



Board of Directors

Wednesday, October 20, 2021, 6:30 PM | Via Zoom

MINUTES

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| IN ATTENDANCE | Karen Chen (joined meeting at 8:50pm), Gordon Collins, Anoosh Davoudzadeh (joined meeting at 7:25pm), Joshua Conlin, Suzy Cossette, Martha Ehrenfeld, Ray Hixson (Vice President), Cheri King, Bryn Powell, Luis Reis, Jason Scalese (President), Pam Sloan (Secretary), Sandy Tompkins (joined meeting at 7:13pm), Jack Walker (Treasurer), Keith Wheeler (Delegate & Parliamentarian), Scott Winn. |
| ABSENT | Sandy Tompkins, Anoosh Davoudzadeh, Karen Chen |
| ADVISORY DIRECTORS | Christine Costamagna, Andrea Norman, Alvin Hom |
| NORCAL STAFF | Interim Co-Executive Directors Alison Vidal and Darren Wenger |
| LEGAL COUNSEL | Jonathan Madison, Esq., The Madison Firm |
| GUESTS | |
| CALL TO ORDER | 6:31 PM |

I. Reading of the USTA NorCal Mission Statement:

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| DISCUSSION | Mr. Collins read the USTA NorCal Mission Statement. |
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II. Public Comments:

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| DISCUSSION | President Scalese asked staff if there were public comments submitted. Staff reported no comments were submitted per the deadline of 2pm on October 20, 2021 |
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III. Approval of Agenda

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| DISCUSSION | No changes or objections to the agenda presented. |
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IV. Executive Session

| MOTION | SECONDED | PASSED |
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| Mr. Reis moved for the NorCal Board go into Executive Session at 6:45pm. | Ms. Ehrenfeld | By a vote of 12 in favor, 0 opposed, and 0 abstentions. |
| Mr. Hixson moved for the USTA NorCal Hall of Fame Luncheon scheduled for October 24 2021 be postponed to yet to be determined date. | Mr. Reis | By a vote of 12 in favor, 0 opposed, and 0 abstentions. |

V. Approval of the Minutes (September 15, 2021)

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| DISCUSSION | There was a discussion regarding the board meeting minutes from September 15, 2021. Recommended edits that were presented were reviewed and made. | | |
| MOTION | SECONDED | PASSED | |
| Mr. Hixson moved to approve the September 15, 2021 minutes as corrected. | Mr. Wheeler | By vote of 14 in favor, 0 opposed, and 1 abstentions. | |

VI. November Board Election Update

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| DISCUSSION | <p>Co-Interim Executive Director, Darren Wenger, reported that all proxies had been mailed to Members Organization of record as of September 30, 2021. Mr. Wenger will meet with the election vendor on October 25, 2021 to discuss how the election will be handled via zoom. Reminders will be sent to Membership Organizations regarding the November proxy deadline.</p> <p>President Scalese expressed concern about reaching a quorum and asked Board members who knew Member Organizations to encourage the return of proxies, and to vote for the slate.</p> |
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VII. Executive Committee Report

