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THE CHILDREN'S TRUST

AD-HOC TO THE BY-LAWS COMMITTEE MEETING

The Children's Trust Ad-Hoc to the By-Laws Committee Meeting was held on Monday, April 30, 2018, commencing at 2:49 p.m., at 3250 S.W. 3rd Avenue, Conference Room A, Miami, Florida 33129. The meeting was called to order by Dr. Susan Neimand, Committee Chair.

Committee Members

- Dr. Susan Neimand, Miami-Dade College
- Nelson Hincapie, Office of the Mayor, Dade County
- Laurie W. Nuell, At-Large Member
- Esther Jacobo, State Attorney Representative Miami-Dade
- Honorable Isaac Salver, League of Cities
- Miami-Dade County (appearing telephonically)
- Leigh Kobrinski, Assistant County Attorney

STAFF:

- James Haj, President/Chief Executive Officer
- Imran Ali
- Juana Leon
- Muriel Jeanty, Clerk of the Board
- Vivianne Bohorques

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PROCEEDINGS

(Recording of the meeting began at 2:49 p.m.)

DR. NEIMAND: Welcome, everyone. This is our first meeting to all discuss --

(Off the record.)

DR. NEIMAND: Good afternoon, everyone, and welcome to the meeting of the By-Laws Committee. We're running a little bit late. We were waiting for quorum. We've got quorum now.

The purpose of this meeting is to begin a conversation about modification of the existing by-laws. It is my understanding that a review has shown that there are some contradictions, some redundant information and some clarity needed and therefore, we are having this committee take place and we will begin our work.

This ultimately will result in some modifications that will be brought to the entire Board at the summer retreat in August, so that is what we are planning to look at today.

So, I guess, the next order of business is if there's any public comments. Is there any public here today?

MR. HAJ: No.

1 DR. NEIMAND: Okay. So, I guess, each of  
2 you has received the existing by-laws as well as the  
3 modifications to the by-laws. And I think Imran can  
4 walk us through the changes.

5 MR. ALI: And before I do that, Laurie  
6 wanted to say anything?

7 MS. NUELLE: The only thing I would say is  
8 that Imran and I, the process has been, we reviewed the  
9 by-laws. Any suggested changes or things that have been  
10 happening or the way that we've either been doing it --  
11 one of the things I've been worried about is either we  
12 have the by-laws and we don't follow some of them or we  
13 do things that are not in the by-laws.

14 So, let's either follow the by-laws or  
15 change them based on the way that the organization has  
16 been running. They haven't really been amended since  
17 the beginning except for a few things here and there.

18 So, we started this with the intent and idea  
19 that this committee and then throughout the Board and  
20 through other committee work really have the ultimate  
21 job and role of, you know, reviewing and making  
22 recommendations.

23 The other part I just want to share is that  
24 after Imran and I went through it a bunch of times and,  
25 you know, pretty carefully, then we talked to the

1 attorneys about it.

2 And really, the reason we wanted to bring it  
3 to the attorneys is so not for necessarily their  
4 specific input on if something was, like, legal or not  
5 legal, but to be prepared as discussion happens so that  
6 they wouldn't be, like, you know, oh, we have to come  
7 back to you, so they're aware of a lot of the, you know,  
8 issues that came up.

9 So, that's been the process that we've been  
10 doing for a little while. And once we started to kind  
11 of highlight and clean up some stuff, and now it's over  
12 to you all to take it away. So, there's nothing set in  
13 stone at all. It's all just ready for -- we just did a  
14 little of the, you know, pre-work for you.

15 MR. ALI: Isaac, Muriel sent you the draft  
16 that we're looking at, if you could check your e-mail.

17 MR. SALVER: Yeah, I'll do that right now.

18 MR. ALI: So, as Susan mentioned, you know,  
19 we've tried to eliminate a lot of duplications. We  
20 tried to adjust the wording which is duplicative in a  
21 lot of sections. We added some additional language.

22 So, with the election of officers, we had  
23 some changes here. You can see that we struck the  
24 section that says that the chair will also accept  
25 nominations from the floor.

1                   And then when we go to the Nominating  
2 Committee, those of you may remember when we had --  
3 those of you who were present at the last Nominating  
4 Committee, we had a lot of discussion as to the process  
5 to be used about filling a vacancy. So we did include  
6 it under that section of the Nominating Committee of how  
7 we think it should flow based upon the input we got at  
8 the last Nominating Committee.

9                   We were concerned about it, and I know that  
10 our attorneys told us, you know, Roberts Rules allows  
11 for voting from the floor. They also recommended that  
12 if we have a process to follow, we do not necessarily  
13 have to follow Roberts Rules of Order.

14                   So, this was tweaked a little bit to read,  
15 as it says now, we will not accept nominations from the  
16 floor. Everyone will have the chance to either nominate  
17 themselves or send the nomination of someone who would  
18 want to be considered for the election of officers.

19                   And as the new process highlights, we could  
20 either do a questionnaire before we vote on them as to  
21 why they want to be in that position or we could invite  
22 them to the Nominating Committee for them to present why  
23 is it they would make the best candidate. So, that was  
24 updated in the nominating section.

25                   Under the terms of officers --

1 DR. NEIMAND: I'm sorry. I just want to  
2 comment. I think these are very good recommendations  
3 for this. Based on the experience that we just went  
4 through with the Nominating Committee, it makes a lot of  
5 sense to do this.

6 MR. ALI: Okay. Under the terms of  
7 officers, the highlighted section is a new piece. As  
8 you know, the statute and the ordinance was changed, you  
9 know, to include and clarify the two positions for our  
10 local alliance or coalition on past system planning and  
11 the one for the religious organization.

12 We have prepared a resolution two months ago  
13 to bring to the Board but we decided to hold it until we  
14 clarified how we will select those candidates and their  
15 organization for these two positions.

16 So basically, I took this from the  
17 resolution that Shanika and Leigh had edited, a piece of  
18 that to include here to read exactly as the resolution  
19 read. So, the Board sometime will have to decide about  
20 those two organizations and also who will fill those  
21 seats. Go ahead. Isaac, we have to remind you, you  
22 can't speak.

23 MR. SALVER: No, I got it. I got it.

24 MR. ALI: Okay.

25 MS. KOBRINSKI: I might just say, Imran,

1 that this might just -- we should consider putting this  
2 in a separate section because this is under "Officers"  
3 and it's really not --

4 MR. ALI: Yeah, Laurie had made that  
5 suggestion, too. I didn't want to change -- it's  
6 changing every two minutes here, so I thought that we  
7 could discuss it.

8 MS. KOBRINSKI: Maybe it goes under the  
9 "Nominating Committee" section, that they'll just be  
10 responsible for electing these two positions or  
11 reviewing these two positions.

12 DR. NEIMAND: Should it be under  
13 "Membership?"

14 MS. KOBRINSKI: Or it could go under  
15 "Membership."

16 MS. NUELL: It is membership. So either --

17 MR. ALI: Nominating Committee or  
18 Membership.

19 MS. NUELL: And maybe -- some of these have,  
20 like, a reference, so maybe under "Membership" and then  
21 with a reference to "Nominating."

22 MR. ALI: We can do it that way.

23 MS. KOBRINSKI: The only other thing is, if  
24 you put it in "Membership," it doesn't -- it's not like  
25 all the other terms of office where the members are --

1 MR. HINCAPIE: Part of the organization of  
2 the Board once the membership is established from the 33  
3 different --

4 MS. KOBRINSKI: I think it might -- yeah, I  
5 think it might be best in "Nominating Committee."

6 MR. ALI: The vacancies of officers, they  
7 are in a highlighted section that's new. We wanted to  
8 make it clear that the Nominating Committee had this  
9 role to consider nominations and for filling vacancies  
10 and make those recommendations to the Board to fill  
11 those vacancies at the regular or special meeting as  
12 soon as reasonably possible, so that's just an addition  
13 for clarity.

14 The duties for officers --

15 MR. HINCAPIE: What vacancies are these?  
16 These are not -- this is not talking about the vacancies  
17 that are supposed to regular appointments --

18 MS. NUELL: That's officers.

19 MR. HINCAPIE: Oh, officers, okay.

20 MR. ALI: (F)& (G) were added to clarify the  
21 role of the Board chair to include the ability to  
22 negotiate the contract, approve salary and benefits of  
23 the CEO in consultation with the HR Committee and to  
24 approve salary increases based upon budget allocations  
25 approved by the Board at the beginning of the fiscal



1 year.

2 And then (G) gives the chair the ability to  
3 appoint a search committee if the CEO resigns, so these  
4 are additions to the by-laws.

5 DR. NEIMAND: Were there any provisions here  
6 before that would change or this wasn't even --

7 MR. ALI: No. I think the last time we had  
8 the situation, I think, we went to the full Board to ask  
9 permission to create a contract for a search committee,  
10 so we had to call a meeting for that.

11 DR. NEIMAND: This makes it so much  
12 smoother.

13 MR. ALI: The next section is the  
14 committees. We cleaned up the language because it's so  
15 repetitive. And instead of the Board chair having to  
16 go -- to decide who's going to be on the committee and  
17 then take it to the full Board, it gives the chair the  
18 ability to appoint chairs, vice chairs where applicable  
19 and also to appoint members of the different committees.

20 So, all the committee sections on the next  
21 couple of pages, those are the major changes except when  
22 you get to the Finance. We talked a little bit about  
23 the selection of the audit firm.

24 I don't know if, as we move on, we want to  
25 look at the role of the Finance Committee. It speaks

1 about, you know, an appropriate budget and financial  
2 management policies that cover the use of the funds of  
3 the Trust.

4 We combined two sections. There was one  
5 additional section and we added this letter (D). And  
6 then we included -- it used to be quarterly, so we  
7 changed to twice a year.

8 The Board may request that we get a report.  
9 We get a report about the management investment of funds  
10 of the Children's Trust.

11 Now, I don't know -- I can't speak -- I  
12 think there was a time when I sat on the Board, they  
13 used to have an investment firm come into the Board  
14 meetings to give a report on the investments of the  
15 funds because the funds were invested in different  
16 portfolios.

17 But, I think, as it went down, the interest  
18 rate went so low, we stopped investing the funds. So I  
19 don't know how applicable -- it may get back to that  
20 point. But for right now, we just want to have it in  
21 case we go back as to how we invest the funds.

22 It also includes when we have some money to  
23 put some more services, it comes back to the Board,  
24 which we normally do. We can't do anything unless the  
25 Board approves any additional funds.

1           Review financial statements, we took out the  
2     language, "forward to the Board" because in the  
3     financial section, the Finance Committee normally does  
4     that. They review all of the financial reports.  
5     Historically, that has never been going to the Board.

6           Section (I), that's basically a new section  
7     to comply with the section that speaks about the role of  
8     the audit committee and audit services. And we did  
9     clarify a little bit about the selection committee. It  
10    will be created by staff and once that's created, the  
11    final selection of the audit firm will be done by the  
12    Finance Committee.

13           MS. NUELLE: I wanted to jump in here. That  
14    is currently happening right now. So previously, it  
15    said that there was an audit sub-committee. We didn't  
16    have an audit sub-committee. The Finance Committee  
17    really just served as an audit sub-committee.

18           So, this was the year to solicit a new  
19    auditor, and so we went through this whole process with  
20    the attorneys of how to -- how this was supposed to  
21    happen.

22           And they informed us that, you know, the way  
23    that needed to happen, which is the Finance Committee --  
24    and some of us are on the Finance Committee -- but the  
25    Finance Committee helped create the criteria to select a

1 new auditor. And then that's done internally and then  
2 they come back to the committee. So that's why there's  
3 a big change here, but that's currently how it is being  
4 done, a brand-new, new way of doing it. It's not the  
5 way that we did it before.

6 MR. ALI: And this language was basically  
7 created from the statute. It was written by Bill to  
8 clarify, the CFO. We wanted to make sure that he was  
9 comfortable with this.

10 And then on HR, on (D), we added to the  
11 annual performance evaluation to include that the Board  
12 chair will also have a part in negotiating the contract  
13 to include the salary and benefits of the CEO.

14 As you know, this year, the chair had asked  
15 the entire Board for permission to work with the HR and  
16 Executive Committee to review the evaluation and make  
17 any contract negotiations possible, so we're just making  
18 it clear in the by-laws.

19 Thoughts on that?

20 (NO VERBAL RESPONSE.)

21 MR. ALI: Okay, moving along. The  
22 Nominating Committee is the next change where we  
23 basically struck a piece and we included hopefully  
24 language that makes it clearer. And there's a section  
25 where we speak about, under (B) and under (D) what the

1 process should be.

2 Now, there was some discussion, when I  
3 looked at the transcript, also, about -- maybe there was  
4 a lot of discussion about succession management at the  
5 last committee, those of you who were present.

6 And I don't know how you feel about that. I  
7 left it out but, you know, I just wanted to get --

8 MS. JACOBO: Where are you now? I'm sorry.

9 MR. ALI: The Nominating Committee, section  
10 (D).

11 MS. JACOBO: "D" like in David, okay.

12 MR. ALI: And here, in section (B), we speak  
13 about the two new positions. We included the two  
14 officers. And the Nominating Committee, we spoke about  
15 the succession management which, I believe, the vice  
16 chair got up and was very vocal about that.

17 So, I left it out but I just wanted everyone  
18 on the by-laws committee to have a chance as to -- if  
19 they have any thoughts.

20 DR. NEIMAND: The conversation was such that  
21 if the chair can't, then the next, the vice chair, and  
22 then there was all the concerns about people who are  
23 getting to their term limits and what if a person  
24 doesn't want to move into that position. So, I think it  
25 was a good idea not to put it in.

1 MR. ALI: That's exactly why I didn't,  
2 because a lot of people, people who I spoke to from the  
3 Board, I mean, a lot of times, they're not interested in  
4 moving into those positions, you know. And even with  
5 the filling of the secretary, we maybe just had two  
6 candidates. People, for some reason, they're all busy  
7 and they just don't like to take on any additional  
8 responsibility.

