

MINUTES of the NEVADA COMMISSION ON TOURISM
September 24, 2019

The Nevada Commission on Tourism held a Commission meeting at 1:00 p.m. on September 24, 2019 at 401 N. Carson Street, Carson City, NV 89701 and by phone conference.

Call to Order

Lt. Governor Kate Marshall, Chair, called the meeting to order at p.m.

Commissioners Present:

Lieutenant Governor Kate Marshall, Chair
Cindy Carano, Vice Chair
Phil DeLone
Herb Santos, Jr.
Brian Krolicki
Cynthia Mun
Pam Robinson
Edward Estipona
Bob Stoldal

Commissioners who are absent/excused:

Richard Arnold
Mike Vaswani
Steve Hill

Staff present:

Brenda Nebesky, Deputy Director
Emmy Kawchack
Yennifer Diaz
Henna Rasul, DAG
Dee Chekowitz-Dykes
Kate Wilson, Lt. Governor's Office

Guests present:

Fletch Brunelle, LVCVA
Bill Arent, City of Las Vegas
Charles Johnson, Johnson Consulting
Phillip Brohn, Fisher Brothers, Area 15
Allison Carpenter, Brand USA
Dillon Hosier, IACAN

Guests, continued
Tiffany East, East PR

Roll Call and Determination of Quorum

MARSHALL: All right, it is 1:00, so I'm going to call the Nevada Commission on Tourism to order for Tuesday, September 24th at 1:00 meeting. If the Secretary could please tell me whether the meeting was properly noticed and posted?

DYKES: Dee Dykes, for the record. I can verify that the Agenda has been posted at eight locations and onto websites per NRS.

MARSHALL: Thank you. Can you please do roll call.

NEBESKY: Lieutenant Governor Marshall?

MARSHALL: Here.

NEBESKY: Commissioner Carano?

CARANO: Present.

NEBESKY: Commissioner DeLone?

DELONE: Present.

NEBESKY: Commissioner Hill?

BRUNELLE: Fletch Brunelle is here for Mr. Hill.

NEBESKY: Wonderful. Herb Santos?

SANTOS: Present.

NEBESKY: Commissioner Vaswani? Absent/excused. Commissioner Krolicki?

KROLICKI: Participating by telephone today.

NEBESKY: Thank you. Commissioner Mun?

MUN: Present.

NEBESKY: Commissioner Robinson?

ROBINSON: I am here.

NEBESKY: We do have a quorum, Lieutenant Governor.

MARSHALL: Thank you. Did you want to call the non-voting members?

NEBESKY: Yes, I – let me do that, I apologize. Commissioner Estipona?

ESTIPONA: Present.

NEBESKY: Commissioner Arnold? Absent/excused. Commissioner Stoldal?

STOLDAL: Present.

NEBESKY: Thank you.

MARSHALL: Okay, thank you. So, that was Agenda Item A. We have a quorum. Now moving to Agenda Item B, you will notice that there are two opportunities for public comment, at the beginning and at the end, so is there any public comment in Vegas? All right, hearing none, is there any public comment on the phone? All right, is there any public comment in Carson?

NEBESKY: For the record, Brenda Nebesky, no, there is not.

Approval of Minutes

MARSHALL: Okay, thank you. There will be another opportunity for public comment at the end. So, moving on to Agenda Item C, Approval of Minutes. Are there any edits, additions, you know, commentary, what have you, on last meeting's Minutes? All right, hearing none, I'll take a motion.

ROBINSON: I move to accept the Minutes.

CARANO: Second.

MARSHALL: All right, I have a motion and I have a second. Is there any discussion? All right, hearing none, all those in favor of approving the Minutes, say aye.

GROUP: Aye.

Introduction & Summary of the Nevada Revised Statutes Governing Tourism Improvement Districts and the Nevada Commission on Tourism's Role

MARSHALL: Any opposed? Motion carries. I always love the way it moves so fast in the beginning. All right, Agenda Item D, do we have Counsel to the Commission on Tourism, if they could come, because we have something coming up that is not a common agenda item, and so could they come up and talk a little bit about what our role is.

RASUL: Thank you, Lieutenant Governor. For the record, Henna Rasul, Senior Deputy Attorney General. I am here on behalf of Sarah Bradley who is typically your Counsel. She briefly was able to go through this item with me yesterday, and it's my understanding basically that the focus is going to be on NRS 271A subsection 6 that will guide you, and it's more clearly described in the next Agenda Item E2.1. That's basically what will guide you as far as your motions will be concerned.

Then the next statute that you will be reviewing that's pertinent to E2.2 is explained in more detail in that section. Once you approach these E sections I can give you further guidance if you do need that.

MARSHALL: This is Lieutenant Governor Kate Marshall. I think you were referring to NRS 271A.

RASUL: Yes.

MARSHALL: .80.

RASUL: Oh .80, sorry, yes.

MARSHALL: Okay. So, could you please talk about what the Commission is required to do for purposes of the next Agenda item under the statute?

RASUL: It's my understanding that pursuant to that statute, Subsection 6, there should be a proposal or an analysis that was done, and the Commission is now going to review that proposal and either agree with it or not. Basically, what they're going to look at is whether a preponderance of the increase in the proceeds from sales and use tax identify pursuant to Subsection 5 of the statute will be attributable to transactions with tourists who are not residents of the state.

MARSHALL: Okay. Do we have any other comments, questions, on Agenda Item D? Okay, thank you very much for that information. I appreciate it. In your packets, guys,

you will see that you have the statute in front of you to refer to for the Commission's understanding, better understanding, of what their role is in this.

Public Hearing Regarding the Proposed Tourism Improvement District for Area 15, Las Vegas, Nevada

MARSHALL: Okay, moving on to Agenda Item E, this is opportunity for the Tourism Commission to hear about the proposed Tourism Improvement District for Area 15 in Las Vegas, and I believe we have a presentation.

ARENT: Good afternoon, Lieutenant Governor, Madame Chair, members of the Commission. I'm Bill Arent, Director of Economic and Urban Development for the City of Las Vegas. I do have a PowerPoint presentation which I think is fairly succinct to explain what we're seeking from the Commission and explain the projects.

Again, I'm Bill Arent, Director of Economic and Urban Development with the City of Las Vegas. Why we're here today is the Tourism Improvement District statute, which was referenced in the previous agenda item, requires a specific process outlined in state law when a project is seeking an incentive known as a Tourism Improvement District Incentive.

It's also commonly referenced in Nevada as STAR Bonds, which is acronym for Sales Tax Anticipated Revenue Bonds. But the statute specifically is Nevada Revised Statute 271A, and this is a part of the process as I'll explain during the presentation. But before I explain exactly what we're seeking today, I wanted to give an overview of the project of what is known as Area 15.

We do have a representative of the project sponsor and developer, Philip Brohn, from Fisher Brothers who is attending the hearing in Las Vegas and can answer any detail questions about the project. The statute requires actually a municipality or a local jurisdiction to actually sponsor legislation through a process to consider a Tourism Improvement District so we're actually appearing on behalf of our project sponsor.

This project is known as Area 15. It's gotten a lot of press recently because one of the anchor tenants is Meow Wolf, which is an artist collective from Santa Fe, New Mexico, and is expanding nationally and potentially internationally and is seeking to locate in this project.

The project itself is in Las Vegas, in the resort corridor. It is a 15-acre parcel of land which is immediately south of the Palace Station Hotel Casino campus on land that's owned by the Fisher Brothers. And the project features 126,000

square feet of leasable retail space which includes space for Meow Wolf. It includes indoor and outdoor event space. It includes food cart and retail kiosks, onsite kitchen and commissary as well as parking.

This is showing the location of where the project is, and I think this map is really illustrative of the fact that this is in the heart of the tourism corridor and the project is really seeking to attract visitors not only from Las Vegas but also from out-of-state visitors to come visit the project.

This is a closer drill down map of where the project is situated. So, you see here Interstate 15 to the east. You see here to the south the Desert Inn Road flyover arterial and then you see there to the north Sirius Avenue. So, this is in a largely underdeveloped area which is an older, industrial, commercial corridor in the heart of our city.

So, what is a Tourism Improvement District? It allows a project that is seeking to develop an out of market retail experience to capture a portion of new sales tax generated within the district. So, this is showing a map, or I'm sorry, a chart of what portions of the sales tax would be captured by the district.

You see here specific tax rates, and this is a portion of the total sales tax rate in Clark County which currently is 8.25 percent, and it shows what portions of the sales tax the district captures. And so, this is all by statute. It wasn't negotiated with the project developer or by the city. It is all outlined in statute.

And you see here there are three specific line items which are captured, and again, this is new sales tax generated on site within that specific site that was identified on the previous map. You see here the top line which is sales tax. That is the 2 percent tax that's levied for going to the state general fund. Then you see here a half percent rate which is for a basic city/county relief tax. And then you see here a 1.75 percent which is a supplemental city/county relief tax.

By statute the district captures 75 percent of those tax rates. On the right-hand column of that 2 percent, 75 percent is one and a half, and on down the line with the half percent, 75 percent being the three-eighths, and then you see there one and three-quarters, and what that percent is. So, the gross effective sales tax rate for the district, for the TID, is 4.25 percent. And that approximately is 3.19 as you see there outlined.

There is an administration fee that is authorized by statute which state taxation can basically keep back from the district equal to 1.75 percent against the eligible revenue from the district. So, when you subtract that, out the net tax

rate going to the district is 3.13 percent, and that's 3.13 percent of gross sales and only sales tax that is generated on-site by the project. So, our project sponsor, Fisher Brothers, has asked for a Tourism Improvement District incentive.

The statute allows the district to be created and capture sales tax for a period of 20 years. As a matter of policy in looking at what the overall costs of the project is, the benefit of the project to the community, the benefit of the project to all the local, state and local tax jurisdictions, and the fiscal impact of the project, we at the City of Las Vegas felt it was a matter of good policy to set a cap or a ceiling on the amount of sales tax that could be staying within the district.

And so, this was done at the discretion of the City of Las Vegas in cooperation with our project sponsor. And so, what we are proposing is that the district would receive the lesser of that amount authorized by statute or a maximum annual contribution from the district of \$688,000.

The reason we picked that number is there is a study done by a consultant, Charles Johnson Consulting, and their principal, Charles Johnson, is here with in Carson City today, that projected what the total sales tax would be generated onsite from the project, and it was project that in a stabilized year, meaning when all the retailers are there, they're up and running and they're realizing normal operations, that it would generate the potential of \$688,000 annually.

The idea behind this ceiling is if revenues fall below the projection the developer would get the benefit of that 3.13 percent. If revenues exceed projections, then that benefit would be capped. It would be a hard ceiling. That would be a contract that the city would enter into with the project developer and sponsor, and so any excess above in that would be remitted back to the state and state taxation.

We think this is good policy and it allows all the jurisdictions throughout the state to budget what the impact of this project would be. The district would be on a pay-go or pay as you go basis. And so, I mentioned earlier that this incentive has been known in Nevada as STAR Bonds or Sales Tax Anticipated Revenue Bonds.

