



SKYLAND GENERAL IMPROVEMENT DISTRICT
BYLAWS AND OPERATIONS MANUAL

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**SKYLAND GENERAL IMPROVEMENT DISTRICT
BYLAWS AND OPERATIONS MANUAL
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FORWARD

This Operations Manual was created to serve as a reference for the serving Trustees of the District of State and local laws pertaining to General Improvement Districts (GIDs) and as a reference of Skyland GID Board-enacted policies or Bylaws. It was also created to serve as a primer for newly elected or appointed Trustees. This manual is divided into two parts: Part I contains the Bylaws that govern the internal affairs of the Skyland GID; Part II is a summary of State laws from the Nevada Revised Statutes (NRS) that pertain to all GIDs in the State, as well as several pertinent Douglas County ordinances.

FORMATION OF THE SKYLAND GID

NEVADA GID LAW

The general legal basis for the formation of the Skyland GID is the Nevada General Improvement District Law, NRS Chapter 318, 1967. This State law begins with the following declarative statement:

“It is hereby declared as a matter of legislative determination that the organization of districts having the purposes, power, rights, privileges, and immunities provided in this chapter will serve a public use and will promote the health, safety, prosperity, security, and general welfare of the inhabitants thereof and of the State of Nevada; that the acquisition, improvement, maintenance, and operation of any project authorized in this chapter is in the public interest and constitutes a part of the established and permanent policy of the State of Nevada; and that each district organized pursuant to the provisions of this chapter shall be a corporate and politic and a quasi-municipal corporation.”

DOUGLAS COUNTY BILL AND ORDINANCE NUMBER 135

Under Nevada law, NRS Chapter 318, Douglas County, Nevada, by resolution, passed Bill Number 135 Ordinance 135 creating the Skyland GID on the 8th of May 1964. The Ordinance shall be in full force and effect from and after the 22nd day of May 1964.

The general description of the District and the territory to be included therein is described as follows: T13N R18E Sec 3 S2 NW4; Parcels 1318-03-210 to 1318-03-212 otherwise known as Skyland Subdivision No. 1, Skyland Subdivision No. 2, and Skyland Subdivision No. 3

The general purposes for which the Skyland GID was formed under Bill and Ordinance 135 are to:

- Surface and resurface streets within the District with suitable material and to acquire street improvements necessary and incidental thereto.
- To improve streets within the district by construction and reconstruction of curbs and gutters to include drains, catch basins, and driveway inlets.
- To construct, reconstruct, replace, or extend storm sewer and other drainage facilities and improvements.
- To operate, maintain, and repair the improvements.

The Ordinance also empowers the GID to provide potable water supply, sewer service, garbage collection, and street lighting. However, these improvements and services are supplied by local providers and all services are billed to individual residences with the exception of street lighting. Electricity for street lighting and fence lighting is paid by the GID. The GID also arranges and pays for snow removal services and roadway maintenance.

DOUGLAS COUNTY COMMISSION RESOLUTION NUMBER 2021R-030
(A Resolution Regarding the Placement of Certain Traffic Control Devices within the
Skyland General Improvement District (18 March 2021))

All Highways Parking Restrictions. There shall be no parking on any of the following highways or within any of the following public right-of-way within the Skyland GID, except in cases of emergency:

- Alpine Drive
- Carson Drive
- Deer Cliff Drive
- Golden Mantle Drive
- Lynn Way
- Myron Court
- Myron Drive
- Ponderosa Drive
- Ray Way
- Red Fir Drive
- Skyland Court
- Skyland Drive
- Tahoe Drive
- Willow Drive

Said restriction shall be posted conspicuously on the listed highways. Traffic-control devices will be placed and maintained by the Skyland GID at conspicuous locations in order to regulate traffic and to provide for the safe and expeditious movement of traffic.

PART I. BYLAWS OF THE SKYLAND GID

ARTICLE I **BOARD OF TRUSTEES**

SECTION 1. The property and business of the District shall be managed by the Board of Trustees who shall be elected and otherwise chosen pursuant to and shall exercise the powers granted by law, particularly Chapter 318. The Officers of the District shall be Trustees of the Board and shall be elected and otherwise chosen as hereafter provided.

SECTION 2. The elective Officers of the District shall include a President, Vice -President, Secretary, and Treasurer. The Board shall elect one of its members as Chairman of the Board of Trustees and President of the District, and another of its members as Vice-Chairman of the Board of Trustees and Vice-President of the District. The Secretary and Treasurer may be one person.

SECTION 3. The regular election of such Officers shall be held annually at the first meeting of the Board after January 1 of each year. A special election to fill a vacancy of any officer may be held by the Trustees at a regular or special meeting. Any Officer elected to fill a vacancy shall serve until the next election of Officers.

SECTION 4. All Officer positions shall rotate based on a determination by a majority of the Board of Trustees.

SECTION 5. In the event of absence or inability of any Officer to act, the Board may delegate the powers or duties of such Officer to any other Officer or Trustee.

SECTION 6. All Trustees of the Board may receive salaries or other compensation as allowed by law, and if so ordered and fixed by the Board.

SECTION 7. Any vacancy on the Board shall be filled by the remaining members (or member) of the Board. The appointee shall act until the next election, when the vacancy shall be filled by election.

ARTICLE II **OFFICER RESPONSIBILITIES**

SECTION 1. CHAIRMAN AND PRESIDENT

The Chairman and President is responsible for calling and conducting Board meetings and approving final board agendas before posting. The Chairman and President appoints all committee Chairpersons and is an ex-officio member of all committees. Additional responsibilities may be added as directed by the Board.

PART I. BYLAWS OF THE SKYLAND GID

SECTION 2. VICE CHAIRMAN AND VICE-PRESIDENT

The Vice Chairman and Vice-President acts as Chairman and President in the absence of the Chairman. Additional responsibilities may be added as directed by the Board.