9 So that's why Laurie may ask me to call and  
10 I ask the candidate, you want to make sure they're  
11 interested before we even consider them. Even to be on  
12 a committee, you know, you call and ask, are you  
13 interested in being on a committee, because we don't  
14 want to ask someone or find someone or force someone to  
15 do something that they may not want to do.

16 And then the rest of them on this page is  
17 just --

18 MS. KOBRINSKI: I'm sorry. We need to go  
19 back and talk about under (F) H and I.

20 MS. NUELLE: Under "Committees?"

21 MS. KOBRINSKI: (F) subsection (H) and (I)  
22 about resolutions going to the Board after committee.

23 MR. ALI: So this is about the resolutions  
24 that will be presented in committee for review and  
25 recommendation before being forwarded to the Board. I

1 mean, why is this, you know, even if we wanted to  
2 present a resolution, we couldn't present it to the full  
3 Board unless it was in committee.

4 So, if it's something really urgent, we had  
5 to call an Executive Committee and have it ratified at  
6 the full Board. A lot of times, we used to have  
7 discussion, not so much with our two present attorneys,  
8 but with Maria, what she considered to be an emergency,  
9 we did not consider, and then it was a hassle about what  
10 constitutes an emergency to call an Executive Committee.

11 So we're hoping that this will make it clear  
12 that if, you know, it has to go to the committee first.  
13 And then some of you may remember, a few Program  
14 Committee meetings ago, we had a lot of people having to  
15 recuse themselves. They only had two people allowed to  
16 vote, and then one voted for and one voted against,  
17 right?

18 So, because we couldn't decide how we were  
19 going to proceed, you know, then one of the members, we  
20 said, it wouldn't go to the full Board, then she changed  
21 her vote to make sure it went to the full Board. Here,  
22 we're saying that even if you have something that, you  
23 know, failed at the meeting, it could still be presented  
24 to the full Board for consideration.

25 MS. NUELLE: So, this says, "Resolution

1 will," so it's not "could."

2 MR. ALI: Yeah, because you don't want to  
3 delay it.

4 MS. NUELLE: Right. So, I mean, it could  
5 fail, you know what I mean, like --

6 MR. ALI: No, but it's only talking about if  
7 you have, like, a tie.

8 MS. NUELLE: A tie, okay.

9 MS. KOBRINSKI: No, this is saying, in that  
10 event, if it was a tie, you need a majority in order to  
11 proceed to pass it. So because this was one and one, it  
12 failed. So, in this case, in this new revision, you're  
13 saying, even if it failed, it's still going to go to the  
14 Board with a negative committee recommendation for the  
15 Board to consider.

16 MS. NUELLE: Okay. That's why I wanted to  
17 clarify it, because it said "could," so I was, like,  
18 then that means it's up for a decision to be made but  
19 with a negative -- okay. That's reasonable.

20 MR. ALI: Page 5 is pretty clear, just  
21 edits. On the background, we --

22 MS. NUELLE: Excuse me. I have a question.  
23 I think Muriel suggested this and I see -- I think the  
24 Nominating Committee, was it originally ad-hoc? And  
25 then, I think, there was a recommendation to move it



1 into a standing committee?

2 MR. ALI: A regular -- yeah, a standing  
3 committee. Yeah, we made that a standing committee.

4 MS. NUELLE: So that would be the  
5 recommendation for that.

6 MR. ALI: So, on page 7, the attorneys  
7 wanted to talk a little bit about the consent agenda.  
8 You know, for years, I spoke with Maria about having a  
9 consent agenda that replicates the one the BCC follows.

10 MS. JACOBO: The one that who follows?  
11 Sorry.

12 MR. ALI: The BCC. The BCC has a consent  
13 agenda. A lot of other companies have a consent agenda.  
14 So, we wanted to see whether the Board, the by-laws  
15 committee with a recommendation, would consider a  
16 consent agenda.

17 Both Muriel and Leigh had a discussion with  
18 me, saying they didn't think it was a good idea to have  
19 this ability. It doesn't fit our Board. I'll have her  
20 explain their position.

21 MS. KOBRINSKI: Well, when the Board of  
22 County Commissioners has a consent agenda, it  
23 encompasses certain items. I mean, they have a very  
24 long agenda. They have certain items-- basically, they  
25 get presented with an initial agenda, and items that

1 fall under the consent agenda are ones that kind of  
2 don't require much discussion.

3 And they can get pulled in order to get  
4 discussed. But it requires, you know, a couple of days  
5 before the meeting, they have to get pulled to be a  
6 discussion item.

7 And it just didn't seem to fit with the  
8 nature of the Children's Trust. I mean, the things here  
9 that are being proposed to be included are routine  
10 matters, such as appointments to committees.

11 So, this is no longer relevant. The Board  
12 chair is making all the appointments. Staff  
13 appointments requiring Board confirmation, it's unclear  
14 what that's in reference to.

15 Reports provided for information only, those  
16 don't require -- if they're just being provided for  
17 information, they don't require a vote. Correspondence  
18 requiring no action, it doesn't require a vote.

19 The consent agenda items will require a vote  
20 but they just don't require any sort of discussion  
21 associated with it. So if the intent is just to provide  
22 an informational section, then that can just be as part  
23 of the -- you can make that part of the agenda at the  
24 end, saying, you know, informational updates, and then  
25 make those available to Board members without requiring

1 a discussion about them.

2 There's not really a need -- I mean, this  
3 would envision sending out the agenda. Everyone -- all  
4 the Board members have to review it. They have to  
5 decide whether or not they want to pull something to  
6 discuss it, communicate back to Muriel, then provide an  
7 updated agenda that would then be presented to the  
8 Board.

9 And it just doesn't really seem to work with  
10 the nature of this Board. And that would require, I  
11 mean, I don't think there's that much fat on the  
12 Children's Trust agenda that would require, you know,  
13 this sort of master provision.

14 But that's our interpretation. And  
15 certainly, if the Board wants to have some sort of  
16 consent agenda items, it could be formulated. We could  
17 work to prepare it. But as far as our office is  
18 concerned, no. We work with this as far as the Board of  
19 County Commissioners. We just don't really see how it  
20 translates.

21 MS. JACOBO: What would be the -- what would  
22 be something, like, that's happening now with the Board  
23 that is taking up a ton of time?

24 DR. NEIMAND: Okay. So, I was going to say  
25 the opposite, that we really don't have things that are

1 on the Board agenda that take up the time. We do --

2 MS. JACOBO: The minutes are fast.

3 DR. NEIMAND: The minutes are very fast and  
4 then we get our reports from the various committees.  
5 The only thing that is informational is when Jim updates  
6 us and shares correspondence. And that's important. I  
7 would like to hear it from him.

8 So, I don't know that there's a need for  
9 this. I don't think that these are things that come up  
10 regularly. And as you said, now we have to send  
11 everything out and people have to read it and agree and,  
12 you know, that becomes very time-consuming of your time  
13 as opposed to the Board time.

14 But I think the Board meetings have been  
15 pared down and streamlined, you know. I always get my  
16 e-mails from Vivianne, do I have any questions. And if  
17 I do, she's very receptive and information is shared  
18 with me. So when I go into those meetings, I have  
19 everything that I need. So, I'm not sure whether this  
20 is a necessary piece. I can only speak for me.

21 MS. JACOBO: And I agree with that. I think  
22 the things that do take up a lot of time is sometimes we  
23 think there's a lot -- that these would not be things  
24 that would go on a consent agenda anyway. These would  
25 be things that would require discussion even if it's a

1 lot of the same discussion over and over. It's not  
2 something that would be on this.

3 DR. NEIMAND: No, but I think some of those  
4 discussions are important to have and we should be  
5 listening to them. But that's not this.

6 MS. JACOBO: So that's a big "X".

7 MR. HAJ: But is there a possible way that  
8 we can group resos? Not necessarily to have consent.  
9 We would take, like, the technology resos with three,  
10 four or five different items. Is there a way that's not  
11 necessarily consent but we can group them?

12 MS. JACOBO: Group them to do what, though?  
13 Group them to --

14 DR. NEIMAND: All these are for early  
15 childhood.

16 MR. HAJ: Technology or --

17 MS. JACOBO: I mean, I think you can group  
18 them, but you're still going to have, like, you know, if  
19 a Board member has specific questions about a particular  
20 resolution, it doesn't matter what group it's in.  
21 You're going to end up having a big discussion about it.

22 DR. NEIMAND: I'm wondering if the Board  
23 members will be concerned that you are shutting their  
24 voice down by grouping them that way.

25 MS. JACOBO: But explain to me what you mean

1 by "grouping," just putting them all in one resolution  
2 or just putting the resolutions together, like --

3 MR. HAJ: Putting the resolutions together,  
4 like, these four resos --

5 MS. JACOBO: Oh, you vote on the four resos  
6 together?

7 MR. HAJ: Yes.

8 MR. ALI: You may remember, on the Finance  
9 Committee, you have, like, four or five forms of  
10 communication. That's basically the same thing. You  
11 just separate them.

12 MS. KOBRINSKI: But, I mean, you have  
13 certain people that need to maybe recuse on something  
14 that, you know, you're going to preclude them from  
15 voting on five resolutions because they're coupled into  
16 one.

17 And I think you do that to an extent. You  
18 say, the next three resolutions relate to our  
19 programming committee and this is our RFP and you  
20 introduce it that way, so people know that they're  
21 together.

22 But as far as, you know, lumping all the  
23 communications resolutions together, we would not  
24 approve that for legal sufficiency if you try to cram  
25 five different contracts into one.

1 MS. JACOBO: Can I ask a question? Maybe,  
2 could we -- could we explain them all together and then  
3 vote on them separately? In other words, these are  
4 three resolutions, if there discussion, maybe moving of  
5 all three and then have that discussion and then vote  
6 one by one? Would that be time-saving? Is that  
7 something that we can --

8 DR. NEIMAND: But does that come under this  
9 broad category of consent agenda?

10 MS. KOBRINSKI: I don't think so.

11 DR. NEIMAND: Consent means no discussion?

12 MS. JACOBO: And do we even need to do that  
13 in the by-laws? I mean, would we even -- do we even  
14 need to do that in the by-laws? Like, if you wanted to  
15 do that, is that something that needs to be changed in  
16 the by-laws if we wanted them together like that and  
17 have the discussion, or can we just do it?

18 MS. KOBRINSKI: I think you could just -- I  
19 think you could just do that. I think you have been  
20 doing that. You've been saying, we have three  
21 resolutions that relate to the Programs RFP or something  
22 of that sort.

23 MS. NUELL: The way our agenda is organized,  
24 we can organize it in a different format. There's no  
25 rules, I guess, I'm asking that question. I never

1 really thought about it before. It's just the way that  
2 we've done it. It could be organized in a different way  
3 if staff or the Board thought there would be a better  
4 way to receive it.

5 DR. NEIMAND: Yeah, that's a great topic for  
6 our retreat.

7 MS. NUELLE: That's what I was thinking.  
8 That might be something, you know, to talk about there,  
9 or even having an example, like, you know, this is what  
10 it would look like or, you know, that kind of thing, for  
11 our retreat, to really have an idea of what, you know,  
12 if we think it will make it more efficient and easier to  
13 understand or receive.

14 MR. ALI: The next two pages are  
15 clarifications, some edits. And under "Decorum," we did  
16 include a #5 on page 9 with calling in on the phone --

17 MS. NUELLE: You missed 8, page 8.

18 MS. JACOBO: I think he was just saying,  
19 these are clarifications.

20 MR. ALI: Yeah, these are just  
21 clarifications. All right. We added the transcript.  
22 We posted it to the website. We added the fact that all  
23 actions will be reviewed by the Clerk of the Board or  
24 designated staff.

25 Because what we do, from time to time, what



1 I do is, I approve the transcript to make sure that the  
2 minutes are accurate. Sometimes, you know, we make  
3 mistakes as to who moved it and who didn't vote. So,  
4 we're just making it clear who has that responsibility.  
5 I know the attorneys also do that but we're just making  
6 it clear who's responsible. And then we --

7 MS. NUELLE: Can I interrupt?

8 MR. ALI: Yes.

9 MS. NUELLE: One thing that I wanted to  
10 clarify, so under "Minutes Recording," it says, "Summary  
11 of the actions taken by the Board." What we were --  
12 when we met and we were talking, we were, like, what we  
13 get of the minutes are the resolutions that were --  
14 where we don't get the transcript, we get a summary that  
15 includes the resolutions that were voted on.

16 So, part of the discussion that Imran and I  
17 were having, and then also Leigh and Shanika, it doesn't  
18 really account for other actions that may come up, like,  
19 we created a committee or we decided we wanted to, you  
20 know, do something.

21 And so it's not necessarily a -- it's not a  
22 resolution form that the minutes don't always -- that we  
23 read don't usually reflect that. So that's why there's  
24 a little bit of a change there, and that's something,  
25 you know, to discuss if we want that or not, the

1 actions. So, if there are other actions that occurred  
2 at the meeting, that they would be included in the  
3 minutes.

4 So, I just wanted to bring that up. That's  
5 kind of like a change because it's, you know, of course,  
6 there's transcripts but we don't actually -- I mean, you  
7 can go on-line and read the transcripts. So that's kind  
8 of a -- that's a clarification.

9 MR. ALI: So instead of just the recommended  
10 actions, that the resolutions, anything else discussed,  
11 we summarize that also, so that would be in addition to  
12 what we already do.

13 Under (G) Notices, we took out the meeting,  
14 the action meeting of the documents and notices, you  
15 know, because we moved most of that by e-mail, even  
16 though we did allow that to continue to be mail, we do  
17 it electronically and then we also place it on the Trust  
18 calendar.

19 Under "Public Comments," we did add to make  
20 it clear that public comments will be on the agenda at  
21 the beginning of the meeting. As you may remember, we  
22 used to have it at the end. Then we voted it to the  
23 front, so now we're just making it clear.

