

## MEMORANDUM

**TO:** Board of Trustees

**FROM:** Tim Callicrate  
Chair of the Board

Indra Winqest  
General Manager

Josh Nelson  
General Counsel

**SUBJECT:** Review, discuss, and provide potentially approve a scope of work to review and update IVGID policies related to Dillon's Rule

**DATE:** September 2, 2021

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### **I. RECOMMENDATION**

That the Board of Trustees review, discuss, and provide potentially approve a scope of work to review and update IVGID policies related to Dillon's Rule.

### **II. BACKGROUND**

The Audit Committee requested a legal opinion responding to a community member's letter asking whether a number of IVGID expenditures and programs complied with Dillon's Rule. The General Counsel provided an opinion on these items at a series of Audit Committee meetings. Ultimately, the Audit Committee requested that the Board of Trustees consider hiring legal counsel to refine and/or create policies to ensure the District is in compliance with Dillon's Rule related to employee benefits and meals for outside contractors.

Enclosed is a draft scope of work, schedule, and preliminary budget for this work. Please note that the scope below includes a review of IVGID policies related to community programming. This work can be included or excluded in the Board's discretion but this is an important area of Dillon's Rule compliance and has been the subject of significant recent public interest. Policy 132/Resolution 1701 has not been updated since 2013 and may benefit from some revisions.

#### Proposed Scope of Work:

- Review all personnel and Board policies related to venue cards to employees, expense reimbursements, employee appreciation parties and related gift certificates, and employee reward programs through IVGID

“bucks” or similar programs to ensure compliance with NRS and Dillon’s Rule. (This will not include reviewing beach access for compliance with the beach deed.)

- Review Policy 132/Resolution 1701 to ensure compliance with NRS and Dillon’s Rule.
- Identify potential edits and revisions for Board consideration.
- Develop revised policies based on Board direction.

#### Schedule and Budget:

- By September 30<sup>th</sup>: Review employee policies and identify potential edits. (Approx. 15 hours or \$3,975)
- By September 30<sup>th</sup>: Review Policy 132/Resolution 1701 and identify potential edits. (Approx. 5 hours or \$1,325)
- By October 31<sup>st</sup>: Prepare for and conduct Board workshop on potential edits to employee policies. (Approx. 3 hours or \$795)
- By October 31<sup>st</sup>: Prepare for and conduct Board workshop on potential edits to Policy 132/Resolution 1701. (Approx. 3 hours or \$795)
- November: Prepare final draft revisions to the employee policies for Board adoption. (Approx. 5 hours or \$1,325)
- November: Prepare final draft revisions to Policy 132/Resolution 1701 for Board adoption. (Approx. 2 hours or \$530)

#### Total Proposed Budgets:

- Employee Policies: \$6,095
- Policy 132/Resolution 1701: \$2,650
- Both: \$8,745

### **III. FINANCIAL IMPACT AND BUDGET**

The proposed impact would be up to \$8,745.

### **IV. ALTERNATIVES**

Below are alternatives to the recommended action:

1. Modify the proposed scope of work to exclude or include items.
2. Decline to move forward at this time with this project.

### **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.