SECTION 3. SECRETARY

The Secretary will post all official meeting notices, keeps meeting minutes, maintain Trustee records, correspondence, Bylaws, Operations Manual, newsletter, and bulletins, etc. Additional responsibilities may be added as directed by the Board.

SECTION 4. TREASURER

The Treasurer keeps accurate accounts of all monies received and disbursed and pays all Board-approved bills as they become due. The Treasurer will keep copies of all contracts and purchase orders and seek authorization for payment from the Trustee that initiated the contract or purchase order before presenting any invoices for payment to the Accountant. Additional responsibilities may be added as directed by the Board.

ARTICLE III MEETINGS

SECTION 1. The Board shall meet at least quarterly or at such other time as the Board in its discretion may from time to time designate. Because there are no public facilities within the boundaries of the District, the meetings shall be held at a public facility, currently designated as the Zephyr Cove Public Library, near the boundaries of the District in accordance with the provisions of NRS 318.090, and Subsection (l) thereof.

SECTION 2. The Secretary shall keep audio recordings or transcripts of all meeting and, in a well-bound book, a record of all the proceedings of the Board, minutes of all meetings, certificates, contracts, resolutions, and all Board acts, which shall be open for public inspection.

SECTION 3. Special meetings of the Board may be called at any time by any Trustee.

SECTION 4. All meetings of the Board shall have an agenda posted in at least four locations and at least three working days prior to the meeting. Meetings will be held at such time as the notice thereof may specify, and for the objects and purposes therein stated.

SECTION 5. Three members of the Board shall constitute a quorum at any meeting.

SECTION 6. Only items listed on the agenda as action items will be voted upon. No other discussion items or community input will be voted upon unless listed on the agenda as an action item.

PART I. BYLAWS OF THE SKYLAND GID

SECTION 7. Any Trustee may add an agenda item to a forthcoming meeting if supplied to the Secretary within three business days prior to the posting deadline.

SECTION 8. Proxy or absentee voting is prohibited.

SECTION 9. So far as practical, Robert's Rules of Order shall be followed by the Board unless in conflict with the NRS and/or existing Bylaws.

ARTICLE IV FINANCE AND ACCOUNTING

SECTION 1. The monies of the District shall be deposited in the name of the District in such bank or banks or trust company or trust companies as the Board of Trustees shall designate and as shall be authorized by law, and may be drawn out only on checks signed in the name of the District by such persons as the Board by appropriate resolution shall direct. Three trustees shall be designated by the Board to sign bank checks.

SECTION 2. All District checks shall require dual signatures for authorization.

SECTION 3. Each fiscal year shall commence on July 1st and end on June 30th of the succeeding year.

SECTION 4. The Board will appoint an accountant or accounting firm who will keep strict and accurate accounts of all money received by, and disbursed for and on behalf of, the District in permanent records. This will include, but not be limited to, maintaining all GID financial records including budget, general ledger, trial balances, etc., preparing checks to vendors and others, and filing required reports with various Federal, State, and County agencies.

The Accountant working with the Treasurer shall prepare and submit the following:

- 1) Annually – The Board-approved Preliminary and Final Budget to the State of Nevada Department of Taxation, copy to the Douglas County Treasurer.
- 2) Quarterly – A Budget Report showing adjustments and actual to-date expenditures to the State of Nevada Department of Taxation, copy to the Douglas County Treasurer.
- 3) Quarterly – A Federal Payroll Tax Return (941).
- 4) Annually – Employer's Federal Payroll Tax Returns: 940, 1096, 1099, W-2, and W-3.
- 5) An audit conducted by a bona fide accounting firm, unless exempted by the State of Nevada Department of Taxation, and submitted to the State of Nevada Department of Taxation, copy to the Douglas County Treasurer within 6 months following the audit.
- 6) Annually – An Indebtedness Report to be filed with the State of Nevada Department of Taxation before July 1st, copy to the Douglas County Treasurer.

PART I. BYLAWS OF THE SKYLAND GID

- 7) Each Trustee Meeting – A Financial Report with current bank balances, revenues, and expenditures, and the status of any outstanding loans and current liabilities.
- 8) Such other items as may be required by law or at the direction of the Board of Trustees.

ARTICLE V PURCHASING AND CONTRACTS

SECTION 1. Skyland GID can and does make purchases and contract for services from the private sector within the scope of its purpose as set forth in the Douglas County Ordinance 135. The dollar amounts set forth in this Article shall follow any legislative changes without a need to formally amend these Bylaws.

- Skyland GID may enter into a contract of any nature without advertising when the estimated amount required to perform the contract is \$100,000 or less.
- If the estimated amount required to perform the contract is more than \$50,000 but not more than \$100,000, bids shall be solicited from two or more persons capable of performing the contract, if available.
- The Skyland GID Secretary shall maintain a permanent record of all requests for bids and all bids received.
- Contracts for more than \$100,000 shall be advertised at least once and not less than seven days before the opening of the bids. Requests for bids must be published in a newspaper having general circulation within Douglas County and will state:
 - Nature and character of the contract
 - Plans and specifications, location of plans and specifications
 - Time and place the bid is to be received
 - Other pertinent matters

SECTION 2. BOARD-APPROVED PURCHASES

All purchases, including contracts, must be approved by a majority of the Board of Trustees. Matters approved by two votes of a three-person quorum will not constitute a majority of the Board of Trustees. The Board will select one or more Trustees to be responsible for preparing specifications for work, seeking qualified vendors, obtaining bids, recommending the most qualified vendor to the Board, the monitoring of all vendor activities for compliance with specifications and work quality, and approval of payment for services. All purchases require that a GID Purchase Order be completed and forwarded to the Treasurer. A Trustee must approve any vendor invoice before the Treasurer makes payment.

