

MEMORANDUM

TO: Board of Trustees

FROM: Indra Winquest
District General Manager

THROUGH: Josh Nelson
District General Counsel

SUBJECT: Review, discuss and potentially provide approve Resolution No. 1896 repealing Resolution No. 1575/Policy and Procedure No. 120

DATE: June 29, 2022

I. RECOMMENDATION

It is recommended that the Board of Trustees review, discuss, and potentially approve Resolution No. 1896 repealing Resolution No. 1575/Policy and Procedure No. 120.

II. BACKGROUND

The Board of Trustees recently approved updates to Ordinance No. 7, which regulates the use of IVGID's recreational facilities including its beaches. Resolution No. 1575/Policy and Procedure No. 120 was adopted in 1989 and regulates group uses of the beaches. This resolution is not used by staff and is potentially in conflict with Ordinance No. 7. Moreover, different policies and regulations on the same topic invite future inconsistencies and confusion. For these reasons, Staff recommends that the Board of Trustees approve Resolution No. 1896 repealing Resolution No. 1575/Policy and Procedure No. 120.

III. FINANCIAL IMPACT

There is no direct impact from this item.

IV. ALTERNATIVES

Not repeal Resolution No. 1575/Policy and Procedure No. 120 Policy 15.1.0.



RESOLUTION NO. 1896

A RESOLUTION REPEALING RESOLUTION NO. 1575/POLICY AND PROCEDURE NO. 120 REGARDING GROUP USE OF BEACHES

WHEREAS, the Incline Village General Improvement District (IVGID) previously adopted Resolution No. 1575/Policy and Procedure No. 120 regarding the group use of beaches;

WHEREAS, the Board of Trustees recently updated Ordinance No. 7, which governs the use of IVGID recreational facilities including the beaches;

WHEREAS, IVGID’s Board of Trustees wishes to repeal Resolution No.1575; and

THEREFORE, BE IT RESOLVED, as follows:

1. Resolution No. 1896. This Resolution repeals Resolution No. 1575/Policy and Procedure No. 120, which is of no further force or effect.

* * * * *

I hereby certify that the foregoing is a full, true and correct copy of a resolution duly passed and adopted at a regularly held meeting of the Board of Trustees of the Incline Village General Improvement District on the 29th day of June, 2022, by the following vote:

AYES, and in favor thereof,
NOES,
ABSENT,

Susan A. Herron
District Clerk

Resolution No. 1575

GROUP USE OF BEACHES
Incline Village General Improvement District

WHEREAS, the Incline Village General Improvement District (IVGID) is receiving increasing requests for use of Incline Village beaches for group functions; and

WHEREAS, it is necessary to establish policies governing the number, scheduling, and character of group beach functions;

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE INCLINE VILLAGE GENERAL IMPROVEMENT DISTRICT that it hereby adopts the attached policy statement, and makes it effective, this 25th day of May, 1989.

* * * * *

I hereby certify that the foregoing is a full, true and correct copy of a resolution duly passed and adopted at a regularly held meeting of the Board of Trustees of the Incline Village General Improvement District on the 25th day of May, 1989, by the following vote:

AYES, and in favor thereof, Trustees: John Bevel, Joe Marson,
Pam Wight, Bob Wolf

NOES, Trustees: None

ABSENT, Trustees: None


Secretary

Policy Statement

GROUP USE OF BEACHES Incline Village General Improvement District

I. POLICY

It is the policy of the Incline Village General Improvement District (IVGID) that Incline Village beaches are primarily provided for the quiet enjoyment of individual property owners and their guests.

Unreserved Functions. Group functions may occur at the beaches, on an unreserved basis, provided such functions (1) do not interfere with the quiet enjoyment of the beaches by other guests; (2) do not promote or solicit attendance at the function by persons who are not members of the group; (3) do not sell admission to any person or charge any fee for food, beverage, entertainment, or other services; and (4) comply with all rules, including those pertaining to admission.

