

MINUTES

REGULAR MEETING OF MAY 12, 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 Thursday, May 12, 2021 at 6:02 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 Public Works Brad Underwood, Interim Director of Human Resource Erin Feore, Parks and Recreation Superintendent Shelia Leijon, and General Manager Diamond Peak Ski Resort Mike Bandelin.

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

C. INITIAL PUBLIC COMMENTS*

Ellie Dobler said the Winquest Employment Agreement - 2020 states: "IVGID hereby employs General Manager (Indra Winquest) full time to uphold and abide the laws of the State of Nevada, District Ordinances, written Policies, Practices, and Resolutions enacted by IVGID Board of Trustees." Is Mr. Winquest living up to the terms of his agreement with IVGID? Well no. Here are some violations: Under Board Policy 15.1.0 Mr. Winquest was required to have his Representation Letter to the external auditor reviewed by the Audit Committee prior to submittal. He failed to comply and the Audit Committee was in the dark. Under Board Policy 1.1.0 Mr. Winquest is required to provide a three year District Strategic Plan for 2020 to 2022. It was to be presented to Trustees in February, 2021 which never happened There is no Strategic Plan. Under Board Policy 6.1 Mr. Winquest is to provide a Balanced operating Budget. The proposed 2021-2022 budget for the Community Services venues presented last week was not balanced and included almost \$1.8 million in Facility Fees imposed on property owners which were not necessary. Under Board Practice 13.2 regarding Capital Expenditures, Mr. Winquest chose to ignore the Trustees responsibilities to award and execute design contracts for the Recreation Center lobby bathrooms and locker rooms.

Also asked Trustees to approve a construction contract exceeding \$50,000 prior to Trustees accepting regulatory permit conditions. Also under Board Practice 13.2, the interest earned on money set aside for the Effluent Pipeline should also be set aside. The Audit Committee and the Trustees requested that be done but has been ignored. Under Resolution 1701, Mr. Winquest is required to follow a procedure to provide recreational facilities at below market rates to nonprofit organizations and he has publically stated he no longer follows the resolution. These are just a few. There are probably more. Since not all Board Policies, Practices and Resolutions are upheld by Mr. Winquest, he is not honoring his employment contract. Trustees, what do you intend to do?

Dick Warren said it is interesting how IVGID management, or the lack thereof, has over a nine year period deceived the residents about the Effluent Pipeline Phase II Project and the Utility Fund. This may be one of the biggest stories of gross mismanagement ever perpetuated even though residents via public comments provided warning signs about the deception. But it continued. On many occasions Trustee Dent tried to bring attention to the misuse of funds but the trio of Morris, Horan and Wong stymied any further debate. The Public Works Senior Team began to depart like rats abandoning a sinking ship. After the fall of the Wong Triad, Trustee Dent was able to bring forth the problems and slowly, action began to take place. Two major consulting contracts were recently issued; one to Granite Construction to evaluate what needs to be done on the pipeline and the closed wastewater storage pond, and the other contract to Raftelis to perform a review of the Utilities Management and the condition of the \$600 million in Fund Assets. Costs for this work will be almost \$500K. Trustee Wong voted against both wanting to leave it up to the non-existent Management. The critical nature of the pipeline failures cannot be brushed aside. Two and a half years ago after a second \$500K assessment, 16 additional locations were found to have severe mid-body defects, and 9 were so deficient that they required immediate repair. But nothing has been done. Keep in mind that the first assessment only indicated 5 deficiencies but management decided that if an additional 8 locations were repaired the pipeline would be operational for 10 years. That plan lasted less than a year. The first assessment was a complete failure as the data could not determine wall loss at over 200 joint locations in segment 3. It appears that Management submitted an incomplete plan to the Nevada Department of Environmental Protection to satisfy a 5 year old Consent order. Breaks or spills continue to occur and Public Records requests for required notifications to NDEP for new spills have been ignored. The co-location of the pipeline in the futuristic bike path was nothing more than a "pipedream". The Army Corps of Engineer 595 Program Funding has not materialized and will be minuscule at best. The Utility fund is busted; it has absolutely no money for the wastewater pond, no reserves, and will only have \$11.5 million of the \$18 million collected at the end of the next fiscal year. If proper

accounting had been done it would have been obvious that the Utility Fund was operating at a loss, draining all reserves and improperly using the pipeline funds set aside to build non-essential projects. A current example is postponing for 3 to 5 years the purchase of 7 pieces of rolling stock for \$553,000. Interesting how with no money, equipment can last longer. Thank you.

Cliff Dobler said IVGID is governed by an elected Board of Trustees which acting on behalf of the electorate sets policy and determines strategies for the IVGID charter; this statement is on the website labeled "About IVGID". So policies have been set however most Trustees have indicated the policies belong in a wastepaper basket, are confusing and are no longer applicable. Strategies for the future do not exist as the last Strategic Plan for was for the period of 2018 to 2020 and nothing has been provided whether the strategies were achieved or not. Now some background on the policies over the past 6 years when he became involved in reporting IVGID accounting antics. In 2014 and 2015, the policies were severely watered down by the GM and legal counsel in order to gain control and make the Trustees less relevant. Wong was all for it and he believes that Callicrate was against it. A change was made in last 2017, to reinforce the Trustees responsibility to institute litigation after embarrassment for allowing the former GM to sue local businesses who did nothing wrong. After several complaints from citizens and Board members about the poorly written policies, in 2018/2019, Trustee Wong, without Board approval, instructed Staff to develop an IVGID Code which would consolidate policies, practices, resolutions and ordinances with the understanding that no policy would be changed until the code was complete. The code went nowhere, time was wasted, and policy changes went dormant. Recently, the policy on Central Services Cost Allocations was changed in a rush to comply with the law and now has to be redone as the related practice was not changed. His hat is off to Trustee Wong for her work in 2020 at establishing clarity in Policy 3.1, spending authority and Policy 15.1 regarding the Audit Committee which expanded participation without outside members and providing authority for oversight. Both were approved except Trustee Wong objected. These policy changes pulled back unreasonable authority of the GM and brought to light the material weaknesses in financial reporting and internal controls. Citizens should thank Trustee Dent who pushed relentlessly to establish better policies and engaging Moss Adams to review citizens' complaints regarding improper accounting and stating several Board policies were deficient. In March, the Board authorized \$40,000 to seek outside assistance to improve 12 policies and practices. Trustee Tonking is the Board liaison. Since the Director of Finance has stated assistance is necessary to prepare the 2021/2022 budget, he would like to know the result of the outside assistance since the budget is planned for approval on May 26 a mere two weeks from now. Thank you.

Aaron Katz said he has several written statements for inclusion in the record. He has heard there was another failure of the effluent pipeline yesterday, is that true General Manager and he hopes somebody will be reporting on that? He wants to make sure that there is a second public comment period just before voting on the Union contract since it is a public hearing. He sent e-mails on several of the matters on the agenda today for the benefit of the Board but since the public isn't aware of what he sent, he will make some brief comments about it. If we had a proper communications policy, then everybody could see what it was. Let's deal with employee access to the beaches. He wrote that Staff did not propose an NRS 43.100 confirmation petition as another available means to address the problem and this is the best means. Why isn't the petition being confirmed? The effluent pipeline – you will recall when we first had the CMAR as a proposal he said it was a waste because we already had design professionals who had submitted proposals back in February of 2020 and we didn't need a CMAR to cost us more money to get to the same point. Well now we get the 1st report from the CMAR and guess what, same design professionals we had available February of 2020 except now it is going to cost us a lot more money, now we have wasted a year and a half, and now we got to pay a CMAR to confirm what he and others were saying that we already had available to us. What a complete waste. By the way, the R in CMAR stands for at risk, what's the at risk for our CMAR? It is nothing. Let's talk about the Rec Center bathrooms and locker rooms. Another waste of \$1 million plus. No justifiable reason other than gee it is 27 years old. He will bet that most of the Trustees are living in properties that are older than 27 years and they haven't modernized their bathrooms yet we got to do it at the Rec Center? We can't keep losing \$1 million a year annually and then every couple of years come up with another \$1 million in CIP expenses. This is a complete waste, things need to change and if you can't operate at a breakeven, then dispose of the property as a money losing facility. Clean Tahoe – another absolute waste and really our problem is Staff – do your job. Gee we had a position but we haven't been able to fill it for 15 years.

Mike Abel said he has reviewed agenda item H.2 – the DP report. Without puffing his chest, he is probably the only person in this community (outside of management) with enough interest and experience in DP to effectively comment on it at a meeting. Nobody that he is aware of in management or even in our community has the experience and interest in DP that he has. None of our Trustees or management regularly ski or board there since Simonian left the board. He has been a skier for 60 years. He is an expert skier. He holds passes for Vail resorts and Mount Rose. He has also skied about 10 resorts in Europe in past recent years. This year, he skied Tahoe and Utah for 65 days and skied over 1,000 miles and 1,000,00 vertical feet. He skied DP for 21 days this year even though, as

General Manager Diamond Peak Ski Resort will attest, his records only show him skiing there 13 days. Despite a poor snow year – DP recorded about 15% more visits than were budgeted. It is apparent that mid-April operations are a loser despite a life-saving mid-April snow fall. Passes represented 48% of the visits – that is probably a lower rate than at other Tahoe resorts. In his humble opinion - pass prices are too high for non-senior IV/CB residents. Ticket and Pass sales exceeded the budget by 30%. It is apparent from the surveys that reasonably priced tickets and proximity are DP's biggest selling points. The differential between tickets at nearby resorts and the prices at DP are the biggest driver of DP's visitation numbers. Advertising should be severely limited as it drives very few visits. Kuddos to Dent, Schmitz and Callicrate for axing most of the advertising budget. Coming out of this Covid year – why is management only planning on the same number of visits (130,000) next year? I think that they should expect 140,000-150,000. With an operating income of over \$4 million this past season IVGID should be focused on making DP a better winter resort with upgrades – not just more of the same. From his extensive multi-resort experience, it is apparent that DP needs three things to move forward with revenues, a better visitor experience, a safer resort, and increased visits.