24 And then under (B), we added that designees,  
25 the ordinance and the statute permit must be given to

1 the Clerk of the Board for such appointment. The  
2 situation with Esther is a good example or with Nelson,  
3 they're the Mayor's designate, so it must be sent in  
4 writing to the Clerk of the Board.

5 Under (D) on the next page 9, I think it has  
6 a majority. But in keeping with the new procurement  
7 policy, we needed two-thirds of the Board of the members  
8 that are serving on the Board. We just wanted them to  
9 be compatible.

10 And then under (5), we added this piece here  
11 that you could call in. You don't count towards quorum.  
12 You cannot vote and you cannot participate in  
13 discussions.

14 MS. JACOBO: Okay. So I'm going to be Isaac  
15 since he can't speak. So, what's the purpose? Why  
16 can't we change that so that people can participate at  
17 least in discussion? Let's say that we say no quorum,  
18 but why can't they discuss?

19 MS. KOBRINSKI: It's part of the Sunshine  
20 law. Our office has kind of taken a conservative view  
21 of it. But essentially, the purpose of Sunshine is that  
22 everyone is together, you know, everyone -- whenever  
23 more than two Board members are in one room discussing  
24 an item, it has to be Sunshine. It has to be noticed.  
25 It has to be publicly available and you have to have

1 minutes taken.

2 So, with a Board member calling in from  
3 outside by telephone, it's unclear if there's anyone  
4 else in the room with him, who else he maybe consulting  
5 with, and so that kind of defeats the purpose of the  
6 Sunshine law.

7 There are some, you know, there may be some  
8 Boards, but our office has always taken the conservative  
9 view to comply with the Sunshine, the Board members need  
10 to be physically present.

11 MS. JACOBO: So, I've been on several  
12 Sunshine Boards where the Board members can call in.  
13 Noticeably, the Our Kids Board, members call in all the  
14 time to listen to their notice.

15 So, you know, so I wonder if there's some --  
16 at least for the purposes of discussion, you know. I  
17 can understand the quorum. I don't know if anybody  
18 disagrees with me on that but, I mean, is there some  
19 wiggle room for discussion purposes?

20 I mean, everyone is, you know, we assume  
21 they're public officers. I mean, you know, we're going  
22 to have to have some trust factor to that. I mean,  
23 honestly, you know, if we're going to feel like, we can  
24 walk out of the room and I can have a phone call with  
25 somebody and be following the Sunshine.

1                   So, I mean, we would hope that everyone is  
2 honest and not doing those things because they're on the  
3 phone.

4                   DR. NEIMAND: I'm just worried if we have  
5 three Board members calling in, you know, how organized  
6 does our meeting become or disorganized? Who's talking  
7 or who's, you know, the decorum of what we're doing.  
8 That's the first thing that comes to my mind.

9                   MR. ALI: I can tell you from experience on  
10 the Juvenile Justice Board, I mean, they do allow you to  
11 call in and be part of the discussion. But that becomes  
12 very disorganized because someone will be on mute or off  
13 mute, and sometimes you can't hear them, and then  
14 sometimes they're off mute and you hear all the music in  
15 the background. Then it becomes very disorganized with  
16 the calling in.

17                  DR. NEIMAND: There are so many  
18 distractions. If I sit in my office and I pretend that  
19 I'm at a Children's Trust Board meeting and people are  
20 walking by and, you know, I can't talk to you. We all  
21 know that. And you're working at the same time.

22                  And it's problematic, because you want  
23 people physically here for the Board meetings and now  
24 you're giving them an escape clause, so to speak.

25                  MS. JACOBO: Unless you say -- unless you

1 say they're not voting and they're not counted for  
2 quorum, right, and then they're not really -- they don't  
3 really count except that they may want to contribute to  
4 the discussion.

5 Listen, you know, I just -- there are two  
6 rationales. I mean, I think we need to decide what our  
7 rationale is. If our rationale is that legally, it's  
8 not something we should do because it might violate the  
9 Sunshine, that's rationale #1.

10 If what we're saying is, as a Board, we  
11 decide that it's too chaotic, that's rationale #2,  
12 right? So, it's one or the other. I mean, I actually  
13 think that the second rationale is probably a better  
14 rationale because I don't think we mistrust Board  
15 members to pretend they're not in the room.

16 But if it's a chaotic issue, then that's a  
17 different issue. So, Isaac, sorry, but you can't talk,  
18 but I tried for you. I know you'd say "thank you" if  
19 you could. Who knows who you're in the room with.

20 MS. NUELLE: For the record, I did, too. But  
21 I will say -- go ahead.

22 MR. HINCAPIE: No, no, I have a question  
23 about something else.

24 MS. NUELLE: No, I will say, also, one of the  
25 things that I think our Board is working very well

1 together over the last few years, and part of that is  
2 being together and knowing each other, you know. If you  
3 didn't have to attend, like, especially the committee  
4 meetings and you could just call in, I think a lot of  
5 people might opt for that. Although you can't vote and  
6 you don't have quorum, it would hurt it, so, I think we  
7 should consider that part.

8 MR. HINCAPIE: I have a question about  
9 the -- going back, I'm sorry, to Article 4(1)(B).

10 Looking at --

11 MS. JACOBO: Which page are you on?

12 MR. HINCAPIE: I'm sorry, 8, page 8.

13 Article 4(1)(B), the public official is entitled to  
14 designee. So, the Mayor has two appointments, according  
15 to -- I'm looking at the website. So, the second  
16 appointment is a non-voting. Why does he have two  
17 appointments and one of them is -- so, I never remember  
18 the Mayor being part of the Children's Trust. It was  
19 only as a designee.

20 MR. HAJ: Here, it's designated. And then  
21 they have the County Manager position and that got  
22 eliminated.

23 MR. HINCAPIE: That's what it is. That's  
24 what it is. So the County -- the County Manager -- the  
25 County Manager had a vote.

1 MS. KOBRINSKI: Any references in the Code  
2 to the County Manager are now references to the Mayor.  
3 And so if the Mayor showed up at one of our meetings, he  
4 could have a vote.

5 MR. HINCAPIE: He could have a vote.

6 MS. KOBRINSKI: But the ordinance does not  
7 say "Mayor or his designee." So, this person, #4, it  
8 has to be the Mayor. So, Insom Kim is his  
9 representative here but she's not a voting member.

10 The other -- the other one does say -- the  
11 other spot that you fill does say "Mayor or designee."  
12 So, you are the Mayor's designee, so you are a voting  
13 member but Insom Kim is not a voting member.

14 MR. HINCAPIE: But he's exercising the -- he  
15 is the County Manager?

16 MS. KOBRINSKI: Yes. If he came to a  
17 Children's Trust Board meeting, he could vote. But  
18 Insom --

19 MR. HINCAPIE: -- can't vote.

20 MS. KOBRINSKI: -- can't because it doesn't  
21 specifically permit it.

22 MR. HINCAPIE: That's by ordinance?

23 MS. KOBRINSKI: Yes. And I think it  
24 actually might be in the state statute, too, because we  
25 tend to --



1 MR. HINCAPIE: So, technically --

2 MS. NUELLE: You gave up?

3 MR. HINCAPIE: Yeah, because, you know,  
4 we've both served four years.

5 MS. NUELLE: There was a change.

6 MR. HINCAPIE: But the change happened --  
7 the change happened -- the Mayor change happened seven  
8 years ago.

9 MS. NUELLE: No, no, in our -- when we  
10 cleaned up the ordinance this past year, correct? Is  
11 that correct?

12 MS. KOBRINSKI: I don't think it came to  
13 your attention.

14 MS. NUELLE: Yeah, so it got, you know, we  
15 cleaned it up. We made the change -- we had to make the  
16 change for Maggie. The superintendent didn't actually  
17 have a designee.

18 Although Maggie was his designee, somewhere  
19 along the line in the last 15 years, someone gave the  
20 superintendent, not by any legal reason, a designee.  
21 So, anyway, that got changed where Maggie could vote and  
22 then cleaned it up.

23 And actually, the Mayor then made that  
24 decision that you were filling the designee position and  
25 Insom was filling the non-designee position whereas

1 before, they both came and served and voted. So, there  
2 was another -- we're cleaning up all those loose ends.

3 MS. KOBRINSKI: The superintendent statute  
4 changed to allow for a designee recently. So,  
5 previously, it was not --

6 MR. HINCAPIE: But can we change the  
7 Mayor's --

8 MS. KOBRINSKI: It's a statute. It's a  
9 state statute that the County Manager --

10 MS. NUELLE: So, yes, before they both voted.  
11 And then when it got amended, that was his choice, by  
12 the way. I guess you just didn't know.

13 MR. HINCAPIE: And I'm sure no vote has  
14 passed because of one vote.

15 MR. HAJ: Let's hope it stays that way.

16 MS. NUELLE: We're just trying to follow all  
17 the ordinances and laws.

18 MR. ALI: On page 10, clarification language  
19 for who was elected to make it clear the attendance  
20 requirements. And conflict of interest under (3), we  
21 added the Children's Trust funds.

22 On (4), we added the code of ethics policy  
23 to include the appearance of impropriety which, a lot of  
24 times, we ask for the Ethics Commission's ruling on what  
25 might be a situation where a Board member or staff who

1 may have an appearance of impropriety should be taken in  
2 the forefront of any decisions we make regarding  
3 conflict of interest.

4 Next one is just for clarification. Budget  
5 and chief CEO section, we did add the factor that the  
6 Board chair can negotiate and refer back to the other  
7 two provisions we included under the HR and the chair of  
8 the Board.

9 On page 12, we took out the section that  
10 referred back to the HR committee by majority stated.  
11 It's redundant. We added, provide quarterly reports  
12 under the CEO, taking out the discretionary funds, so  
13 now the amendments report.

14 And under the auditor, we cleared it up that  
15 they could be come in front of the Finance Committee and  
16 we clarified that it was five years. We were trying to  
17 see whether we could include seven years, which is a  
18 practice that our staff was looking at, but we thought  
19 it best to use the cycle of five years.

20 MS. JACOBO: Can I ask a question? Going  
21 back to something -- I just waited until the end to  
22 discuss the human resources part, which is on page 4,  
23 and then mentioned again a little later on.

24 I just wanted some clarification. So, the  
25 Board chair can negotiate salary and benefits for the

1 CEO and president with no -- with no ratification by the  
2 Board, just kind of sign off on that without Board  
3 ratification?

4 (NO VERBAL RESPONSE.)

5 MS. JACOBO: Yes?

6 MR. ALI: That's what we were asking for.

7 MS. JACOBO: Okay. So --

8 MS. NUELLE: With the committee.

9 MS. JACOBO: With the -- okay. With the HR  
10 committee, but then it's before the full Board?

11 (NO VERBAL RESPONSE.)

12 MS. JACOBO: Okay. So, I mean, it doesn't  
13 happen, like, in the time of, you know, there's only  
14 been, like, two Board chairs, right? It's been  
15 long-serving positions.

16 But it's the biggest high-profile position  
17 in our, you know, in our organization. Does anyone have  
18 concerns that that might be seen as less transparent  
19 than if it goes at least for ratification, after all the  
20 work is done, to the full Board? Did you find that to  
21 be very cumbersome last time when we --

22 DR. NEIMAND: I think it needs to come to  
23 the full Board. I was the one who wanted to meet him.  
24 I was the one who wanted to see him. Because as much as  
25 I believe that the committee did their due diligence and

1 did a fabulous job, I think, with respect to the entire  
2 Board, that it should be ratified by the Board.

3 And then I think that there's no  
4 impropriety, that there's some kind of cabal going on  
5 behind the scenes, that they put their man in and the  
6 rest of us just have to --

7 MS. JACOBO: Like, I mean, unlike the other  
8 positions at the Trust, the CEO is, you know, the face  
9 of the Trust. I mean, so I feel, like, you know, all  
10 the work being done behind the scenes is great, but at  
11 the end of the day --

12 MR. HINCAPIE: But this is -- you're  
13 referring to the hiring process. You're referring to  
14 negotiating the contract and salary and --

15 MS. JACOBO: Right. And don't get me wrong.  
16 There's no mistrust. I think everything is above-board.  
17 But, you know, with this kind of position, you know,  
18 what you don't want is the appearance that's you're not  
19 being transparent with the CEO of the Children's Trust.

20 We want everyone to think that it was --

21 MR. ALI: Here, we're talking about the  
22 yearly increases and the performance.

23 MS. JACOBO: It's also talking about  
24 negotiating salary and benefits. So, not that this is  
25 happening, but there's, you know, what if, you know,

1 they decide to give the CEO an enormous salary increase  
2 that no one knows about except for the small committee,  
3 right, and the chair. Not that that's happening. I'm  
4 just saying that that's, you know, then you hear about  
5 that, right, I mean --

6 DR. NEIMAND: Right, or when his contract  
7 comes up and it's time to renegotiate.

8 MS. JACOBO: It really protects us. Listen,  
9 it's part of what -- for transparency for the community  
10 but it also is protective of the chair and the CEO so  
11 that there's no question about what happens behind the  
12 scene, I think.

13 MR. HINCAPIE: But if the chair and the CEO  
14 need protection like this, then we, as a Board, did a  
15 really poor job of hiring.

16 MS. JACOBO: Well, we didn't -- this would,  
17 I mean, there's also no, I mean, talking of hiring,  
18 there's also -- hiring is also -- right? I mean, that  
19 doesn't come from full Board ratification, either, does  
20 it?

21 MS. KOBRINSKI: It should be somewhere in  
22 the by-laws.

23 MS. NUELL: Actually, it should, yes.

24 MR. ALI: Yeah, I think that the hiring has  
25 to come from the full Board.

1 MS. NUELLE: Does it say that, because it  
2 should. You know, this year, I asked permission,  
3 because this is the first time -- actually, we never  
4 had -- no CEO even had a contract. Even though it was  
5 in our by-laws that the CEO has a contract.

6 So, we asked permission from the Board. The  
7 Board said, sure, go do that. We went back and Jim and  
8 I, you know, negotiated and then came to, actually, the  
9 HR Committee and the Executive Committee together. So,  
10 that's like a large -- pretty large group of people.