PART I. BYLAWS OF THE SKYLAND GID

SECTION 3. CONFLICT OF INTEREST

The GID Officers, Trustees, employees, or agents shall not engage in the award or administration of any purchase or contract if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when: (a) the employee, Officer, Trustee, or agent; (b) any member of their immediate family; (c) their partner; or (d) an organization which employs, or is about to employ, any of the above has a financial or any other interest in the Contractor. The GID Officers, Trustees, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from any Contractor or Subcontractor.

ARTICLE VI COMMITTEES

Committee Chairpersons report to the Board of Trustees. The Chairman of the Board is ex-officio member of each committee. Committee Chairpersons are encouraged to recruit Skyland property owners as volunteers to serve on their committees. Committee assignments shall rotate with Officers.

Standing committees include:

- SNOW REMOVAL
- LANDSCAPING
- BEACH
- INFRASTRUCTURE
- NEIGHBORHOOD WATCH

ARTICLE VII ASSETS

SECTION 1. The Skyland GID has limited assets and owns no real property.

SECTION 2. The only assets of the GID are the fence (and associated lighting and landscaping) located along the eastern boundary of the GID along Highway 50, and the walls and lighting comprising the entry to Skyland at Highway 50.

SECTION 3. The Skyland Beach consists of two lots. The northernmost lot is owned by Douglas County and the southernmost lot is owned by the Tahoe Douglas District. Property owners in Skyland have perpetual deeded rights to use these properties for access to the waters of Lake Tahoe and for beach and recreational purposes.

PART I. BYLAWS OF THE SKYLAND GID

SECTION 4. The roads, street lighting, utility poles, natural gas mains, sanitary sewers, and water conveyances are not owned by Skyland residents or the GID. However, the GID is responsible for maintaining the roads within Skyland including sweeping, sealing, resurfacing, and snow removal, and for payment of electricity for street lighting. The GID is also responsible for annual cleaning of storm drains and catch basins, and any necessary repairs or improvements to the storm sewer system.

ARTICLE VIII AMENDMENTS

The Skyland GID Board of Trustees shall have the power to adopt and amend Bylaws not in conflict with the Constitution and Laws of the State of Nevada (NRS 318.205):

- 1) For carrying on the business, objects, and affairs of the Board and of the District.
- 2) Regulating the use or right of use of any project or improvement.

These Bylaws may be altered, amended, or repealed by a simple majority of the Board at any regular meeting of the Board of Trustees, or any special meeting of the Board called for that purpose. Additionally, these Bylaws should be reviewed at a minimum of every four years.

ADOPTED AND APPROVED this 15th day of February 1983
UPDATED AND APPROVED this 9th day of August 1995
UPDATED AND APPROVED September 2000
UPDATED AND APPROVED this 13th day of January 2010
UPDATED AND APPROVED this 10th day of February 2022

ARTICLE IX UNLAWFUL PROVISIONS

Should any provisions contained in these Bylaws, or any amendments hereafter, be found to be unlawful, irregular, or contrary to public policy by any court tribunal, or any authority having jurisdiction in such matters, said decision or ruling shall in no way be construed so as to affect any of the remaining provisions of these Bylaws, or any amendments hereto.

PART II. STATE AND LOCAL LAWS AND REGULATIONS PERTAINING TO GIDS

A. GENERAL REQUIREMENTS FOR GIDS

NRS 318.085 Organization of board of trustees; election of officers; records; bonds; compensation.

1. After taking oaths and filing bonds, the board shall choose one of its members as chair of the board and president of the district, and shall elect a secretary and a treasurer of the board and of the district, who may or may not be members of the board. The secretary and the treasurer may be one person.
2. The board shall adopt a seal.
3. The secretary shall keep audio recordings or transcripts of all meetings and, in a well-bound book, a record of all of the board's proceedings, minutes of all meetings, any certificates, contracts, bonds given by employees and all corporate acts. Except as otherwise provided in NRS 241.035, the book, audio recordings, transcripts and records must be open to inspection of all owners of real property in the district as well as to all other interested persons. A copy of the minutes or audio recordings must be made available to a member of the public upon request at no charge pursuant to NRS 241.035.
4. The treasurer shall keep strict and accurate accounts of all money received by and disbursed for and on behalf of the district in permanent records. The treasurer shall file with the county clerk, at the expense of the district, a corporate surety bond in an amount not more than \$50,000, the form and exact amount thereof to be approved and determined, respectively, by the board of county commissioners, conditioned for the faithful performance of the duties of his or her office. Any other officer or trustee who actually receives or disburses money of the district shall furnish a bond as provided in this subsection. The board of county commissioners may, upon good cause shown, increase or decrease the amount of that bond.
5. Except as otherwise provided in this subsection, each member of a board of trustees of a district organized or reorganized pursuant to this chapter may receive as compensation for his or her service not more than \$6,000 per year. Each member of a board of trustees of a district that is organized or reorganized pursuant to this chapter and which is granted the powers set forth in NRS 318.140, 318.142 and 318.144 may receive as compensation for his or her service not more than \$9,000 per year. The compensation of the members of a board is payable monthly, if the budget is adequate and a majority of the members of the board vote in favor of such compensation, but no member of the board may receive any other compensation for his or her service to the district as an employee or otherwise. Each member of the board must receive the same amount of compensation. If a majority of the members of the board vote in favor of an increase in the compensation of the trustees, the increase may not become effective until January 1 of the calendar year immediately following the next biennial election of the district as set forth in NRS 318.095.

PART II. STATE AND LOCAL LAWS AND REGULATIONS PERTAINING TO GIDS

NRS 318.090 Office or principal place of business; records; meetings; quorum; vacancies; terms.