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| DISCUSSION | <p>Adult Leagues: President Scalese stated that the Executive Committee met on October 5, 2021 to discuss the revised 2022 Adult League Calendar and the Adult League Committee’s (ALC) response to concerns raised at the last Board meeting held on September 15, 2021. In advance of the Executive Committee meeting, Directors were sent the revised calendar and were given the opportunity to respond or attend the Executive Committee meeting to provide additional feedback. Chrissie Costamagna, Chair of the Adult League Committee and Brandy Guillen, Manager of Adult Leagues presented the changes and rationale for the newly proposed 2022 Adult League Calendar.</p> <p>At the Executive Committee meeting, the 2022 Calendar was approved, with these modifications:</p> <ul style="list-style-type: none"> ● Delay of the start of the Adult 40+, Adult 40+ Daytime, Adult 65+ and Adult 18+ Mixed leagues until January; ● Reconsideration by the Board at the next meeting whether leagues without designated Sectional Championships (Daytime and Combo Leagues) should have those Championships reinstated. <p>Discussions: Sectionals for 2022 Daytime Leagues & Combo Leagues</p> <p>ALC Chair Chrissie Costamagna shared with the Board the cost issue of adding the Sectionals back into the calendar, and recommended the Board instead approve for the four leagues impacted, a local league play-off which would have no cost and would allow play beyond the season. Cost estimates for the additional Sectionals are \$40K - \$60K. Ms. Costamagna also reminded the Board that the staff was trying to avoid significant overlap in the leagues in the calendar presented for approval to the Executive Committee.</p> |
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| | <p>Mr. Hixson said that he had done some informal polling of league captains/players on the importance of sectionals for these leagues, and that the feedback was quite strong about the importance of having sectionals. Although a desire for more social tennis opportunities had been cited as a reason for eliminating sectionals for these leagues, Mr. Hixson stated that eliminating sectionals would not be effective to deliver the type of social tennis activities that are in demand (which would be something more like a mixer, than a league format). Mr. Hixson the whether there were adequate funds to host these sectionals, and whether a \$1 increase could be considered to cover the Sectionals cost if necessary. Ms. Costamagna advocated for no increase due to the recent history with leagues and the impact it has had on players. Mr. Walker, Treasurer, informed the Board that a \$1 league fee increase has already been included in the 2022 budget to balance the budget. In addition, Mr. Walker believes the projected 2021 surplus of nearly \$700K could pay for the cost of bringing the sections back to the leagues where sectionals were eliminated.</p> | |
| <p>MOTION</p> | <p>SECONDED</p> | <p>PASSED</p> |
| <p>Mr. Hixson moved to hold Sectional Championships for non-Daytime combo leagues in 2022.</p> | <p>Mr. Collins</p> | <p>By vote of 7 in favor, 6 opposed, 2 abstentions, 1 recusal. (President Scalese broke the tie in favor) (Motion passed)</p> |
| <p>MOTION</p> | <p>SECONDED</p> | <p>PASSED</p> |
| <p>Mr. Hixson moved to hold Sectional Championships for 2022 Daytime Leagues for same leagues that were previously held.</p> | <p>Mr. Collins</p> | <p>By vote of 11 in favor, 2 opposed, 2 abstentions.</p> |
| <p>DISCUSSION</p> | <p>Junior Council President Scalese noted a second agenda item at the Executive Committee meeting was the ordering of players on NorCal’s Quota List for the USTA National Junior Indoor Championships. Andrea Norman, Chair of Junior Council, shared that the Junior Council received very short notice that NorCal needed to submit the procedure by which NorCal would order players on the USTA National Indoor Championships Quota List by October 8, 2021. Registration was opened on October 28, 2021, only one week following the date of the next USTA NorCal Board meeting thus creating an urgency. Directors had no questions and expressed no concerns regarding the procedure approved by the Executive Committee.</p> | |

VIII. Committee Decisions

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| <p>DISCUSSION</p> | <p>President Scalese asked if there were questions regarding the committee decisions. The Board had no questions but Mr. Hixson commended the Adult League Committee for its work on new rules to protect league fairness, and a level-playing field.</p> <p>With no questions, Mr. Scalese noted the Umpire and Officials Committee had requested that USTA NorCal consider reallocating unused 2021 umpire funds to help offset the cost NorCal certified officials incur when purchasing NASO insurance. President Scalese indicated that this should be reviewed by the Budget and Finance Committee and come back with a recommendation that would be presented at a future meeting.</p> | |
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| MOTION | SECONDED | PASSED |
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| Mr. Hixson moved to suspend the Umpire and Referee Committee decision request to reallocate 2021 umpire funds pending Budget and Finance Committee review. | Mr. Walker | By vote of 15 in favor, 0 opposed, 0 abstentions |