1. DP must move toward RFID passes and tickets – This is the industry standard and any resort lacking this is considered a 2nd class operation. RFID passes speed lift access, provide more accurate usage numbers, prevent fraudulent access, improve skier experience, and improve safety by letting lift operators focus on safety rather than illegal access. Proof – DP only recorded 13 of my visits this year despite the fact that I skied there for 21 days this season. *
2. DP should move toward the replacement of the Lakeview lift with a detachable 4-pak or 6-pak lift. Again, this will greatly improve the visitor experience and dramatically improve safety. If DP wants to expand their terrain, the old lift can be stored and later used in another area of the resort.
3. Parking – Parking – Parking. This is the biggest problem at every Tahoe ski area and DP is no different. He suggests that as a part of the plan to improve and increase visitation that.....when the Skiway Boulevard is repaved that the east side (between Bigwater and Lakeview lift) should be paved inward about 3-5 feet so that DP visitors can park diagonally. This would increase nearby parking capacity by what he would estimate at 25-35%.

Why are you planning for only \$1 million more in revenues to \$11.2 million for next year? *From his personal experience. DP is missing some nominal revenue from cheaters who get on the Lakeview lift (once) then ski over to Crystal and spend the day there without ever having a ticket checked. Mount Rose put RFIDs in this year

and it was an enormous success in improving the visitor experience. Lines moved faster and it was definitely a better experience.

Dr. Tara Madden-Dent said thank you to IVGID Staff for their good work on the preparing of the beaches. She frequents our beaches almost every day and she can see what hard work has gone into preparing for that. She would like to publicly identify one staff member for his handling of a difficult situation yesterday regarding entrance to our private beaches. Mark Helixson comes across as someone who is very dedicated to our community and that she gets that spirit and energy from all of our Staff. She just wants to say thank you and please keep up the good work as she, her son, and her family feel safe and very fortunate to live here. Thank you.

Margaret Martini said she has just a couple of items to note – asking for the e-mail address in the Ordinance 7 survey is intrusive and inappropriate. The survey should be able to be taken without giving personal information so she just wanted to note that. She thinks that IVGID has a Staff issue and an oversight issue. Staff must have no oversight based on the current debacle over the Rec Center renovations. It seems as if Staff has decided to run ahead with renovations, disregarding all policies and to rush the renovation through. Why wait for RFPs? Why wait for Board design approval and oversight in the design phase? Why make a presentation to the Board if you don't think you have to? If Staff can and does circumvent the Board and IVGID policies, procedures and practices, what is the purpose of even having a Board? Just let Staff have free rein of running the place. Trustee Tonking's statement at the last meeting stating that she is not comfortable when asked her opinion on following the policies and good financial practices. She should be immediately removed from the Board for not taking her fiduciary responsibilities to the parcel owners finances seriously. Oh, and as a reminder, to Trustee Wong, good governance would not be disregarding the policies and practices, it would be to abide by them and hold Staff accountable to follow them and then if you disagree with them, work to change them within the perimeters of the procedures. That would be good government. P.S. Spending \$250,000 on a small bathroom remodel job at the Rec Center is also not good governance. Oh, and one more thing, hire the litigation attorney for the beach access issue because if you don't, someone else will which will result in a lawsuit which will result in spending a whole lot more money. Is it worth it? You have to wonder what? Thank you.

Frank Wright said to play off a bit of what Ms. Martini said, the bathrooms, how do you get into a project of this size and magnitude and never letting the Board know that you are doing design work, etc. before coming to the Board and thinking that the Board is going to rubber stamp everything so why not? Are you really managing our money in this District properly? He doubts it. But, more importantly, let's take

a look at the beach issue that is coming up tonight with employee access. How can you have an attorney give an opinion when he also represents North Tahoe Public Utility District and he is going to come over representing those employees and give an opinion that the employees can or cannot or whatever he is going to say and we don't know until he says it but he can't really engage as he has got a conflict of interest. This shouldn't even be an issue because if you read the beach deed, you don't give public property away, private property as far as the beaches are concerned, to people who don't live here, for life. They never have a vested interest in our community. They do not, in any size, shape or form, have to pay a mandatory Rec Fee, they don't have to pay an entrance fee. Their guests get in and here we are going through this big process in Ordinance 7, which he is a member of, and we are making sure that we have a procedure and process for all the parcel owners to access something that they have an absolute right to access and there are no procedures or policies for employees, just come on down. Go on and use it, bring your guests with you, show your ID and away you go. There are no punch cards, no picture passes rather it is just an employee card. If you don't think something is wrong with that, he does, he thinks it is horrible and he thinks that this community, when they figure this all out, that they are paying for all of these employees to use and access our facilities for free, things that we have to pay a Rec Fee for and then we have to pay another fee to enter, and they don't have to pay a Rec Fee and they don't have to pay anything to enter and that some of them get to do it for life and they live in Reno, Tahoe City, they don't live here, they don't participate in our community but they get to use all the things we pay for. He finds that to be outrageous so it is what it is so thank you.

D. APPROVAL OF AGENDA (for possible action)

Chairman Callicrate asked for changes to the agenda; no changes were requested and thus the agenda is approved as submitted.

E. PUBLIC HEARING (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, Supervisory Unit, July 1, 2020 through and including June 30, 2023 (Requesting Staff Member: District General Manager Indra Winquest)

District General Counsel Josh Nelson said we will be having public comments on this item after the Staff presentation so please start cueing up.

District General Manager Winquest gave a brief overview of the submitted material.

E.2. PUBLIC COMMENTS* for the public hearing above - *time limit shall be three (3) minutes for each person wishing to make a public comment*

Aaron Katz said thank you for the opportunity to speak on this matter. The Director of Finance said that the IVGID Management Team negotiated the bargaining unit agreement on behalf of the District with the Operating Engineers Local for supervisory employees for items in IVGID like Fleet which we have now established are not competent to rebuild a lawn mower nor a Caterpillar loader. He doesn't even know why we have Fleet and he guesses he doesn't know why we have supervisory for Fleet. Now listen to what our crack team negotiated on our behalf and remember that this is all on top of overcompensation and over benefits; Mr. Katz then read off some of the summary items from the submitted materials. Now, no recreation privileges are in this agreement, none, and this agreement has already been approved by the Union membership which means once you approve it, it means no recreation privileges for these employees and he doesn't want to see any of them getting free access to our facilities. And furthermore, this is on top of the March 10, 2020 ratified Union contract for non-supervisory employees. No recreation privileges. Thank you very much; adhere to the contract.

Mike Abel said he does endorse almost everything that Aaron Katz said, kudos to what he said and they should be considered in this contract discussion. Thank you.

Margaret Martini said she would also like to affirm Aaron Katz' comments, and she thinks number one, we overpay on everything; number two, the benefits are over the top ridiculous; and number three, as far as access to the beaches, there can't be any employee access to the beaches unless they are parcel owners here. Thank you.

Frank Wright said he guesses he has to take the words of Trustee Tonking when she says she is not comfortable with this, hey, nobody who is paying the rec fee and the beach fee and all the other fees that we pay would be comfortable with this. This is outrageous and you know reasonable people would look at this and go are you kidding me, are you kidding me, how can you even consider this? He knows that our Board doesn't really look at anything in its entirety, this is one time you really should. You should take a

peekie poo and see exactly what this is going to cost us and exactly what we are getting for it because if we aren't getting our monies worth, it is not worth it, it really isn't. And the stuff that comes up at these Board meetings every week, you have to sit there and go what are these people doing. What are they doing? We are not a rich District that just keeps dumping money even though the Board thinks we are. We have got to reel this in at some time, this is just an outrageous, outrageous contract. Incredible, whew, that is all he has to say; thank you.

Chairman Callicrate said this concludes the public hearing comments.

Trustee Wong made a motion to authorize the Chairman and Board Secretary to execute a bargaining unit agreement with the Operating Engineers Local Union No. 3 for the Supervisory employees as negotiated by the IVGID Management Team. Trustee Schmitz seconded the motion. Chairman Callicrate asked for further comments.

Trustee Wong said thank you to our Staff as she knows that it has been a long process, thank both sides of our Staff for being open to listening to each other, and for bringing reasonable recommendations to the Board. Chairman Callicrate said this is a compromise.

Chairman Callicrate called the question and the motion passed unanimously.

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

District General Manager Winquest gave an overview of the submitted materials. Trustee Dent said he would like to put Policy 13.2.0, Capital Planning Policy, in the parking lot as we should revisit it and then figure out at our next meeting where we are going to put that. Trustee Schmitz said at the meeting for May 26, it will be coming up on a year where we identified that some parcels were incorrectly charged on the Recreation Roll. There has been an audit of the selected parcels so we should have that discussion as she doesn't think we should approve the Recreation Roll without that discussion so she would like to cover that as part of that item during that conversation so we have clarity. District General Manager Winquest said he will have the Director of Finance incorporate an update on that matter. Trustee Wong said she would like to have an item added to the agenda to discuss and possibly remove Cliff Dobler from the Audit Committee. Chairman Callicrate acknowledged the request. District General Counsel Nelson said that there are some special NRS notices that have to be followed, not followed for this

meeting and Trustee Wong has made her request, we will process as it as a requested item, and he will work with the Chair regarding scheduling, noticing, etc.