1. The board shall, by resolution, designate the place where the office or principal place of the district is to be located, which must be within the corporate limits of the district and which may be changed by resolution of the board. Copies of all those resolutions must be filed with the county clerk or clerks of the county or counties wherein the district is located within 5 days after their adoption. The official records and files of the district must be kept at that office and must be open to public inspection as provided in NRS 239.010.
2. The board of trustees shall meet regularly at least once each year, and at such other times at the office or principal place of the district as provided in the bylaws.
3. Special meetings may be held on notice to each member of the board as often as, and at such places within the district as, the needs of the district require.
4. Except as otherwise provided in NRS 318.083, three members of the board constitute a quorum at any meeting.
5. A vacancy on the board must be filled by a qualified elector of the district chosen by the remaining members of the board, the appointee to act until a successor in office qualifies as provided in NRS 318.080 on or after the first Monday in January next following the next biennial election, held in accordance with NRS 318.083 or 318.095, at which election the vacancy must be filled by election if the term of office extends beyond that first Monday in January. Nominations of qualified electors of the district as candidates to fill unexpired terms of 2 years may be made the same as nominations for regular terms of 4 years, as provided in NRS 318.083 and 318.095. If the board fails, neglects or refuses to fill any vacancy within 30 days after the vacancy occurs, the board of county commissioners shall fill that vacancy.
6. Each term of office of 4 years terminates on the first Monday in January next following the general election at which a successor in office is elected, as provided in NRS 318.083 or 318.095. The successor's term of office commences then or as soon thereafter as the successor qualifies as provided in NRS 318.080, subject to the provisions in this chapter for initial appointments to a board, for appointments to fill vacancies of unexpired terms and for the reorganizations of districts under this chapter which were organized under other chapters of NRS.

PART II. STATE AND LOCAL LAWS AND REGULATIONS PERTAINING TO GIDS

Term Limits

Pursuant to a 1996 voter initiative, the Nevada State Constitution was amended to include term limits to most elected positions within the State. The constitution now reads: “No person may be elected to any state office or local governing body who has served in that office, or at the expiration of his current term if he is so serving will have served, 12 years or more, unless the permissible number of terms or duration of service is otherwise specified in the Constitution”.

B. MEETINGS AND PUBLIC NOTICES

NRS 241.020 Meetings to be open and public; size of facilities; limitations on closure of meetings; notice of meetings; copy of materials; exceptions

1. Except as otherwise provided by specific statute, all meetings of public bodies must be open and public, and all persons must be permitted to attend any meeting of these public bodies. A meeting that is closed pursuant to a specific statute may only be closed to the extent specified in the statute allowing the meeting to be closed. All other portions of the meeting must be open and public, and the public body must comply with all other provisions of this chapter to the extent not specifically precluded by the specific statute. Public officers and employees responsible for these meetings shall make reasonable efforts to assist and accommodate persons with physical disabilities desiring to attend.

2. If any portion of a meeting is open to the public, the public officers and employees responsible for the meeting must make reasonable efforts to ensure the facilities for the meeting are large enough to accommodate the anticipated number of attendees. No violation of this chapter occurs if a member of the public is not permitted to attend a public meeting because the facilities for the meeting have reached maximum capacity if reasonable efforts were taken to accommodate the anticipated number of attendees. Nothing in this subsection requires a public body to incur any costs to secure a facility outside the control or jurisdiction of the public body or to upgrade, improve or otherwise modify an existing facility to accommodate the anticipated number of attendees.

3. Except in an emergency, written notice of all meetings must be given at least 3 working days before the meeting. The notice must include:

- (a) The time, place and location of the meeting.
- (b) A list of the locations where the notice has been posted.

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(c) The name and contact information for the person designated by the public body from whom a member of the public may request the supporting material for the meeting described in subsection 7 and a list of the locations where the supporting material is available to the public.

(d) An agenda consisting of:

(1) A clear and complete statement of the topics scheduled to be considered during the meeting.

(2) A list describing the items on which action may be taken and clearly denoting that action may be taken on those items by placing the term “for possible action” next to the appropriate item or, if the item is placed on the agenda pursuant to NRS 241.0365, by placing the term “for possible corrective action” next to the appropriate item.

(3) Periods devoted to comments by the general public, if any, and discussion of those comments. Comments by the general public must be taken:

(I) At the beginning of the meeting before any items on which action may be taken are heard by the public body and again before the adjournment of the meeting; or

(II) After each item on the agenda on which action may be taken is discussed by the public body, but before the public body takes action on the item.

The provisions of this subparagraph do not prohibit a public body from taking comments by the general public in addition to what is required pursuant to sub-subparagraph (I) or (II). Regardless of whether a public body takes comments from the general public pursuant to sub-subparagraph (I) or (II), the public body must allow the general public to comment on any matter that is not specifically included on the agenda as an action item at some time before adjournment of the meeting. No action may be taken upon a matter raised during a period devoted to comments by the general public until the matter itself has been specifically included on an agenda as an item upon which action may be taken pursuant to subparagraph (2).

(4) If any portion of the meeting will be closed to consider the character, alleged misconduct or professional competence of a person, the name of the person whose character, alleged misconduct or professional competence will be considered.

(5) If, during any portion of the meeting, the public body will consider whether to take administrative action regarding a person, the name of that person.

(6) Notification that:

(I) Items on the agenda may be taken out of order;

PART II. STATE AND LOCAL LAWS AND REGULATIONS PERTAINING TO GIDS

(II) The public body may combine two or more agenda items for consideration; and

(III) The public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

(7) Any restrictions on comments by the general public. Any such restrictions must be reasonable and may restrict the time, place and manner of the comments, but may not restrict comments based upon viewpoint.