The statute authorizes and allows the sponsoring jurisdiction, in this case for this project, it would be us, the City of Las Vegas, to issue bonds, basically monetizing that future sales tax revenue stream. We believe given the scale of this project the investment that the private sponsor is making, that it is not

needed to do bonds and the developer has agreed with that, so the City of Las Vegas will not be issuing bonds for this project.

Again, that will be memorialized in contracts directly between the City of Las Vegas and the project sponsor. So, that also minimizes the risk to the city and to taxpayers that if we issue bonds in anticipation of revenue accruing to this district, ultimately, we don't know what that revenue will be. It's anticipated revenue, so we will pay that revenue annually as it's collected.

If you can picture the flow of revenue would be, retailers are open, they would remit their sales tax receipts directly to the state, state taxation, just like all retailers do, and then the TID eligible retailers, those that are new into the district, would be identified by state taxation, and the portion that is attributed to this district, that 3.13 percent, would be captured by taxation, sent back down through the City of Las Vegas so that it would be ultimately an agreement should you approve it today.

And then the city of Las Vegas approves the district, state taxation would remit the TID, the district eligible revenue, back to the City of Las Vegas, and then the city would reimburse it directly into the project to offset project costs.

Also, we are limiting this district to this Phase 1 project which was that 15-acre site. The developer has acquired a lot of real estate around that project. We believe that this is enough of an anchor to catalyze other development and investment in the area, and the developer does have plans for future phases. We are not proposing to divert or capture any of those future sales tax revenues from any future phases. It's just this initial phase which is on that 15-acre parcel of land.

So, coming back, why are we here today, why are we here before the Commission? In statute there's a requirement that the City of Las Vegas find, and this is the section in statute. Would the project result in retailers locating in the district, creating a substantial increase in sales tax revenue with a preponderance of that increase being attributable to non-Nevada residents.

Your legal staff correctly pointed out that your charge is actually the very next subsection, Subsection 6, and that calls for the Nevada Commission on Tourism to hold a hearing regarding this same item. So, we do have our consultant here. I'm going to cover these slides and then refer to our consultant if you have any technical questions about the study.

But the statute requires that the City of Las Vegas hire a consultant from a pre-approved list of Tourism Improvement District Consultants that are approved by the Nevada Commission on Tourism. So, we sent out a request for solicitation for all the TID approved consultants that the state has, and Johnson Consulting submitted a proposal and so we entered into a contract with this consultant. The project developer has agreed to reimburse the city's expense for this, but this consultant is already on a pre-approved list.

And so the consultant, Johnson Consulting, found a methodology to determine both the economic impact of the project, and you see here, I apologize, it's a little bit small print. I'm not sure if you can see this, but all the program elements, what is on site, the anchor attraction, the retail, the event space, parking, then what revenue that will generate, what that will look like as total visitors to the project, and then what of those visitors what is the visitation spending from our average visitors that come to Las Vegas.

And that generates an economic impact to the project from direct and indirect and induced spending as well as the fiscal impact of the project. So there is a preponderance conclusion found in the final study that Johnson Consulting did, and this is verbatim in the study, that "The preponderance of sales tax revenues from on-site spending at this project, Area 15, is expected to be generated by non-Nevada residents visiting Las Vegas accounting for 57.2 percent or just under \$400,000 in a stabilized year across all the various uses onsite at Area 15."

Over a 10-year period then that \$400,000 annually accumulates to a \$4M number. The district itself is proposed to be a 20-year so you would just have to double that getting to an \$8M impact. And that's again the conclusion that Johnson Consulting found.

This chart, the Sales Tax Projections, shows all the tax money coming into Clark County from this project. So, I'm going to highlight item, or I'm sorry, year 2024. So this shows a projection again based on the project and what is being proposed, how much sales tax revenue will be generated directly by the project.

2024 was determined to be the stabilized year, so if you look at that year, in that year, the total amount of sales tax generated on-site by the project is a little over \$1.8M. And then you see there of those amounts, what goes to the other jurisdictions.

And so, you see here of that amount, if you look at the second highlighted bar, that second highlighted bar shows a number of 688. That's intended to reference \$688,000 that would be generated for the district. In other words,

that's the \$3.13 percent. So, if you think of the 8.25 as the total sales tax paid, the 3.13 is the \$688,000.

Where are the other monies going that are not captured by the district? You see here the option tax, which is the local tax as well as the local school support tax. So those are two pieces of the sales tax paid by all the retailers on this project that is not going into the district. So, zero dollars from local school support tax is captured by the TID, zero from the option tax.

So of that \$688,000, one way to think about it is if this project moved forward without a district and again the developer is seeking this incentive in order to move forward with it, the project, and but for this incentive the developer would not be able to move forward according to the developer at the scale that's being proposed, but if this project was built without this incentive, of that \$688,000, that 2 percent, which is the sales tax which would otherwise go to the state general fund, that amount is \$439,000 annually.

With the TID that \$439,000 is split up two ways, \$329,000 or 75 percent of that would go to the district and then \$110,000 would go back to the state. So there is a portion again of that state sales tax component, the 2 percent, and then the basic city/county relief tax and the supplemental city/county relief tax that is essentially captured by the district.

You see here the benefit and the scale of the project though. With this project, with the new taxes being generated, over that 10-year period, \$5.8M in new taxes coming directly into the account for the local school support tax.

This is a case, and the idea and the philosophy behind this incentive is but for this incentive this kind of project where tourism in Nevada would not happen or would not happen at this scale. And that way we're generating a lot of new taxes, some of this stays and is captured by the TID, some of which goes to all the other tax jurisdictions.

This slide shows how the 57 percent was determined, so you see here the amount of spending, again which is from all of the uses combined. You see here the direct spending, and this is across all areas, so it includes retail, it includes tickets, it includes hotel nights, and you see here the total spending, the total economic impact.

And then you see here the bottom-line impact on the retail tax benefit, again being the \$688,000 net new fiscal impact. Those are net new dollars coming into the state that would otherwise not come in. That's \$394,000 annually, so think

of it roughly \$400,000 annually in new taxes coming into the state that otherwise wouldn't come in above and beyond what stays within the TID district.

Again, here you see total estimated spending and the tax benefit across the entire project, not just for the anchor, Meow Wolf, but from all the retail, the events and the entertainment space on-site.

The prior step to this, the city council met on August 7th, the Las Vegas City Council adopted a resolution to make similar findings that you're being asked to make. Resolution R-39-2019 at the Las Vegas City Council on August 7 made the findings that as a result of the project retailers will locate their businesses in the district and there will be a substantial increase in new sales and use taxes from those retailers, and then finally a preponderance of that increase will come from people who are outside Nevada, Nevada tourists.

So where we're at in this process, we've gone through a public notice and hearing process at our city council. There is an advisory step where we go to the Board of County Commissioners. They heard this item on July 16th and their County Manager, Yolonda King, issued a letter in general support of the project.

There were some concerns noted, but in that letter, it was part of the backup at the city council meeting, they noted their general support for the project and appreciated the policy steps that the city took to make sure the dollar amount was defined and had a ceiling on it.

This findings resolution that the city council adopted was approved on August 7th, so the next step is I'm here before you today seeking your approval of this preponderance finding, and then if you are so inclined to approve, the next step after that would be we have to go back to our legislative body, the city council, and adopt an ordinance by resolution at our upcoming city council meetings to enact the district. Only after these final two steps happen would the district be created.

So again, the action we are requesting today is that you make the determination that a preponderance of the increase would come from non-Nevada residents and you're relying on the study prepared by Johnson Consulting who again is here with us today, and then approve the use of these monies under this statute, NRS 360. This governs the flow of funds. We're not taking the money directly from retailers.

That follows the same path it always follows. Retailers send their sales tax receipts to the state, to state taxation, but then what happens with that pot of money, that new sales tax revenue that's created, that's distributed according to the district between an agreement between Nevada Taxation and the City of Las Vegas, and then we reinvest that back into the project. At that point we would essentially be reimbursing the developer for expenses incurred by the project.

That concludes my presentation. I'm glad to answer any questions about the city's role in this project, our recommendation for approval. Again, our project sponsor is joining us in Las Vegas, Philip Brohn from Fisher Brothers, if you have questions about the project.

We also have the city's legal counsel, Kendra Follette of Sherman and Howard, that was advising us on the legal process. Should you have any questions of a legal nature of me I'm going to defer to Ms. Follette. Thank you for your consideration.

MARSHALL: Thank you. I appreciated that presentation. It was very thorough, and I think it answered a lot of questions. Is there anything that you would like to add?

BROHN: Yeah, I'd just like to thank the city for their partnership and bring this matter forward to the Commission. Sorry, my name is Phillip Brohn, B-r-o—h-n. And I'm representing the developer, Fisher Brothers, Area 15.

MARSHALL: Are there any questions from members of the Commission?

MUN: I do.

MARSHALL: Yeah. Okay, Cynthia Mun.

MUN: Cynthia Mun, for the record. A couple of questions regarding the proposed incentive. You say it's a 20-year Tourism District for 20 years. And then there was this idea of that when it is a normal operating timeframe. What timeframe is that? Is that a year from after it opens, is that two years after it opens? Cause it says it would have some kind of a –

BROHN: Ramp up.

MUN: Ramp up, right, exactly. So when is that?

BROHN: So, for the purposes of this study, Bill, I believe we're referring to 2024 is that year of stabilization.

ARENT: I thank you, Lieutenant Governor and Madame Chair, through you to Commissioner Mun, I'll answer that question two ways. So, first the year 2024 was picked because that was a stabilized year of when they think they'll have full retail sales. But to answer your question more directly, the district is created if and when the city of Las Vegas passes that final ordinance.

So, if the ordinance is adopted October 16th the district would be created. From that point forward the clock starts, and it would be a 20-year period essentially from 2019. So, the project is due to be finished later in the year, November or December is my understanding, so the district essentially would turn on in 2019, run for a 20-year period, so through 2039. The purpose of using that 2024 date was simply to try to come up with a reasonable cap or ceiling on the amount of money going into the district.

In the event that this is wildly successful, and I know our partner in Las Vegas, Mr. Brohn, anticipates it being so, we wanted to know from a budgeting standpoint for Las Vegas where in effect the jurisdiction as well as all the jurisdictions throughout the state, we can budget for this, and we know how much money is coming in, how much money is going out.

The significance of that 2024 year is only meant to show what is the year that we think there'll be a full retail sales year. But the district itself would run from 2019 to 2039.

MUN: Great. Thank you. I'm really excited for this project, but I did have a couple of other questions cause I'm better with numbers of people than numbers in terms of sales and all that. So, what kind of numbers of visitors do you expect in terms of like how does that ramp up.

BROHN: Madame Commissioner, Philip Brohn, here for your question. The baseline that we are looking at relates primarily to our anchor tenant, and that's Meow Wolf currently in Santa Fe. They are tracking 450,000 visitors annually. There's a belief that will be substantially increased, potentially as much as a million. So, we believe it's a million plus in terms of annual visitors. Once again, not from day one. There will be a built up to get to that point.

