

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN
MINUTES OF THE IVGID BOARD'S REGULAR DECEMBER 13, 2023 MEETING –
AGENDA ITEM C – PUBLIC COMMENT – OUR NEW BOARD CLERK'S
FAILURE TO PROVIDE NOTICE OF THE AVAILABILITY TO PICK UP
THE BOARD PACKET OF SUPPORTING MATERIALS FOR THIS,
HER LYING AS TO THE REASONS, AND THEN DEFENDING
STAFF'S LIES RATHER THAN TAKING ACTION TO
CORRECT VIOLATION OF NRS 241.020(7)-(8)**

Introduction: Well here's yet "another one" as my friend DJ Khaled would say¹. More evidence of staff incompetence, misrepresentation and arrogance. And an attorney who sees his job to be a wingman for the Board and District staff, even when as here there is evidence staff doesn't speak the truth. In other words, the more things change, the more they remain the same. Or stated differently, to those readers who think we can fix our corruptive staff by replacing unethical and untruthful employees, here's evidence we *can't*. The corruption and unethicalness of District staff is not capable of redemption. It is simply repeated over and over again by new employee after new employee who are indoctrinated into the ways of IVGID. Or as Nevada defines a criminal business syndicate, "any combination of persons, so structured that the organization will continue its operation even if individual members enter or leave the organization, which engages in or has the purpose of engaging in racketeering activit(ies)."² And that's the purpose of this written statement.

Staff's Notice to Board Members That Their Packets of Supporting Materials For This Evening's Board Meeting Are Available For Their Pick Up: At 8:53:30 P.M. on Friday, December 8, 2023, our GM provided notice to Board members that their Board packets consisting of supporting materials for this December 13, 2023 meeting were available for their pick up at the District's

¹ Go to <https://medium.com/cuepoint/the-old-people-s-guide-to-dj-khaled-5618a5aa52b1#:~:text=Another%20One%20%E2%80%94%20One%20of%20the,of%20shoes%2C%20or%20something%20else.>

² See NRS 207.370. According to NRS 207.390, racketeering activities mean "engaging in at least two crimes related to racketeering [such as robbery; taking property from another under circumstances not amounting to robbery, grand larceny, receiving, possessing or withholding stolen goods valued at \$650 or more, embezzlement of money or property valued at \$650 or more, obtaining possession of money or property valued at \$650 or more, obtaining a signature by means of false pretenses, or engaging in an act, practice or course of business or employing a device, scheme or artifice which operates or would operate as a fraud or deceit upon a person by means of a false representation or omission of a material fact (see NRS 207.360)] that have the same or similar pattern, intents, results, accomplices, victims or methods of commission, or are otherwise interrelated by distinguishing characteristics and are not isolated incidents."

administrative offices³. This notice was actually received by at least one Board member (Trustee Noble) because he acknowledged by means of e-mail of even date receipt of the same⁴. Note that my e-mail address was *not* included in the e-mail to Board members.

My December 9, 2023 E-Mail to Board Clerk Heidi White inquiring as to why I had not been notified, as were Board members, that my Board packet for this meeting was available for my pick up: When I had received no notice that my Board packet of materials for the Board's December 13, 2023 meeting was available for my pick up, and I had reason to believe that such notice had been given to Board members, I sent an e-mail to Ms. White on December 9, 2023, at 8:54 A.M., asking: if Board packets had been made available to Board members, yet not me; and, if the answer were yes, I asked that the December 13, 2023 meeting be cancelled, re-noticed, and I be provided with a Board packet for that meeting in accordance with NRS 241.020(7)-(8)⁵.

Board Clerk Heidi White's First December 9, 2023 E-Mail Replying to My December 9, 2023 E-Mail Above⁵: There she: apologized, admitting that the notice to me did not go out the night before; because "the internet was (allegedly) down...at 8:30 P.M.;" and, that now⁶ my Board packet was "ready and available for pick up."

Board Clerk Heidi White's Second December 9, 2023 E-Mail Stating She Would Provide Evidence That She Had Attempted to Send Me Notice That My Board Packet Was Available For My Pick Up The Night Before When The Internet Was Allegedly Down⁷: Of note, I never received any such previous e-mail as represented. Which explains why I asked to see evidence of her failed e-mail. And in fact, I received no such e-mail from Ms. White on Monday, December 10, 2023. Why? *Because it was never sent!*

Attorney Sergio Rubin's December 11, 2023 E-Mail⁸ in which he defends Ms. White's actions/ omissions: Without going into my substantive reply, yet noting that according to Mr. Rubin notice did not go out to me "due to an error," later that day I sent Mr. Rubin an e-mail together with Ms. White's first December 9, 2023 e-mail (part of Exhibit "B") pointing out the discrepancy between Ms.

³ Our GM's e-mail to this effect, which is part of a string of e-mails attached as Exhibit "A" to this written statement.

⁴ The first page of Exhibit "A" references Trustee Noble's receipt.

⁵ That e-mail is part of a string of e-mails between Ms. White, myself, and the Board's attorney, Sergio Rudin, which are attached as Exhibit "B" to this written statement.

⁶ In other words. "a day late and a dollar short.

⁷ See Exhibit "C" which is attached to this written statement.

⁸ This e-mail is part of a string of e-mails which are attached as Exhibit "D" to this written statement.

White's reason for not sending me notice of the availability to pick up my Board packet for this meeting, and Mr. Rubin's reason (Exhibit "D"). Who's telling the truth Mr. Rubin?

How Much Do You Think Mr. Rubin's Research of This Issue and E-Mail to Me Cost The District? Instead of simply continuing the meeting and affording the public the minimum time necessary to review a 1,142 page Board packet, and formulate responses for public comment at this December 13, 2023 meeting?

How Much Do You Think Mr. Rubin's Response to The OAG to My OML Complaint is Going to Cost The District?

Conclusion: This all came about because staff failed to make supporting materials for this evening's Board meeting available to me at the same time it made those materials available to Board members, as NRS 241.020(7)(c) mandates⁹. And then staff lied about the reasons for the failure (the subject of a companion written statement). Then ultimately the attorney for the District asserted there was no OML violation because I had made a blanket request for future supporting materials and there was nothing in NRS 241 which addresses the same. So I decided to give the District a bit of its own medicine (the subject of a companion written statement). Good work Mr. Rudin. And good work Board members for not taking the very simple measures required to have provided me with the supporting materials for this meeting in a timely fashion.

And now that the District has spent and is going to have to spend attorney's fee monies to defend its OML violation, those expenses are assigned to the District's General Fund, the revenues assigned to this fund are insufficient to pay for all assigned expenses, a financial subsidy is required, that subsidy comes from the District's Recreation ("RFF") and Beach ("BFF") Facility Fees, now you the reader know what your RFF/BFF actually pay for.

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

⁹ This provision states that: "Upon any request, a public body shall provide, at no charge, at least one copy of...any other supporting material provided to the members of the public body for an item on the agenda...subject to the provisions of subsection 8 or 9, as applicable."