G. DISTRICT GENERAL COUNSEL UPDATE (for possible action)

There is no District General Counsel update for this agenda.

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

H.1. Tri-Strategies Legislative Advocate Verbal Report – Eddie Ableser and/or Paul Klein

Paul Klein went over the submitted materials; two special sessions will be called prior to the end of the year – one will be on Federal monies and then the second session will be on redistricting; both require receiving information from the Federal government. Trustee Schmitz asked, regarding redistricting, are anticipating or do you know of any redistricting at the county level? As it relates to the Federal funding, is there anything we need to do for the receipt of Federal funds to do infrastructure projects like the pond lining, etc. Mr. Klein said regarding redistricting, all government bodies are required to do so by the end of the year, each governmental body has their own process and it starts with the census material which has yet to be received. Federal funding – the State is taking requests for projects and the two projects you mentioned would be perfect. District General Manager Winquest said that himself and others on Staff have been meeting with the Nevada League of Cities and they are advocating for us and we are working through the process with them on what type of funding is available to us. In addition, he has met with Mr. Faust and that information was shared with the Board. We have indicated that the funds are forthcoming, we have indicated our projects are ready to go, and are tracking this with both entities. Trustee Wong asked do we know what is driving the significant increase in revenue? Mr. Klein said that the State has 7 tax revenues – they are forecasting higher than originally forecasted in December. Trustee Wong said in looking at Senate Bill 368, which she is wholly in favor of this, but the word “requiring” is sort of raising a red flag for her such that if we were doing a project and this bill passes and we had the cash, that we would have to issue a general obligation bond? Mr. Klein said we will note this bill and get back to you, it has been excluded from the deadlines, so we will provide some analysis and if you want to engage, we have time to do so. Trustee Wong said that it is really just the requirement piece for her.

H.2. General Manager Diamond Peak Ski Resort Mike Bandelin: End of 2020/2021 Ski Season Verbal Report

General Manager Diamond Peak Ski Resort Mike Bandelin went over the submitted materials and went over the safety trainings that occurred during 2020 and 2021 seasons. Trustee Tonking said she appreciates the survey and analysis and that it would really be interesting to dig in on those that don't have the season passes; please thank Staff for a great experience this year. Trustee Schmitz said thank you for the putting financial analysis in the report and commend you and your team for such a great performance in a difficult year; you and your team should be happy with the outcome. Recalling the survey, from last year, it said that we could do better with our food and are their opportunities and she is curious about your thoughts. General Manager Diamond Peak Ski Resort Bandelin said he wished we could have done some different things. We may be looking for some more healthy items and the best way to increase our service level with speed and just do a better job on the things we sell a lot of. He will get with the Food and Beverage team and discuss the survey results as we focused on speed versus quality. Staff will look into that a little more and provide some feedback. Trustee Dent said he appreciates the report, they have improved, and thank you for managing through the unknowns with COVID and that he is looking forward to a more normal year post COVID. Have we looked into the RFID technology as having an accurate count of our visitors would be a good thing? General Manager Diamond Peak Ski Resort Bandelin said that project is not in the five-year capital plan, yes, we have looked into it and met with a vendor to get a quote for three lifts and Staff has done some preliminary work on that effort. Staff has a meeting with that vendor in the next week or two to look into that technology to see how it may apply in other areas but it is not in the five-year capital plan for Diamond Peak. Trustee Dent said once you learn a little more, can you report back to the Board? District General Manager Winquest said we are looking at this technology holistically and bringing it onboard for the beaches and ski at the same time. It is not necessarily cheap technology but it could be very valuable to the District. Trustee Dent said he wants to hear more and looks forward to hearing an update. Trustee Wong said thank you as she heard from a lot of residents about the focus on residents and our community and that they really appreciated it. Chairman Callicrate said he heard, all season long, from those that used the resort that they were really happy with the conditions in a difficult year.

H.3. Treasurers Report (*for possible action*)

H.3.A. Payment of Bills *(for possible action)*

Treasurer Tonking said in the bill pay sheet that we have there were two areas that stood out. We paid BBK twice in April and had an almost \$23,000 charge for Raley's. The BBK charge was for work done in March and in April. The District did not make a payment in March for the work and made the first payment on April 14. The Raley's payment is for an invoice from Raley's Co-Op Advertising Department for 2,100 water bottles purchased by – and paid for by – the Tahoe Water Supply Association (TWSA). The District acts as the fiscal agent for the TWSA, and this expense is a TWSA marketing/promotions item funded by that agency. The check just gets cut by IVGID. Also a quick update on policy and procedure updates. There is a list of all the policy and procedures that need to be updated, then reviewed by Staff and then finalized. As well, of course, as making sure that everyone is aware of the updated policy and procedure and making sure they are followed. The hope is then to have a set of policies reviewed every year. Management has been working with Tyler to input the chart of accounts and to make adjustments to the chart of accounts to better reflect how the District actually is. A final update on procurement cards - Management has worked to tighten spending authority and approval of procurement cards. Additionally, she has worked with Staff with cards on the types of purchases that should be on the cards versus the types that should be invoiced. This is not an issue with the policy but rather making sure everyone is on the same page and fixing any loose ends.

H.4.a. Review and discuss the District financial results through March 31, 2021 (3rd Quarter of Fiscal Year 2020/2021)

H.4.b. Review and discuss the Popular Capital Improvements Plan Status Report through March 31, 2021 (3rd Quarter Fiscal Year 2020/2021)

(Requesting Staff Member: Director of Finance Paul Navazio)

Director of Finance Paul Navazio gave an overview of the submitted materials. Trustee Schmitz said, on agenda packet page 83, that she continues to be greatly concerned with Utilities and that this is showing that we are under in revenues and over in expenses by \$1 million year-to-date and asked what are the actions to fill that gap? On agenda packet page 84, in the area of sources, she believes you have funded capital resources

which is really use of fund balance so the line that is use of fund balance, we have a budget of \$2.2 million and current/actual have nothing so she is just curious about that. Director of Finance Navazio said, on agenda packet page 83, the actual revenues for the first nine months is more than the budget and expenses are under the revenues by \$800,000. On agenda packet page 84, we will be changing how we will be reporting and then going back to agenda packet 81, when comparing revenues to the sources, we point out two issues – one is use of fund balance and the other is the offset and the last sentence in the paragraph says that the apple to apple comparison accounts for those two items and another reason for future modification. Trustee Schmitz said the uniforms are intended to be expensed in the future so should those be removed from the capital project report? Director of Finance Navazio said ski uniforms will be reported differently going forward. Trustee Dent said thank you for your work on this report. Looking at the reports – do we have a year-end one for 2020 and did it not just get posted? Director of Finance Navazio said on the capital report, he thinks there was a gap and he will double check it and see if we can fill in that gap. Trustee Dent said he appreciates Staff looking into that request.

Vice Chairman Dent called for a break at 7:25 p.m.; the Board reconvened at 7:40 p.m.

I. CONSENT CALENDAR (for possible action)

There are no Consent Calendar items for this agenda.

J. GENERAL BUSINESS (for possible action)

J.1. Initial presentation: Effluent Export Pipeline and Pond Lining Projects (Requesting Staff Member: Director of Public Works Brad Underwood)

Director of Public Works Brad Underwood gave an introduction of the submitted materials and shared a PowerPoint presentation that is incorporated herewith by reference. Granite's John O'Day gave an overview of the summary of findings that was included in the Board packet. Chairman Callicrate said he appreciated the concise presentation, the alternatives that are explored, and the benefits of doing these projects together. We know that the work, once done, will be to the highest standards. Director of Public Works Underwood then went over the remainder submitted materials. He then addressed the leak that occurred on Monday and stated that Staff shut down the system, got the patch completed, and the system is back online.

Trustee Wong said how does this dovetail with the State funding that we are going to request and that Staff is bringing back to us at a later date? Director of Public Works Underwood said we can do that and that Staff is working with USACE for funding. Project will be done in phases and anticipate different funding opportunities. Trustee Dent said that he too would like to go to the State to see if we can find some funding. Thanks for your presentation and there are still things that need to be found out – concrete plan on a timeline; when could we get that? This fall or this spring? Mr. O’Day said the first step is to have designers on board and getting that work going as soon as possible. For the pond lining, 8 to 10 month lead time for permits is what was estimated. If we can get it going right away, get a design finalized, then there is a good possibility to work on the pond in a year and do some of the repairs and investigation this fall. We need to get both designs going concurrently so we can work through the permit process and if we can get them informed, one on one, and keeping them informed, we could start sooner. Realistically, we have to get the pond done first to allow the work to be done on the pipeline. It all boils down to permitting. Trustee Schmitz said regarding the repairs, how you are identifying what needs to be repaired, where they are, and how many are we talking about? Mr. O’Day said that there were 16 with the majority in Segment 3, a lot of them seemed to be in the location near Secret Harbor. There were a couple in Segment 2 which is the high pressure section and that he doesn’t know of any leaks. Majority of the repairs in Segment 3, of the 16, are identified and there are some that we, along with HDR, will need to look closer at and together. Trustee Schmitz said because Segment 3 is low pressure, these repairs wouldn’t be wasted. Is slip lining a possibility and will they remain in place instead of being torn out and replaced again? Mr. O’Day said the ones that have already been repaired, we could tie into them, so yes, we will not rip out something we already replaced. Chairman Callicrate said thank you and looking forward to working with you. Director of Public Underwood said we are looking for Board concurrence on issuing contracts with Jacobs and HDR and then come back in early June with design contracts. Chairman Callicrate asked if there was any gross opposition; no Board members expressed opposition. Chairman Callicrate said move forward as outlined.