4. Minimum public notice is:

(a) Posting a copy of the notice at the principal office of the public body or, if there is no principal office, at the building in which the meeting is to be held, and at not less than three other separate, prominent places within the jurisdiction of the public body not later than 9 a.m. of the third working day before the meeting;

(b) Posting the notice on the official website of the State pursuant to NRS 232.2175 not later than 9 a.m. of the third working day before the meeting is to be held, unless the public body is unable to do so because of technical problems relating to the operation or maintenance of the official website of the State; and

(c) Providing a copy of the notice to any person who has requested notice of the meetings of the public body. A request for notice lapses 6 months after it is made. The public body shall inform the requester of this fact by enclosure with, notation upon or text included within the first notice sent. The notice must be:

(1) Delivered to the postal service used by the public body not later than 9 a.m. of the third working day before the meeting for transmittal to the requester by regular mail; or

(2) If feasible for the public body and the requester has agreed to receive the public notice by electronic mail, transmitted to the requester by electronic mail sent not later than 9 a.m. of the third working day before the meeting.

5. For each of its meetings, a public body shall document in writing that the public body complied with the minimum public notice required by paragraph (a) of subsection 4. The documentation must be prepared by every person who posted a copy of the public notice and include, without limitation:

(a) The date and time when the person posted the copy of the public notice;

(b) The address of the location where the person posted the copy of the public notice; and

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(c) The name, title and signature of the person who posted the copy of the notice.

6. If a public body maintains a website on the Internet or its successor, the public body shall post notice of each of its meetings on its website unless the public body is unable to do so because of technical problems relating to the operation or maintenance of its website. Notice posted pursuant to this subsection is supplemental to and is not a substitute for the minimum public notice required pursuant to subsection 4. The inability of a public body to post notice of a meeting pursuant to this subsection as a result of technical problems with its website shall not be deemed to be a violation of the provisions of this chapter.

7. Upon any request, a public body shall provide, at no charge, at least one copy of:

(a) An agenda for a public meeting;

(b) A proposed ordinance or regulation which will be discussed at the public meeting; and

(c) Subject to the provisions of subsection 8 or 9, as applicable, any other supporting material provided to the members of the public body for an item on the agenda, except materials:

(1) Submitted to the public body pursuant to a nondisclosure or confidentiality agreement which relates to proprietary information;

(2) Pertaining to the closed portion of such a meeting of the public body; or

(3) Declared confidential by law, unless otherwise agreed to by each person whose interest is being protected under the order of confidentiality.

The public body shall make at least one copy of the documents described in paragraphs (a), (b) and (c) available to the public at the meeting to which the documents pertain. As used in this subsection, "proprietary information" has the meaning ascribed to it in NRS 332.025.

8. Unless it must be made available at an earlier time pursuant to NRS 288.153, a copy of supporting material required to be provided upon request pursuant to paragraph (c) of subsection 7 must be:

(a) If the supporting material is provided to the members of the public body before the meeting, made available to the requester at the time the material is provided to the members of the public body; or

(b) If the supporting material is provided to the members of the public body at the meeting, made available at the meeting to the requester at the same time the material is provided to the members of the public body.

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If the requester has agreed to receive the information and material set forth in subsection 7 by electronic mail, the public body shall, if feasible, provide the information and material by electronic mail.

9. Unless the supporting material must be posted at an earlier time pursuant to NRS 288.153, the governing body of a county or city whose population is 45,000 or more shall post the supporting material described in paragraph (c) of subsection 7 to its website not later than the time the material is provided to the members of the governing body or, if the supporting material is provided to the members of the governing body at a meeting, not later than 24 hours after the conclusion of the meeting. Such posting is supplemental to the right of the public to request the supporting material pursuant to subsection 7. The inability of the governing body, as a result of technical problems with its website, to post supporting material pursuant to this subsection shall not be deemed to be a violation of the provisions of this chapter.

10. A public body may provide the public notice, information or supporting material required by this section by electronic mail. Except as otherwise provided in this subsection, if a public body makes such notice, information or supporting material available by electronic mail, the public body shall inquire of a person who requests the notice, information or supporting material if the person will accept receipt by electronic mail. If a public body is required to post the public notice, information or supporting material on its website pursuant to this section, the public body shall inquire of a person who requests the notice, information or supporting material if the person will accept by electronic mail a link to the posting on the website when the documents are made available. The inability of a public body, as a result of technical problems with its electronic mail system, to provide a public notice, information or supporting material or a link to a website required by this section to a person who has agreed to receive such notice, information, supporting material or link by electronic mail shall not be deemed to be a violation of the provisions of this chapter.

State of Nevada Open Meeting Law

It is unlawful for the gathering of members of a public body at which a quorum (three or more members) is present to deliberate toward a decision or to take action on any matter over which the public body has supervision, control, jurisdiction, or advisory power outside of an advertised public meeting. This does not apply at a social function at which members may be present if the members do not deliberate toward a decision or take action over which the public body has supervision, control, jurisdiction, or advisory power. More specific information can be found in the Nevada Open Meeting Law Manual (26 March 2019) prepared by the State Attorney General.

PART II. STATE AND LOCAL LAWS AND REGULATIONS PERTAINING TO GIDS

C. PROCEDURES FOR LOCAL GOVERNMENT PURCHASING

NRS 332.043 Solicitation: Required contents.

Each solicitation must include, without limitation:

1. The minimum requirements that a successful responding offeror must meet for the awarding of the contract pursuant to the provisions of this chapter;
2. The method by which the contract will be awarded, including, without limitation, on the basis of price or lowest responsive and responsible bidder;
3. Notice of the written certification required pursuant to subsection 4 of NRS 332.065, if applicable; and
4. The period during which a notice of protest regarding the awarding of a contract pursuant to NRS 332.068 may be submitted, if applicable.