MUN: Is that the number you used for the projections?

BROHN: You know, I would defer to potentially Mr. Johnson in terms of what number is actually stipulated in the report.

MUN: I mean projections are such that you can use any number and you can project, right, so I just needed to know like where did we start?

BROHN: Yeah, I think Mr. Johnson can speak to the methodology and be helpful to you.

JOHNSON: Hi, Charles Johnson President of Johnson Consulting. Yes, we componentized the demand and analyzed it. We have a 750,000 stabilized attendance at Meow Wolf and big picture we have another 200,000 to 250,000 people visiting the grounds for shopping, for entertainment, as well as the social and entertainment space that is provided there. And then we used that as our basis for our collections, and if it's higher than that, then so be it.

MUN: Great, so it –

JOHNSON: [crosstalk] it gets earn out on what he generates up to that ceiling.

MUN: So you would say that's more of a conservative number?

BROHN: We would hope that's conservative. We would like to beat it from the developer's perspective.

MUN: Right.

MARSHALL: Thank you very much. Are there any other questions from the Commissioners?

DELONE: I'd like to call for the questions, Lieutenant Governor, if we can introduce a motion unless there is other questions.

MARSHALL: Who was that that made a call for questions?

CARANO: Actually, that was Phil DeLone. And this is Cindy Carano, and I have a question about the actual computations here.

MARSHALL: Yes.

CARANO: Do you include not only retail, but admission tickets in the retail price – taxes?

ARENT: Thank you, Lieutenant Governor and Madame Chair, through you to Commissioner Carano. The Tourism Improvement District, that \$688,000

number is only retail sales. That does not include ticket tax; it does not include overnight lodging. There are other exhibits in the study itself in order to determine the total fiscal impact to the state. You, of course, have to factor in all those other revenues coming in from overnight lodging, from ticket sales, from other modified business tax and so forth.

So, there are other tax revenues, public tax revenues, coming into the state, but for the purpose of the Tourism Improvement District, it only captures retail sales, and it only captures that percent that's stated in the statute and it only captures on-site, meaning on the project, that 15-acre parcel.

CARANO: Okay, thank you. That's what I thought. And secondly, I have a question about your marketing to the tourists, the out-of-state, how is the corridor, how do these people get to this area? It seems to be on the other side of the freeway, and I'm not familiar with that area at this time.

ARENT: Thank you, again, Madame Chair, through you to Commissioner Carano. I think this is against the resort corridor, but you're right. It is kind of a challenge because it's on the west side of the 15, so you have the arterial that flies over, you have the Sahara to the south. There is some new improved access southbound Rancho because of Project Neon.

You can actually get behind or east of Palace Station, so you can get to the project site through there, so I think the main entrance would likely be off of Sahara coming off the Resort Corridor.

But that is a challenge, and I think one of the reasons why our project sponsor has asked for help is they have to get their consumers to this site, so it's not on the Las Vegas Boulevard, but it is in the Resort Corridor. I don't know – Philip, I'll ask Philip Brohn as the project sponsor, I don't know if you have anything to add.

BROHN: Sure. Thank you, Mr. Arent. Yes, absolutely, there is – it's not an easy site to locate, Philip Brohn here for the developer. We believe rideshares will be an important element of getting folks to the site, and we're working with some partnerships with major rideshare companies to highlight and market Area 15 to Strip visitors. It will also entail shuttle buses, and we have plentiful parking in which people want to drive their own vehicles as well.

MUN: This is Cynthia Mun for the record. What's the projected like budget for this entire project?

BROHN: Yes, so I'm not in a position to [inaudible]. It's a substantial investment, and it's a new category, so we're putting a lot of money investing in this to make a success.

MUN: Okay. Thank you.

SANTOS: Madame Chair, Herb Santos.

MARSHALL: Herb?

SANTOS: Thank you. Herb Santos, for the record. I know when I drove by – I was down in Vegas a couple weeks ago and it sparked my interest, but can you walk me through how you determine the amount of people that are going to be non-Nevada residents that are going to use it? How do you come to that number? Maybe I missed that. I'm not sure how that is determined.

ARENT: Thank you, Madame Chair, through you to Commissioner Santos. I'd like to ask Mr. Johnson to come back up. It's his study that determined the numbers, so the city doesn't play a direct role in that. I'll defer to Mr. Johnson.

JOHNSON: Charlie Johnson of Johnson Consulting. It's actually simple, the methodology that we use. It's very clear what the retail sales are in all of Clark County. We have that data; we know that number from [inaudible] and a variety of other places. We also know that Las Vegas has about 42M to 43M – visitors a year, excuse me.

And so, we're able to calculate what their spin on retail is and relate that to the entire sales volume that happens in the county, and that happens to be 55 percent. So already, just general retail that happens in the greater Metro area is greater than 50 percent or preponderance from out of town.

With that being the case, we then looked at the – we use that as a frame of reference. Obviously, locals will attend this project, but it's our conclusion that we're easily going to meet the standard retail model because of the special, unique nature of this. So we used assumptions that allowed us to gauge over and above what currently happens at the traditional retail level to capture what this would be.

We felt certainly that it's going to be more than just traditional retail. So if you look at the Mob Museum or other museums there which we interviewed to understand where their visitors come from, then we were able to calculate that.

So, we believe that's actually a conservative number. That's the frame of reference.

STOLDAL: Madame Chairman?

MARSHALL: Yes.

STOLDAL: This is Bob Stoldal in Las Vegas. I think you remember I drive by this site nearly every day. And I [inaudible]. I don't want to say this [inaudible], but it's a site truly waiting for development. The buildings there are not being improved. [inaudible] ex-officio, but I would as somebody who's seen this site over the last few years, seen what's happening, I endorse this project. Thank you for your indulgence.

MARSHALL: Thank you, Commissioner Stoldal. Are there any other questions, comments or queries by Commission members?

KROLICKI: Madame Chair, this is Brian Krolicki. Just a quick observation and perhaps a question to our Deputy Attorney General. You know, I only had a few STAR Bond events during my tenure, and yeah, it is an uncommon thing, and I'm wondering if some of the statutes might have changed, but really, and with all due respect to Mr. Johnson and others, no, the estimate of out-of-state versus in-state visitors is an inexact science.

It's somewhat of an art form, but I accept, you know, what I've heard today. But, it is what it is, you just, you know, really can't go beyond there, so there is a leap of faith being made by the Commission.

But I'm wondering in subsequent years, because we've had this conversation about preponderance and what it means and, you know, how to affirm that or stand behind it. Has anything been done to look at the possibility of a claw back in case those numbers didn't hit the preponderance, if that could be determined, but has there been any changes to the statutes in the past few years? Do you understand my question about claw back?

RASUL: For the record, Hannah Rasul, Senior Deputy Attorney General. In looking at the statute that's in front of me, it looks like the last change made to the statute was in 2013, but as far as what the changes are or were, I am not certain because I didn't look into that. As I indicated at the beginning, I'm sitting in for Sarah Bradley who is your assigned Attorney General, so that wasn't an issue or a question she anticipated.

KROLICKI: And my intention isn't to put you on the spot, and I apologize.

RASUL: No, that's fine.

KROLICKI: Just in some of the economic development activities there are claw backs so, you take the leap of faith, but there's, you know, trust and verify, and part of the challenge of these statutes for the sales tax districts, you know, there is no look back period, so there really is a leap of faith.

So, as long as we're comfortable and know that, I still find it, you know, less quantitative than is comfortable for me, but if we have professionals standing behind these numbers, and certainly our colleagues and fellow, folks in Las Vegas believe this to be important in how they wish to use the statutes. You know, I just hate to see any statute be abused in the future or other people climbing on. You know, this should be used in a very measured way.

But if we think that this truly fits the hurdles, you know, subjective to these kind of projects and folks on the ground are comfortable, and the professionals who live and work in Las Vegas are comfortable, that satisfies me. But it is indeed a grey area.

MARSHALL: Thank you, Commissioner Krolicki. I appreciate your perspective and I think it's an important one. Commissioner DeLone called for the question so that is to say then the question is whether this Commission has determined based on findings of the study that a preponderance of the increase in the proceeds from sales and use taxes remitted by retailers within the district that is being proposed would be attributable to transactions with tourists who are not residents of this state.

That's the question asking the Commissioners. If they have no further questions, I would accept a motion.

CARANO: So moved, Cindy Carano.

MARSHALL: Thank you. Do I have a second?

MUN: Second.

MARSHALL: All right, I have a motion and a second. Is there any discussion? Hearing none, all those in favor signify by saying aye.

GROUP: Aye.

MARSHALL: Any opposed? Thank you. Appreciate it. Passed unanimously, and we will move on. Thank you very much. Appreciate it.

ARENT: Thank you, Madame Lieutenant Governor. Thank you, Commission members.

BROHN: Thank you, Madame Chair and Commission members.

Brand USA Update

MARSHALL: Yes, and thank you for coming up to Carson City. It's a long trip. Okay, moving on to Agenda Item F, Brand USA Updates.

NEBESKY: For the record, Brenda Nebesky. As many of you are aware, Brand USA's marketing arm, the US Travel Association, of which Travel Nevada is a board member, and since 2013 we've been making a media buy with them in our international markets to enhance our presence there and expand upon the campaigns that are being executed by our representation in those markets.

I'm going to introduce Yennifer Diaz who is our Market Manager for Latin American, Canada and Australia who will give you some insight into that partnership.

DIAZ: For the record, Yennifer Diaz. Good afternoon, Lieutenant Governor Marshall, members of the Commission. Thank you for being here. Over the past six years Travel Nevada has partnered with Brand USA, and Travel Nevada's partnership with Brand USA has opened additional advertising opportunities that Travel Nevada would not – which would not be able to do on their own or afford on their own.

For fiscal year 2020, Travel Nevada will be investing \$300,000 with Brand USA. The funds will go towards 14 different Brand USA programs which adds to a total value of close to \$1.8M. Each program supports Travel Nevada's overarching key initiatives which are drive international visitation, boost partnership, create and convey value.

I believe you have a copy of all the programs within your packets. The first one listed is the Inspiration Guide, and you should have – we passed around a copy of the Inspiration Guide, what it looks like. It's a really nice inspiration magazine that Brand USA puts together for the entire USA. It gets placed in US embassies and Visa offices. It gets translated into nine different languages and it's distributed in over 40 countries.

That is one big part of our partnership. This year, Lake Tahoe was part of the cover which was a great boost for us. Experience Pages are – we'll be adding five new experience pages within the visittheusa.com website. Those pages will highlight the Neon to Nature Road Trip, Rubies Route, Burner Byway, Great Basin Byway and the ET Highway.

Then we'll also be investing in the USA Discovery Program which is Travel Nevada's old page within the Visit the USA website. And then as always, we partner with Brand USA on these missions and FAMs so that will be a continued partnership that we do which generates additional leads and exposure for us.