IX. Action Items

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| DISCUSSION | <p style="text-align: center;">Action Item #1: Conflict of Interest Policy Expansion – Committee Members</p> <p>President Scalese noted that a revised Conflict of Interest Policy is part of the Sanctioning Action Item and an updated version was sent out earlier in the day that was crafted by Andrea Norman, Jonathan Madison and Ray Hixson following the recognition that two items were on the agenda that affect the same Policy. As a result this Action Item will be removed from the agenda and the new Conflict of Interest Policy will be presented under Sanctioning Action Item.</p> <p>With no questions, Mr. Scalese noted the Umpire and Officials Committee had requested that USTA NorCal consider reallocating unused 2021 umpire funds to help offset the cost NorCal certified officials incur when purchasing NASO insurance. President Scalese indicated that this should be reviewed by the Budget and Finance Committee and come back with a recommendation and to be presented at a future meeting.</p> |
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| DISCUSSION | <p style="text-align: center;">Action Item #2 Junior Council:</p> <p>A: Adjustments to the 2022 USTA Junior Tournament Calendar</p> <p>Andrea Norman, Chair of Junior Council presented the adjustments made and the rationale to the 2022 USTA Junior Tournament Calendar. The resolution I is follows:</p> <p>RESOLVED: That the following adjustments are hereby approved to the 2022 USTA NorCal Junior Tournament Calendar:</p> <ul style="list-style-type: none"> ● Eliminate the Open Level 4 Super Series scheduled for February 12-13 ● Add a Level 6 Ratings Round Robin on February 12-13 ● Eliminate the Closed L4 Excellence scheduled for August 13-14 and 20-21 ● Designate the Level 5 Singles-Only Super Series scheduled for March 12-13 as Closed ● Designate the Level 5 Singles-Only Super Series scheduled for April 9-10 as Closed ● Add a Closed Doubles-Only Level 5 Championship on February 5-6 ● Add a Closed Doubles-Only Level 5 Championship on August 20-21 <p>RESOLVED FURTHER: That the SAT and ACT Avoidance Policy does not apply to Closed Level 5 Tournaments</p> |
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| MOTION | SECONDED | PASSED |
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| Ms. Cossette moved to approve the adjustments to the 2022 USTA Junior Tournament Calendar. | Mr. Winn | By vote of 15 in favor, 0 opposed, 0 abstained |

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| DISCUSSION | <p>Action Item #2 Junior Council (cont.):</p> <p>B: Adoption of Inaugural USTA NorCal Junior Circuit Regulations</p> <p>Andrea Norman, Chair of Junior Council, presented the Inaugural USTA NorCal Junior Circuit Regulations and the rationale. The resolution I as follows:</p> <p>RESOLVED: That the USTA NorCal Junior Circuit Regulations are hereby adopted with an effective date of January 1, 2021, as set forth on Exhibit A (See Attachment)</p> |
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| MOTION | SECONDED | PASSED |
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| Ms. Cossette moved to approve the Inaugural USTA Junior Circuit Regulations as set forth in the resolution | Mr. Sloan | By vote of 15 in favor, 0 opposed, 0 abstained |

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| DISCUSSION | <p>Action Item #3: Training Requirements for Non-Certified Officials</p> <p>Andrea Norman, Chair of Junior Council, presented the Training Requirements for Non-Certified Officials. The resolution is as follows:</p> <p>RESOLVED: That effective immediately, the USTA NorCal Junior Tournament Regulation 30.A and Table 4 are amended to implement the new training requirement for Court Monitors in NorCal as follows (underlined language is proposed to be added; stricken-through language is proposed to be deleted):</p> <p>30. Certified Officials at Tournaments.</p> <p>A. Level 6, 5, 4, and 3 Tournaments. The Referee must be a referee certified by the USTA. A Certified Deputy Referee is required at each satellite site <u>and that person must be a USTA Certified Official</u>. A minimum of two officials are required for each eight (8) courts in play, one of whom must be a USTA Certified Official; the remaining officials may be a USTA Certified Official or a <u>USTA NorCal Approved Court Monitor</u> - see Table 4. Any waiver to these rules is subject to the prior written approval of the USTA NorCal Junior Staff.</p> <p><u>Through November 15, 2021, and upon the request of the Tournament Director, USTA NorCal will waive the USTA NorCal Approval requirement for a Court Monitor, provided the person has registered for a USTA NorCal Court Monitor training.</u></p> |
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Table 4: Minimum Officials Required for L6, L5, L4, and L3 Tournaments