NRS 332.045 Advertisement of contract: Publication; contents.

1. The advertisement authorized by subsection 1 of NRS 332.063 or required by subsection 1 of NRS 332.065 must be published:

(a) In a newspaper qualified pursuant to chapter 238 of NRS that has a general circulation within the county wherein the local government, or a major portion thereof, is situated at least once and not less than 7 days before the opening of responses.

(b) Every day for not less than 7 days before the opening of responses on:

(1) The Internet website of the local government, if the local government maintains an Internet website; or

(2) A secure website on the Internet or its successor, if any, which is established and maintained for the purpose of an on-line solicitation.

2. The advertisement must state:

(a) The nature, character or object of the contract.

(b) If plans and specifications are part of the contract, where the plans and specifications may be seen.

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(c) The time and date on which responses will be opened.

(d) That a written certification is a required part of the contract pursuant to subsection 4 of NRS 332.065, if applicable.

(e) Such other matters as may properly pertain to the contract.

NRS 332.047 On-line solicitation.

1. A governing body or its authorized representative may use an on-line solicitation to receive responses to a solicitation. The governing body or its authorized representative shall not use an on-line solicitation as the exclusive means of a solicitation if there is any cost to a responding offeror to submit a response.

2. An on-line solicitation must designate a date and time at which responses may be submitted and may designate a date and time after which responses will no longer be received.

3. A governing body or its authorized representative may require a responding offeror to:

(a) Register for an on-line solicitation before the date and time at which responses may be submitted; and

(b) Agree to terms, conditions or requirements of the solicitation to facilitate the on-line solicitation.

4. The procedures established by a governing body or its authorized representative for the purposes of conducting an on-line solicitation must not conflict with the provisions of this chapter.

NRS 332.061 Limitation on disclosure of proprietary information and of solicitation containing provision requiring negotiation or evaluation.

1. Except as otherwise provided in this subsection and NRS 239.0115, proprietary information does not constitute public information and is confidential. A person shall not disclose proprietary information unless:

(a) The disclosure is made for the purpose of a civil, administrative or criminal investigation or proceeding; and

(b) The person receiving the information represents in writing that protections exist under applicable law to preserve the integrity, confidentiality and security of the information.

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2. A solicitation which contains a provision that requires negotiation or evaluation by the governing body or an evaluator may not be disclosed until the response is recommended for the award of a contract.

NRS 332.063 Contracts for which estimated annual amount required to perform is more than \$50,000 but not more than \$100,000: Solicitation of responses; permissive advertisement; award.

1. Except as otherwise provided by specific statute, if the estimated annual amount required to perform a contract is more than \$50,000 but not more than \$100,000, the governing body or its authorized representative:

(a) Shall solicit responses from two or more persons capable of performing the contract, if such persons are available; and

(b) May advertise the contract in the manner prescribed in NRS 332.045.

2. The governing body or its authorized representative shall award such a contract on the basis of price, taking into account the minimum requirements of a responding offeror prescribed in the solicitation pursuant to NRS 332.043 and the method prescribed in that solicitation for awarding the contract.

NRS 332.065 Contracts for which estimated annual amount required to perform is more than \$100,000: Advertisement required; permissive solicitation; award; prohibition on entering without certification relating to certain boycotts of Israel.

1. Except as otherwise provided by specific statute, if the estimated annual amount required to perform a contract is more than \$100,000, the governing body or its authorized representative:

(a) Shall advertise the contract in the manner prescribed in NRS 332.045; and

(b) May issue a solicitation for the contract.

2. If the estimated annual amount to perform a contract is more than \$100,000 and the method for obtaining the contract designated in the solicitation is an invitation to bid, the governing body or its authorized representative must, except as otherwise provided by specific statute, award the contract to the lowest responsive and responsible bidder. The lowest responsive and responsible bidder may be judged on the basis of:

(a) Price;

(b) Conformance to specifications;

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(c) Qualifications of the bidder, including, without limitation:

- (1) The possession of or limit on any required license of the bidder;
- (2) The financial responsibility of the bidder;
- (3) The experience of the bidder; and
- (4) The ability of the bidder to perform the contract;

(d) Adequacy of the equipment of the bidder;

(e) Past performance;

(f) Performance schedule or delivery date;

(g) If the contract requires the delivery of goods, the total cost of ownership of the goods;

(h) If the contract requires the delivery of goods, the purpose for which the goods to be supplied are required;

(i) The best interests of the public; and

(j) Such other criteria as may be set forth by the governing body or its authorized representative in the advertisement or solicitation, as applicable, that pertains to the contract.

If after the lowest responsive and responsible bidder has been awarded the contract, during the term of the contract he or she does not perform in accordance with the bid specifications, or if he or she repudiates the contract, the governing body or its authorized representative may reaward the contract to the next lowest responsive and responsible bidder without requiring that new bids be submitted. Reawarding the contract to the next lowest responsive and responsible bidder is not a waiver of any liability of the initial bidder awarded the contract.

3. Except as otherwise provided by specific statute, if the estimated annual amount to perform a contract is more than \$100,000 and the method for obtaining the contract designated in the solicitation is a method other than an invitation to bid, the governing body or its authorized representative shall award such a contract taking into account the minimum requirements for a responding offeror prescribed in the solicitation pursuant to NRS 332.043 and the method prescribed in that solicitation for awarding the contract.

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4. A governing body or its authorized representative shall not enter into a contract pursuant to this section with a company unless the contract includes a written certification that the company is not currently engaged in, and agrees for the duration of the contract not to engage in, a boycott of Israel.