11 You know, there's a certain appeal, I agree,  
12 in some respects, about the transparency. Obviously,  
13 it's public. On the other hand, you know, negotiating  
14 and discussing someone's contract in public with, you  
15 know, a hundred providers there and then, you know,  
16 that's kind of awkward as well and uncomfortable for a  
17 lot of people involved. So, you know, maybe, I don't  
18 know --

19 MR. HINCAPIE: That's how you did it --  
20 that's how the Board approved to do it that way --

21 MS. NUELLE: Yes --

22 MR. HINCAPIE: -- and this is simply --

23 MS. NUELLE: -- this time. This is simply  
24 putting that process into the by-laws?

25 MS. NUELLE: Yes.

1 MR. HINCAPIE: I -- I mean, listen, at the  
2 end, in my opinion, this -- the CEO of the Children's  
3 Trust is probably one of the most important positions,  
4 other than the County Mayor and probably the school  
5 superintendent, in terms of what they're able to do and  
6 how they're able to move families and children moving  
7 forward.

8 And to your point, I would hate to do it in  
9 a public forum. I mean, it's transparent. It's public.  
10 Everybody has access to it. But, you know, I happen to  
11 think, if that was the process, if what we're trying to  
12 do is just put what you just described, which was, you  
13 know, the Board approved it, it went to Human Resources  
14 and then it went to the Executive Committee, so  
15 different people, into the current by-laws, I think -- I  
16 think it's a good idea.

17 I agree with you that, you know, for it to  
18 be -- it's awkward, it's embarrassing, who knows. I  
19 know that there's a lot of people out there who are not  
20 happy because they haven't been funded for whatever  
21 reason and, you know, but I also understand your point.

22 MS. JACOBO: I mean, listen, I get all that.  
23 And I just -- I, you know, I think the balance is that  
24 this is taxpayer money and this is the face of the  
25 Trust, and I would hate for it to be -- for anyone to be



1 accused -- I'm not saying it's right -- but for anyone  
2 to be accused of doing something so that it's not in the  
3 public eye. But, you know --

4 DR. NEIMAND: But we're not making the  
5 decision. We raised it as an issue --

6 MS. JACOBO: Right, I think it's -- right.  
7 I mean, this still needs to go to the full Board.

8 MR. HINCAPIE: Right. But why -- what would  
9 be the appearance of this not being in the public eye?

10 MS. JACOBO: Well, it's not in the public.  
11 That's why we're not doing it in the public eye because  
12 it's embarrassing in front of, you know, it could be  
13 embarrassing --

14 MR. HINCAPIE: But it's public information.  
15 If somebody wants to -- at the end of the day, it's  
16 public information.

17 MS. JACOBO: But it's also not involving the  
18 rest of the Board, so you have a number of people on the  
19 Board -- there's only a small number of Board members  
20 that are making the decision.

21 MS. NUELLE: Which is less, actually, than  
22 the first time. So when we had that, Nelson is right,  
23 that was the hiring. But actually, the Executive  
24 Committee acted as a compensation committee because that  
25 had never even -- we had never even done that.

1 MS. JACOBO: Right. But what you did -- but  
2 what you did to make it transparent is go to the Board  
3 and say, I'm going to be meeting, is everyone okay with  
4 this, and by the way, if anyone is welcome to come,  
5 blah, blah, blah, which this would not permit -- you  
6 would not be doing this.

7 This wouldn't even be in the Board's, you  
8 know, I guess, their -- I'm blanking on the word -- in  
9 their -- on their agenda, on their -- in their view,  
10 right?

11 MR. ALI: Could it be stipulated, if the  
12 Board does decide, could it be that they just go along  
13 with the recommendations --

14 MS. JACOBO: Sure, of course.

15 MR. ALI: -- so they have a public  
16 discussion? I mean --

17 MS. JACOBO: Yes. I think -- I don't think  
18 that -- I don't see this as someone sitting down -- the  
19 whole Board sitting down and negotiating a contract and  
20 going line by line over the contract.

21 I see this as what happens with the  
22 resolutions, which is, a really high overview of what  
23 we're doing, and we vote to say "yes" we agree with the  
24 committee's recommendation to hire the CEO or whatever,  
25 whatever the -- or to, you know, renegotiate the --

1 renegotiate, you know, the recommendation for the  
2 contract renegotiation or whatever it is.

3 But again, like you said, it's not for us to  
4 decide on today. But I just bring that up because --  
5 and I think you're probably going to get a pushback from  
6 the full Board anyway on it when you bring this up. I  
7 know there are people that want at least to know what is  
8 happening when it's modified.

9 MR. HINCAPIE: Why don't we -- can you just  
10 add, "And submit it to the full Board for approval once  
11 it's negotiated?"

12 MS. JACOBO: Yeah, I mean, that's all I'm  
13 saying. I'm not saying it should be negotiated by the  
14 full Board. I'm saying it should, like, the Finance  
15 Committee, like everything else, right? It just --

16 MS. NUELLE: Well, except that when you bring  
17 it to the Board, then it's completely open for  
18 discussion and tearing apart -- you're just tearing it  
19 apart. And actually --

20 DR. NEIMAND: Put it under a consent agenda.

21 MS. JACOBO: This is a consent agenda,  
22 right, there you go.

23 MS. NUELLE: You know, but that's sort of my  
24 concern because then it's, like, well, why did you go  
25 three days and not five days or three years and not four

1 years, or one year, and then you could have an hour  
2 and-a-half discussion, which I'm not saying that's a bad  
3 thing but, you know, negotiating a contract with a CEO  
4 is, you know, Jim was very easy.

5 And actually, the Finance, I mean, the HR  
6 and Executive Committee actually gave more than what we  
7 negotiated, you know, or not what I negotiated and what  
8 we agreed upon, so it was actually in his favor.

9 And I want the support because I never want  
10 to be accused, either, of -- and also, as we kept  
11 looking at all of this, both of us were, like, this  
12 isn't really necessarily about us or even about the  
13 people.

14 It's about the position, you know, like, we  
15 don't know who the next Board chair is or who the next  
16 CEO is. So, you know, you have to think in those terms  
17 as well.

18 So, I just want to make sure that -- you  
19 said it was in here, the hiring -- we should clarify  
20 something about that, you know. I think that needs to  
21 be added somewhere, you know, ratification by the full  
22 Board -- or not ratification. It's not really  
23 ratification, the hiring, it's the hiring.

24 MS. KOBRINSKI: Well, it does say -- under  
25 "Chief Executive Officer" --

1 MS. NUELL: Okay. I'm looking back there.  
2 I didn't see it.

3 MS. KOBRINSKI: "President/Chief Executive  
4 Officer shall be employed by a vote of a majority of all  
5 members then serving on the Board."

6 DR. NEIMAND: I think less is more.

7 MR. ALI: Any additional thoughts, any  
8 recommendations? Laurie had one additional suggestion  
9 on the voting. Her suggestion that we include all Board  
10 members are invited to attend all committee meetings but  
11 only committee members can vote, are allowed to vote. I  
12 mean, it's an unspoken rule but we just wanted to make  
13 it clear.

14 MS. JACOBO: So, where are you? Oh, okay,  
15 that only committee members on the different committees  
16 can vote.

17 MR. ALI: I mean, we know that but no one  
18 ever --

19 MS. JACOBO: It's not in the by-laws.

20 MS. NUELL: Well, however many years some of  
21 us are here, and it sort of addresses that same issue.  
22 Anyone can come to any meeting and participate if you're  
23 in-person.

24 MR. HINCAPIE: It's just what everybody  
25 needs, another meeting they can't vote on.

1 MS. NUELLE: Right, yes. So, they, you know,  
2 everyone's invited to participate, and I think they get  
3 noticed of every meeting. But I thought, I don't know  
4 if we should include that in here to, you know,  
5 essentially point out that you're invited to any meeting  
6 that you want to go to.

7 DR. NEIMAND: I don't think it's a bad idea  
8 to include that. Remember, we're just temporary. And  
9 it might not be a bad idea to include it because that's  
10 the way that we practice and that should be the  
11 practice.

12 MS. NUELLE: Right.

13 DR. NEIMAND: And it's clarity. I mean, of  
14 the work that we're doing, it's fine to clarify areas  
15 that may be gray areas, so let's say it exclusively.

16 MR. ALI: Should we make it clear that they  
17 can be involved in the discussion but cannot vote? That  
18 would add more clarity.

19 MS. NUELLE: I mean, I don't know about the  
20 voting, but I think only members can vote. Like, I  
21 can't vote on any committee meeting.

22 MS. KOBRINSKI: Yeah, they can come -- any  
23 member of the public is welcome to join the discussion.  
24 But I assume that you would like to restrict who would  
25 be voting to the committee members. That could lead to

1 a lot of chaos and confusion if anyone just showed up.

2 MS. NUELLE: But that can -- but the way  
3 we've been doing it, and I think it does work, as a  
4 Board member, you can attend a meeting and you can  
5 participate. We want the participation.

6 MR. ALI: Back to you.

7 DR. NEIMAND: Okay. Any other discussion of  
8 this? Any other elements that are confusing, questions,  
9 issues you want to raise to bring back for the retreat?

10 MS. KOBRINSKI: What's the process? Where  
11 is this going next, to each of the committee chairs?

12 MS. NUELLE: It's up to you.

13 DR. NEIMAND: I don't know. I thought that  
14 the next step for this was to go to the Board at our  
15 retreat or for discussion and ratification. I don't  
16 know.

17 MR. ALI: I thought we wanted to involve the  
18 chairs of the other committees before it gets presented.

19 DR. NEIMAND: So, what would that entail?

20 MR. ALI: Well, all the chairs are on the  
21 Executive Committee. There would have to be an  
22 Executive Committee just to look at this for a second  
23 time.

24 DR. NEIMAND: So, is that at a meeting? Do  
25 we send it out to all of them?

1 MR. ALI: No, the chairs are going to look  
2 at it and give their input. By the time it gets to the  
3 August retreat, I mean, you'll have a lot more people  
4 having their input.

5 MS. JACOBO: Do we have a date for the  
6 August retreat already?

7 MS. NUELLE: Yes.

8 MS. JACOBO: What is it?

9 MS. NUELLE: It's August 25th, a Saturday.

10 MR. ALI: It's a half an hour meeting.

11 MS. JACOBO: It's what?

12 MR. ALI: A half an hour meeting.

13 MS. NUELLE: Yes, we put it on the calendar  
14 every year and then we tweak it or not do it. Last  
15 year, we ended up doing it during the week for a half a  
16 day. Let's put it on the calendar and then we'll make a  
17 decision.

18 MS. KOBRINSKI: So, did this committee want  
19 to add clarification that this comes back to the Board  
20 for approval, or is this going to be something that's  
21 brought up for discussion at the next --

22 MS. JACOBO: I think, brought up for  
23 discussion. I don't think we have agreement on whether  
24 we should or shouldn't, so maybe we need it, you know,  
25 for discussion.



1 MS. KOBRINSKI: We can put an alternative  
2 provision.

3 MR. ALI: Susan, we're good?

4 DR. NEIMAND: I'm good. Do we have any  
5 other business?

6 (NO VERBAL RESPONSE.)

7 DR. NEIMAND: Okay. Then the meeting is  
8 adjourned. Thank you all for coming. Thank you all for  
9 participating. Thank you, Imran and Laurie, for your  
10 hard work.

11 MS. NUELLE: I would say -- I would say that  
12 the committees meet and whatever, you know, their  
13 comments, then can they send them back to this  
14 committee, the committee members, to -- so they see  
15 what --

16 MR. ALI: Well, they'll have to send them  
17 back to Muriel and then she will --

18 MS. NUELLE: Well, yes. But is that, you  
19 know, so then the committee members would be, you know,  
20 aware of whatever changes, you know, are we allowed to  
21 do that?

22 MS. KOBRINSKI: You can have the chairs -- I  
23 mean, yeah, you can do that. You can have the chairs  
24 come and take part in the by-laws committee. They can  
25 send their revisions and you can share them with all the

1 committee members, or you can invite that person to come  
2 and explain, you know, their revisions.

3 MS. NUELLE: If you wanted to just have a  
4 second meeting for August or something. Thank you.

5 (Whereupon, at 3:58 p.m., the meeting was  
6 adjourned.)

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REPORTER'S CERTIFICATE

STATE OF FLORIDA:  
COUNTY OF MIAMI-DADE:

I, Fernando Subirats, Court Reporter and Notary Public in and for the State of Florida at Large, do hereby certify that I was authorized to and did report the proceedings in the above-styled cause; that the foregoing pages, numbered from 1 to 51, inclusive, constitute a true and complete record of my notes.

I further certify that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor financially interested in the action.

Dated this 16th day of May, 2018.