Reserved Functions. Any group function, which fails to meet all of the standards for an unreserved function, may only occur on a reserved basis. Rules for reserved functions are specified under sections II and III hereof.

Applicability. This policy applies to all recreation facilities owned by IVGID which adjoin Lake Tahoe, with the exception of events sponsored by IVGID and any event held at the Burnt Cedar pool. Scheduling of the pool is subject to separate procedures.

II. RESERVED FUNCTIONS

The number of reserved functions shall be limited to six (6) per calendar year, as follows:

1. One function celebrating Independence Day.
2. One function celebrating Labor Day.
3. Four additional functions, scheduled as described below. "Peak Season" is from the Friday before Memorial Day through the Tuesday after Labor Day, inclusive. "Shoulder Season" is the entire year, except the peak season.

Peak Season Functions. Must be scheduled on a weekday (Monday through Friday) and must not occur within seven calendar days of Independence Day or four calendar days of Memorial Day or Labor Day.

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Off Season Functions. May occur on a weekday or weekend day.

Each function shall be limited to one day in duration.

The Parks and Recreation Director shall designate a community group to coordinate the Independence Day function, and a community group to coordinate the Labor Day function.

Applications for the remaining four functions shall be submitted to the Parks and Recreation Director by February 1 of each year. Should more than four eligible functions apply in any year, the Parks and Recreation Director shall decide which functions receive approval for reservation, after seven calendar days notice to the IVGID Board of Trustees. Should more than four eligible functions apply in any year, no group shall participate in more than one function.

Should more than four eligible functions apply in successive years, the Parks and Recreation Director shall attempt to rotate functions among different groups. Except for the Independence and Labor Day functions, no function or group shall be considered to have priority over another function or group, by reason of a prior history of holding the function, in earlier years.

Should less than four functions receive reservations in any calendar year, then the Parks and Recreation Director may approve additional functions after February 1, on a first-come, first-served basis.

III. RULES

All reserved group functions shall comply with the following rules:

1. An application must be submitted to the IVGID Parks and Recreation Department office no later than ninety (90) days prior to the date of the requested event.
2. The applicant must be an Incline Village/Crystal Bay group with a non-profit status recognized by the State of Nevada or the federal government.
3. The event must be open to all eligible IVGID Recreation card holders or pass holders and their guests, and no one else (same rules as would apply on any other day that the gates are staffed).

4. The proceeds of the event must be used for the benefit of the Incline Village/Crystal Bay community and its residents.
5. A use fee of up to \$300 will be charged for each day of use, to cover the cost of any additional personnel necessary to host a large event.
6. Liability insurance coverage, in an amount and form determined appropriate by the IVGID Risk Manager, must be provided by the applicant, naming IVGID as an additional insured.
7. Any and all food and beverage items brought onto the premises by the applicant will be sold or supplied at an area designated by the District, without interfering with the District's food and beverage operation.
8. The applicant will provide two portable toilets and one 4-yard dumpster for every five hundred (500) participants.
9. The District may require the applicant to provide additional personnel to work with the District's contracted security service to patrol the areas of use for crowd and traffic control.
10. All proper licensing for the event is the responsibility of the applicant.
11. All cleanup of the facility is the responsibility of the applicant and must be completed immediately after the event or, in the case of a night event, it must be completed prior to 8:00 a.m. of the morning after the event.
12. The event shall not unreasonably restrict or interfere with the right of guests not participating in group functions to use the beaches.
13. The event shall comply with such additional precautions as may be determined appropriate by the Parks and Recreation Director.

IV. ADMINISTRATION

The Parks and Recreation Director shall interpret, administer, and enforce this policy. The Parks and Recreation Director shall

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establish additional rules, consistent with the intent of this policy statement, which may apply to any or all events, as necessary to protect IVGID, the interests of individual beach guests, or any other lawful purpose.