

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 Non-Profit Involvement

RELATED STRATEGIC PLAN INITIATIVES: Long Range Principle #7 Governance

RELATED DISTRICT POLICY: N/A

DATE: April 6, 2023

I. RECOMMENDATION

That the Board of Trustees review, discuss, and provide feedback regarding Policy 22.1.0 Disclosure of Community Non-Profit Involvement. While this item has been agendaized for potential adoption to provide maximum flexibility to the Board, staff believes that this policy would benefit from Board discussion and feedback at this meeting. This input could be incorporated into a revised policy that would be presented at a future meeting for adoption. This would be helpful as this is a relatively unique and novel policy.

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. Enclosed is an initial draft revision of the Policy for Board consideration and discussion.

This Policy would require Trustees and senior staff to disclose whether they are a member or officer in a non-profit community group. This would be defined as “those whose mission includes providing services or otherwise operating within IVGID’s service area, whether or not they are located in Crystal Bay/Incline

Village.” Senior staff would include department heads and supervisors with signature authority under IVGID purchasing policies.

Disclosures would be maintained by the Clerk and would be filed upon taking office and annually on a fiscal year basis. The General Manager would be responsible for adopting and enforcing personnel policies to ensure staff compliance.

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



Disclosure of Community Non-Profit Involvement 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.

To provide additional transparency beyond state minimum requirements, IVGID Trustees and senior management employees shall annually report any non-profit community group to which they are a member or officer. 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 non-profits shall be those whose mission includes providing services or otherwise operating within IVGID’s service area, whether or not they are located in Crystal Bay/Incline Village.

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.

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 may adopt and enforce this Policy against Trustees and the General Manager.