| Number of Courts | Minimum Requirement |
|-------------------------|---|
| 1 to 4 | 1 Total: 1 Certified Official |
| 5 to 8 | 2 Total: 1 Certified Official + 1 Additional Certified Official or <u>Approved Court Monitor</u> |
| 9 to 12 | 3 Total: 2 Certified Officials + 1 Additional Certified Official or <u>Approved Court Monitor</u> |
| 13 to 16 | 4 Total: 2 Certified Officials + 2 Additional Certified Officials or <u>Approved Court Monitors</u> |
| 17 to 20 | 5 Total: 3 Certified Officials + 2 Additional Certified Officials or <u>Approved Court Monitors</u> |
| 21 to 24 | 6 Total: 3 Certified Officials + 3 Additional Certified Officials or <u>Approved Court Monitors</u> |
| 25 to 28 | 7 Total: 4 Certified Officials + 3 Additional Certified Officials or <u>Approved Court Monitors</u> |
| 29 to 32 | 8 Total: 4 Certified Officials + 4 Additional Certified Officials or <u>Approved Court Monitors</u> |

PART 2: USTA Training Requirement for Level 7 Tournament Director to Serve Dual Role as Referee

RESOLVED: That effective immediately, USTA NorCal Junior Tournament Regulation 30.B is amended to implement the new national policy to permit a Level 7 Tournament Director to serve in the dual role as Referee as follows (underlined language is proposed to be added; stricken-through language is proposed to be deleted):

30. Certified Officials at Tournaments.

B. Level 7 Tournaments.

i. 2021 Requirement

- USTA Certified Officials are not required at Level 7 Tournaments; however, the tournament must have a person serving in the role of Referee.
- The person serving as Referee and that person may not be the Tournament Director, unless the Tournament Director has fulfilled the training required by the USTA Officiating Department to serve the dual role of Tournament Director/Referee and the Tournament Director/Referee is present during play.
- When a person serves as both Tournament Director and Referee, that person will assume all of the responsibilities of

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Referee, except that the person must not be a member of the Tournament Appeals Committee.

- When a satellite site is used, a person must serve in the role of Deputy Referee at the satellite site.
- Level 7 Tournaments must have met the minimum officials required in Table 4; however, in lieu of USTA Certified Officials and USTA NorCal Certified Court Monitors, a Level 7 Tournament may use USTA NorCal Play Monitors (a role that also requires USTA NorCal training).

ii. Requirement Beginning January 1, 2022.

- USTA Certified Officials are not required at Level 7 Tournaments.
- The Tournament Director may also serve as Referee, provided that the training required by the USTA Officiating Department to serve the dual role of Tournament Director/Referee, has been completed, and provided that the Tournament Director/Referee must be present during play. When a person serves as both Tournament Director and Referee, that person will assume all of the responsibilities of Referee, except that the person must not be a member of the Tournament Appeals Committee.
- When a person other than the Tournament Director is serving as Referee, the person must have fulfilled the training required by the USTA Officiating Department.
- When a satellite site is used, a person must serve in the role of Deputy Referee at the satellite site, and that person must have fulfilled the training required by the USTA Officiating Department.
- Level 7 Tournaments must have met the minimum officials required in Table 4; however, in lieu of USTA Certified Officials and USTA NorCal Certified Court Monitors, a Level 7 Tournament may use USTA NorCal Play Monitors (a role that also requires USTA NorCal training).

Regulation 30.B. Comment. A person who is a USTA-Certified Referee has met the training required by the USTA Officiating Department

| MOTION | SECONDED | PASSED |
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| Ms. Cossette moved to approve the training requirements for Non-Certified Officials as set forth in the resolution. | Mr. Winn | By vote of 15 in favor, 0 opposed, 0 abstained |

Action Item #4 - Approval of Sanctioning Regulations

Andrea Norman, Chair of Governance & Ombuds Committee reported that as dictated by the resolutions approved by the Board on September 15, the existing Sanctioning Regulations were the starting point for this proposal. A review of all of the Regulations and the requirements of the existing Tournament Agreement were reviewed as part of the process that has led to this Action Item.

Generally, in drafting the new Sanctioning Regulations and related documents, details on requirements such as Safe Play, insurance, limitation of liability, waiver of right to sue, arbitration, indemnification, revoking sanctions, canceling tournaments, notice and approval of changes have been moved to the new USTA NorCal Sanctioning Agreement (Exhibit C). Any process related to how NorCal sanctions Events and Tournaments is in the USTA NorCal Junior Circuit Regulations (Exhibit B) and USTA NorCal Tournament Sanctioning Regulations (Exhibit A-2),

In addition, Ms. Norman added the Conflict of Interest Policy (Exhibit D) for USTA NorCal that requires a director, officer, member of a committee, employee or independent contractor to sign off on the policy.