Nine Media is an awareness campaign that we'll be doing within Australia. And it will be – it has a composure of print and call to action with Flight Centre and Globus/Cosmos which are two great partners that are constantly promoting the state and report back to us good bookings at the end of every partnership that we do.

TravelZoo is a buyer to consumer multi-channel marketing platform. We'll be featuring five road trips, Pony Express, Cowboy Courier, Free Range Art Highway and the Reno/Tahoe Loop along with the Neon to Nature Experience. That allowed us to partner with our suppliers who, you know, are hoteliers or vendors, to promote their campaigns within the Canadian audience.

Travesias is a luxury magazine within Mexico and it has a controlled circulation generated for high income, high educated readers. The other one that sadly we're going to have to reallocate is UK Thomas Cook Program. As you know, that is no longer a go so we will be reallocating those funds to a different program that is to be determined.

Then we have multiple Multichannel Programs within the countries of Brazil, Canada, China, India, Mexico and Australia. Those are our top key markets to the state and each program has an ability to create awareness, the ability for a call to action. Since the reporting we get back from those programs is great, it allows me to show you the next slide which is the return on investment that Travel Nevada has had over the last three years.

When I first took over the program we were doing okay, but as of last fiscal year, our revenue has grown and our bookings have grown, so we are really excited to always be partnering with Brand USA.

And with that said, I will turn it over to Allison, Allison Carpenter. She is my right hand when it comes to all the programs and selecting what we should be doing, and she'll give you a refresher of what Brand USA is about, and an update of the new programs Brand USA is doing in order to continue promoting the USA.

CARPENTER:

Good afternoon, Lieutenant Governor Marshall and members of the Commission. For the record, my name is Allison Carpenter. I'm the Senior Manager of Partner Engagement at Brand USA based out here in the western US and I work very closely with Brenda and Yennifer.

I appreciate taking a little bit of your time today just to refresh anybody who previously knew about Brand USA or anybody who is new, what we do and how we promote the United States and some of the things that we've got going on in partnership with various states and Travel Nevada.

So, we work very much in partner programs and cooperative marketing, and so with that, we have two main categories that we do, one being Brand USA Originals, so those are the multi-channels and some of the market specific programs that Yennifer was speaking about just momentarily, and Affinity Programs, so those would be say Expedia or Trip Advisor where people are already going there looking to buy travel and so we advertise there as well.

We have three main categories of our campaigns, one being a global consumer campaign and so, we do that as Brand USA. We market all over the US, the five territories and DC. And we do that globally.

And then we have a Travel Trade outreach, so we have representation in offices representing in 13 markets that then cover 40 markets, and so with them, we're able to further inspire and convert people to come to the US, and we work on trade missions and health missions that Travel Nevada joins us with, and then again, the Cooperative Marketing.

Those who aren't familiar with Brand USA and how it's funded, we are not funded by US taxpayers. We are funded by the Electronic System for Travel Authorization. That's also known as the Visa Waiver Program. So anyone who is coming into the United States from one of those particular countries, they fill out a Visa electronically.

Part of those fees go to Homeland Security and part of them go into a pool of funds for Brand USA. But we are also a nonprofit, and as part of our public/private partnership, we actually have to raise contributions to be able to unlock those dollars.

The contribution that we get from Travel Nevada, we then take that and match that to unlock more funds from the pool of funds that are set aside for the Asada and that allows us to continue to add value for your programs, research and so forth.

This is just a little bit of the countries that we have representation. And this represents about over 80 percent of the visitors to the United States.

In the past six years, our marketing efforts have been quite successful. We have over 900 partners that we work with. We've had \$21.8B in incremental spending in the US, which in turn creates a lot of local taxes, Federal and state, and we support about 52,000 jobs annually.

Our role is to inspire people to come to the US, but also to provide opportunities for our partners that they wouldn't necessarily have by themselves, so we have a lot of economies of scale and then we work with the partners to also convert those people who are inspired to come to the US down to the conversion level.

Within our destination marketing, we have several different things that we do from research, website development, product development, trade engagement and consumer and trade messaging.

We have an approach called Many Voices, and it also ties into our Multiple Screen Approach, and so this is when we're doing our global campaigns for consumer. This is the way that we approach our marketing, so we use everything from a mobile device all the way up to giant screen to tell stories about the unique places that people can go in the United States and those experience had in those places. And we use a mix of voices. They could be locals, they could be visitors, category experts or even the creative class.

One of the things that we've done is Hear the Music but also, we've worked on giant screen films, and our latest one is coming out in February, tentatively called *Into America's Wild*.

We also have a consumer campaign called United Stories, and the concept behind this is that with all social media and all the types of content that people are consuming these days and they're consuming it at a vast quantities very quickly, we came up with this concept to have mobile content creation labs and they can create content at the speed of consumption.

We have several vehicles that go around the United States and they film unique stories in different destinations. I would like to thank you for your time.

MARSHALL: Thank you. That was very interesting. I appreciate it. Are there other questions or thoughts from any of the Board members?

ROBINSON: This is Pam Robinson.

MARSHALL: Hi Pam.

ROBINSON: Have any of those vehicles come to Nevada and documented any of our stories?

CARPENTER: Not as of yet, but it's about a two-year program, and so we do roughly two states a month, and I know Brenda and I have kicked around some ideas [inaudible] working with the consumer team to craft what that idea will be for Nevada.

ROBINSON: Cool. Thank you.

MARSHALL: This is Kate Marshall. I just want to say that we have a lot of vehicles like this in Nevada, especially around Burning Man time, so you'd fit right in if you wanted to come.

CARPENTER: Yennifer just reminded me, my apologies, I didn't bring this up earlier, but we're working on a video called Ask a Local, and it's based in the Reno/Tahoe area. So that's something that we are doing here at no additional cost to Travel Nevada to be able to tell unique stories about Reno, Nevada.

MARSHALL: Great. Thank you.

CARPENTER: Thank you.

MARSHALL: Are there questions or thoughts, insights, from Board members? All right, thank you very much for the presentation. I really appreciate it. Thank you.

ROBINSON: Thank you for your time.

Nevada State Center for Tolerance

MARSHALL: All right, moving on to Agenda Item G, we have a proposal to consider supporting the Nevada State Center for Tolerance. Is there someone to make a presentation up in Carson City on that?

HOSIER: Lieutenant Governor, Madame Chair, Dillon Hosier, for the record.

MARSHALL: Thank you.

HOSIER: I'll give a brief reflection if that's okay.

MARSHALL: Thank you. Yes.

HOSIER: Good afternoon, my name is Dillon Hosier, and I serve as the Chief Advocacy Officer at the Israeli American Civic Action Network, an immigrant rights advocacy organization representing over 10,000 Israeli American immigrants here in Nevada.

Today I'm here to speak on Agenda Item G, to urge support for a privately funded feasibility study examining the viability of a proposed Nevada State Center for Tolerance Holocaust and Genocide Educational Resource Center or a museum.

First and foremost, I want to thank Lieutenant Governor Kate Marshall for bringing this item to the Commission. You have the appreciation of Nevada's Israeli American Jewish and Armenian communities for your care, concern and attention ensuring that the state survivors of genocide are not forgotten and that their stories may be preserved for all Nevadans for generations to come. Also, I want to thank the Commission in advance for your consideration today of this important measure.

To provide a bit of background on this item, there's a coalition of the Armenian community down south and the Israeli American community across the state. The Israeli American community here in the state is about 10,000 and there are about 20,000 Armenian Americans here in Nevada.

There was a real desire to preserve survivor history and to educate future generations. And there was a recognition that there was no location here in the state of Nevada to educate about genocide or the Holocaust. Most students were traveling to Los Angeles or to Washington, DC for education.

And most importantly I think as we're all aware, there's been a rise in intolerance and anti-Semitism across the country, and there was a desire to have a center here for education in the state of Nevada.

During this past legislative session, a strong bipartisan group of legislators supported a bill that would have enabled Nevada's Division of Museums to

conduct a feasibility study for a state Holocaust museum. Unfortunately, this was a tough session and the bill didn't make it out of the legislature, and this was one that got stuck.

During session, we had a remarkable hearing that brought together and heard stories of descendants of survivors of the Armenian Genocide, living survivors of the Holocaust and even a Syrian refugee who in recent years saw the gassing of his family in homes in Syria. All of them are Nevadans.

Although the bill to enable the Division of Museums to act failed to make it out of the legislature, today this Commission can help take a step in the right direction to help make this privately funded feasibility study possible.

In anticipation of the first question likely on your mind, if the feasibility study is privately funded why does this coalition of organizations and support need the state's involvement? Fundamentally, we want this to be a form of public/private partnership.

Our primary concern is that if an educational resource center or museum is to be built within the state, we want it to be built using the same professional standards of the existing museum system and in consideration of the public, the potential for visitors or tourism, and most importantly, with the state's public school students in mind.

In addition, and I hope most of you know this already, the state of Nevada has an absolute treasure running the Division of Museums, your Administrator, Mr. Peter Barton, has an extraordinary background with over 40 years of experience. Just as one example, he designed and built the United States Marine Corps Museum in Quantico among many other world class museums across the country.

He understands how to get the job done, how to conduct a proper feasibility study, how to estimate costs and expenses and how to build a roadmap to get from concept to completion to benefit the public.

If this were a purely private enterprise, a museum may get build, but without the involvement of the state, it would likely not educate and inform the maximum number of Nevadans for the Coalition of Organizations. Education and preservation of history is most important to us.

The Division of Museums has a mission. It is "to be recognized as the most trusted stewards and engaging storytellers of Nevada's heritage for the state's

survivors of the Holocaust and Genocide.” We trust you to be stewards of that history. Thank you.

MARSHALL: Thank you for your presentation. I think this is a very important issue, and I think any educational resource centers which can provide awareness and educational opportunities for students and adults is important, especially since there are multiple populations that have been impacted by attempted genocide. Are there any questions or thoughts or inquiries from other Commission members?

STOLDAL: Bob Stoldal, Chairman of the State Museum Board. Just to start off, first of all, I personally support this project. I have a couple of questions. The definition of a feasibility study. A feasibility study can go off in several directions, and the idea that Peter Barton would be involved is certainly a plus, but what is the presenter – are the elements that would be in a feasibility study, at least at this point?

HOSIER: Dillon Hosier, for the record. Our approach would be to work with Peter to understand what those elements would be. He estimated during the legislative session that the total cost would be about \$250,000. That’s money that the Coalition of Organizations is willing to provide to the state to raise.

Mr. Barton had indicated that he would set up an account with the Treasurer’s Office to take those funds into the state and that those funds would be administered through the Division of Museums. We would completely follow Mr. Barton’s lead in determining what the parameters of the feasibility study would be.

STOLDAL: That’s a great start. As you outlined, Peter knows the system and certainly knows Nevada as well. Ultimately, do you know at this point, does your organization have a sense whether or not the goal would be to have this within the state system or simply follow professional rules regarding the museum?