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Fernando Subirats  
Court Reporter

#	1	8	actions	36:19
<b>#1</b> 30:9	<b>10</b> 34:18	<b>8</b> 24:17 31:12	24:23 25:11,18 26:1,10	<b>afternoon</b> 2:7
<b>#2</b> 30:11	<b>12</b> 35:9	<b>9</b>	<b>actually</b> 26:6 30:12 32:24 33:16,23 38:23 39:3,8 41:21,23 43:19 44:5,6,8	<b>again</b> 35:23 43:3
<b>#4</b> 32:7	<b>15</b> 33:19	<b>9</b> 24:16 27:5	<b>ad-hoc</b> 16:24	<b>against</b> 15:16
<b>#5</b> 24:16	<b>2</b>	<b>A</b>	<b>add</b> 26:19 35:5 43:10 46:18 48:19	<b>agenda</b> 17:7,9,13,16, 22,24,25 18:1, 19,23 19:3,7, 12,16 20:1,24 23:9,23 26:20 42:9 43:20,21
<b>(</b>	<b>25th</b> 48:9	<b>ability</b> 8:21 9:2,18 17:19	<b>added</b> 4:21 8:20 10:5 12:10 24:21,22 26:24 27:10 34:21,22 35:11 44:21	<b>ago</b> 6:12 15:14 33:8
<b>(3)</b> 34:20	<b>2:49</b> 2:2	<b>able</b> 40:5,6	<b>addition</b> 8:12 26:11	<b>agree</b> 20:11,21 39:11 40:17 42:23
<b>(4)</b> 34:22	<b>3</b>	<b>above-board</b> 37:16	<b>additional</b> 4:21 10:5,25 14:7 45:7,8	<b>agreed</b> 44:8
<b>(5)</b> 27:10	<b>33</b> 8:2	<b>accept</b> 4:24 5:15	<b>additions</b> 9:4	<b>agreement</b> 48:23
<b>(B)</b> 12:25 13:12 26:24	<b>4</b>	<b>access</b> 40:10	<b>addresses</b> 45:21	<b>ahead</b> 6:21 30:21
<b>(D)</b> 10:5 12:10,25 13:10 27:5	<b>4</b> 35:22	<b>according</b> 31:14	<b>adjoined</b> 49:8	<b>ALI</b> 3:5 4:15,18 6:6,24 7:4,17, 22 8:6,20 9:7, 13 12:6,21 13:9,12 14:1, 23 16:2,6,20 17:2,6,12 22:8 24:14,20 25:8 26:9 29:9
<b>(F)</b> 8:20 14:19,21	<b>4(1)(B)</b> 31:9,13	<b>account</b> 25:18	<b>adjusted</b> 4:20	
<b>(G)</b> 8:20 9:2 26:13	<b>5</b>	<b>accurate</b> 25:2	<b>after</b> 3:24 14:22	
<b>(H)</b> 14:21	<b>5</b> 16:20	<b>accused</b> 41:1,2 44:10		
<b>(I)</b> 11:6 14:21	<b>7</b>	<b>acted</b> 41:24		
	<b>7</b> 17:6	<b>action</b> 18:18 26:14		

34:18 36:6	9:19 10:22	20:24 33:21	<b>associated</b>	4:7 10:19,21,
37:21 38:24	12:12 13:3	43:6	18:21	23 12:2 14:19
42:11,15 45:7,	25:5,17 26:11,	<b>apart</b>	<b>assume</b>	19:6 31:9 35:6,
17 46:16 47:6,	17 30:24 37:23	43:18,19	28:20 46:24	10,21 39:7
17,20 48:1,10,	38:10,17,18	<b>appeal</b>	<b>attend</b>	45:1 47:6,9
12 49:3,16	40:21 41:17	39:11	31:3 45:10	48:19 49:13,17
<b>all</b>	44:10	<b>appearance</b>	47:4	<b>background</b>
2:5 4:12,13	<b>alternative</b>	34:23 35:1	<b>attendance</b>	16:21 29:15
7:25 9:20 11:4	49:1	37:18 41:9	34:19	<b>bad</b>
13:22 14:6	<b>Although</b>	<b>applicable</b>	<b>attention</b>	44:2 46:7,9
18:12 19:3	31:5 33:18	9:18 10:19	33:13	<b>balance</b>
21:14 22:1,22	<b>always</b>	<b>appoint</b>	<b>attorneys</b>	40:23
23:2,5 24:21,	20:15 25:22	9:3,18,19	4:1,3 5:10	<b>based</b>
22 28:13	28:8	<b>appointment</b>	11:20 15:7	3:15 5:7 6:3
29:14,20 34:2,	<b>amended</b>	27:1 31:16	17:6 25:5	8:24
16 36:19 37:9	3:16 34:11	<b>appointments</b>	<b>audit</b>	<b>basically</b>
43:12 44:11	<b>amendments</b>	8:17 18:10,12,	9:23 11:8,11,	6:16 11:6 12:6,
45:4,9,10	35:13	13 31:14,17	15,16,17	23 17:24 22:10
47:20,25 49:8,	<b>and-a-half</b>	<b>appropriate</b>	<b>auditor</b>	<b>BCC</b>
25	44:2	10:1	11:19 12:1	17:9,12
<b>alliance</b>	<b>annual</b>	<b>approval</b>	35:14	<b>become</b>
6:10	12:11	43:10 48:20	<b>August</b>	29:6
<b>allow</b>	<b>another</b>	<b>approve</b>	2:20 48:3,6,9	<b>becomes</b>
26:16 29:10	34:2 45:25	8:22,24 22:24	<b>available</b>	20:12 29:11,15
34:4	<b>anybody</b>	25:1	18:25 27:25	<b>before</b>
<b>allowed</b>	28:17	<b>approved</b>	<b>aware</b>	3:5 5:20 9:6
15:15 45:11	<b>anyone</b>	8:25 39:20	4:7 49:20	12:5 14:11,25
49:20	28:3 36:17	40:13	<b>away</b>	18:5 24:1 34:1,
<b>allows</b>	40:25 41:1	<b>approves</b>	4:12	10 36:10 47:18
5:10	42:4 45:22	10:25	<b>awkward</b>	<b>began</b>
<b>along</b>	47:1	<b>areas</b>	39:16 40:18	2:2
12:21 33:19	<b>anything</b>	46:14,15	<hr/>	<b>begin</b>
42:12	3:6 10:24	<b>Article</b>	<b>B</b>	2:11,16
<b>already</b>	26:10	31:9,13	<hr/>	<b>beginning</b>
26:12 48:6	<b>anyway</b>	<b>back</b>		3:17 8:25
<b>also</b>				
4:24 5:11 6:20				

26:21	10:8,12,13,23, 25 11:2,5	<b>broad</b> 23:9	24:16 28:2 29:5,16	<b>certainly</b> 19:15
<b>behind</b> 37:5,10 38:11	12:11,15 14:3, 22,25 15:3,6, 20,21,24	<b>brought</b> 2:19 48:21,22	<b>came</b> 4:8 32:16 33:12 34:1 39:8	<b>CFO</b> 12:8
<b>being</b> 12:3 14:13,25 18:9,16 31:2, 18 37:10,19 41:9	16:14,15 17:14,19,21 18:11,13,25 19:4,8,10,15, 18,22 20:1,13, 14 21:19,22 24:3,23 25:11 27:1,4,7,8,23 28:2,9,12,13 29:5,10,19,23 30:10,14,25 32:17 34:25 35:6,8,25 36:2, 10,14,20,23 37:2 38:14,19, 25 39:6,7,20 40:13 41:7,18, 19 42:2,12,19 43:6,10,14,17 44:15,22 45:5, 9 47:4,14 48:19	<b>budget</b> 10:1 35:4	<b>can't</b> 6:22 10:11,24 13:21 27:15, 16,18 29:13,20 30:17 31:5 32:19,20 45:25 46:21	<b>chair</b> 4:24 8:21 9:2, 15,17 12:12,14 13:16,21 18:12 35:6,7,25 38:3, 10,13 44:15
<b>believe</b> 13:15 36:25		<b>budget allocati ons</b> 8:24	<b>candidate</b> 5:23 14:10	<b>chairs</b> 9:18 36:14 47:11,18,20 48:1 49:22,23
<b>benefits</b> 8:22 12:13 35:25 37:24		<b>bunch</b> 3:24	<b>candidates</b> 6:14 14:6	<b>chance</b> 5:16 13:18
<b>best</b> 5:23 8:5 35:19		<b>business</b> 2:22 49:5	<b>cannot</b> 27:12 46:17	<b>change</b> 3:15 7:5 9:6 12:3,22 25:24 26:5 27:16 33:5,6,7,15,16 34:6
<b>better</b> 24:3 30:13		<b>busy</b> 14:6	<b>carefully</b> 3:25	<b>changed</b> 6:8 10:7 15:20 23:15 33:21 34:4
<b>big</b> 12:3 21:6,21		<b>by-laws</b> 2:8,12 3:2,3,9, 12,13,14 9:4 12:18 13:18 17:14 23:13, 14,16 38:22 39:5,24 40:15 45:19 49:24	<b>case</b> 10:21 16:12	<b>changes</b> 3:4,9 4:23 9:21 49:20
<b>biggest</b> 36:16			<b>category</b> 23:9	<b>changing</b> 7:6
<b>Bill</b> 12:7		<hr/> <b>C</b> <hr/>	<b>CEO</b> 8:23 9:3 12:13 35:5,12 36:1 37:8,19 38:1, 10,13 39:4,5 40:2 42:24 44:3,16	<b>chaos</b> 47:1
<b>bit</b> 2:9 5:14 9:22 11:9 17:7 25:24	<b>Board's</b> 42:7	<b>cabal</b> 37:4	<b>certain</b> 17:23,24 22:13 39:11	<b>chaotic</b> 30:11,16
<b>blah</b> 42:5	<b>Boards</b> 28:8,12	<b>calendar</b> 26:18 48:13,16		
<b>blanking</b> 42:8	<b>both</b> 17:17 33:4 34:1,10 44:11	<b>call</b> 9:10 14:9,12 15:5,10 27:11 28:12,13,24 29:11 31:4		
<b>Board</b> 2:19 3:19 6:13, 19 8:2,10,21, 25 9:8,15,17	<b>brand-new</b> 12:4	<b>calling</b>		
	<b>bring</b> 4:2 6:13 26:4 43:4,6,16 47:9			

<b>check</b> 4:16	<b>cleaned</b> 9:14 33:10,15, 22	<b>coming</b> 49:8	<b>committees</b> 9:14,19 14:20 18:10 20:4 45:15 47:18 49:12	<b>conflict</b> 34:20 35:3
<b>chief</b> 35:5 44:25	<b>cleaning</b> 34:2	<b>comment</b> 6:2	<b>communicate</b> 19:6	<b>confusing</b> 47:8
<b>childhood</b> 21:15	<b>clear</b> 8:8 12:18 15:11 16:20 25:4,6 26:20, 23 34:19 45:13 46:16	<b>comments</b> 2:23 26:19,20 49:13	<b>communicatio n</b> 22:10	<b>confusion</b> 47:1
<b>children</b> 40:6	<b>cleared</b> 35:14	<b>Commission's</b> 34:24	<b>communicatio ns</b> 22:23	<b>consent</b> 17:7,9,12,13, 16,22 18:1,19 19:16 20:24 21:8,11 23:9, 11 43:20,21
<b>Children's</b> 10:10 18:8 19:12 29:19 31:18 32:17 34:21 37:19 40:2	<b>clearer</b> 12:24	<b>Commissioner s</b> 17:22 19:19	<b>community</b> 38:9	<b>conservative</b> 27:20 28:8
<b>choice</b> 34:11	<b>Clerk</b> 24:23 27:1,4	<b>committee</b> 2:8,16 3:19,20 5:2,4,6,8,22 6:4 7:9,17 8:5, 8,23 9:3,9,16, 20,25 11:3,8,9, 12,16,23,24,25 12:2,16,22 13:5,9,14,18 14:12,13,22,24 15:3,5,10,12, 14 16:14,24 17:1,3,15 22:9, 19 25:19 31:3 35:10,15 36:8, 10,25 38:2 39:9 40:14 41:24 43:15 44:6 45:10,11, 15 46:21,25 47:11,21,22 48:18 49:14, 19,24	<b>companies</b> 17:13	<b>consider</b> 7:1 8:9 14:11 15:9 16:15 17:15 31:7
<b>clarification</b> 26:8 34:18 35:4,24 48:19	<b>coalition</b> 6:10	<b>code</b> 32:1 34:22	<b>compatible</b> 27:9	<b>consideration</b> 15:24
<b>clarifications</b> 24:15,19,21	<b>code</b> 32:1 34:22	<b>combined</b> 10:4	<b>compensation</b> 41:24	<b>considered</b> 5:18 15:8
<b>clarified</b> 6:14 35:16	<b>come</b> 4:6 10:13 12:2 20:9 23:8 25:18 35:15 36:22 38:19,25 42:4 45:22 46:22 49:24	<b>comes</b> 10:23 29:8 38:7 48:19	<b>completely</b> 43:17	<b>constitutes</b> 15:10
<b>clarify</b> 6:9 8:20 11:9 12:8 16:17 25:10 44:19 46:14	<b>comfortable</b> 12:9	<b>committee's</b> 42:24	<b>comply</b> 11:7 28:9	<b>consultation</b> 8:23
<b>clarity</b> 2:15 8:13 46:13,18			<b>concern</b> 43:24	<b>consulting</b> 28:4
<b>clause</b> 29:24			<b>concerned</b> 5:9 19:18 21:23	<b>continue</b> 26:16
<b>clean</b> 4:11			<b>concerns</b> 13:22 36:18	<b>contract</b> 8:22 9:9 12:12, 17 37:14 38:6 39:4,5,14 42:19,20 43:2