J.2. Review, discuss, and possibly authorize or approve:

- (A) Plans and specifications for the Recreation Center Upstairs Lobby Restrooms Remodel;**
- (B) Two contracts for the Recreation Center Upstairs Lobby Restrooms Remodel - 2020/2021 Capital Improvement Project: Fund: Community Services; Division: Water;**

Project 4884BD1902. Vendor: Avail Construction in the amount of \$159,832.40 and Ward-Young Architecture in the amount of \$20,487;

- (C) An additional \$52,556 be authorized from the Community Services Fund Balance to increase the project budget; and**
- (D) Resolution Number 1885 authorizing a budget augmentation of \$52,556 from available resources within the Community Service Capital Fund (550) Fund Balance to augment the Recreation Center Restroom Remodel project budget**

(Requesting Staff Member: Director of Public Works Brad Underwood)

Director of Public Works Underwood gave an overview of the submitted materials. Trustee Dent said, regarding ADA, is anyone requiring that we update them or are we choosing to do that? Director of Public Works Underwood said we are choosing that as there are groups that go out and look for these things thus we want to avoid that. Trustee Dent said he did visit the restrooms today and that he feels like those restrooms are in really good condition. We do a great job of maintaining, they look great, and he knows that we do have to address the ADA with this upgrade. Price is very steep, he has concerns with the process, and he has voiced them. As to Policy 13.2, Staff needs to do a better job of following that policy and that is why he is requesting to put that on the agenda for absolute clarity and not be left up to interpretation so we can all be on the same page. We should have gone about this project a little differently and we can address that with the policy so there is clarity. Trustee Schmitz said she agrees with Trustee Dent, she reviewed the Livestream, and Trustees Callicrate, Dent and herself requested that the design be brought before us. Trustee Schmitz then said that she too wanted to point out, on agenda packet page 141, where it discusses the Trustees responsibilities, it says "*Section 3.8.6.1 of Board Practice 13.2.0 states that Trustees are responsible for 1) ensuring that design contracts are awarded and executed consistent with Nevada Revised Statutes, and 2) that Trustees are to review and accept regulatory permit conditions on construction projects over \$50,000.*" This should have been brought to the Board at that point, so there was discussion and community engagement and involvement. She too is finding issue with the process and adherence to our capital planning practice as Staff could have done a better job and moved forward more swiftly in the way it was handled. Trustee Tonking asked, in terms of ADA compliance, what other things have to be done beside the stalls? Director of Public Works Underwood said entry as well and then the stalls – these are the main two items. Chairman Callicrate said

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we have heard from several people in the public asking why can't we go to Home Depot, etc. and that is because we are a government and we can't go to a big box store. There have been some issues with the double doors and then sinks have issues with spacing from floor to sink. He was around when that building was built and there were cuts made and so we are dealing with mistakes that were done initially. When we close the Burnt Cedar pool and they use the Recreation Center pool, that is going to put more use at the Recreation Center. He does agree with the policy upgrades mentioned by Trustees Schmitz and Dent but once again we are up against a situation with ADA requirements and bathrooms that weren't built to the original specifications. Trustee Schmitz asked if the ADA compliance is being imposed upon the District because of the locker room remodel? Is it one of the conditions as part of the locker room remodel? Director of Public Works Underwood said that he thinks these are independent projects and it behooves us to make the improvements as we can. As long as we have a plan, we move it forward through the capital plan. Trustee Schmitz said do you have any design options for us as Trustees to consider to reduce the cost of this project? Director of Public Works Underwood said he didn't as he wasn't involved at the start. They are moving one of the doors in the women's restrooms and they have done a pretty good job. A challenge with the remodels is you have confined space so you have to do some work around and they have done a good job. Trustee Schmitz said it would have been nice to see options but it seems that this project is too far down the road so the Trustees don't have the opportunity to make some changes as it quite expensive for two bathrooms. Director of Public Works Underwood said he understands and yes, we are pretty far down the road. Trustee Dent said regarding ADA, a remodel triggers the ADA upgrade and because of the scope, it triggers those ADA improvements. District General Manager Winqest said as someone that worked in that building for 17 years, we do have people that come in wheelchairs and blind guests and that we have had challenges with the doors so there is clearly an issue with the entrances. The Recreation Center is one of the first places our new residents come and the direction to the architect was that this is the heart of the community as it gets the most use. It is a subsidized facility and Staff understands the sensitivity however it is a very heavily used facility and do think it is important to refresh and taking care of these issues. Last thing that he would want is for one of our residents to take issue with these facilities and report us to Washoe County. Regarding the policy, Staff just wants to be on the same page as the Board, Staff doesn't bifurcate on how it has been interpreted. Perhaps Staff could have done a better job. It hasn't been the practice of past Board's so getting on the same page is important as we want the Board to get involved and be a part of these projects; we just want to get on the

same page. There is usually a Board liaison on these projects and he would recommend getting someone from the Board on the locker room project. Trustee Schmitz said that the District General Manager asked her six months ago so there is no ambiguity or confusion as she just doesn't understand why this project and the locker room project deviated from this practice. Chairman Callicrate said we are all frustrated because we are in the process of getting things done. He appreciates the efforts on policies and procedures, etc. to alleviate this frustration and that all of the Board members have all expressed where we stand.

Trustee Wong made a motion to:

1. Award a construction contract to Avail Construction in the amount of \$159,832.40 for the Recreation Center Upstairs Lobby Restrooms Remodel project.
2. Authorize Chair and Secretary to execute the contract with Avail Construction based on a review by General Counsel and Staff.
3. Authorize Staff to approve change orders to the construction contract for additional work not anticipated at this time for approximately 10% of the project bid – \$16,000.
4. Authorize Staff to enter into an Additional Task Order with Ward-Young Architecture totaling \$20,487 for services during construction of the project.
5. Approve Resolution No. 1885 authorizing a budget augmentation of \$52,556 from available resources within the Community Service Capital Fund (550) Fund Balance to augment the Recreation Center Restroom Remodel project budget.

Trustee Tonking seconded the motion. Chairman Callicrate asked for further Board comments.

Trustee Dent said he supports the project and is opposed to the process. Trustee Schmitz said she agrees about the process and that the District General Manager didn't follow the practice. She does understand that we need to update our facilities and it didn't allow the Trustees to weigh in and she would like this process to not occur again; she will not be supporting this

motion. Trustee Wong said she had people ask her why we didn't support this at the last meeting.

Hearing no further comments, Chairman Callicrate called the question – Trustee Wong, Tonking, Callicrate voted in favor of the motion and Trustees Schmitz and Dent voted in opposition; the motion passed.

Chairman Callicrate said all future projects need to be hammered down and that he supported it because we do need to do this project. The cost is tremendous due to prevailing wage and he understands the cost increase. He would like to see more than a schematic in the packet. District General Manager Winquest said Staff will bring back any project that has a design component. Trustee Dent said for recreational projects only. Trustee Wong said she would like to agendaize an item to discuss it. Trustee Schmitz said we don't have any \$500 items. Chairman Callicrate agreed that we should bring back an agenda item so we can discuss this and the threshold.

J.3. Review, discuss, and possibly authorize or approve review plans and specifications for the Recreation Center Men's and Women's Locker Room Remodel (Requesting Staff Member: Director of Public Works Brad Underwood)

Director of Public Works Underwood gave an overview of the submitted materials. Trustee Tonking said this is a project she has heard about from a lot of people and that she is excited about this project. Saw that the project is 90 days so when is it starting, etc. Director of Public Works Underwood said the start is after completion of the restrooms so it should start in September and be completed before the Thanksgiving holiday. Trustee Schmitz said she appreciates the willingness to be flexible, the locker rooms do need to be remodeled but we do need to bring these plans forward to the Board as she does understand that they need updating and that she is taking you up on that offer. Chairman Callicrate said sometimes they get deferred indefinitely, reference made to Diamond Peak and skate park, and that he too appreciates your offer to look at other options. Locker rooms were fairly obsolete within 5 years of opening and give the Staff kudos for keeping them clean as it is a problematic building. There is a high price on this project but the community has been giving feedback and he is in support of doing this sooner rather than later. Trustee Wong said they were really calling her about the locker rooms – with the Burnt Cedar pool being closed, do we expect an increase in the use of Recreation Center pool given the Burnt Cedar pool closure? District General Manager Winquest said initially the plan was to start to this project in early August depending on the restroom