HOSIER: Dillon Hosier, for the record. My understanding is we would want this to be – assuming the results of the feasibility study would bear out the need and the market for a museum, we would absolutely want this to be a part of the museum system established under NRS 381, but we would respect again the outcome of the study if there would be some other outcome, maybe a traveling exhibit or some other thing that we could do through the Nevada State Museum, we would accept that conclusion as well.

STOLDAL: Great. Chairman, thank you so much for that. I appreciate the indulgence and certainly the support the project. Thank you.

- MARSHALL: Thank you. Other questions or comments by other Commission members?
- MUN: Cynthia Mun, for the record. I just want to make sure I'm understanding that basically, the – your organization would pay \$250,000 to the state to have this study made or completed. Is that correct? And that's kind of the succinct summary of what we're trying to do here?
- HOSIER: Dillon Hosier, for the record. Correct. So, we're providing the money; you're providing the expertise.
- MUN: Got it. Thank you.
- WILSON: Kate Wilson, for the record. Just for clarification and I had a chance to speak to Peter about this at length, and I think Mr. Hosier has done a good job of explaining that a lot of the answers will come from the feasibility study, so the involvement of the state, the involvement of the Museums and History Department would be completely dependent upon what came from the feasibility study.
- What became clear during the Legislative session is that again, with sort of the lead of Peter Barton understanding what needs to be in that feasibility study is the experience that they're looking for, but all of the funds would be provided privately.
- MARSHALL: Thank you. Other questions?
- ROBINSON: Pam Robinson.
- MARSHALL: Yes.
- ROBINSON: But I didn't hear, Commissioner Stoldal, are we to assume then after the feasibility study if this goes forward that it becomes part of the state's museum system and built and operated by the state?
- HOSIER: So, our understanding, and this was through discussions through the legislative session, was that again, depending if the feasibility study showed, let's say in optimum conditions, that there was a market, there was enough visitor projections that it would warrant an actual museum, then yes, we would have it be established through NRS 381. I can't remember the subsection that establishes museums. It would be established there.

There was discussion about construction costs and operating costs, but again, that would be a part of the feasibility study. There was some discussion about that being again funded through the public, and as I think Administrator Barton noted, a lot of the money from museums comes through donations and not through necessarily through appropriations. We would look at that through the feasibility study process.

This is just that first step to create a roadmap and kind of a vision of what that would look like, to answer your question.

SANTOS: Herb Santos, for the record. Commission Mun asked you guys fund it and we perform this feasibility study, so my question would be to the Attorney General. Is that something that's allowable for the state to do a feasibility study that's funded privately?

RASUL: Hannah Rasul, Senior Deputy Attorney General, for the record. That is something that I would have to look into or have to defer to Sarah, because it's not something that she told me we'd have to review or look into.

SANTOS: So, Herb Santos, for the record. This is so important. When we have black marks in the history of the world, we have to make sure that our children and their children and their children – it doesn't get swept under the rug, they know about it, so that mistakes and events can't happen again.

I would just want to make sure that that's something that we can do as a Commission using private funds to fund a feasibility study that we're doing. But if that's okay and we're allowed to do that by law, I support that 600 percent.

HOSIER: If I may, Commissioner, through the Chair, Dillon Hosier, for the record, NRS 381.0033 and NRS 381.0035 provide for the Division of Museums to take in private money and to decide through the Board where that money is allocated. So that's currently being done through the Stewart Indian School. It's a similar process that was done there, and also through the Nevada State Railroad Museum.

STOLDAL: I just want to echo the last comment that the State Museum Board is allowed to accept private money under NRS, and this would be the way that that money would be brought into the system, so it is legal, and we've done it before.

MARSHALL: This is Lieutenant Governor, Kate Marshall. I also want to make sure that the Board understands that if the Board brings a motion, it would simply be to express support of this process. We would not be legally authorizing the

process. That has to be done by the Attorney General and the Museum Board and that kind of thing.

I do know that in addition to the Museum Board being able to take in private monies, there are other areas of the state where we can take in private monies to conduct studies as long as the outcome of the study, of course, is not dictated by the private money, that they have to rely on the outcome whichever way it goes, which I believe that Mr. Hosier has stated that however the study comes out, they will abide by that.

SANTOS: Herb Santos, for the record. With your permission I'd like to make the motion.

MARSHALL: If you could, there's a motion kind of discussed on the last page of this proposal, Herb, and I would love for you to make a motion.

SANTOS: Thank you. I would move that we express support of a privately funded feasibility study concerning the establishment of a Nevada State Center for Tolerance Holocaust and Genocide Historical Resource Center or museum which reflects the experience and histories of Nevada's communities which have experienced genocide.

MARSHALL: Thank you. Do I have a second?

MUN: Second.

MARSHALL: I have a motion and a second. Is there any discussion? All right, hearing none, all those in favor, say aye.

GROUP: Aye.

MARSHALL: Any opposed? Motion carries. Thank you very much. I think this was a very important motion, and I appreciate the Board's action on this. Moving then to – sorry, I lost my place here. Moving then to Agenda Item H, Agency Reports.

Agency Reports

NEBESKY: For the record, Brenda Nebesky. Governor Sisolak recently appointed Stacey Montooth the new Director of the Nevada Indian Commission and Stacey is well known for her great work through the Reno/Sparks Indian Colony and we're very proud and happy to have her join the Department in this leadership position. So, I'll introduce Stacey Montooth to meet the Commission and say a few words.

MONTOOTH: Good afternoon. I'm a citizen of the Walker River Paiute Nation and the newly appointed Executive Director of the Nevada Indian Commission. I'm thrilled to be here. As most of you know, the Nevada Indian Commission and Nevada Tourism are connected; we're linked.

When you look at the hierarchy, the org chart for the State of Nevada, the Nevada Indian Commission relies heavily on tourism for infrastructure, for helping from budgeting, just even to IT. We're happy and thrilled with that assistance, very, very grateful for that.

And then, of course, with the rollout of the Stewart Indian School Cultural Center and Museum it makes our connection to tourism even more meaningful.

I appreciate Ms. Brenda allowing me to come and meet you all in person today. It's extremely comforting to see so many familiar faces. Commissioner, you've always been very supportive of all the Reno/Sparks Indian Colony efforts, Commissioner Carano, and we really appreciate that.

I have to have a shout out to my fellow Greenway alum back here, Ms. Jane Moon, again, great to see familiar faces and I stand ready for any questions you might have for me.

MARSHALL: Thank you. Lieutenant Governor Kate Marshall. How are you?

MONTOOTH: I apologize, I've been in this room twice, and I forget to look to my right.

MARSHALL: No worries.

MONTOOTH: Wonderful to see you.

MARSHALL: Yeah, you too. I wanted first to welcome you. I'm very honored that you would choose to become the Executive Director of the Indian Commission. Can I ask you one question? Do you know when the Stewart Cultural Center will open? Is it going to be open this fall?

MONTOOTH: It will be open in December, so let's say this winter.

MARSHALL: Oh, in December, okay.

MONTOOTH: I supposed everyone knows with construction projects, there's always a little bit of room for delays. Our installations are scheduled to start very beginning of November, so we'll be open for certain for at least a week in December,

considering that a soft open with the holidays and whatnot, and of course, who knows what the Nevada winter is going to present to us as far as traveling and hamperance there.

But our alumni are very excited that we will have a really big celebration in the spring. It's actually, you know, consistent with our traditions, big celebration in the spring.

MARSHALL: That's wonderful. You should know that I've had people from other states basically emailing me and asking me about when the center will be open, so what you are doing, the news is spreading far. Thank you.

MONTOOTH: If I may, I appreciate that recognition, but I am 28 days into the job. The former Director, Ms. Sherry Rupert, is the one who deserves the accolades. I just get to come in and smile for the camera and cut the ribbon. All the heavy lifting has already been done.

And I also should mention that again, our partnership, our work with Nevada Tourism is huge from Guy Clifton, Bethany and of course, Brenda, they're all helping us with the rollout. You're absolutely right. There is no other place on the planet that is going to have an authentic experience like the Stewart Indian School Cultural Center and Museum. Thank you.

MARSHALL: Thank you. Other questions or queries from the Board?

CARANO: Hi, Cindy Carano, for the record, and I just want to welcome you. You do have awfully big shoes to fill, but I am looking forward to getting to know you a little bit better and congratulations and welcome to the team. Maybe during that experience, we can play basketball and roll the ball, the roll/pass.

MONTOOTH: Absolutely.

CARANO: I mean maybe I can get some brothers out there to play.

MONTOOTH: Now should we assume that the snickers in the room mean that everybody understands that that was a strategy by my ancestors when they played basketball at the Stewart gym? Not everybody understands that that technique was actually even used against former Governor Sandoval, right?

CARANO: Right. Exactly. He played.

MONTOOTH: Again, thank you for all your support you've shown not just to the Reno/Sparks Indian Colony, but all of our Native communities.

CARANO: I love it. Thank you. I went to the Father's Day Pow Wow, that was awesome.

MONTOOTH: Great, I look forward to seeing you next year.

MARSHALL: Thank you. Any other comments? Thank you. Thank you, again, and thank you for honoring us by taking that position.

MONTOOTH: My pleasure.

MARSHALL: Brenda, did you want to continue with the Agency Reports?

NEBESKY: I will. For the record, Brenda Nebesky. H2.2 is our Quarterly Staff Update. I don't like to just go through the report. I have each of the Department Directors present if there are any questions related to it, we're happy to answer those.

MARSHALL: I agree. That sounds good.

NEBESKY: If not, I do want to just publicly appreciate how much work is represented in each quarter that is done by staff, and I do ask that the report only reflects deliverables. This doesn't include ongoing work, so I just want to say thank you.

MARSHALL: Thank you.

NEBESKY: Item H2.3, the Budget Update, which is in the back of your packets. This is essentially a snapshot of a year over year spending in each of our budget categories for the Division of Tourism. As you can see, we're tracking fairly normally in each.

Maybe the only under spending is in we're a little over in out of state travel. I think that reflects the fact that we have some open positions, one of them being an International Market Manager.

We also have some underspending in the training category. I think that also reflects the fact that we are, you know, missing some people and, you know, we promised to get back up to speed with, especially supervisory training in that category. Are there any questions related to the budget?

MARSHALL: All right, hearing none, go ahead.

NEBESKY: Okay, I'll just continue then. Okay, Item H2.4 which is we have Shari Bombard our Rural Programs Manager, who is going to discuss an error in the grant awards from last fiscal.

BOMBARD: Shari Bombard, Rural Programs Manager, for the record. Previously, when I submitted the grant recommendations, everything is correct, every amount that was allocated to each organization, all of that was correct, but at the very end, the total amount awarded was incorrect.

The spreadsheet had an error within one of the cells, one of the calculating errors within the spreadsheet, so I need to update that amount with a different amount. What happened was the amount that was awarded to the Reno/Tahoe territory was excluded within that formula.

It doesn't really affect anything other than second cycle will get a little less, which is fine. Those applications are due on Friday, and I just checked and we have 393,000 right now along with about 20 open applications, so we really should still be just fine, no problems with that so do you have any questions about any of that?

