

MEMORANDUM

TO: Board of Trustees

FROM: Bobby Magee
District General Manager

SUBJECT: Review, Discuss and Approve Agreement with Best, Best, and Krieger for Public Records Request Services

DATE: May 8, 2024

I. RECOMMENDATIONS

1. The Board review, discuss and approve the agreement with Best, Best, and Krieger (BBK) for Public Records Request Services; and,
2. Direct the General Manager to sign the agreement.

II. DISTRICT STRATEGIC PLAN

This action supports Long Range Principle #6, Communication; *“The District will engage, interact and educate to promote understanding of the venues, facilities, services, and ongoing affairs.”*

III. BACKGROUND

Between January 1, 2024 and May 1, 2024 the District received 59 Public Records Requests (PRR). The nature of the requests vary from simple and easy to produce immediately, to extremely complex and require a significant amount of staff research. Responding to each request is required under NRS Chapter 239. As the number and complexity of PRR’s has increased, so has the amount of staff time being diverted from daily workload tasks to PRR processing.

BBK has a division called the Advanced Records Center, which provides expert services to local governments for responding to PRR’s. Staff has reached out to BBK requesting a rate schedule, and was informed that BBK will provide these services to the District at a discounted rate as identified below.

IV. FINANCIAL IMPACT AND BUDGET

If approved, BBK will bill the District at the following rates, which will remain the same during the current term of the agreement:

Attorneys \$200
Paralegals & Law Clerks \$200
Litigation, Muni & Research Analysts \$200

V. ALTERNATIVES

Direct staff to continue to handle all public records requests using in-house staff.

VI. ATTACHMENTS

Agreement for PRR Services

**FIRST AMENDMENT TO
AGREEMENT FOR GENERAL COUNSEL LEGAL SERVICES
BETWEEN
INCLINE VILLAGE GENERAL IMPROVEMENT DISTRICT
AND
BEST BEST & KRIEGER LLP**

This First Amendment is made and entered into as of May 8, 2024 by and between the Incline Village General Improvement District, a general improvement district organized under NRS Chapter 318 (“Client”) and Best Best & Krieger LLP, a limited liability partnership (“BB&K”).

RECITALS

1.1 Client and BB&K entered into an agreement on January 10, 2024 entitled “Agreement for General Counsel Legal Services Between Incline Village General Improvement District and Best, Best & Krieger LLP” for general counsel legal services (the “Agreement”).

1.2 Client and BB&K now desire to amend the Agreement to provide for use of BB&K’s Advanced Records Center services, which BB&K provides to public agencies to decrease the resources they dedicate to public records and information requests.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the Client and BB&K agree to amend the Agreement as follows:

Section 1. Exhibit A to the Agreement is amended to add the following paragraph:

7. Advanced Record Services. At the District’s option, the ARC team will assist the District with Public Records Act Processing and Policy Drafting at the following rates:

Attorneys \$200
Paralegals & Law Clerks \$200
Litigation, Muni & Research Analysts \$200

The rates set forth in this paragraph shall not be increased during the term of the Agreement.

IN WITNESS WHEREOF, the Client and BB&K have executed this First Amendment to the Agreement as of the date first written above.

INCLINE VILLAGE GENERAL IMPROVEMENT DISTRICT

By: _____
Sara Schmitz, Board Chair

Date: _____

BEST BEST & KRIEGER LLP

By: _____
Sergio Rudin
Partner

Date: _____