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project. Yes, we are going to see 25 or 30 lap swimmers of which half will swim at the Recreation Center so Staff wants to have the downstairs locker rooms available. No matter what we do, we will have delays, however starting this project mid to late fall is the right timeline as we will need the locker rooms in the summer. Trustee Dent said we should have had the process right, we have learned from it, and let's do it better next time. Trustee Schmitz said she can't recall what do we have in our budget for funds this year? Director of Public Works Underwood said \$60,000 for design and Staff time. Trustee Schmitz said so no funds for this fiscal year? They aren't appropriated until next fiscal year? Director of Public Works Underwood said he isn't sure what is remaining and doesn't have that information presently. District General Manager Winqest said his recommendation is to go through the design specifications and to have no contract award until after July 1. Whenever we bring this back, is that what the Board is expecting is for Staff to bring back the design specifications at a future meeting? Chairman Callicrate said he is fine either way and leaving it up to the architect as he doesn't want to tie the hands but not carte blanche. District General Manager Winqest said Staff lives that facility and they are well aware of what we need. He heard Trustee Schmitz say that she wanted to be a part of reviewing the design specifications and if not in the agreement, then he needs to know what the Board wants Staff to present to the Board. Trustee Schmitz said what she is referring to is design information similar to the Tennis Center, with options, because if you look at Policy 13.2., as it relates to Staff responsibility, a high level summary and what is driving cost and options to do something, you have done that with other projects and not something you haven't done with other projects. Director of Public Works Underwood said we have a design right now, take the design they have now and go over the key elements and show some of the different fixtures for the Board to see and what level that is – prime tile, medium tile, etc.? Trustee Schmitz said that would be great and look at Policy 13.2. Chairman Callicrate said so if we do that and go back, what costs are we looking at? Director of Public Works Underwood said he doesn't know but probably a few thousand dollars. Chairman Callicrate said he doesn't want to escalate the project because we want another visual. Director of Public Works Underwood said \$10,000 or under, we will look at all the implications, and that this is a 90-day project for construction. Chairman Callicrate said if you were to come back with some drawings, does this fit into the timeline or make better sense to come in around September? District General Manager Winqest said it may push the program out a little bit. If we were to wait until July, would it be the end of the world, no. However, there are only a couple of months out of the year for perfect timing and that we have to look at the dollars. Staff will have to sort through the details to

see if we have the money as we want to have this project go through the process. Trustee Wong said that she takes a different approach as the Tennis Center was almost the entire facility. This is the locker room – sinks, etc. and you have gotten feedback from community so she is fine with moving forward as written. Director of Finance Navazio said we could reallocate some monies so any additional work from the architect, which is a relatively modest amount, can be adjusted in next year's budget. We can proceed without too much concern about timing of funding for the scope of work. Chairman Callicrate said regarding going out to bid, we would have to hold up on that so he wants to make sure that we are not shooting ourselves in the foot. This is a large contract and he wants to make sure we are not to create a bigger issue than necessary and have this project get kicked into next year. Director of Public Works Underwood said a lot of the work happens towards the end so we probably won't have an impact – we can either cancel the bid or postpone the bid due date if there were changes and it is the latter that he would prefer. Chairman Callicrate said that is a critical component and as to postponing, he likes the second option too. In trying to abide by our Board policy, we are giving ourselves a couple more weeks to look at it and follow the procedures we need to follow. This is an opportunity to be closer to the Board's policy. District General Manager Winquest said we have the direction we need for the June 9 Board meeting so that the Board can review the design specifications and try to get the architect on that call and if the Board wants to see a bottom, middle and top option, we can provide that and that Staff understands the standard until further notice. Chairman Callicrate said we need to take a couple of extra weeks to move forward with confidence. District General Manager Winquest said he would love to have a Board liaison on this project. Trustee Schmitz said when it is in a Board packet, the public can see it, thus they can be thrilled about it. District General Manager Winquest said that Trustee Schmitz is the Board liaison.

J.4. Review, discuss and possibly authorize a Memorandum of Understanding for the Clean Tahoe Multi-Jurisdictional Program and review, discuss and possibly approve a Professional Services Agreement with Clean Tahoe, for the Clean Tahoe Multi-Jurisdictional Program (Requesting Staff Members: Director of Public Works Brad Underwood and Resource Conservationist Madonna Dunbar)

Director of Public Works Underwood gave an overview of the submitted materials. Chairman Callicrate said, whoever was in charge of checking trash, that the person has some more people skills as we want people to be

compliant and that this is a great opportunity for collaboration therefore he is in support. Trustee Wong said thank you to our Resource Conservationist as she is one of the unsung heroes over in Public Works and that she knows how passionate she is and it shows so she appreciates all the work she is putting into this program. Trustee Tonking said thank you to the Resource Conservationist and that she is excited to have the District be a part of a pilot program because then we can give our input and be a part of something like this. A fine happens but education is key; she is excited about the program. Trustee Schmitz said thanks to the Resource Conservationist and have that she does have some questions – is 10 hours a week enough? Director of Public Works Underwood said we talked about that aspect and we felt it was a good opportunity to test the waters. 10 hours is probably not enough but it is a start and Staff could come back to you in a year for more hours but we felt this was good as this is a test period. Trustee Schmitz said she wanted to point out that it isn't a large contract, paying \$75 per hour, pretty large hourly rate, didn't see anything that defined what days of the week or hours they were going to perform or defined because of our needs? Director of Public Works Underwood said we just wanted to show the number of hours per week and didn't want to pigeon hole ourselves and they will identify their routes and then have them available on call for reports by the public and Staff. We wanted to be flexible on the approach and that it does seem like a lot but we are having to pay some of the overhead, etc. in that hourly rate. Trustee Schmitz said the reason she asked about hours of services is because our requirements happen more so on weekends and she wanted to know if that was covered? Director of Public Works Underwood said yes, the weekends are covered. Trustee Schmitz said her suggestion is to include that it includes weekends and include reports on the hours used in the scope of work. Director of Public Works Underwood said he would expect that in their report but that he will make it quite clear.

Trustee Wong made a motion to authorize a Memorandum of Understanding (MOU) for the Clean Tahoe Multi-Jurisdictional Program with participating agencies, and execute a Professional Services Agreement in the amount of \$40,000 with Clean Tahoe Program, for the "Clean Tahoe Multi-Jurisdictional Program" (a pilot project for solid waste mitigation services along Tahoe's north shore) that includes the numbers of hours worked in the reporting and authorize Staff to execute the MOU and Professional Services Agreement after review by the District's Legal Counsel as to form. Trustee Dent seconded the motion. Chairman Callicrate asked for further comments, receiving none, he called the question and the motion was unanimously passed.

Chairman Callicrate called for a break at 9:18 p.m.; the Board reconvened at 9:30 p.m.

J.5. Review, discuss and possibly authorize a quitclaim of Water Main to Grinberg Family Trust on APN: 126-231-05 for the purposes of improving operations of IVGID's Water Systems (Requesting Staff Member: Director of Public Works Brad Underwood)

Director of Public Works Underwood gave an overview of the submitted materials.

Trustee Wong made a motion to approve Quitclaim of Water Main to Grinberg Family Trust on the Trust's property (APN: 126-231-05) in exchange for One Dollar (\$1) for the Purposes of Improving Operations of IVGID's Water Systems and authorize Staff to execute the Quitclaim documents upon review by District Counsel. Chairman Callicrate asked for further comments, receiving none, he called the question and the motion was unanimously passed.

J.6.A. Review, discuss, and provide direction on potential options regarding modifying non-resident employees' and Gold/Silver Card holders' access to beaches (Requesting Staff Members: District General Manager Indra Winquest and District General Counsel Joshua Nelson) and

Trustee Tonking made the following statement:

"Chair, NRS 281A.420 requires here to disclose a conflict of interest. The matter before this Board affects her commitment in a private capacity to the interests of her sister, an IVGID employee. While her sister is a District resident that will not be directly impacted by this item, she wishes to avoid even an appearance of impropriety. As such, she is going to be abstaining from voting in this matter."

District General Counsel Nelson gave an overview of the submitted materials. Trustee Wong said thank you for the information, history and data as it is good for the Board to refresh our memory on benefits. We don't need to go to a resolution as our Staff and you have shown to her that this is such a small fraction of beach visits and that the benefits it provides far outweighs the detriment that could come if we take away this benefit in her mind.

Trustee Dent said thank you and, at the last meeting, we asked to get further clarification as we hear these terms kicked around and we are not sure exactly what they mean so he appreciates this being put together. At the last meeting, he did bring up the following item and threw out the term non-resident employee and it includes a lot. He learned a lot and in order for the information to be captured, the District General Manager let him know that it was going to be quite a task. As we go into the next item, it is nothing more than a boilerplate based on the information provided here as a starting point. District General Manager Winquest said he wanted to respond to Trustee Dent on the data and he does have a document to share with the Board on the number of employees and last summer in different categories so you can get a look at how many employees we employ in the summer and that our winter employees do get panned out unless they work for us in the summer. Trustee Schmitz said she has some questions about the benefits and how they are executed – one of the things she wanted to understand, she read about them in the policies, it talked about gold/silver, it says employee, wanted to know if that language is accurate versus reality? District General Manager Winquest said it is his understanding on gold/silver cards they are for employees and former Trustees and that a holder of a Gold/Silver card is not allowed to bring guests. He believes that has been the practice however there may have been some exceptions. He is a holder of a Silver Card, he uses his employee card, and that his Silver Card can become active when one leaves the District. Trustee Schmitz said why do we have them issued for employees when it is less? District General Manager Winquest said because it is more ceremonially. Trustee Schmitz said as it relates to current active employees, do they have the ability to bring spouses, dependents? District General Manager Winquest said it is only for them and their spouses and dependents. Trustee Schmitz said back in the late '80's, they were all were residents and now, more than ever, you have got more non-resident employees. So when it was implemented, were more employees' residents? District General Manager Winquest said yes, it is safe to assume that and because of the cost of living and the availability of long term rentals, that is probably true.

