner), your actions in essence confirm requestors' worst suspicions. Then when your failure to respond is publicized, you and your lackies (and yes you have an army of lackies) come up with the common refrain "misinformation."

But if you were up front and honest and shared the truth, there would be no misinformation.

So now I am sharing this e-mail with the Board. I am asking they get answers to the questions I have asked and they communicate those answers with the community. You can short circuit this all by simply providing the answers.

And why haven't you instructed Ms. Herron to post Resolutions 1568 and 1588 on the District's web site?

Aaron Katz

-----Forwarded Message-----

From: s4s@ix.netcom.com

Sent: Feb 28, 2021 10:04 AM

To: "Winquest, Indra S."

Subject: RE: Records Requests and Beach Access

Thank you Indra. But I still need answers to questions which I don't expect to receive from Ms. Herron inasmuch as the answers are not records. Can you please provide the same? I have highlighted them in red to make it easier for you to identify. Thank you.

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

From: "Winquest, Indra S."

Sent: Feb 26, 2021 3:10 PM

To: "s4s@ix.netcom.com"

Non Picture Pass Holder Season Passes

Proposed passes sold		Proposed Revenue
3,915.00		1,414,195.00
Visits per year	Total pass vists	Revenue per visit
5.00	19,575.00	72.24
7.00	27,405.00	51.60
10.00	39,150.00	36.12
15.00	58,725.00	24.08

Picture Pass Holder Season Passes

Proposed passes sold		Proposed Revenue
3,263.00		628,276.00
Visits per year	Total pass vists	Revenue per visit
5.00	16,315.00	38.51
7.00	22,841.00	27.51
10.00	32,630.00	19.25
15.00	48,945.00	12.84

% difference NPH		PPH	% Decrease	
5.00	72.24	38.51	33.73	47%
7.00	51.60	27.51	24.09	47%
10.00	36.12	19.25	16.87	47%
15.00	24.08	12.84	11.25	47%