44:3	9:9 11:25	41:5,20 48:17	2:5 7:7 19:6	<b>due</b>
<b>contracts</b>	<b>created</b>	<b>decisions</b>	25:25 27:18	36:25
22:25	11:10 12:7	35:2	35:22	<b>duplications</b>
<b>contradictions</b>	25:19	<b>decorum</b>	<b>discussed</b>	4:19
2:14	<b>criteria</b>	24:15 29:7	18:4 26:10	<b>duplicative</b>
<b>contribute</b>	11:25	<b>defeats</b>	<b>discussing</b>	4:20
30:3	<b>cumbersome</b>	28:5	27:23 39:14	<b>during</b>
<b>conversation</b>	36:21	<b>delay</b>	<b>discussion</b>	48:15
2:12 13:20	<b>current</b>	16:3	4:5 5:4 13:2,4	<b>duties</b>
<b>correct</b>	40:15	<b>described</b>	15:7 17:17	8:14
33:10,11	<b>currently</b>	40:12	18:2,6,20 19:1	
<b>correspondenc</b>	11:14 12:3	<b>designate</b>	20:25 21:1,21	<hr/> <b>E</b> <hr/>
<b>e</b>	<b>cycle</b>	27:3	23:4,5,11,17	
18:17 20:6	35:19	<b>designated</b>	25:16 27:17	<b>e-mail</b>
<b>count</b>	<hr/> <b>D</b> <hr/>	24:24 31:20	28:16,19 29:11	4:16 26:15
27:11 30:3	<b>date</b>	<b>designee</b>	30:4 42:16	<b>e-mails</b>
<b>counted</b>	48:5	31:14,19 32:7,	43:18 44:2	20:16
30:1	<b>David</b>	11,12 33:17,	46:17,23 47:7,	<b>each</b>
<b>County</b>	13:11	18,20,24 34:4	15 48:21,23,25	3:1 31:2 47:11
17:22 19:19	<b>day</b>	<b>designees</b>	<b>discussions</b>	<b>early</b>
31:21,24,25	37:11 41:15	26:24	21:4 27:13	21:14
32:2,15 34:9	48:16	<b>different</b>	<b>disorganized</b>	<b>easier</b>
40:4	<b>days</b>	8:3 9:19 10:15	29:6,12,15	24:12
<b>couple</b>	18:4 43:25	21:10 22:25	<b>distractions</b>	<b>easy</b>
9:21 18:4	<b>decide</b>	23:24 24:2	29:18	44:4
<b>coupled</b>	6:19 9:16	30:17 40:15	<b>documents</b>	<b>edited</b>
22:15	15:18 19:5	45:15	26:14	6:17
<b>course</b>	30:6,11 38:1	<b>diligence</b>	<b>done</b>	<b>edits</b>
26:5 42:14	42:12 43:4	36:25	11:11 12:1,4	16:21 24:15
<b>cover</b>	<b>decided</b>	<b>disagrees</b>	24:2 36:20	<b>efficient</b>
10:2	6:13 25:19	28:18	37:10 41:25	24:12
<b>cram</b>	<b>decision</b>	<b>discretionary</b>	<b>down</b>	<b>either</b>
22:24	16:18 33:24	35:12	10:17 20:15	3:10,11,14
<b>create</b>		<b>discuss</b>	21:24 42:18,19	5:16,20 7:16
			<b>draft</b>	
			4:15	



38:19 44:10	<b>entail</b> 47:19	<b>everybody</b> 40:10 45:24	<b>explain</b> 17:20 21:25 23:2	<b>feel</b> 13:6 28:23 37:9
<b>elected</b> 34:19	<b>entire</b> 2:19 12:15 37:1	<b>everyone</b> 2:4,7 5:16 13:17 19:3 27:22 28:20 29:1 37:20 42:3	<b>extent</b> 22:17	<b>few</b> 3:17 15:13 31:1
<b>electing</b> 7:10	<b>entitled</b> 31:13	<b>everyone's</b> 46:2	<b>eye</b> 41:3,9,11	<b>fill</b> 6:20 8:10 32:11
<b>election</b> 4:22 5:18	<b>envision</b> 19:3	<b>everything</b> 20:11,19 37:16 43:15	<hr/> <b>F</b> <hr/>	<b>filling</b> 5:5 8:9 14:5 33:24,25
<b>electronically</b> 26:17	<b>escape</b> 29:24	<b>exactly</b> 6:18 14:1	<b>fabulous</b> 37:1	<b>final</b> 11:11
<b>elements</b> 47:8	<b>especially</b> 31:3	<b>example</b> 24:9 27:2	<b>face</b> 37:8 40:24	<b>Finance</b> 9:22,25 11:3, 12,16,23,24,25 22:8 35:15 43:14 44:5
<b>eliminate</b> 4:19	<b>essentially</b> 27:21 46:5	<b>except</b> 3:17 9:21 30:3 38:2 43:16	<b>fact</b> 24:22	<b>financial</b> 10:1 11:1,3,4
<b>eliminated</b> 31:22	<b>established</b> 8:2	<b>exclusively</b> 46:15	<b>factor</b> 28:22 35:5	<b>find</b> 14:14 36:20
<b>embarrassing</b> 40:18 41:12,13	<b>Esther</b> 27:2	<b>Excuse</b> 16:22	<b>fail</b> 16:5	<b>fine</b> 46:14
<b>emergency</b> 15:8,10	<b>ethics</b> 34:22,24	<b>Executive</b> 12:16 15:5,10 39:9 40:14 41:23 44:6,25 45:3 47:21,22	<b>failed</b> 15:23 16:12,13	<b>firm</b> 9:23 10:13 11:11
<b>employed</b> 45:4	<b>evaluation</b> 12:11,16	<b>exercising</b> 32:14	<b>fall</b> 18:1	<b>first</b> 2:5 15:12 29:8 39:3 41:22
<b>encompasses</b> 17:23	<b>even</b> 9:6 14:4,11 15:1,22 16:13 20:25 23:12,13 24:9 26:15 39:4 41:25 42:7 44:12	<b>existing</b> 2:12 3:2	<b>families</b> 40:6	<b>fiscal</b> 8:25
<b>end</b> 18:24 21:21 26:22 35:21 37:11 40:2 41:15	<b>event</b> 16:10	<b>experience</b> 6:3 29:9	<b>far</b> 19:17,18 22:22	<b>fit</b> 17:19 18:7
<b>ended</b> 48:15	<b>every</b> 7:6 46:3 48:14		<b>fast</b> 20:2,3	
<b>ends</b> 34:2			<b>fat</b> 19:11	
<b>enormous</b> 38:1			<b>favor</b> 44:8	

<b>five</b> 21:10 22:9,15, 25 35:16,19 43:25	21:10 22:4,5,9 33:4 43:25	<b>goes</b> 7:8 36:19	3:10 11:14 19:22 37:25 38:3 43:8	<b>high-profile</b> 36:16
<b>floor</b> 4:25 5:11,16	<b>front</b> 26:23 35:15 41:12	<b>good</b> 2:7 6:2 13:25 17:18 27:2 40:16 49:3,4	<b>happens</b> 4:5 38:11 42:21	<b>highlight</b> 4:11
<b>flow</b> 5:7	<b>full</b> 9:8,17 15:2,6, 20,21,24 36:10,20,23 38:19,25 41:7 43:6,10,14 44:21	<b>gray</b> 46:15	<b>happy</b> 40:20	<b>highlighted</b> 6:7 8:7
<b>follow</b> 3:12,14 5:12, 13 34:16	<b>funded</b> 40:20	<b>great</b> 24:5 37:10	<b>hard</b> 49:10	<b>highlights</b> 5:19
<b>following</b> 28:25	<b>funds</b> 10:2,9,15,18, 21,25 34:21 35:12	<b>group</b> 21:8,11,12,13, 17,20 39:10	<b>hassle</b> 15:9	<b>HINCAPIE</b> 8:1,15,19 30:22 31:8,12, 23 32:5,14,19, 22 33:1,3,6 34:6,13 37:12 38:13 39:19,22 40:1 41:8,14 43:9 45:24
<b>follows</b> 17:9,10	<hr/> <b>G</b> <hr/>	<b>grouping</b> 21:24 22:1	<b>hate</b> 40:8,25	<b>hire</b> 42:24
<b>force</b> 14:14		<b>guess</b> 2:22 3:1 23:25 34:12 42:8	<b>having</b> 2:16 9:15 15:14 17:8 21:21 24:9 25:17 48:4	<b>hiring</b> 37:13 38:15, 17,18,24 41:23 44:19,23
<b>forefront</b> 35:2		<hr/> <b>H</b> <hr/>	<b>hear</b> 20:7 29:13,14 38:4	<b>Historically</b> 11:5
<b>form</b> 25:22	<b>gave</b> 33:2,19 44:6	<b>HAI</b> 2:25 21:7,16 22:3,7 31:20 34:15	<b>helped</b> 11:25	<b>hold</b> 6:13
<b>format</b> 23:24	<b>get all</b> 40:22	<b>half</b> 48:10,12,15	<b>here</b> 2:24 3:17 4:23 6:18 7:6 9:5 11:13 12:3 13:12 15:21 18:8 27:10 29:23 31:20 32:9 37:21 44:19 45:21 46:4	<b>honest</b> 29:2
<b>forms</b> 22:9	<b>getting</b> 13:23	<b>hand</b> 39:13	<b>happen</b> 11:21,23 36:13 40:10	<b>honestly</b> 28:23
<b>formulated</b> 19:16	<b>give</b> 10:14 38:1 48:2	<b>happened</b> 33:6,7	<b>high</b> 42:22	<b>hope</b> 29:1 34:15
<b>forum</b> 40:9	<b>given</b> 26:25	<b>happening</b>		<b>hopefully</b> 12:23
<b>forward</b> 11:2 40:7	<b>gives</b> 9:2,17			
<b>forwarded</b> 14:25	<b>giving</b> 29:24			
<b>four</b>				

<b>hoping</b> 15:11	12:11,13 24:16 34:23 35:17 45:9 46:4,8,9	<b>interested</b> 14:3,11,13	41:17	<b>job</b> 3:21 37:1 38:15
<b>hour</b> 44:1 48:10,12	<b>included</b> 10:6 12:23 13:13 18:9 26:2 35:7	<b>internally</b> 12:1	<b>Isaac</b> 4:15 6:21 27:14 30:17	<b>join</b> 46:23
<b>however</b> 45:20	<b>includes</b> 10:22 25:15	<b>interpretation</b> 19:14	<b>issue</b> 30:16,17 41:5 45:21	<b>jump</b> 11:13
<b>HR</b> 8:23 12:10,15 35:7,10 36:9 39:9 44:5	<b>increase</b> 38:1	<b>interrupt</b> 25:7	<b>issues</b> 4:8 47:9	<b>Justice</b> 29:10
<b>human</b> 35:22 40:13	<b>increases</b> 8:24 37:22	<b>into</b> 10:13 13:24 14:4 17:1 20:18 22:15,25 39:24 40:15	<b>item</b> 18:6 27:24	<b>Juvenile</b> 29:10
<b>hundred</b> 39:15	<b>information</b> 2:15 18:15,17 20:17 41:14,16	<b>introduce</b> 22:20	<b>items</b> 17:23,25 18:19 19:16 21:10	<hr/> <b>K</b> <hr/>
<b>hurt</b> 31:6	<b>informational</b> 18:22,24 20:5	<b>invest</b> 10:21	<b>items--</b> 17:24	<b>keeping</b> 27:6
<hr/> <b>I</b> <hr/>	<b>informed</b> 11:22	<b>invested</b> 10:15	<hr/> <b>J</b> <hr/>	<b>kept</b> 44:10
<b>idea</b> 3:18 13:25 17:18 24:11 40:16 46:7,9	<b>initial</b> 17:25	<b>investing</b> 10:18	<b>JACOBO</b> 13:8,11 17:10 19:21 20:2,21 21:6,12,17,25 22:5 23:1,12 24:18 27:14 28:11 29:25 31:11 35:20 36:5,7,9,12 37:7,15,23 38:8,16 40:22 41:6,10,17 42:1,14,17 43:12,21 45:14,19 48:5, 8,11,22	<b>Kids</b> 28:13
<b>important</b> 20:6 21:4 40:3	<b>input</b> 4:4 5:7 48:2,4	<b>investment</b> 10:9,13		<b>Kim</b> 32:8,13
<b>impropriety</b> 34:23 35:1 37:4	<b>Insom</b> 32:8,13,18 33:25	<b>investments</b> 10:14		<b>kind</b> 4:10 18:1 24:10 26:5,7 27:20 28:5 36:2 37:4,17 39:16
<b>Imran</b> 3:3,8,24 6:25 25:16 49:9	<b>instead</b> 9:15 26:9	<b>invite</b> 5:21		<b>knowing</b> 31:2
<b>in-person</b> 45:23	<b>intent</b> 3:18 18:21	<b>invited</b> 45:10 46:2,5		<b>knows</b> 30:19 38:2 40:18
<b>include</b> 5:5 6:9,18 8:21	<b>interest</b> 10:17 34:20 35:3	<b>involve</b> 47:17	<b>Jim</b> 20:5 39:7 44:4	<b>KOBRINSKI</b> 6:25 7:8,14,23
		<b>involved</b> 39:17 46:17		
		<b>involving</b>		

8:4 14:18,21 16:9 17:21 22:12 23:10,18 27:19 32:1,6, 16,20,23 33:12 34:3,8 38:21 44:24 45:3 46:22 47:10 48:18 49:1,22	36:19 43:7 <b>left</b> 13:7,17 <b>legal</b> 4:4,5 22:24 33:20 <b>legally</b> 30:7  <b>Leigh</b> 6:17 17:17 25:17 <b>less</b> 36:18 41:21 45:6 <b>letter</b> 10:5 <b>like</b> 4:4,6 7:20,24 13:11 14:7 16:5,7,17 19:22 20:7 21:9,18 22:2,4, 9 23:14,16 24:9,10 25:12, 18 26:5 28:23 31:3 36:13,14 37:7,9 38:14 39:10 43:3,14, 15,24 44:11,14 46:20,24 <b>limits</b> 13:23 <b>line</b> 33:19 42:20 <b>listen</b> 28:14 30:5	38:8 40:1,22 <b>listening</b> 21:5 <b>little</b> 2:9 4:10,14 5:14 9:22 11:9 17:7 25:24 35:23 <b>local</b> 6:10 <b>long</b> 17:24 <b>long-serving</b> 36:15 <b>longer</b> 18:11 <b>looked</b> 13:3 <b>looking</b> 4:16 31:10,15 35:18 44:11 45:1 <b>loose</b> 34:2 <b>lot</b> 4:7,19,21 5:4 6:4 13:4 14:2,3 15:6,14 17:13 20:22,23 21:1 31:4 34:23 39:17 40:19 47:1 48:3 <b>low</b> 10:18 <b>lumping</b>	22:22 <hr/> <b>M</b> <hr/> <b>made</b> 7:4 16:18 17:3 33:15,23 <b>Maggie</b> 33:16,18,21 <b>mail</b> 26:16 <b>major</b> 9:21 <b>majority</b> 16:10 27:6 35:10 45:4 <b>make</b> 5:23 8:8,10 12:8,16 14:10 15:11,21 18:23,25 24:12 25:1,2 26:19 33:15 34:19 35:2 42:2 44:18 45:12 46:16 48:16 <b>makes</b> 6:4 9:11 12:24 <b>making</b> 3:21 12:17 18:12 25:4,5 26:23 41:4,20 <b>man</b> 37:5 <b>management</b> 10:2,9 13:4,15	<b>Manager</b> 31:21,24,25 32:2,15 34:9 <b>many</b> 29:17 45:20 <b>Maria</b> 15:8 17:8 <b>master</b> 19:13 <b>matter</b> 21:20 <b>matters</b> 18:10 <b>may</b> 5:2 10:8,19 14:9,15 15:13 22:8 25:18 26:21 28:7 30:3 35:1 46:15 <b>maybe</b> 7:8,19,20 13:3 14:5 22:13 23:1,4 28:4 39:17 48:24 <b>Mayor</b> 31:14,18 32:2, 3,7,8,11 33:7, 23 40:4 <b>Mayor's</b> 27:3 32:12 34:7 <b>mean</b> 14:3 15:1 16:4, 5 17:23 18:8 19:2,11 21:17,
<hr/> <b>L</b> <hr/> <b>language</b> 4:21 9:14 11:2 12:6,24 34:18 <b>large</b> 39:10 <b>last</b> 5:3,8 9:7 13:5 31:1 33:19 36:21 48:14 <b>late</b> 2:9 <b>later</b> 35:23 <b>Laurie</b> 3:5 7:4 14:9 45:8 49:9 <b>law</b> 27:20 28:6 <b>laws</b> 34:17 <b>lead</b> 46:25 <b>least</b> 27:17 28:16				