J.6.B. Review, discuss, and potentially approve emergency Resolution No. 1888 to temporarily restrict non-resident employees' and Gold/Silver Card holders' access to beaches through December 31, 2021 due to the COVID-19 pandemic (Requesting Trustees: Sara Schmitz and Matthew Dent)

District General Counsel Nelson gave an overview of the submitted materials. Chairman Callicrate said that our full time year round employees

need to be thought of very careful as this is something that has been beneficial and we were paying the lifeguards a premium in the summer to stay on. Historical precedent, with the allowance of employees, is 3 hours a week, non-resident, they have no access to the beaches. Trustee Schmitz said she wanted to explain why she brought it up. We are One District-One Team and that we are making so many changes on parcel owners because we do need to limit the beach access. Our parcel owners should be able to enjoy the beaches and that she realizes that we are in this together and that we need to make some compromises together as she wants to protect that beach deed. The longer we go on with the housing market, we are going to have a lot more non-resident employees. It will continue and with this COVID, we need to all be safe and make sure the parcel owners are safe and being One District-One team, let's have Staff join in this effort. Trustee Dent said he agrees with Trustee Schmitz and that this is the approach he took as well. We have asked the parcel owners to make a lot of changes over the last year and looking at all the areas where we can tighten our belts. There is a bunch of different options and what this category would be on this temporary resolution. Just a boilerplate in talking with District General Counsel and Staff on restricting access and not wanting to compromise the beach deed. District General Manager Winquest shared his screen with a document that identified information regarding where District employees live. Trustee Schmitz asked if the Union employees are represented on here twice? Interim Director of Human Resources Erin Feore said that they are not double counted. District General Counsel Nelson said that the resolution isn't effective until approved by the Board. Trustee Schmitz said full time year round employees are the same as Category 1 on the privileges document and she asked if the Union employees were full time year round as well? District General Manager Winquest said yes. Chairman Callicrate said any of the employees who live in the village probably have access. Trustee Wong asked about employees who rent? District General Manager Winquest said it depends on who they rent from and that Staff is planning on bring back the employee privileges as a whole later this year since it hasn't been reviewed since 2014 so it is time. Chairman Callicrate said we do want to try and look at it holistically. District General Counsel Nelson said we could write it that way and the underlining is included for emphasis such that it applies to both the employee, spouse and dependent. Chairman Callicrate said he doesn't know the way forward and doesn't want to have an oops and there are things like verbal promises. He doesn't know what the correct answer is. Trustee Wong said she would like to not make any changes tonight and to consider action at a future meeting and that her inclination is to not do anything and not have this come back. Trustee Schmitz said we should take action because of the COVID condition.

Trustee Dent said we should take some action and that he is struggling with the terminology and we could see if it was dependents and Gold/Silver card holders and then there would be a lot less ramifications. Chairman Callicrate said so restrict to employee only and no guests, dependents, etc. and what about part time, etc.? Trustee Schmitz said if we are going to be compromising and take some action – go back to Category 1 employees, full time, full time year round and Union employees, and some of the balance is that some work some limited hours. The beaches are a precious commodity and we are trying to limit access so let's do it by the categories and allow their families and no guests and that is another alternative. We need to take some action because of the COVID restrictions and as a gesture of working together. District General Manager Winquest explained the different employee categories. Trustee Schmitz said Category 1 are allowed to bring their dependents but no guests and that it is restricted for Category 2. District General Manager Winquest asked how does that work for a lot of employees that work at beaches? Trustee Schmitz said that is an absolute valid point. Anxiety is about not having enough Staff to operate these venues and we need to make sure everyone understands that. Chairman Callicrate said it is a tight rope and that by allowing Category 1 and 2 with their dependents and no guests that shows the community we are trying without open Pandora's box. It should be noted that it is hard to keep lifeguards at the beaches. He would like to bring it all back and vet it properly at the end of the season when we have better numbers as part of him says leave it as status quo. He could live with Category 1 and 2 employees and their immediate dependents and no guests. Trustee Schmitz said so you don't want to restrict Category 2? Chairman Callicrate said having Category 1 and 2 and their immediate dependents but no guests will show a compromise to the community. We are going to get grief regardless and when we bring this back we don't want Staff to come back and say they can't staff our venues; he is offering this as a compromise and as a suggestion. Trustee Dent said he could support that and to be a little broader as we don't want to take away the people who staff the beaches and keep our beaches staffed - for non-resident employees who aren't Category 1 or Category 2 employees only and no non-resident Gold/Silver card holders. Trustee Schmitz said another way to address this is beach staff at Category 2 are given access and that is another alternative that would align Staff to where they work which is another way to look at it. Trustee Wong said given how complicated this is and that we are having a hard time communicating, she would want this put down on paper so we are clear on what we are voting on. District General Counsel Nelson said he agrees and he too wants to bring it back. Chairman Callicrate said Category 1 and 2 and no guests, and does Counsel have a clearer idea of what we have been discussing in

order to bring it back? District General Counsel Nelson asked how does the Board want to handle Gold/Silver card holders? Chairman Callicrate asked about ramifications on Gold/Silver cards. District General Manager Winquest said that there are 7 or 8 people who use their Gold/Silver cards at the beaches. Chairman Callicrate said for those Trustees that served that time and were granted that privilege to have it taken away is wrong. The community voted it out in 1996, for those who served prior to that, he doesn't have an issue. For the employees, no issue there either. It was a perk they were granted and they did provide service to the community whether you like them or not so he wouldn't want to take that away from them. Trustee Schmitz said if someone only has access by themselves, they won't use it and Gold/Silver card holders can't bring guests so they can only get themselves into the beaches. District General Manager Winquest said he would agree with Trustee Schmitz on that aspect and would note that they are used more at the golf courses and Diamond Peak to get the discounts for themselves and if they live out of town, it is probably not just themselves. This is a Board decision and it is your job to make the decision. District General Counsel Nelson said he is hearing consequences to not include Gold/Silver card holders in the restrictions so he has enough direction to bring something back. Chairman Callicrate said we are looking at this thoroughly and that he wants to have clear language in the packet for the community to look at so let's bring it back on May 26.

J.7. Review, discuss and possibly approve a method for handling Board correspondence (Requesting Trustee: Board of Trustees Chairman Tim Callicrate)

Chairman Callicrate gave an overview of the submitted materials. Trustee Tonking asked what are the perimeters that define Board correspondence? District General Counsel Nelson said that we need to define that in more detail in the policy we bring back. Currently, we have asked individual Board members to forward them and we should have one e-mail address to send in Board correspondence. Trustee Tonking said we do get correspondence that is sent and not to the additional address? District General Counsel Nelson said that is good information to consider. Chairman Callicrate said we receive a number of items that are sent to individuals and all and then we could have an e-mail address to send it to and then allow individual Trustees to have a way to include what they choose. Trustee Dent said he agrees with option number 2 as well as it is a good compromise. District General Counsel Nelson and Chairman Callicrate are to work on a policy.

J.8. Review, discuss and possibly provide input on the transition back to in-person Board of Trustees meetings – Governor Sisolak’s lifting of Directive 006 (Requesting Staff Member: District General Manager Indra Winquest)

District General Manager Winquest gave an overview of the submitted materials. Trustee Dent said that the mask mandate is continuing and do we have to wear a mask for seven hours? District Clerk Herron said you have to wear a mask when not speaking. District General Manager Winquest said we will continue to update you. Trustee Dent asked us to confirm the masking wearing mandate. Trustee Tonking asked if we are going to be distanced from each other? Chairman Callicrate said what we feel comfortable with we can do that. Trustee Wong said for other personal reasons she won’t be in person for a while. Chairman Callicrate said we can accommodate that request.

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

There are no Reports for this agenda.

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

Margaret Martini asked how many parcels does IVGID own and how much of a fee do they pay? She pays a fee on her parcel and she pays a fee on her punch card for her guests and that IVGID pays the same fee? Will IVGID be held to the same punch card. She would like it identified how IVGID is complying and that she would like a guest definition as it needs to be equitable treatment period. Please put that on the agenda and address the definition of guest and get her questions answered at the next meeting.

Frank Wright said first of all he was the litigant in the Wright vs IVGID and nowhere was there any mention of employees and to infer there was is insane. IVGID is not a fee paying parcel owner as they are just like unbuildable parcel and until they pay a fee they can’t bring in guests and if the unbuildable parcels fall under this, so can the Sheriff’s office, he has said follow the deed. Incline residents and their parcels and their guests are entitled to access and with the access by the employees you have created a monster. The conversation was a circus and a joke and employees having access and those in Crystal Bay and Washoe 1 don’t have access. Employees having access is wrong. Follow the deed and you will be right in line.



M. ADJOURNMENT (for possible action)

The meeting was adjourned at 10:49 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.

Submitted by Aaron Katz: Written statement to be included in the written minutes of this May 12, 2021 regular IVGID Board meeting – Agenda Item J(1) – Granite Construction’s, as construction manager as an agent at risk (“CMAR”), initial presentation insofar as construction of Phase 2 of the effluent export pipeline and pond lining projects are concerned

Submitted by Aaron Katz: Written statement to be included in the written minutes of this May 12, 2021 regular IVGID Board meeting – Agenda Item J(4) – Clean Tahoe – another incredible waste!

**WRITTEN STATEMENT TO BE INCLUDED IN THE WRITTEN MINUTES OF
THIS MAY 12, 2021 REGULAR IVGID BOARD MEETING – AGENDA ITEM
J(4) – CLEAN TAHOE – ANOTHER INCREDIBLE WASTE!**

Introduction: Here our Public Works staff seek Board approval to enter into a Memorandum of Understanding (“MOU”) with Clean Tahoe allegedly to secure the latter’s “enforcement (of)...Solid Waste Ordinance (No.) 1¹ violations.”² Our administrative staff tell us that they “have become overwhelmed with the paperwork process”³ because “in January 2020 (a) Solid Waste Technician...resign(ed and)...the (then) Director of Public Works...eliminated (the) position...in the belief...essential Ordinance 1 outreach...could be absorbed by Public Works Administrative staff.”⁴ Translation: more staff incompetence! And that’s the purpose of this written statement.