The resolutions area as follows:

DISCUSSION

WHEREAS: At its September 15, 2021 meeting, the USTA NorCal Board of Directors approved resolutions that:

- Authorized the adoption of sanctioning policies for Junior, Adult, Family and Wheelchair Tournaments and Junior Circuit Events so long as the policies met specific parameters;
- Provided that should any issue arise that is beyond the scope of the approved parameters, or that may be inconsistent with an approved parameter, the NorCal staff and the Chairs of the Governance & Ombuds and the Sanction & Schedule Committees are authorized to prepare a proposal that address the issue, and such proposal will be brought to the USTA NorCal Board of Directors for approval prior to implementation; and
- Required the sanctioning process for Junior, Adult, Family and Wheelchair Tournaments and Junior Circuit Events to be presented to the Board for approval.

NOW THEREFORE BE IT RESOLVED: That, effective immediately, the attached USTA NorCal Tournament Sanctioning Regulations (Exhibit A-1: Marked Version; Exhibit A-2: Clean Version), the attached procedures for sanctioning USTA NorCal Junior Circuit Events (Exhibit B), and the attached Conflict of Interest Policy (Exhibit D) is hereby approved.

RESOLVED FURTHER: That the attached USTA NorCal Sanctioning Agreement (Exhibit C), is approved, subject to further edits to paragraphs 17-19 to be approved by the General Counsel and the President.

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| MOTION | SECONDED | PASSED |
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| A motion made by Mr. Hixson to approve a resolution as stated above: | Ms. Cossette | By vote of 15 in favor, 0 opposed, 0 abstentions |

X. Treasurer's Report

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| DISCUSSION | <p>Mr. Walker, treasurer, noted the 2021 budget was done in February and the process did not include staff input. As a result, line items have been way off predictions. Notwithstanding the inaccuracy of the budget, NorCal has come through 2021 pretty well as a result of the PPP funds.</p> <p>Mr. Walker, lead us through August 2021 actuals:</p> <ul style="list-style-type: none">• Net Income year-to-date through August 31; \$316,105.91• Net Cash Flow for Month of August: \$13,820.80• Cash Balance as of August 31: \$3,226,247.46• Total Equity as of August 31: \$4,125,524.70• Projected Surplus for 2021: \$697,739.04 <p>Mr. Walker presented the 2022 Budget and the process for arriving at the budgeted amounts. The Budget and Finance Committee met with each Department and the corresponding committee chairs and reviewed their budget requests and 2022 goals. Mr. Walker thanked the Departments staff, committee chairs and administration for all their hard work on the budget.</p> <p>Initially there was a deficit of approximately \$40K. The Budget and Finance Committee decided to add a \$1 to the adult league fee in order to balance the budget. If 70% of the league play returns there should be a surplus of approximately \$3,337.63 for 2022.</p> <p>Mr. Walker noted that the Adult League program generates approximately \$1.4M and NorCal receives approximately \$3.5M from National. In addition, the marketing company under contract has generated enough funds to go toward developing an app.</p> <p>Mr. Reis asked about the IT (Approach Tennis at \$8,000/month) budget Item. Mr. Walker explained that this is the USTA NorCal internal program used instead of TennisLink to manage Adult Leagues. NorCal has used this system for several years.</p> | |
| | MOTION | SECONDED |
| Mr. Reis moved to approve the 2022 budget | Ms. Sloan | By vote of 15 in favor, 0 opposed, 0 abstentions |