25 22:12 23:13 26:6 28:18,20, 21,22 29:1,10 30:6,12 36:12 37:7,9 38:5,17, 18 40:1,9,22 41:7 42:16 43:12 44:5 45:12,17 46:13,19 48:3 49:23	12,13 29:5 30:15 41:19 45:5,10,11,15 46:20,25 49:14,19	<b>money</b> 10:22 40:24	18:8 19:10	20:3 21:3,14, 22 23:8,11 24:5 29:4,17 36:22 38:6 41:4 43:20 45:6 46:7,13 47:7,13,19,24 49:4,7
<b>means</b> 16:18 23:11	<b>membership</b> 7:13,15,16,18, 20,24 8:2	<b>months</b> 6:12	<b>necessarily</b> 4:3 5:12 21:8, 11 25:21 44:12	
<b>meet</b> 36:23 49:12	<b>mentioned</b> 4:18 35:23	<b>more</b> 10:23 24:12 27:23 44:6 45:6 46:18 48:3	<b>necessary</b> 20:20	
<b>meeting</b> 2:2,5,8,11 8:11 9:10 15:23 18:5 26:2,13, 14,21 29:6,19 32:17 42:3 45:22,25 46:3, 5,21 47:4,24 48:10,12 49:7	<b>met</b> 25:12	<b>most</b> 26:15 40:3	<b>need</b> 14:18 16:10 19:2 20:8,19 22:13 23:12,14 28:9 30:6 38:14 48:24	<b>Nelson</b> 27:2 41:22
<b>meetings</b> 10:14 15:14 20:14,18 29:23 31:4 32:3 45:10	<b>might</b> 6:25 7:1 8:4,5 24:8 30:8 31:5 32:24 34:25 36:18 46:9	<b>move</b> 9:24 13:24 16:25 40:6	<b>needed</b> 2:15 11:23 27:7	<b>never</b> 11:5 23:25 31:17 39:3 41:25 44:9
<b>member</b> 21:19 28:2 32:9,13 34:25 46:23 47:4	<b>mind</b> 29:8	<b>moved</b> 25:3 26:15	<b>needs</b> 23:15 36:22 41:7 44:20 45:25	<b>new</b> 5:19 6:7 8:7 11:6,18 12:1,4 13:13 16:12 27:6
<b>members</b> 7:25 9:19 15:19 18:25 19:4 21:23 27:7,23 28:9,	<b>minutes</b> 7:6 20:2,3 25:2,10,13,22 26:3 28:1	<b>moving</b> 12:21 14:4 23:4 40:6	<b>negative</b> 16:14,19	<b>next</b> 2:22 9:13,20 12:22 13:21 22:18 24:14 27:5 35:4 44:15 47:11,14 48:21
	<b>missed</b> 24:17	<b>much</b> 9:11 15:7 18:2 19:11 36:24	<b>negotiate</b> 8:22 35:6,25	<b>nominate</b> 5:16
	<b>mistakes</b> 25:3	<b>Muriel</b> 4:15 16:23 17:17 19:6 49:17	<b>negotiated</b> 39:8 43:11,13 44:7	<b>nominating</b> 5:1,3,6,8,22,24 6:4 7:9,17,21 8:5,8 12:22 13:9,14 16:24
	<b>mistrust</b> 30:14 37:16	<b>music</b> 29:14	<b>negotiating</b> 12:12 37:14,24 39:13 42:19 44:3	<b>nomination</b> 5:17
	<b>modification</b> 2:12	<b>must</b> 26:25 27:3	<b>negotiations</b> 12:17	<b>nominations</b> 4:25 5:15 8:9
	<b>modifications</b> 2:19 3:3	<b>mute</b> 29:12,13,14	<b>NEIMAND</b> 2:4,7 3:1 6:1 7:12 9:5,11 13:20 19:24	
	<b>modified</b> 43:8	<hr/> <b>N</b> <hr/>		
		<b>nature</b>		

<b>non-designee</b> 33:25	<hr/> <b>O</b> <hr/>	38:2 40:3 44:1 45:8,17	<b>organized</b> 23:23 24:2 29:5	<b>particular</b> 21:19
<b>non-voting</b> 31:16	<b>Obviously</b> 39:12	<b>ones</b> 18:1	<b>originally</b> 16:24	<b>pass</b> 16:11
<b>normally</b> 10:24 11:3	<b>occurred</b> 26:1	<b>only</b> 3:7 7:23 15:15 16:6 18:15	<b>outside</b> 28:3	<b>passed</b> 34:14
<b>nothing</b> 4:12	<b>off</b> 2:6 29:12,14 36:2	20:5,20 31:19 36:13 41:19 45:11,15 46:20	<b>over</b> 4:11 21:1 31:1 42:20	<b>past</b> 6:10 33:10
<b>notice</b> 28:14	<b>office</b> 7:25 19:17 27:20 28:8 29:18	<b>open</b> 43:17	<b>overview</b> 42:22	<b>people</b> 13:22 14:2,6 15:14,15 20:11 22:13,20 27:16 29:19,23 31:5 39:10,17 40:15,19 41:18 43:7 44:13 48:3
<b>Noticeably</b> 28:13	<b>Officer</b> 44:25 45:4	<b>opinion</b> 40:2	<hr/> <b>P</b> <hr/>	
<b>noticed</b> 27:24 46:3	<b>officers</b> 4:22 5:18,25 6:7 7:2 8:6,14, 18,19 13:14 28:21	<b>opposed</b> 20:13	<b>p.m.</b> 2:3	<b>performance</b> 12:11 37:22
<b>notices</b> 26:13,14	<b>official</b> 31:13	<b>opposite</b> 19:25	<b>pages</b> 9:21 24:14	<b>permission</b> 9:9 12:15 39:2, 6
<b>NUELL</b> 3:7 7:16,19 8:18 11:13 14:20 15:25 16:4,8,16,22 17:4 23:23 24:7,17 25:7,9 30:20,24 33:2, 5,9,14 34:10, 16 36:8 38:23 39:1,21,23,25 41:21 43:16,23 45:1,20 46:1, 12,19 47:2,12 48:7,9,13 49:11,18	<b>on-line</b> 26:7	<b>opt</b> 31:5	<b>pared</b> 20:15	<b>permit</b> 26:25 32:21 42:5
	<b>official</b> 31:13	<b>order</b> 2:22 5:13 16:10 18:3	<b>part</b> 3:23 8:1 12:12 18:22,23 25:16 27:19 29:11 31:1,7,18 35:22 38:9 49:24	<b>person</b> 13:23 32:7
	<b>once</b> 4:10 8:2 11:10 43:10	<b>ordinance</b> 6:8 26:25 32:6, 22 33:10	<b>participate</b> 27:12,16 45:22 46:2 47:5	<b>physically</b> 28:10 29:23
	<b>one</b> 3:11 6:11 10:4 15:16,19 16:11 17:9,10 22:1, 16,25 23:6 25:9 27:23 30:12,24 31:17 32:3,10 34:14 35:4 36:23,24	<b>ordinances</b> 34:17	<b>participating</b> 49:9	<b>piece</b> 6:7,17 12:23 20:20 27:10
<b>number</b> 41:18,19		<b>organization</b> 3:15 6:11,15 8:1 36:17	<b>participation</b> 47:5	
		<b>organizations</b> 6:20		
		<b>organize</b> 23:24		

<b>place</b> 2:16 26:17	22:14	3:8 4:9 5:4,12, 19 11:19 13:1	39:13,14 40:9 41:3,9,10,11, 14,16 42:15 46:23	<b>questions</b> 20:16 21:19 47:8
<b>planning</b> 2:21 6:10	<b>prepare</b> 19:17	37:13 39:24 40:11 47:10		<b>quorum</b> 2:9,10 27:11, 17 28:17 30:2 31:6
<b>point</b> 10:20 40:8,21 46:5	<b>prepared</b> 4:5 6:12	<b>procurement</b> 27:6	<b>publicly</b> 27:25	
<b>policies</b> 10:2	<b>present</b> 5:3,22 13:5 15:2,7 28:10	<b>Program</b> 15:13	<b>pull</b> 19:5	
<b>policy</b> 27:7 34:22	<b>presented</b> 14:24 15:23 17:25 19:7 47:18	<b>programming</b> 22:19	<b>pulled</b> 18:3,5	<hr/> <b>R</b> <hr/>
<b>poor</b> 38:15	<b>president</b> 36:1	<b>Programs</b> 23:21	<b>purpose</b> 2:11 27:15,21 28:5	<b>raise</b> 47:9
<b>portfolios</b> 10:16	<b>President/chief</b> 45:3	<b>proposed</b> 18:9	<b>purposes</b> 28:16,19	<b>raised</b> 41:5
<b>position</b> 5:21 13:24 17:20 31:21 33:24,25 36:16 37:17 44:14	<b>pretend</b> 29:18 30:15	<b>protection</b> 38:14	<b>pushback</b> 43:5	<b>rate</b> 10:18
<b>positions</b> 6:9,15 7:10,11 13:13 14:4 36:15 37:8 40:3	<b>pretty</b> 3:25 16:20 39:10	<b>protective</b> 38:10	<b>put</b> 7:24 10:23 13:25 37:5 40:12 43:20 48:13,16 49:1	<b>ratification</b> 36:1,3,19 38:19 44:21, 22,23 47:15
<b>possible</b> 8:12 12:17 21:7	<b>previously</b> 11:14 34:5	<b>protects</b> 38:8	<b>putting</b> 7:1 22:1,2,3 39:24	<b>ratified</b> 15:5 37:2
<b>posted</b> 24:22	<b>probably</b> 30:13 40:3,4 43:5	<b>provide</b> 18:21 19:6 35:11		<b>rationale</b> 30:7,9,11,13, 14
<b>practice</b> 35:18 46:10,11	<b>problematic</b> 29:22	<b>provided</b> 18:15,16	<hr/> <b>Q</b> <hr/>	<b>rationales</b> 30:6
<b>pre-work</b> 4:14	<b>proceed</b> 15:19 16:11	<b>providers</b> 39:15	<b>quarterly</b> 10:6 35:11	<b>read</b> 5:14 6:18,19 20:11 25:23 26:7
<b>preclude</b>	<b>PROCEEDING</b>	<b>provision</b> 19:13 49:2	<b>question</b> 16:22 23:1,25 30:22 31:8 35:20 38:11	<b>ready</b> 4:13
	<b>S</b> 2:1	<b>provisions</b> 9:5 35:7	<b>questionnaire</b> 5:20	<b>really</b> 3:16,20 4:2 7:3 11:17 15:4
	<b>process</b>	<b>public</b> 2:23 26:19,20 28:21 31:13		

19:2,9,19,25 24:1,11 25:18 30:2,3 38:8,15 42:22 44:12,22	15:15 22:13	<b>renegotiate</b> 38:7 42:25 43:1	<b>resolutions</b> 14:22,23 22:2, 3,15,18,23 23:4,21 25:13, 15 26:10 42:22	3:8 24:23
<b>reason</b> 4:2 14:6 33:20 40:21	<b>redundant</b> 2:14 35:11	<b>renegotiation</b> 43:2	<b>respect</b> 37:1	<b>reviewing</b> 3:21 7:11
<b>reasonable</b> 16:19	<b>refer</b> 35:6	<b>repetitive</b> 9:15	<b>resos</b> 21:8,9 22:4,5	<b>revision</b> 16:12
<b>reasonably</b> 8:12	<b>reference</b> 7:20,21 18:14	<b>replicates</b> 17:9	<b>resources</b> 35:22 40:13	<b>revisions</b> 49:25
<b>receive</b> 24:4,13	<b>references</b> 32:1,2	<b>report</b> 10:8,9,14 35:13	<b>respect</b> 37:1	<b>RFP</b> 22:19 23:21
<b>received</b> 3:2	<b>referred</b> 35:10	<b>reports</b> 11:4 18:15 20:4 35:11	<b>respects</b> 39:12	<b>Roberts</b> 5:10,13
<b>recently</b> 34:4	<b>referring</b> 37:13	<b>representative</b> 32:9	<b>RESPONSE</b> 12:20 36:4,11 49:6	<b>role</b> 3:21 8:9,21 9:25 11:7
<b>receptive</b> 20:17	<b>reflect</b> 25:23	<b>request</b> 10:8	<b>responsibility</b> 14:8 25:4	<b>room</b> 27:23 28:4,19, 24 30:15,19
<b>recommendati on</b> 14:25 16:14,25 17:5,15 42:24 43:1	<b>regarding</b> 35:2	<b>require</b> 18:2,16,17,18, 19,20 19:10,12 20:25	<b>responsible</b> 7:10 25:6	<b>routine</b> 18:9
<b>recommendati ons</b> 3:22 6:2 8:10 42:13 45:8	<b>regular</b> 8:11,17 17:2	<b>requirements</b> 34:20	<b>rest</b> 14:16 37:6 41:18	<b>rule</b> 45:12
<b>recommended</b> 5:11 26:9	<b>regularly</b> 20:10	<b>requires</b> 18:4	<b>restrict</b> 46:24	<b>rules</b> 5:10,13 23:25
<b>record</b> 2:6 30:20	<b>relate</b> 22:18 23:21	<b>requiring</b> 18:13,18,25	<b>result</b> 2:18	<b>ruling</b> 34:24
<b>recording</b> 2:2 25:10	<b>relevant</b> 18:11	<b>resigns</b> 9:3	<b>retreat</b> 2:20 24:6,11 47:9,15 48:3,6	<b>running</b> 2:9 3:16
<b>recuse</b>	<b>religious</b> 6:11	<b>resolution</b> 6:12,17,18 15:2,25 21:20 22:1 25:22	<b>review</b> 2:13 11:1,4 12:16 14:24 19:4	<hr/> <b>S</b> <hr/>
	<b>remember</b> 5:2 15:13 22:8 26:21 31:17 46:8		<b>reviewed</b>	<b>said</b> 11:15 15:20 16:17 20:10 39:7 43:3 44:19
	<b>remind</b> 6:21			