The Scope of Work Proposed to be Assigned to Clean Tahoe: According to staff, “an informal regional working group of land managers, environmental organizations and regulatory agencies has been formed to address the increasing concerns of litter, garbage and environmental impacts of improper trash management...Each (agency) partner is submitting separate scopes and contracts to address their own litter abatement, illegal dumping and other trash concerns in this overall regional effort.”³ And insofar as the District is concerned, “the Services (being contracted for) are as more particularly described in Attachment A (to the SHORT FORM AGREEMENT BETWEEN INCLINE VILLAGE GENERAL IMPROVEMENT DISTRICT AND CLEAN TAHOE, INC. for PROFESSIONAL SERVICES⁵), consisting of providing (the following) contract field enforcement of IVGID's Solid Waste Ordinance No. 1:”⁶

“Task 1”⁷

A. Maintain centralized trash reporting phone and email portals;

B. Through the Clean Tahoe phone and email report portals, respond to District residents' requests of trash spills and Ordinance 1 violations. Clean up the spill and/or contact property owners to clean up the spill. Clean Tahoe shall respond to resident requests within 24 hours;

¹ Ordinance No. 1 is the District’s Solid Waste Collection, Removal and Disposal Ordinance, and it can be viewed at https://www.yourtahoeplace.com/uploads/pdf-ivgid/Ordinance_1_-_2016.pdf.

² See page 670 of the packet of materials prepared by staff in anticipation of this May 12, 2021 Board meeting [“the 5/12/2021 Board packet” (https://www.yourtahoeplace.com/uploads/pdf-ivgid/0512_-_Regular_-_Searchable_-_Part_4.pdf)].

³ See page 672 of the 5/12/2021 Board packet.

⁴ See page 671 of the 5/12/2021 Board packet.

⁵ See pages 675-690 of the 5/12/2021 Board packet.

⁶ See page 678 of the 5/12/2021 Board packet.

⁷ See page 688 of the 5/12/2021 Board packet.

C. At least weekly, Clean Tahoe shall review and response to snapshot violation reports from the Owner's solid waste service provider;

D. Document all trash issues, issue/post courtesy notices and zero tolerance specification sheets to property owners where Ordinance 1 violations are found. Properties will be re-inspected within 10 days. If the problem still exists after 20 days, Clean Tahoe will refer the property to IVGID Public Works;

E. Copies of such notices shall be provided to IVGID Public Works staff; (and,)

F. Maintain logs of on-call responses, inspections, and violations in Excel database and electronic records, including scans, photos, and spreadsheets. Provide such logs to Owner without charge upon request.

Task 2⁷

A. At least weekly, visually inspect town centers and neighborhoods identified by Owner or Consultant as "hot spots" to inspect solid waste containers for compliance with District Solid Waste Ordinance No. 1. Conduct random and requested site inspections of commercial equipment; inspect solid waste containers for functional operation; (and,)

B. Clean Tahoe will notify the Owner's solid waste service provider and IVGID of any problems, damage, malfunctions, or necessary repairs for solid waste containers.

Task 3⁸

A. Coordinates with IVGID Public Works to provide in-field solid waste education of IVGID Public Work's Bear Smart program in the community; (and,)

B. Provide one presentation to IVGID Board on the progress of Consultant's Services."

But the District's Trash Franchise With Waste Management ("W-M") Already Obligates W-M to Perform Many of These Services: Have any of you read the trash franchise⁹? If you do and concentrate on ¶5, you will find that much of the scope of work assigned to Clean Tahoe is already assigned to W-M. For instance, ¶5.1 obligates W-M to maintain customer service "to administer all requests for service...and complaints." ¶5.2 obligates W-M to provide the district with "written or telephonic customer complaints and resolutions" to those complaints in a timely and reasonable manner. ¶5.6 provides for a "public information program" to encourage "customer compliance with federal, state and local laws and ordinances." The District may request that W-M photograph and document ordinance violations. ¶5.7 provides for "General Public Outreach" which includes billing

⁸ See page 689 of the 5/12/2021 Board packet.

⁹ Go to https://www.yourtahoeplace.com/uploads/pdf-public-works/2016-10-01_Waste_Management_Franchise_Agreement_no_Exhibit_B.pdf.

inserts. And ¶5.3 provides for an Ombudsman to resolve all unresolved customer complaints and disputes other than billing disputes.

If W-M isn't doing its job, the answer isn't to hire Clean Tahoe at \$75/hour but rather, to secure staff who ensure W-M is doing its job!

And the District's Membership in the Bear League¹⁰ Already Obligates the League to Perform Many of These Services: Did you know we're a dues paying member of the Bear League? That's right! At the Board's September 9, 2020 meeting I submitted a written statement which outlined the District's dues paying membership in this organization¹¹.

So listen to the services the League provides to its members¹⁰:

- **“Education...**We...attempt to teach the public about the true gentle nature of the black bear. In fact, education permeates every function we perform...
- **Aversion** With teams of trained aversion specialists all around Lake Tahoe, the BEAR League works with local Law Enforcement, Animal Control and Fish and Game Officers to keep bears out of places they do not belong and educates them as to where they do belong.
- **Response** The BEAR League hotline (530) 525-PAWS, which is staffed 365 days a year 24 hours a day, is available to help anyone who has a problem with a bear. We will respond whether the bear is there or has gone or we are happy to coach people over the phone. The BEAR League is always ready to help put people at ease and help them prevent future problems.
- **Community Involvement...**Operating autonomously and built at the community level, the BEAR League is ready to come together when a situation arises where we need to reinforce our goals.
- **Policy Development** The BEAR League works to make changes at the state and local levels where we see policies that are deleterious to the lives of bears and the cause of people and bears living in harmony. We also strive to be proactive in initiating programs that are based on our own research and common sense.”

Although the resources of the League are allegedly available to us, our staff are apparently incapable of harnessing them to accomplish what Clean Tahoe will allegedly be able to accomplish. So I say ***either get out of the Bear League, or start making it perform the services represented to its members!***

The District's Solid Waste Ordinance Already Obligates Our Staff to Perform Many of These Services: Have any of you read the District's Solid Waste Ordinance No. 1¹? According to staff,

¹⁰ Go to <http://www.savebears.org/mission.html>.

¹¹ See pages 130-137 of the packet of materials prepared by staff in anticipation of the Board's October 14, 2020 Board meeting [https://www.yourtahoeplace.com/uploads/pdf-ivgid/1014_-_Regular_-_Searchable.pdf (“the 10/14/2022 Board packet”)].

effective August 1, 2017 the District initiated a “zero tolerance solid waste enforcement policy for any violation(s) documented through Waste Management’s Solid Waste Snapshot Program (enforced by W-M) and/or IVGID’s Trash Reporting.”¹² ¶7 of Ordinance No. 1 commencing at page 20 addresses non-compliance and violations which include fines intended to offset the costs of enforcement.

It turns out the proposed services of Clean Tahoe will *not* result in assessing penalties for violations. At the end of the day that responsibility *will still fall on our staff* which asserts it is ill equipped! **So why the middle man?**

Moreover, IVGID Doesn’t Have the Power to Provide the Enforcement and Outreach Powers the Subject of the Proposed MOU With Clean Tahoe: Have any of you read NRS 318.116(13)¹³ and 318.142¹⁴ to understand what powers the District actually have insofar as the furnishing of facilities for the collection and disposal of garbage and refuse is concerned? Maybe you should! Because if/when you do, you will discover that "the board shall (*only*) have the power to acquire, by purchase or lease, sites for the disposal of garbage and refuse, and to own and operate equipment for the collection and disposal of, and collect and dispose of, garbage and refuse, or to contract, without calling for bids, for the collection and disposal of garbage and refuse from within the district." Does any of this sound like what it is Clean Tahoe proposes providing to the District for \$40K or more?

Remember *Dillon's Rule*. If the power isn't expressly provided for, IT DOESN'T EXIST¹⁵. And if you have any questions in your mind as to whether or not the power exists, IT DOESN'T¹⁶! *Any questions?*

This points out another problem with IVGID. We’re not here to provide for the health, safety or welfare of Incline Village’s/Crystal Bay’s citizens. We’re not here to save the Lake, or address climate change. We’re not here to educate the public. We’re not here to clean up our streets (almost all of them have been dedicated to Washoe County). We have no power to pass laws. These are all functions which are provided by our governance; Washoe County. So why is it we so readily assume these functions? And broaden our footprint? And when we don’t have the revenues to perform these functions requiring us to assess local parcel/dwelling unit owners?

Conclusion: Please understand what you're really being requested to buy into several of the REAL PROBLEMS we face. What our staff is really telling the Board and the public is that again, *they're incapable of performing their jobs*; jobs they’ve recreated that should be performed by Washoe County rather than IVGID! Allegedly staff used to have an employee doing the work Clean Tahoe proposes doing but the position has remained vacant for 15 months because a former employee

¹² Go to <https://www.yourtahoeplace.com/public-works/about-public-works/solid-waste-services>.

¹³ Go to <https://www.leg.state.nv.us/nrs/nrs-318.html#NRS318Sec116>.

¹⁴ Go to <https://www.leg.state.nv.us/nrs/nrs-318.html#NRS318Sec142>.

¹⁵ See ¶3 at <https://www.leg.state.nv.us/nrs/nrs-244.html#NRS244Sec137>.

¹⁶ See ¶4 at <https://www.leg.state.nv.us/nrs/nrs-244.html#NRS244Sec137>.

decided to eliminate the position! If staff thinks the position is now vital and it cannot fill it within a 15 month period, ***the problem isn't finding a suitable employee. IT'S STAFF!*** To quote from the movie *Ferris Bueller's Day Off*, "wake up and smell the coffee Mrs. Bueller!"¹⁷

Furthermore, if staff are proposing we outsource this vital function, *I say outsource the entire function*. The cost will be lower and the work product will be vastly enhanced. Create an Request For Proposals ("RFP") and let's see what proposals we get.

