

MEMORANDUM

TO: Board of Trustees

FROM: Matthew Dent
Chair

Josh Nelson
General Counsel

SUBJECT: Review, discuss, and potentially approve Policy 22.1.0 Disclosure of Community Groups

RELATED STRATEGIC PLAN INITIATIVES: Long Range Principle #7 Governance

RELATED DISTRICT POLICY: N/A

DATE: May 17, 2023

I. RECOMMENDATION

That the Board of Trustees review, discuss, and potentially approve Policy 22.1.0 Disclosure of Community Groups.

II. BACKGROUND

At a meeting earlier this year, the Board discussed preparing a policy that would require Trustees and senior staff to disclose their involvement in relevant community groups and non-profits. Initial drafts of the policy were presented to the Board at its April 12th and May 10th meetings. During the May 10th meeting, a majority of the Board indicated its preference for moving forward with additional edits to the policy.

Enclosed is a revised version of the policy. The draft has been modified (1) to expand its scope to include entities regardless of their location, (2) require quarterly reports, and (3) make various formatting edits. Quarterly reports would be filed by the 15th of January, April, July, and October. One additional edit is to clarify that member would not include simply listing a political party as part of voter registration or being an attendee or parishioner of a religious organization.

III. FINANCIAL IMPACT AND BUDGET

No direct impact by amendment of the Policy.

IV. ALTERNATIVES

Below are alternatives to the recommended action:

1. Decline to move forward at this time with this proposed amendment.
2. Modify the proposed Policy.

V. BUSINESS IMPACT

This item is not a "rule" within the meaning of Nevada Revised Statutes, Chapter 237, and does not require a Business Impact Statement.

VI. ATTACHMENTS

1. Draft Policy 22.1.0 Disclosure of Community Non-Profit Involvement
2. Redline of Policy 22.1.0 Disclosure of Community Non-Profit Involvement compared to prior version from May 10th meeting



Disclosure of Community Groups Policy 22.1.0

POLICY. The Incline Village General Improvement District emphasizes transparency and understands that state law creates minimum standards. In some instances it may be appropriate to impose stricter requirements than those set forth in the Nevada Revised Statutes (NRS). While IVGID encourages Trustees and employees to be involved in local community groups, this involvement may result in real or perceived conflicts of interest. Various provisions of the NRS, including NRS 281A, prohibit IVGID officials from participating in decisions affecting their “commitments in a private capacity” and otherwise impose disclosure or recusal requirements on decisions impacting officials’ organizations.

While these requirements impose important minimum standards that avoid actual conflicts of interest, they do not provide transparency regarding potential conflicts of interest or otherwise ensure that officials are proactively disclosing potential conflicts of interest.

As defined in this Policy, “Qualifying Groups” shall be for profit, not-for-profit, and non-profit associations, businesses, or entities, however organized.

To provide additional transparency beyond state minimum requirements, IVGID Trustees, Audit Committee Members, and senior management employees shall report on a quarterly basis any Qualifying Groups to which they are an employee, member, or officer. Member of a Qualifying Group does not include simply listing a party affiliation as part of a voter registration or being a parishioner or regular attendee of a church, synagogue, mosque, or other religious group. Senior employees shall include the General Manager, department heads, and any supervisors with signature authority under Policies 20.1.0 or 21.1.0 as identified by the General Manager.

Reports shall be made quarterly due by January 15th, April 15th, July 15th, and October 15th.

RESPONSIBILITY. The District Clerk shall be responsible for developing reporting forms, notifying officials of their obligation to file reports, and maintaining such reports. All forms shall be public records.

The General Manager shall adopt and enforce personnel policies to ensure compliance with this Policy. The Board of Trustees shall enforce this Policy against Trustees, Audit Committee Members, and the General Manager.



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To provide additional transparency beyond state minimum requirements, IVGID Trustees, Audit Committee Members, and senior management employees shall ~~annually~~ report ~~any community group or organization~~ on a quarterly basis any Qualifying Groups to which they are an employee, member, or officer. Member of a Qualifying Group does not include simply listing a party affiliation as part of a voter registration or being a parishioner or regular attendee of a church, synagogue, mosque, or other religious group. Senior employees shall include the General Manager, department heads, and any supervisors with signature authority under Policies 20.1.0 or 21.1.0 as identified by the General Manager. ~~Qualifying groups and organizations shall be for profit, not-of-profit, and non-profit associations, businesses, or entities, however organized, that are located in or otherwise operate in the Nevada counties of Douglas and Washoe, Carson City, or the California counties of El Dorado, Nevada, Placer, and Sierra.~~

~~Annual reports shall be made on a fiscal year basis due by July 15th of each year. Employees or Trustees that assume office after July 15th shall file a disclosure within thirty days of assuming office.~~

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Summary report:	
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Delete	5
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Format changes	0
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