<b>salary</b> 8:22,24 12:13 35:25 37:14,24 38:1	<b>school</b> 40:4	<b>sent</b> 4:15 27:3	<b>shouldn't</b> 48:24	<b>something</b> 4:4 14:15 15:4, 22 19:5,22 21:2 22:13 23:7,15,21 24:8 25:20,24 30:8,23 35:21 41:2 44:20 48:20
<b>SALVER</b> 4:17 6:23	<b>search</b> 9:3,9	<b>separate</b> 7:2 22:11	<b>showed</b> 32:3 47:1	
<b>same</b> 21:1 22:10 29:21 45:21	<b>seats</b> 6:21	<b>separately</b> 23:3	<b>shown</b> 2:13	
<b>sat</b> 10:12	<b>second</b> 30:13 31:15 47:22	<b>served</b> 11:17 33:4 34:1	<b>shutting</b> 21:23	<b>sometime</b> 6:19
<b>Saturday</b> 48:9	<b>secretary</b> 14:5	<b>services</b> 10:23 11:8	<b>sign</b> 36:2	<b>sometimes</b> 20:22 25:2 29:13,14
<b>say</b> 3:6,7 6:25 19:24 22:18 27:17 29:25 30:1,18,21,24 32:7,10,11 39:1 42:3,23 44:24 46:15 49:11	<b>section</b> 4:24 5:6,24 6:7 7:2,9 8:7 9:13 10:5 11:3,6,7 12:24 13:9,12 18:22 35:5,9	<b>servicing</b> 27:8 45:5	<b>simply</b> 39:22,23	<b>somewhere</b> 33:18 38:21 44:21
<b>saying</b> 15:22 16:9,13 17:18 18:24 23:20 24:18 30:10 38:4 41:1 43:13,14 44:2	<b>sections</b> 4:21 9:20 10:4	<b>set</b> 4:12	<b>since</b> 3:16 27:15	<b>soon</b> 8:12
<b>says</b> 4:24 5:15 15:25 25:10	<b>seem</b> 18:7 19:9	<b>seven</b> 33:7 35:17	<b>sit</b> 29:18	<b>sorry</b> 6:1 13:8 14:18 17:11 30:17 31:9,12
<b>scene</b> 38:12	<b>seen</b> 36:18	<b>several</b> 28:11	<b>sitting</b> 42:18,19	<b>sort</b> 18:20 19:13,15 23:22 43:23 45:21
<b>scenes</b> 37:5,10	<b>select</b> 6:14 11:25	<b>Shanika</b> 6:17 25:17	<b>situation</b> 9:8 27:2 34:25	<b>speak</b> 6:22 10:11 12:25 13:12 20:20 27:15 29:24
	<b>send</b> 5:17 20:10 47:25 49:13, 16,25	<b>share</b> 3:23 49:25	<b>small</b> 38:2 41:19	<b>someone</b> 5:17 14:14 29:12 33:19 42:18
	<b>selection</b> 9:23 11:9,11	<b>shared</b> 20:17	<b>smoother</b> 9:12	<b>speaks</b> 9:25 11:7
	<b>select</b> 6:14 11:25	<b>shares</b> 20:6	<b>solicit</b> 11:18	<b>special</b> 8:11
	<b>sending</b> 19:3	<b>should</b> 5:7 7:1,12 13:1 21:4 30:8 31:7 35:1 37:2 38:21,23 39:2 43:13,14 44:19 46:4,10,16 48:24	<b>somebody</b> 28:25 41:15	
	<b>sense</b> 6:5		<b>someone's</b> 39:14	

<b>specific</b> 4:4 21:19	42:11	2:20	8:16 16:6 25:12 29:6 37:21,23 38:17	<b>therefore</b> 2:15
<b>specifically</b> 32:21	<b>stone</b> 4:13	<b>Sunshine</b> 27:19,21,24 28:6,9,12,25 30:9	<b>taxpayer</b> 40:24	<b>thing</b> 3:7 7:23 20:5 22:10 24:10 25:9 29:8 44:3
<b>spoke</b> 13:14 14:2 17:8	<b>stopped</b> 10:18	<b>superintendent</b> 33:16,20 34:3 40:5	<b>tearing</b> 43:18	<b>things</b> 3:9,11,13,17 18:8 19:25 20:9,22,23,25 29:2 30:25
<b>spot</b> 32:11	<b>streamlined</b> 20:15	<b>support</b> 44:9	<b>technically</b> 33:1	<b>thinking</b> 24:7
<b>staff</b> 11:10 18:12 24:3,24 34:25 35:18	<b>struck</b> 4:23 12:23	<b>supposed</b> 8:17 11:20	<b>technology</b> 21:9,16	<b>thought</b> 7:6 24:1,3 35:18 46:3 47:13,17
<b>standing</b> 17:1,2,3	<b>stuff</b> 4:11	<b>Susan</b> 4:18 49:3	<b>telephone</b> 28:3	<b>thoughts</b> 12:19 13:19 45:7
<b>started</b> 3:18 4:10	<b>sub-committee</b> 11:15,16,17	<b>system</b> 6:10	<b>temporary</b> 46:8	<b>three</b> 21:9 22:18 23:4,5,20 29:5 43:25
<b>state</b> 32:24 34:9	<b>submit</b> 43:10	<hr/> <b>T</b> <hr/>	<b>tend</b> 32:25	<b>through</b> 3:4,20,24 6:4 11:19
<b>stated</b> 35:10	<b>subsection</b> 14:21	<b>take</b> 2:16 4:12 9:17 14:7 20:1,22 21:9 49:24	<b>term</b> 13:23	<b>throughout</b> 3:19
<b>statements</b> 11:1	<b>succession</b> 13:4,15	<b>taken</b> 25:11 27:20 28:1,8 35:1	<b>terms</b> 5:25 6:6 7:25 40:5 44:16	<b>tie</b> 16:7,8,10
<b>statute</b> 6:8 12:7 26:25 32:24 34:3,8,9	<b>such</b> 13:20 18:10 27:1	<b>taking</b> 19:23 35:12	<b>than</b> 27:23 36:19 40:4 41:21 44:6	<b>time</b> 9:7 10:12 19:23 20:1,12, 13,22 24:25 28:14 29:21
<b>stays</b> 34:15	<b>sufficiency</b> 22:24	<b>talk</b> 14:19 17:7 24:8 29:20 30:17	<b>their</b> 4:3 6:14 13:23 17:20 21:23 28:14 36:25 37:5 42:8,9 48:2,4 49:12, 25	
<b>step</b> 47:14	<b>suggested</b> 3:9 16:23	<b>talked</b> 3:25 9:22	<b>themselves</b> 5:17 15:15	
<b>still</b> 15:23 16:13 21:18 41:7	<b>suggestion</b> 7:5 45:8,9	<b>talking</b>		
<b>stipulated</b>	<b>summarize</b> 26:11			
	<b>summary</b> 25:10,14			
	<b>summer</b>			

36:13,21 38:7 39:3,23 41:22 47:23 48:2	<b>transparency</b> 38:9 39:12	<hr/> <b>U</b> <hr/>	5:24 19:7	13:16
<b>time-consuming</b> 20:12	<b>transparent</b> 36:18 37:19 40:9 42:2	<b>ultimate</b> 3:20	<b>updates</b> 18:24 20:5	<b>voice</b> 21:24
<b>time-saving</b> 23:6	<b>tried</b> 4:19,20 30:18	<b>ultimately</b> 2:18	<b>urgent</b> 15:4	<b>vote</b> 5:20 15:16,21 18:17,18,19 22:5 23:3,5 25:3 27:12 31:5,25 32:4,5, 17,19 33:21 34:13,14 42:23 45:4,11,16,25 46:17,20,21
<b>times</b> 3:24 14:3 15:6 34:24	<b>trust</b> 10:3,10 18:8 19:12 26:17 28:22 29:19 31:18 32:17 34:21 37:8,9, 19 40:3,25	<b>unclear</b> 18:13 28:3	<b>use</b> 10:2 35:19	
<b>today</b> 2:21,24 43:4		<b>uncomfortable</b> 39:16	<b>used</b> 5:5 10:6,13 15:6 26:22	
<b>together</b> 22:2,3,6,21,23 23:2,16 27:22 31:1,2 39:9	<b>try</b> 22:24	<b>under</b> 5:6,25 6:6 7:2, 8,12,14,20 12:25 14:19,20 18:1 23:8 24:15 25:10 26:13,19,24 27:5,10 34:20 35:7,12,14 43:20 44:24	<b>usually</b> 25:23	<b>voted</b> 15:16 25:15 26:22 34:1,10
<b>told</b> 5:10	<b>trying</b> 34:16 35:16 40:11	<b>understand</b> 24:13 28:17 40:21	<hr/> <b>V</b> <hr/>	<b>voting</b> 5:11 22:15 30:1 32:9,12, 13 45:9 46:20, 25
<b>ton</b> 19:23	<b>tweak</b> 48:14	<b>understanding</b> 2:13	<b>vacancies</b> 8:6,9,11,15,16	
<b>took</b> 6:16 11:1 26:13 35:9	<b>tweaked</b> 5:14	<b>unless</b> 10:24 15:3 29:25	<b>vacancy</b> 5:5	
<b>topic</b> 24:5	<b>twice</b> 10:7	<b>until</b> 6:13 35:21	<b>various</b> 20:4	<hr/> <b>W</b> <hr/>
<b>towards</b> 27:11	<b>two</b> 6:9,12,15,20 7:6,10,11 10:4 13:13 14:5 15:7,15 24:14 27:23 30:5 31:14,16 35:7 36:14	<b>updated</b>	<b>VERBAL</b> 12:20 36:4,11 49:6	<b>waited</b> 35:21
<b>transcript</b> 13:3 24:21 25:1,14			<b>vice</b> 9:18 13:15,21	<b>waiting</b> 2:9
<b>transcripts</b> 26:6,7	<b>two-thirds</b> 27:7		<b>view</b> 27:20 28:9 42:9	<b>walk</b> 3:4 28:24
<b>translates</b> 19:20			<b>violate</b> 30:8	<b>walking</b> 29:20
			<b>Vivianne</b> 20:16	<b>want</b> 3:23 5:18,21 6:1 7:5 9:24 10:20 13:24 14:10,14,15
			<b>vocal</b>	

16:2 19:5	<b>whatever</b>	<b>wording</b>
25:25 29:22	40:20 42:24,25	4:20
30:3 37:18,20	43:2 49:12,20	<b>words</b>
43:7 44:9,18	<b>whenever</b>	23:3
46:6 47:5,9	27:22	<b>work</b>
48:18	<b>whereas</b>	2:17 3:20
<b>wanted</b>	33:25	12:15 19:9,17,
3:6 4:2 8:7	<b>whether</b>	18 36:20 37:10
11:13 12:8	17:14 19:5	46:14 47:3
13:7,17 15:1	20:19 35:17	49:10
16:16 17:7,14	48:23	<b>working</b>
23:14,16 25:9,	<b>while</b>	29:21 30:25
19 26:4 27:8	4:10	<b>worried</b>
35:24 36:23,24	<b>whole</b>	3:11 29:4
45:12 47:17	11:19 42:19	<b>writing</b>
<b>wants</b>	<b>wiggle</b>	27:4
19:15 41:15	28:19	<b>written</b>
<b>way</b>	<b>will</b>	12:7
3:10,15 7:22	2:16,18,19	<b>wrong</b>
11:22 12:4,5	4:24 5:15,16	37:15
21:7,10,24	6:14,19,20	
22:20 23:23	11:10,11 12:12	Y
24:1,2,4 34:12,	14:24 15:11	
15 39:20 42:4	16:1 18:19	<b>year</b>
46:10 47:2	21:23 24:12,23	9:1 10:7 11:18
<b>website</b>	26:20 29:12	12:14 33:10
24:22 31:15	30:21,24 49:17	39:2 44:1
<b>week</b>	<b>without</b>	48:14,15
48:15	18:25 36:2	<b>yearly</b>
<b>welcome</b>	<b>wonder</b>	37:22
2:4,8 42:4	28:15	<b>years</b>
46:23	<b>wondering</b>	17:8 31:1 33:4,
<b>went</b>	21:22	8,19 35:16,17,
3:24 6:3 9:8	<b>word</b>	19 43:25 44:1
10:17,18 11:19	42:8	45:20
15:21 39:7		
40:13,14		