5. As used in this section:

(a) “Boycott of Israel”:

(1) Means, except as otherwise provided in subparagraph (2), refusing to deal or conduct business with, abstaining from dealing or conducting business with, terminating business or business activities with or performing any other action that is intended to limit commercial relations with:

(I) Israel; or

(II) A person or entity doing business in Israel or in territories controlled by Israel, if such an action is taken in a manner that discriminates on the basis of nationality, national origin or religion.

(2) Does not include an action that is described in subparagraph (1) if the action:

(I) Is based on a bona fide business or economic reason;

(II) Is taken pursuant to a boycott against a public entity of Israel if the boycott is applied in a nondiscriminatory manner; or

(III) Is taken in compliance with or adherence to calls for a boycott of Israel if that action is authorized in 50 U.S.C. § 4607 or any other federal or state law.

(b) “Company” means any domestic or foreign sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited-liability partnership, limited-liability company, or other domestic or foreign entity or business association, including, without limitation, any wholly owned subsidiary, majority owned subsidiary, parent company or affiliate of such an entity or business association, that exists for the purpose of making a profit.

(c) “Total cost of ownership” includes, without limitation:

(1) The history of maintenance and repair of the goods;

(2) The cost of routine maintenance and repair of the goods;

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- (3) Any warranties provided in connection with the goods;
- (4) The cost of replacement parts for the goods; and
- (5) The value of the goods as used goods when given in trade on a subsequent purchase.

NRS 332.066 Contract for which estimated annual amount required to perform is more than \$100,000: Preference given to recycled products if method of solicitation is invitation to bid.

1. If the estimated annual amount required to perform a contract is more than \$100,000 and the designated method for awarding the contract specified in the solicitation is an invitation to bid, the governing body or its authorized representative:

(a) Shall give preference to a bid to provide recycled products if:

- (1) The products meet the applicable standards;
- (2) The products can be substituted for comparable nonrecycled products; and
- (3) The products do not cost more than comparable nonrecycled products.

(b) May give preference to a bid to provide recycled products if:

- (1) The products meet the applicable standards;
- (2) The products can be substituted for comparable nonrecycled products; and

(3) The products do not cost more than 5 percent more than the comparable nonrecycled products.

(c) May purchase recycled paper products if the specific recycled paper product is:

(1) Available at a price which is not more than 10 percent higher than that of the comparable paper product made from virgin material;

(2) Of adequate quality; and

(3) Available to the purchaser within a reasonable amount of time.

2. As used in this section:

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(a) “Postconsumer waste” means a finished material which would normally be disposed of as solid waste having completed its life cycle as a consumer item.

(b) “Recycled paper product” means any paper or wood-pulp product containing in some combination comprising at least 50 percent of its total weight:

(1) Postconsumer waste; and

(2) Secondary waste, but the term does not include fibrous waste generated during the manufacturing process such as fibers recovered from wastewater or trimmings of paper machine rolls, wood slabs, chips, sawdust or other wood residue from a manufacturing process.

(c) “Secondary waste” means fragments of products or finished products of a manufacturing process which has converted a virgin resource into a commodity of real economic value.

NRS 332.068 Contract for which estimated annual amount required to perform is more than \$100,000: Filing and contents of protest of award; posting and disposition of bond or security; stay of action; immunity of governing body from liability to person who submits response.

1. A person who submits a response to a solicitation for a contract for which the estimated annual amount to perform the contract is more than \$100,000 may, after the responses are opened and within the period specified by the governing body or its authorized representative in the solicitation pursuant to NRS 332.043, file with the governing body or its authorized representative a notice of protest regarding the awarding of the contract.

2. A notice of protest must include a written statement setting forth with specificity the reasons the person filing the notice believes the applicable provisions of law were violated.

3. A person filing a notice of protest may be required by the governing body or its authorized representative, at the time the notice of protest is filed, to post a bond with a good and solvent surety authorized to do business in this State or submit other security, in a form approved by the governing body or its authorized representative, to the governing body or its authorized representative who shall hold the bond or other security until a determination is made on the protest. A bond posted or other security submitted with a notice of protest must be in an amount equal to the lesser of:

(a) Twenty-five percent of the total value of the response submitted by the person filing the notice of protest; or

(b) Two hundred fifty thousand dollars.

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4. A notice of protest filed in accordance with the provisions of this section operates as a stay of action in relation to the awarding of any contract until a determination is made by the governing body or its authorized representative on the protest.

5. A person who submits an unsuccessful response may not seek any type of judicial intervention until the governing body or its authorized representative has made a determination on the protest and awarded the contract.

6. A governing body or its authorized representative is not liable for any costs, expenses, attorney's fees, loss of income or other damages sustained by a person who submits a response, whether or not the person files a notice of protest pursuant to this section.

7. If the protest is upheld, the bond posted or other security submitted with the notice of protest must be returned to the person who posted the bond or submitted the security. If the protest is rejected, a claim may be made against the bond or other security by the governing body or its authorized representative in an amount equal to the expenses incurred by the governing body or its authorized representative because of the unsuccessful protest. Any money remaining after the claim has been satisfied must be returned to the person who posted the bond or submitted the security.

NRS 332.075 Contract for which estimated annual amount required to perform is more than \$100,000: Rejection of response.

Any response to a solicitation for a contract for which the estimated annual amount to perform a contract is more than \$100,000 may be rejected by the governing body or its authorized representative if the governing body or its authorized representative determines that the responding offeror is not responsive or responsible or that the quality of the services, supplies, materials, equipment or labor offered does not conform to requirements or if the public interest would be served by such a rejection.

NRS 332.091 Maintenance of records of solicitations and responses.

A governing body or its authorized representative shall maintain a record of each solicitation and response to a solicitation for at least 7 years after the date of execution of the contract.

NRS 332.095 Assignment of contracts.

1. Except as otherwise provided in subsection 2:

(a) No contract awarded may be assigned to any other person without the consent of the governing body or its authorized representative.