Again, I apologize. It was completely my – that was definitely a mistake on my end, and it will not happen again. I was mortified as you can imagine. So, is there any questions?

MARSHALL: Questions? Mistakes happen.

BOMBARD: Yeah. Thank you.

MARSHALL: Any questions? All right. Thank you, Shari. I think you're doing a great job.

BOMBARD: Thank you very much.

NEBESKY: Thank you, Shari. Brenda Nebesky, for the record. The next item is the Governor's Global Tourism Summit Update, and we're having the Governor's Conference in Las Vegas this year at the Plaza downtown, and here to tell you some details is our Conference Planner, Tiffany East.

EAST: Good afternoon, Madame Chair and Commissioners. For the record, my name is Tiffany East, and I'm the Conference Planner for the Governor's Global Tourism Summit. And as Brenda mentioned, we will be at the Plaza November 12th through 14th for our conference.

I'm going to give you a couple of highlights, but I first want to thank our Planning Committee, members from the RSCVA, the LVCVA, the staff here. It's been a really nice combination of brainstorming and reaching out, and so I think we've got a really fun agenda planned for you.

Highlights for this include our Meet and Greet, and I just got off the phone literally with Ferguson's downtown. It's the old motel down in downtown and they've got a really fun evening planned for us with entertainment, food and beverages. We'll be one of their first private engagements, so I think that's going to be kind of a neat opportunity for us and to showcase some of the resurgence of downtown.

Our Keynote Speaker will lead off our session on Tuesday morning, and that's Andy Schuon, and he's CEO and Founder of SPKR Inc. He's a media veteran, and he's been in lots of roles including Pandora, MTV and was one of the youngest DJs in LA radio history.

He will discuss music's role in shaping the character of our national and regional destinations. And then we have futurist speaker, author and recognized augmented reality, virtual reality and spatial computing thought leader, Cathy Hackl. She's going to talk about travel transformation, how AR and AI will help shape or reshape travel and tourism.

We've got some sessions on developing new districts with Zappos and the Jacobs Entertainment Group from the Neon Line here in Reno. Commission Phil DeLone and Commissioner Steve Hill will speak to us about things going on in their communities and at their places, the ever-popular sales and media marketplace where people learn and connect with each other and bring opportunities to – find opportunities to bring people to Nevada.

Our Salute to Industries Dinner, we're actually introducing a new award program this year which will be kind of fun. Brenda and I have been working on it, an Industry Partner Award for International Receptors and Tour Operators. And we have a special performance by a group called iLuminate which will be really fun and exciting, so please plan to be there.

Roger Dahl from the US Travel Association will give us an update on Tuesday – or Thursday morning, I'm sorry. We'll have our Media Marketplace. Rafael from the LVCVA will give us an IPW preview, and then we'll have a panel of some of our international offices for lunch. And then – well at lunch, not for lunch. Sorry, we're not eating the panel.

And then Learning Labs in the afternoon about state parks, social media, the value of media trade missions and perfecting your sales pitch.

We're going to wrap up the conference with a really fun panel, the new sports capital of the world, and Lisa Motley from the LVCVA is going to moderate that with Brian Killingsworth from the Vegas Golden Knights, Mark Badain from the Raiders, Peter Dropick from UFC, Desiree Reed Francois from the UNLV, and Paul Chamberlain from Hyper X Esports.

So, is there anything I've missed? Really, really fun. They've asked for networking in our surveys from past conferences. Delegates have asked for more networking opportunities, more information that they can take back and implement into their daily practice, and just more trends kind of information, so I think we're giving them a combination of all of that, and it's been fun to plan. Any questions for me?

MARSHALL: No.

ROBINSON: Pam Robinson. I don't have a question, but I just, having been involved in a number of these, I just want to do a shout out to Tiffany and her team and Travel Nevada and your team because there is a tremendous amount of work that goes into this, and they're really worthwhile conferences, and I hope all of the Commissioners have a chance to attend at least part of them because it is a very worthwhile conference.

EAST: Thank you very much.

NEBESKY: Thank you, Tiffany. I encourage all the Commissioners to attend. Moving on, next item is a marketing campaign update. This sprung from some of the comments and advice in the last Full Commission Meeting in June, and after reviewing the meeting Minutes and speaking with the Lieutenant Governor, we've identified a couple of areas in which we can improve the way we inform the Commission.

What we've done is we've asked the Marketing Subcommittee to meet quarterly in advance of each Full Commission Meeting, and they're going to help us craft a – well two things, they'll report and make recommendations to the Full Commission as they have been, but then also we're going to ask them to help us identify a measurements' strategy, a measurement framework by which we can report to you instead of trying to distill all of the data that Travel Nevada gets, and it's a lot.

We're very data informed. Every decision we make we reference some data point, but we can't possibly have the Commission become all about those statistics. We're going to develop measures by which we can kind of identify what our thought process was because I think that's the other missing piece is, we aren't presenting the process by which we reach those recommendations and conclusions that you're seeing.

Related to both creative development and media buying, in December we hope to come to you with that new formula for how we're going to present that moving forward, and I hope there's more clarity and a better understanding of the decision making.

MARSHALL: Thank you. Are there any questions from any of the Board members? All right, go on Brenda.

NEBESKY: Okay. The next item is an update on the Department Director search. We reposted the job description the first week of September. It will be posted through October 6th. The difference this time from the first time in May when it was posted is because I also posted it on some travel and tourism related industry sites, and then I've also let US Travel Association and the National Council of State Tourism Directors know that we're looking for a Director. I really hope that we'll field some really qualified candidates this round.

The HR team is going to help us, you know, filter the submissions for minimum qualifications, and then they will forward those applicants on to the search subcommittee as happened last time. The timing on all of that moving forward is still up to you, Lieutenant Governor, but we'll be in touch about that, and I'll touch base with HR about at what point we can start forwarding the resumes.

MARSHALL: Thank you.

NEBESKY: I'll update you each individually, all the members of the Search Committee.

MARSHALL: Thank you.

ROBINSON: Lieutenant Governor?

MARSHALL: Yes.

ROBINSON: This is Pam Robinson. I want to clarify that the process is going to be a little bit different, that the subcommittee will not look at all of the second round and make the cuts or not cuts and then recommend. As we did last time.

WILSON: Yeah, so this is Kate Wilson, for the record. I think the only thing, for the sake of expediency, and I think that the Board has discussed this as well. I think the Lieutenant Governor is looking for more on like a recommendation basis than a traditional interview basis.

So we will see what comes through the traditional applications, but since we are – we were able to put the funds forward to do more specific targeting to tourism specific industries that we're hopeful that there will be people who come to the top, but yes, depending on the number of resumes, they will be sent, as Brenda said, to the subcommittees for their recommendations to the Lieutenant Governor.

And assuming that that process is sufficient, then the Lieutenant Governor would go off of those recommendations.

MARSHALL: Again, the people on the Commission, they will be consistently updated with what resumes have been received by Brenda, and if they want to recommend someone they should come forward and do so.

STOLDAL: Bob Stoldal, for the record.

MARSHALL: Yes.

STOLDAL: I just want to walk through that one more time. All of the resumes are going to be coming into the Lieutenant Governor's Office. All of the resumes will be sent out to each member of the Commission, and then the Commission members will simply send the Lieutenant Governor their thoughts?

NEBESKY: For the record, Brenda Nebesky. Commissioner Stoldal, the process will be Agency HR is going to accept all of the submitted resumes and disqualify some based on minimum qualifications within the job description. Those who meet it will then be forwarded to the Lieutenant Governor, or if we identify a process by which they go directly to the search subcommittee, that's fine too, but they won't go directly to the entire Commission, correct?

WILSON: Yeah, Kate Wilson, for the record. It was our intention to continue to use the subcommittee as sort of a conduit and unless there were concerns from the

subcommittee, to elevate it to the full committee, the resumes would just go through the subcommittee to the Lieutenant Governor with recommendations.

STOLDAL: So then the Full Commission will not have a vote on the top three recommended candidates?

WILSON: Unless there is a call from the subcommittee for that. Again, having all of you gone through the last process, you know, there was a need for that full conversation because the subcommittee did not feel comfortable with making that decision.

It is our hope that since we are reaching out to the industry specific sectors, that the subcommittee will feel more comfortable making direct recommendations to Lieutenant Governor and for the sake of trying to find someone quickly to fill this position. For the sake of time, also think that that is useful.

I know that the last meeting we had the Attorney General's Office speak about the process and technically it can be a recommendation from word of mouth, it can be someone in your network, so there is a lot of flexibility for what that recommendation process is, and again, for the sake of expediency we did feel that going through the subcommittee would be quicker and we can sort of defer to them on whether or not it needs to be elevated to the Full Commission.

STOLDAL: Stoldal, again, for the record. I don't remember the members of the subcommittee, but I would want to make sure that any member of the subcommittee or anybody that has under NRS a recommendation or a vote on that, I believe the Indian Commission as well as the Arts Council, that they are either on the subcommittee or they are added to the subcommittee or they receive the applications. They may very well be on the subcommittee. Thank you.

MARSHALL: Yeah, Kate Wilson.

WILSON: Kate Wilson, for the record. Yes, absolutely, and I will triple check with our DAG on that. Again, they have to have the opportunity to make a recommendation to the Lieutenant Governor, but you know, as it stands currently, you are the only member of the ex-officio board who was on the subcommittee.

I can certainly reach out to the other two to ask if they would be interested in doing so. But I will clarify with her on the specifics of recommendations.

STOLDAL: Thank you.

NEBESKY: Thank you. For the record, Brenda Nebesky, moving on to the next item. We do like to keep you apprised of what's going on in the entire department, and so here today is Tony Manfredi, the Director of the Nevada Arts Council.

MANFREDI: Good afternoon. For the record, Tony Manfredi, Lieutenant Governor Marshall, Commissioners, it's my great pleasure to present to you today, queuing up my presentation here very quickly. All right, again, thank you for the opportunity to present to you this afternoon and for your service to our great state.

Arts culture and creativity are significant components that define our rich heritage. As we look back, we can easily find many instances where our creative spirit is permeating throughout the people, places and traditions of so many of our citizens. And yet this spirit is often misunderstood and possibly taken for granted.

As we look to the opportunities of today and towards the future of tomorrow, we must acknowledge that creativity is essential and plays a critical role in sustaining and improving the quality of life, economic development and education of Nevada's communities.

I'm going to provide you with some insight about the critical value and critical need that arts and culture play, how they contribute to our great state and how the Nevada Arts Council does drive some of these outcomes through our partnerships and activities.

As I mentioned, too often arts and culture are placed maybe off to the side, viewed as secondary, nonessential, maybe even as an elective. However, arts are vital, and they provide some really important ways that improve the quality of life throughout our Nevada communities, and they must be fully integrated into our everyday lives.

I ask you to take a look at those four attributes you see on the screen there, creativity, innovation, prosperity and skills. How many of those do you look for in yourself, your employees and your business? The arts make more things possible from better education to greater health outcomes to more civically engaged citizens. I firmly believe that there isn't a challenge we face that the arts can't help solve.