In fact. I say take it one step further. Just because we have a power doesn't mean we are required to exercise it. I say turn trash collection over to Washoe County. Let the County deal with the issue and remove us from the subject matter altogether. We don't need to become a larger and larger footprint on the Tahoe Basin. We need to become a smaller one.

And You Wonder Why Our Trash Disposal Rates Which Finance This Waste Are Out of Control? I've now provided more answers.

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

¹⁷ Go to <https://getyarn.io/yarn-clip/8ecff1be-781e-4e32-9203-b49c12b251bd>.

WRITTEN STATEMENT TO BE INCLUDED IN THE WRITTEN MINUTES OF THIS MAY 12, 2021 REGULAR IVGID BOARD MEETING – AGENDA ITEM J(1) – GRANITE CONSTRUCTION’S, AS CONSTRUCTION MANAGER AS AN AGENT AT RISK (“CMAR”), INITIAL PRESENTATION INsofar AS CONSTRUCTION OF PHASE 2 OF THE EFFLUENT EXPORT PIPELINE AND POND LINING PROJECTS ARE CONCERNED

Introduction: At the IVGID Board’s January 28, 2021 meeting, at the urging of staff, the Board approved entry into a nearly \$370,000 contract with Granite Construction¹ (“Granite”) to perform pre-construction services associated with Phase II of the effluent export pipeline and pond lining projects². Irrespective of the fancy language and number of tasks identified, those services expressly consisted of³:

1. Selecting a design engineer for both projects [task 2(E)] at a cost of \$12,800;
2. Setting the parameters for design documents [task 5(B)] at a cost of \$102,760;
3. Reviewing the schematic design(s) created by others [tasks 4(C) and 4(D)] at a cost of \$18,512 and possibly [task 5(A)] an additional cost of \$52,816;
4. Creating a RFP to possibly select and enter into one or more contracts with one or more subcontractors to actually perform project work [task 4(B)] at a cost of \$5,734;
5. Marginal other works such as budget verifications, proposing cost reductions, innovations and risk mitigation [task 3(B)] at a cost of \$35,780 as well as preparing preliminary cost estimates [task 3(C)] at a cost of \$30,616; and,
6. Giving Granite an unfair advantage over other contractors by paying it \$52,280 to create a guaranteed maximum price for the effluent export pipeline project [Task 6(A)], and an additional \$57,400 to create a guaranteed maximum price for the pond lining project [Task 7(A)] – i.e., paying Granite to prepare and submit a “guaranteed maximum price” bid.

I argued against entry into this contract for a variety of reasons, the most compelling being that the scope of work identified was unnecessary and a complete waste of money inasmuch as we

¹ See pages 161-172 of the packet of materials prepared by staff in anticipation of the Board’s January 28, 2021 meeting [“the 1/28/2021 Board packet” (https://www.yourtahoepace.com/uploads/pdf-ivgid/0128_-_Regular_-_Searchable.pdf)].

² See pages 167-170 of the 1/28/2021 Board packet.

³ See pages 488-489 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.yourtahoepace.com/uploads/pdf-ivgid/0310_-_Regular_-_Searchable_Part2.pdf)].

already had design engineers for both projects, we *already* had set the parameters for design documents⁴ insofar as both projects were concerned, and we *already* had pricing which was arguably acceptable to staff⁵. The only reason the Board did not move forward with both of those contracts at the time was because it wanted Trustees Wong and Dent to help staff draft a “scope of work” so that staff could devote its efforts to seeking a construction manager to oversee both projects (and not necessarily a CMAR), via Request For Proposal (“RFP”) or Request For Qualifications (“RFQ”)⁶. But insofar as the identity of design consultants, estimates of cost, and actual design contracts were concerned, *they already existed!*

And now at a wasteful cost, the loss of precious time⁷, and what undoubtedly will be at a higher cost, it turns out the validity of my objections have been confirmed by Granite. And that’s the purpose of this written statement.

“Granite Recommends Selecting HDR as the Lead Design Engineer For the Project’s Pipeline Portion:”⁸ DUH!

⁴ At the Board’s February 26, 2020 meeting staff presented two proposed contracts for adoption by the Board relating to design of the two projects the subject of the Granite contract: 1. An Effluent Storage Pond Lining Surveying and Design contract with Jacobs Engineering, Inc. (“Jacobs”) at a cost of \$256,300 [see pages 9-12 of the packet of materials prepared by staff in anticipation of the Board’s February 26, 2020 meeting {https://www.yourtahoeplace.com/uploads/pdf-ivgid/BOT_Packet_Regular_2-26-2020.pdf (“the 2/26/2020 Board packet”)}]; and, 2. An Effluent Export Pipeline Design services contract with HDR Engineering, Inc. (“HDR”) at a cost of \$161,634 (see pages 22-34 of the 2/26/2020 Board packet). The reason the Board did not move forward with both of these contracts, is because it wanted Trustees Wong and Dent to help staff draft a “scope of work” so that staff could seek a construction manager (not necessarily a CMAR), via RFP or RFQ, to oversee both projects [see page 330 of the packet of materials prepared by staff in anticipation of the Board’s March 11, 2020 meeting {https://www.yourtahoeplace.com/uploads/pdf-ivgid/3-11-2020-BOT_Packet_Regular.pdf (“the 3/11/2020 Board packet”)}]. But insofar as design consultants, estimates of cost, and actual design contracts are concerned, *they already existed!*

⁵ See pages 490-491 of the packet of materials prepared by staff in anticipation of the Board’s March 11, 2020 meeting [“the 3/11/2020 Board packet” (https://www.yourtahoeplace.com/uploads/pdf-ivgid/3-11-2020-BOT_Packet_Regular.pdf)].

⁶ See page 330 of the 3/11/2020 Board packet.

⁷ Yesterday (May 11, 2021) our export pipeline experienced another break necessitating band-aid repairs under SR-28.

⁸ See page 120 of the packet of materials prepared by staff in anticipation of this May 12, 2021 meeting [“5/12/2021 Board packet” (https://www.yourtahoeplace.com/uploads/pdf-ivgid/0512_-_Regular_-_Searchable_-_Part_1.pdf)].

And What Do You Think the Current Cost is Going to Be? Listen to Granite: “Granite recommends providing and analyzing multiple preliminary cost estimates based on...preferred design alternatives.”⁹ Translation: You can throw out HDR’s February 26, 2020 \$161,634 contract price because it’s going to be *more* (thank you very much staff)!

“Granite Recommends (Selecting) Jacobs as the Lead Design Engineer For the Pond” Project:¹⁰ Ditto DUH!

And What Do You Think the Current Cost is Going to Be? Listen to Granite: “Jacobs performed preliminary design and costs estimates in 2018. These may not reflect the current construction costs and/or material solutions available in today’s market. (Thus)...we recommend...Jacobs complete preliminary cost estimates.”¹⁰ Translation: You can throw out Jacobs’ February 26, 2020 \$256,300 contract price because it’s going to be *more* (thank you very much staff)!

Moreover, Granite in Essence Concludes That We Can Forget About Co-Location of Any of Our Replaced Pipeline Under the Tahoe Transportation District’s (“TTD’s”) Shared Use Path: Again, listen to Granite: “Granite is aware that there have been...discussions as well as preliminary evaluations between IVGID and...TTD with regards to the feasibility of co-locating portions of the IVGID pipeline within the future SR-28...East Shore Trail alignment...Further analysis would need to be done to verify preliminary cost savings estimated by IVGID and TTD (and regardless,) it appears the timing of IVGID’s pipeline project does not align with the trails future construction.” Moreover, “conversations with TTD have led (Granite) to understand that complete funding for the shared use path has not yet been secured, potentially further delaying the...project.”¹¹

Based upon the above factors, Granite concludes that ***“it may (very well) be in the best interest(s) of the IVGID Project to proceed with IVGID’s proposed pipeline project independently of co-location.”***

Thank you stupid staff and stupid trustees Wong and Morris for leading us down this wasteful rat hole!

Moreover, Granite in Essence Concludes That the Cost to Trench the Newly Aligned Pipeline is Going to Total Millions of Dollars More Because Previous Assumptions Insofar as Solid Rock Removal Were Unrealistic: Again, listen to Granite: “Preliminary estimates provided by HDR concluded that rock will be encountered within the pipe trench zone along (only) approximately 5% to 10% of the alignment. (But)...Granite has concerns...based on our previous experience. We have encountered solid rock of varying degree in most of the trenches excavated along SR 28...We also believe that blasting may not be feasible (n)or...allowed due to the proximity of the existing pipeline and NDOT requirements. (Therefore)...we feel a more realistic assumption is that rock material will

⁹ See Page 132 of the 5/12/2021 Board packet.

¹⁰ See Page 135 of the 5/12/2021 Board packet.

¹¹ See Page 126 of the 5/12/2021 Board packet.

need to be removed by mechanical means or by using expansive grouts and hydraulic rock splitters (which will)...***dramatically increase construction costs and time required to install new...pipeline... segments.***"

Conclusion: We now see that the CMAR contract is a waste because it provides no real services we require prior to entering into one or more contracts for actual construction. And the added costs we have incurred because of the delay in selecting/involving the CMAR have greatly increased our costs.

And You Wonder Why Our Sewer Rates Which Finance This Waste Are Out of Control? I've now provided more answers.

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