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(b) No contract awarded or any portion thereof may be assigned to any person who was declared by the governing body or its authorized representative not to be a responsible person to perform the particular contract.

2. The provisions of this section do not apply to the assignment of a contract by virtue of the acquisition of the person who is a party to the contract by a person that purchases the full assets and liabilities of the person who is a party to the contract.

NRS 332.105 Bonds.

1. A performance bond, payment bond or any other bond or combination thereof, with sufficient surety, in such amount as may be determined necessary by the governing body or its authorized representative, may be required of each responding offeror on a particular contract.

2. Any such bonds may be to insure proper performance of the contract and save, indemnify and keep harmless the local government against all loss, damages, claims, liabilities, judgments, costs and expenses which may accrue against the local government in consequence of the awarding of the contract.

3. If a local government requires such a bond, it shall not also require a detailed financial statement from each responding offeror on the contract.

E. DOUGLAS COUNTY ORDINANCES

10.12.030 Stopping, standing, or parking on public roads

A. As authorized by state law, the board of county commissioners determines and directs that the stopping, standing, or parking of vehicles be prohibited, except in cases of emergency, on any portion of any public road within Douglas County, Nevada, which interferes with the safe and effective removal of snow from any public road or the free movement of vehicular traffic on any public road. Appropriate traffic control devices indicating the prohibitions shall be posted in conspicuous places.

B. In the event a public road is located within a general improvement district formed under the auspices of chapter 318 of NRS, the general improvement district shall be responsible for posting, in conspicuous places, appropriate traffic control devices indicating this prohibition.

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C. Within areas designated or zoned as commercial, or residential districts by the board of commissioners, it is unlawful for the owner or driver of a vehicle or trailer, which is rated by the manufacturer's nominal rating in excess of eight thousand unloaded pounds or which exceeds twenty-four feet in length to stand or park the vehicle or trailer at any time upon any public street, highway, or alley except for purposes of loading and unloading passengers, materials or merchandise. In the case of recreational vehicles, section 20.660.150(c) regulates the parking of recreational vehicles and this section shall not be construed as abrogating section 20.660.150(c).

D. Except as otherwise provided for in section 20.660.150(c) it is unlawful for the owner or agent of the owner of any trailer or semitrailer, which is not attached to a tractor or other motor vehicle, to cause or allow it to be parked on a public street, highway or alley. (Ord. 937, 2000; Ord. 455 §1, 1986; Ord. 420 §1(part), 1983).

10.12.040 Penalties for violations or infractions

A. Any vehicle which violates the provisions of chapter 10.12 may be towed and the owner or any other person responsible for the care, custody and control of said vehicle shall be responsible for the towing expenses incurred in any such removal.

B. Any owner or other person responsible for the care, custody and control of a vehicle convicted of violating the provisions of chapter 10.12 is guilty of an infraction and shall be punished by a fine not to exceed one hundred fifty-five dollars. (Ord. 645 §28, 1994; Ord. 420 §1(part), 1983).

10.08.020 Placement of traffic-control devices in general improvement districts

D. Skyland General Improvement District.

1. Stop Signs. Stop signs shall be placed and maintained at the following locations:

- a. Alpine Drive. On Alpine Drive where said highway joins Tahoe Drive;
- b. Lynn Way. On Lynn way where said highway joins Tahoe Drive;
- c. Myron Drive. On Myron Drive on each side of said highway where it joins Tahoe Drive;
- d. Tahoe Drive. On Tahoe Drive at each end of said highway where it joins U.S. Highway 50 and Skyland Drive.

2. Highway Use Restriction. No snowmobiles, sleds, skis, skateboards or similar objects shall be allowed on district streets. This restriction shall be posted conspicuously throughout the district.

3. All Highways Parking Restriction. There shall be no parking on any paved portion of any highway within this district, except in cases of emergency. Said restriction shall be posted conspicuously at the entrance of the district and at other conspicuous places on highways therein. The owner or custodian of any vehicle which interferes with snow removal shall be responsible for towing expenses.

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4. **Truck Size Limitation.** Trucks exceeding a maximum weight of ten tons shall be prohibited from using the highways within this district, except for trucks making local deliveries. This restriction shall be posted conspicuously at the highway entrances to said district.

5. **All Highways Speed Limit.** The posted speed limit on all highways, or portions thereof, within this general improvement district shall be twenty-five miles per hour.

20.660.150 Accessory uses

C. "Accessory outside storage" means the outside placement, for a period of more than 48 hours, of items which are customary and incidental to the main use of the property.

1. The area of placement may not exceed five percent of the lot area;
2. Items must be screened from the view of adjacent roadways and properties with a six foot sight obscuring, solid fence or wall;
3. Accessory outdoor storage of agricultural products and operable agricultural equipment is exempt from these additional provisions;
4. For purposes of these regulations, recreational equipment includes motor homes, boats, and boat trailers, travel trailers, personal watercraft, snowmobiles and their trailers, pick-up campers, tent trailers, utility trailers and similar equipment, and cases or boxes used for transporting recreation equipment, whether occupied by equipment or not. Recreation equipment must be parked or stored in a carport or in an enclosed building, or up to two units may be parked behind the nearest portion of a building to the street, screened by a six-foot solid fence or wall if located on a parcel of less than one-half (0.50) net acre. On parcels zoned SFR 1/2 with one-half (0.50) net acre or large parcel size, recreational equipment may be parked on the property. Equipment may be parked anywhere for a time period not to exceed 48 hours during loading or unloading. Recreational equipment must not be used for living, sleeping or housekeeping purposes when parked or stored on any lot or in any location not approved for the use. Parcels located within the SFR-2, RA-5, RA-10, agricultural, and forest and range zoning districts are exempted from this subsection.