And many Nevadans understand this too. It's evident from a 2018 public opinion survey that was conducted by Americans for the Arts, some numbers here, 76 percent of Nevada adults attended an arts or cultural event during the

previous year. 73 percent agree that the arts are a form of pure pleasure. 73 percent also agree that the arts help them understand other cultures better. And 70 percent of Nevadans believe the arts make them a more creative person.

You've heard a lot of things today about the idea of creativity and people looking at fostering creativity and what it does for our state. The arts are a tremendous driver of creativity. Nevadans believe that the arts have a positive social impact for diverse audiences. 75 percent of Nevadans believe the arts help students perform better academically, 62 percent believe that they help the healing and healthcare experience. And 49 percent agree that the arts are helpful to military personnel as they transition back to civilian life.

Creativity is seen to boost professional success in Nevada. 70 percent say that the more creative and innovative they are in their job, either individually or as part of a team, the more successful they are in the workplace. 61 percent say that their job requires them to be creative and come up with ideas that are either new or unique.

And the arts are good for tourism and economy. This is something certainly near and dear to this Commission. 72 percent of Nevadans believe that the arts industry is good for the economy and supports jobs. This 61 percent is a victim of copy and paste on this slide, so I apologize. The real number is 73 percent of the arts have a social impact improving the quality and livability in their community. And 85 percent of adults are in agreement that the arts attract travelers and are good for tourism.

And speaking of tourism, the arts drive tourism. Another study by Americans for the Arts highlights that 54.2 percent of non-local event attendees said their primary purpose for coming into the region was to attend a particular arts and cultural event.

You can also see that audience spending beyond the ticket price is significant for a community. And think about that amongst yourselves. You may go to an event, you may go out to dinner before the event, you may have babysitters, you may have – you might go out and buy a new outfit. So, there's a wake that happens with these particular events.

A major focus of state arts strategies is strengthening tourism. Many travelers pick vacation spots not only for their natural resources, but for their cultural offerings. Visitors will plan or extend their stay in a particular area because of the area's unique food, history, art or music.

This can be described as cultural tourism. It's a key component of economic growth, offering local communities of diversified and sustainable means for creating jobs and attracting revenue. And there's a mutually beneficial relationship between culture and tourism.

Cultural creates a distinctiveness, to separate itself out from a really crowded marketplace, and at the same time tourism provides an important means for enhancing culture and creating income which can support and strengthen cultural heritage, cultural production and creativity.

The creative sector can support and energize ongoing economic development in both urban and rural places as highlighted on this slide. And most importantly is the last element on this slide, the arts foster community vitality, a desirable quality of life and destination feel that is attractive to residents, businesses and visitors.

You may be thinking that this all sounds great, but how does this really relate and translate to the economy in our state? I mean it's like this. The US Bureau of Economic Analysis cites that seven billion dollars – arts and culture production contributes seven billion dollars to our state, 4.7 percent of our economy and it contributes to over 41,000 jobs. That's real money, that's real jobs, and it's a huge impact for our state.

Another slide here highlights the art businesses and the employment from them in each of our counties. That's 4,942 arts businesses employing 28,551 people. The difference between this slide and the previous slide is that this is really looking at specific arts services, art schools, services, design, publishing, film, radio, TV, performing arts and the like.

We've touched on the value and the significant contributions that arts and creativity provide to Nevada, so how is the state addressing that? Well one way is through the Nevada Arts Council. We are authorized in state statute celebrating 52 years of serving all of our urban and rural areas of Nevada. We're one of 56 state or regional arts agencies in the country, all of whom are insured. Every community receives the benefit of the arts.

How are we funded? We are part of Tourism and Cultural Affairs, which is why we're here. We receive funding from the state through Tourism and Cultural Affairs and also through the National Endowment for the Arts. This is a really great state and Federal partnership. The only way we can receive our funds

from the National Endowment for the Arts is to be a state arts agency and for the state to match those funds.

For 2020, we have a full budget of \$2.7M. \$710,000 of that comes from the National Endowment. We write a grant for that. One other point of note of the value and importance of the upcoming census, we hope to see those numbers increase because that would mean more money coming to the state based on those census numbers. So, the census is an extremely important activity that and if we can find ways to contribute to that, please do.

So, what do we do with all that money and how do we do it? We do it through six unique program areas. Artist Services is the first I'll briefly talk about. As it states, it really talks about and directly impacts artists. We honor and showcase the work of our artists in the state. We provide resources for career development to them, and we help the public understand the vital role that artists play in providing again a creative workforce.

Some of our programs of note in this area, The Nevada Touring Exhibition. It's one of – brings professionally curated exhibits that we do, and we actually bring these in to rural and urban communities throughout the state. Sometimes it's the only professionally curated exhibit that a particular region or entity might get. It's a really great opportunity to extend that.

We actually also through our grant funding did a really cool thing last year where we did a grant where we provided hanging systems to some communities that didn't have this, and ultimately what that did was allowed our work to go in there and be displayed and hung correctly, but it allowed for the community then to bring in student artwork and other community art work and infuse some of these spaces full-time and full year-round.

We also – one of the other areas is our distinguished fellowship program which highlights the best of our Nevada artists.

Our Arts Learning Area is really about arts education, arts integration and arts for social development. From the education side, this is the arts class, the painting class, a performance class, and often times again, it's really getting people to understand the work that goes into those classes and it is about specific art disciplines, but there's also arts integration and use of the arts as tools to strengthen teaching and learning in non-art subjects and arts for social development, the use of arts as tools to promote social development for health and healing.

I'll step back here just quick. I want to talk about a roster teaching artist from a steam workshop that one of our roster artists conducted at Veterans Memorial STEM Academy in Reno. And there is those words, STEM and STEAM and what the Arts Council is really trying to drive is the STEAM side of that, adding arts into STEM curriculum.

But there was a unit that was discussed on the properties of light, and some of the terms that were discussed were translucent, transparent and opaque. The Arts Learning Project was a hands-on experience to help explain these terms by having students create a nightlight.

We got a testimonial from one of the teachers in the class that said a lot of my kids came back after taking their nightlights home. And many were excited to tell me where they placed them in their house. Many of my kids don't have bedrooms and sleep in a living room or a kitchen alcove. The nightlight gave them ownership of a piece of art within their space, and it did that by also explaining those terms that they didn't realize were being explained to them.

This is one of the really cool programs that we work on. Community Arts Development engages with nonprofit arts and cultural organization, public institutions and our tribal governments providing grants and programs and services aimed to support and solve community problems.

Business of Art graphic that you see there was a program that we conducted in November of 2018 for performing artists in Las Vegas where we actually talked to them about how to organize and manage their careers and businesses.

And our latest initiative, the Nevada Basin to Range Exchange is the picture you see above. We had 50 arts leaders across the state convene in Tonopah where we talked about the challenges between rural and urban initiatives and looked at creating partnerships in that. We actually were able to grant out 13 projects that were a combination from rural and urban communities which again really – and we've convening again in April once again to keep this program moving along.

Folklife is really meant to discover and document folk arts and folk ways that are resident in Nevada, explore intersections of art in transition, and we share these results. Pretty interesting. I suspect if I were to ask you all about what your thoughts of folklife are, most of you would probably go to native cultures and indigenous cultures, which is correct, but we're also looking at it in the way that it impacts all of us because again, we all have heritage, tradition, cultures.

We all celebrate food in certain ways. We all celebrate holidays in certain ways, and it really is who we are as people, and in many ways and we talked about earlier about how arts and culture really bring together and help us understand cultures. This is exactly what this is about, and again, you think about looking at all of us here today. We might have our suits on or a nice outfit, but again, how we look in our workplace isn't how we celebrate some of our customs and traditions.

So, you see, Tristin Ike and his western Shoshone pow wow dancing. We see Aisha Sandoval from Clark County as a runner and Elsa as an Indian folks dancer. We see Andrew Fusco and he has a band, playing drums in his band, but he also is a Highland bagpiper. Savannah Monah, Portuguese, you see her work here, but she also is the Portuguese FestiQueen and excuse me on this one, Sheldene Halamalau. She is a Hawaiian Hula dancer.

So, again, we see how we might appear at one point in time and how we actually celebrate our cultures. This is folklife. We're asking all of you to find your folklife as well and tell about it through out #nvfolkaninitiative. You can visit our website. I'm happy to give you more information on how you can take part in that.

Grants Program area, most people know the Arts Council through our grants program. It provides a significant commitment by the state and the Federal government to support the creation of art and access to it for our citizens. NAC grants support efforts of our nonprofit community organizations, public institutions and individual artists to make cultural activities and experiences widely available to those who live in and visit Nevada.

We do this by offering competitive and non-competitive grants, and these grants are actually really strenuously reviewed for artistic excellence, the community impact and merit that they will have on our state and also the project planning and management that goes into them.

Public initiatives and arts, public info and arts initiatives is the last area that we focus on. This is really a part of our Nevada Arts Council Board, Governor appointed board. These are special projects that we might be working and things that support the agency's goals and mission.

And lastly, the impact that we have. So 2018, grants and program activity results, 139 zip codes reached, 50 cities, all 16 counties. We granted out 309 grant awards at a total of \$1,020,000. All of our – a good portion of our grants actually require a match, either in-kind or cash. That amount was \$66M, over

\$66M in cash and in-kind, and you might be asking how much of that was cash? Over \$61M was infused into our state from our grant work.

We engaged with over 1,300,000 people and of those, over 376,000 were pre-K through 12 students served, all with a budget for 2018 of \$2.4M and 13 staff members. It's a testament to our staff and the work that we're doing, and certainly the partnerships and collaborations that we have, including that with the Department of Tourism and Cultural Affairs that we're able to do all of that work. Thank you for the opportunity to present about the Arts Council.

MARSHALL: Thank you very much. I really appreciate that presentation, especially the ask at the end. Okay, he doesn't want any questions. He darted away. [laughter] Don't be nervous. You're with friends.

MANFREDI: Sorry. This is Tony Manfredi, for the record. I am happy to answer questions. I apologize for that. I'm trying to be sensitive to everyone's time.

MARSHALL: All right, any questions? I know, that's true, right, we still have six minutes, so any questions from anyone? All right, go ahead. Okay. Thank you again.

MANFREDI: Thank you.

Upcoming Meetings

MARSHALL: Okay. I think we are now Agenda Item I. Thank you, Brenda, for the agency reports and thank you, Mr. Manfredi, for the discussion about the Nevada Arts Council. Upcoming meeting, our next Full Commission Meeting is December 11th, 2019, at 1:00 p.m. I know we're entering into the holidays, guys, so if you could mark that on your calendars now.

Commissioner Comments

MARSHALL: Item J, Commissioner Comments?

SANTOS: Herb Santos, for the record.

MARSHALL: Yes.

SANTOS: I think if I had had a little bit more information under H2.7 for the Director search I would have been able to comment upon that, but I'm just a little concerned. I just reviewed NRS 231.210, and I'll read that rule.