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XI. President's Report

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| DISCUSSION | <p>President Scalese shared that he had been very busy with multiple meetings since the last Board meeting. He has attended all of the Executive Director Interviews (Zoom), met with Legal Counsel, met with the ERC Chair on Human Resource matters, participated in the Budget and Finance Committee working session, and managed the Executive Committee meeting focusing on the Adult League Calendar for 2022 and junior tournament policy matters. In addition, he had attended the monthly USTA President's meeting. Also worked with the Co-Interim Executive Director, Darren Wenger on details related to the November Board elections. President Scalese stressed the importance to get as many organizational members to vote in order to have the appropriate quorum for the election.</p> <p>President Scalese announced that there will be an USTA Annual Meeting in 2022. It is scheduled for March 18-21, 2021 in Orlando, Florida. Directors are invited to attend. National is looking at the Semi-Annual meeting and where it can cut costs. No announcement has been made year-to-date.</p> <p>President Scalese, announced the next regular Board meeting will be held on November 17, 2021</p> |
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XII. Executive Directors Report

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| DISCUSSION | <p>Interim Co-Executive Director Alison Vidal highlighted the KPSF Event at the Goldman Tennis Center. USTA NorCal was selected over UTR for the event. It was a very successful event that included a Men's and Women's events, Club Championship and an Arthur Ashe Community Kids Day. Plans are being made for 2022. Also, the Bryan Brother's event at Goldman Tennis Center was a big success.</p> <p>The data and information on various programs, i.e., Adult Leagues, Junior Competition/Junior Circuit/Adult Competition, Junior Team Tennis, H.I.T.S., NJTL Chapters, Park and Recreation Agencies, Schools, Tennis on Campus, Adaptive/Wheelchair Tennis, and Diversity and Inclusion are in the report submitted. In addition, the 2023 or 2025 Laver Cup may be coming to the Chase Center in San Francisco. Talks are underway.</p> <p>Co-Executive Director Vidal also mentioned a couple National Funding opportunities. The "Grow the Game" grant awarded NorCal \$129,000 to assist facilities. Year to date \$78,587 awarded to 36 facilities/organizations with \$5,832 paid out thus far.</p> <p>In conclusion Co-Executive Director Vidal shared the Court Monitors Update. There is a webinar training with 54 people signed up to be a Court Monitor or have worked as a court monitor in 2021. Sportsmanship update included that there have been 8 grievances in year to date. Vidal has been working with the umpires to be more consistent with enforcement of the NorCal Zero Tolerance Policy.</p> <p>There are 99 NorCal certified umpires but there was a decline of 7 in October because of retirements or other issues. NorCal has 45 certified referees. NorCal continues to provide training (webinars/Chair Umpire Workshop) to recruit new umpires and referees.</p> <p>Interim Co-Executive Darren Director Wenger noted he had been working on the budget.</p> |
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| | <p>The annual audit is almost complete and should be closed out in a couple of days. Mr. Wenger has trained staff on the forklift. He hopes to have the NorCal Office cleaned up by the end of the year. The walls in the boardroom needs to be repainted due to removal of pictures.</p> <p>Interim Co-Executive Director Wenger will be meeting with ABC Benefits to help determine what other services they can provide USTA NorCal. In addition, the job description for the compliance/human resource positions should be finalized in the next few days.</p> |
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XIII. Delegate’s Report

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| DISCUSSION | <p>Keith Wheeler, USTA NorCal Delegate, reported there is still concern about the bylaw (Bylaw 4) call item related to finances that was adopted in August. The USTA Board acquired a legal opinion regarding its fiduciary duty related to funding and continues to believe financial commitments do not belong in the Bylaws. A meeting is scheduled December 12-14 in New Orleans to discuss this issue as Florida Section has proposed new bylaw amendment.</p> |
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XIV. USTA Nominating Process

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| DISCUSSION | <p>Andrea Norman, as a member of the USTA Nominating Committee, did a presentation on the USTA Nominating application process. Ms. Norman provided information on who currently serves on the USTA Nominating Committee, roles of the Board and Nominating Committee, characteristics of a successful candidate, USTA Bylaw requirements regarding USTA Board composition and Nominating Committee composition, time commitment, and the nomination timeline. Ms. Norman asked that anyone with questions to contact her.</p> |
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XV. Old Business

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| DISCUSSION | No Old business |
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XVI. Adjournment

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| DISCUSSION | No Old business | |
| MOTION | SECONDED | PASSED |
| Mr. Reis moved to adjourn the meeting | Ms. Tompkins seconded the motion | By vote of 15 in favor, 0 opposed, 0 abstentions |

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| ADJOURNMENT | 11:20 PM |
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