It says in talking about the Director, “must be appointed by the Governor from a list of three persons submitted to the Governor by the Lieutenant Governor from recommendations made to the Lieutenant Governor by the a) voting members of the Commission on Tourism, b) Chair of the Board of Museums and History, c) Chair of the Nevada Indian Commission, and d) Chair of the Board of the Nevada Arts Council.

I think this rule requires recommendations clearly by the voting members of the Commission on Tourism which seems to me is something that’s done as a group versus as individuals, whether it’s three names, ten names that goes to the Lieutenant Governor and then the Lieutenant Governor looks at that list, and then submits the three names to the Governor which I think is very clear from the way the statute is written.

And if I understand the process that’s going to happen, it seems that it’s taking away (amended) the consensus of the Commissioners to provide recommendations. If we don’t see the list of the folks that have applied, it’s very possible that the names that are submitted to you, Lieutenant Governor, have no input from either of these bodies if all we’re doing is if we know someone that wants to apply and making that type of recommendation, and I think that goes away from the spirit of that law.

I can’t say the intent because I didn’t have the opportunity to be able to review the legislative history of that statute as I’m sitting up here. But to me, the spirit of that rule means that the Commission and the other members that are listed in that statute meet together and make recommendations of names that we have vetted in addition to the Committee, so that we are getting the best person to fulfill this very important job for the state of Nevada.

From what I heard earlier, I just think that that’s sort of taking it out. I mean there could be a situation where one Commissioner sends three names to you and those are the only three names that are even – I mean I would have no idea who those people are or even had a chance to evaluate that person’s qualifications.

I think the reason why we have the consensus of our Commission is so that we can use our own experiences, our own expertise, so that we can vet and get the best possible person for that position. And that’s my concern, and I would have brought that up at H2.7 if we had had some materials that sort of said here’s the way it looks like we’re going, but we didn’t have that, so that’s why I’m utilizing the Commissioners Comments.

I hope that's not an abuse of the Commissioner Comment section. I just wanted to say that for the record.

MARSHALL: This is Lieutenant Governor Kate Marshall. First off, thank you so much for bringing up that concern. I think it's an important one. Why don't we do this? We had previously had the Deputy AG come and present to the Commission what their interpretation of that particular section you're referring to is. That allowed us to form a subcommittee and go through the process we went through last time.

What I will do is we will have the DAG write up their understanding of the law for the rest of the Commission and we will go from there, okay? So, I will make sure that the DAG gets a transcript of your concerns and ask them to produce a written response so that we can make sure that we're on the – we're doing things correctly with the intent and the spirit of the law, while still being able to move this along. Does that sound good to you?

SANTOS: Herb Santos, for the record. Yes, thank you very much.

MARSHALL: Okay, no worries. Any other – yeah, go on.

WILSON: Kate Wilson, for the record. The only thing that I will say, Commissioner Santos, is that in the Minutes from the previous meeting when we had the interviews, the DAG who was present did note that there's nothing when you read the specifics on what a recommendation is. Is it a person? Do you have to give a resume, does that person have to interview? Does it have to come from the collective committee?

And she said that as long as it is from a voting member of the committee it can be personally to Lieutenant Governor. Again, whether or not the Board decides that that is a process you want to move forward with is completely up to you as an advisory board, but specifically from the DAG's perspective, that it can be the individual within the voting member block can make an individual recommendation that is not confirmed by the Full Commission.

That's on Page 104 of the Minutes, just for clarification. Again, as a Board you can decide that that is not the way that you want to proceed, but via the DAG, she said that there was enough flexibility in the statute that it could be an individual recommendation as opposed to a recommendation that the Board had voted on or has been privy to.

STOLDAL: Madame Chairman?

MARSHALL: Yes.

STOLDAL: Bob Stoldal, for the record. I will have to tell you that I respectfully disagree with the DAG at that meeting, and I think the Full Commission was there. Was asked that question and gave – and she wasn't the regular staff member, the regular DAG. Sarah Bradley wasn't there, and she gave her sort of flexible, sort of "off the cuff" informal opinion.

If the Lieutenant Governor is suggesting that we are now going to ask for a formal opinion from the Attorney General, I'm not sure how long that process will be. But I have to agree with Commissioner Santos. I can't imagine that each of the Commissioners are going to send in unilaterally their own recommendations and whether it's one, three or ten, and then the Lieutenant Governor is going to go through 20 or 30 resumes and pick three.

Clearly, that's not what the statute recommends. The question I have is are we asking the AG for a formal opinion, and if we are, what is the question we are going to be asking the Attorney General?

MARSHALL: Okay. This is Lieutenant Governor Kate Marshall. Thank you, Mr. Stoldal for that. I think that again, you are bringing up an important point. I will say to you that we as a Commission right now, we have not agenzized a request and discussion to make a request to the DAG for a formal written opinion.

What I have offered, if you guys are comfortable with that is that, is I will go to the DAG and as the Lieutenant Governor will request a formal written opinion on this statute as to what the process is that is required by that statute. And I'm asking you if you are comfortable with that.

STOLDAL: Commissioner Santos, I'd like to hear what your thoughts are on the question.

SANTOS: Herb Santos, for the record. I'm just formulating my thought before I just move out with response. I think at any time that we can get additional guidance from the Attorney General's Office, I think that's important, but I think that this is something that perhaps should be on our next Agenda or our next meeting so that we can all have a proper time to be able to provide our thoughts as to what NRS 231.210 means to us as Commissioners and get an understanding with the Attorney General if we're all on the same page or if we're not. That would be my response.

MARSHALL: Okay. I think it would be helpful if I ask the Deputy Attorney General for a formal opinion, and I will try to make sure that there's enough time to have that opinion by the next Board meeting, and we will agendaize that opinion if I can get it. I don't know how much time it takes them to produce a formal opinion, but I will try to do that.

In other words, you are being heard. Geez, I can't get a smile out of the guy. Herb! [laughter] I'm trying to, you know, geez, okay, you're a hard customer. All right. Any other Commissioner comments?

ROBINSON: Madame Chairman, this is Pam Robinson. I think there's a difference between an official Attorney General opinion and having our DAG give us a review of the law, but that's not the right term.

MARSHALL: Correct.

ROBINSON: Okay, because the AGOs are usually pretty – I mean they take a long time to get.

MARSHALL: Well I will – what I'm trying to do is see if I can get something in writing.

ROBINSON: Perfect.

MARSHALL: I don't know if I can – if I have to go through the formal AGO process. I have to figure that out, but I'm trying to get something in writing, okay.

ROBINSON: Good.

MARSHALL: That will provide the Commission a legal opinion they can rely on. In other words, something that's been researched.

ROBINSON: Thank you.

MARSHALL: Okay, any other Commissioner comments?

MUN: I just wanted to note, so I received this in the mail, and I wasn't sure what this was for.

NEBESKY: For the record, Brenda Nebesky. That's our Road Trip Guide which supplements all of our information on our website related to our 10 branded road trips. And you know, it's kind of one of our core messages, both creatively and through content, but that is our print piece that kind of supports that. We're in the process of revising it with a little better information, a little fresh take on that.

That goes to many of our trade shows and industry events and is just a great takeaway in regard to Nevada Open Road.

MUN: Got it. I thought it was beautiful. I liked it. But I wasn't sure what it was for.

NEBESKY: Thank you.

MARSHALL: And hey, she's taking a road trip, right, as soon as we're done here. All right, any other Commissioner comments?

STOLDAL: Bob Stoldal, for the record, and maybe this is one that I'll need a follow-up off the record, but with all the members of the Commission on Tourism from around the state representing different aspects under the revised statute, I wonder why our video conference system is so archaic. And I'm not sure – I don't mean this is Brenda's fault.

But I'd like to know what the process would be to be able to see some of the slide shows, the PowerPoints when we're off in Tonopah or someplace else and we just don't – and the rest of the world seems to be able to do that.

Personally, I've been using Zoom for the last year. It's a great video conference tool. I'm wondering whether or not we are required to use the one that connects Carson City with the offices down here or whether Tourism can in fact use another video conference system. Thank you.

NEBESKY: For the record, Brenda Nebesky. Commissioner Stoldal, we did just replace the entire AV system here in the chambers and in our Las Vegas Office. One of the things you trade when you have a Cloud based conference call that includes video or screen sharing, is quality. And there's quite often a delay.

With the system we recently installed and are now using, there isn't that. It's extremely high quality. So, it all costs money and it's all something we can put on the wish list, but there is no perfect solution to sharing, publicly sharing, everything that's presented to anyone in any location. That's not an easy solution.

MARSHALL: Other comments? All right.

Public Comment

MARSHALL: Public comment in Carson?

CARANO: Yes, yes, we do have one.

MARSHALL: Okay.

PIERROTT: Good afternoon and thank you for your time today. For the record, my name is Daniel Pierrott with Argentum Partners on behalf of our client, the Las Vegas Sands. Lieutenant Governor Marshall and fellow Commissioners, Las Vegas Sands stands firmly in support of Item G, the preliminary study for establishing a Holocaust resource or museum.

We believe that it is of great value for not only our current generation and for future generations to come. This initiative will ensure that our state and its guests will never forget the events that our predecessors were forced to endure. Whether it be a resource center or a museum, creating such an establishment under the Nevada Commission on Tourism banner is an excellent step towards achieving this goal.

We would just like to thank you for your motion of support and hope to see this come to fruition. Thank you. [Addendum A]

MARSHALL: Thank you. Any other comments in Carson City?

CARANO: Seeing none.

Adjournment

MARSHALL: Thank you. Comments on the phone? All right, comments in Vegas? No. Okay. Thank you very much for those comments. I appreciated them. Moving on to the last item, did anyone want to make a motion to adjourn, Herb? [laughter]

SANTOS: Herb Santos, for the record. I would move to adjourn.

MARSHALL: All right, is there a second?

MUN: Second.

MARSHALL: Second. I have a motion and a second. Any discussion? All right, hearing none, all those in favor signify by saying aye.

GROUP: Aye.

MARSHALL: Any opposed? Motion carries. Thank you, guys. Thank you very much for being here. I'll see you soon.

The meeting adjourned at 3:10 p.m.

Respectfully submitted,
Dee Chekowitz-Dykes, Executive Assistant
Department of Tourism and Cultural Affairs
Nevada Commission on Tourism

ADDENDUM A

Testimony provided to NCOT

Good afternoon and thank you for your time today. For the record, my name is Daniel Pierrott, with Argentum Partners on behalf of our client, the Las Vegas Sands. Lieutenant Governor Marshall and fellow Commissioners, the Las Vegas Sands stands firmly in support of ITEM G, the preliminary study for establishing a Holocaust resource center or museum. We believe that it is of great value for not only our current generation, but for future generations to come. This initiative will ensure that our state and its guests never forget the events that our predecessors were forced to endure. Whether it be a resource center or museum, creating such an establishment under the Nevada Commission on Tourism banner is an excellent step towards achieving this goal. We would just like to thank you for your motion of support and hope to see this come into fruition.

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