



**Policy and Procedure Resolution No. 137 –
Resolution Number 1905
A POLICY FOR THE PROVISION OF
PUBLIC RECORDS TO THE GENERAL PUBLIC**

I. PUBLIC RECORDS

A. Purpose

The following Policy and Procedure, which shall be known also as the District’s “Public Records Policy” (“Policy”) is intended to govern the issuance of public records contained in District files, and the inspection, copying, and provision thereof. It will apply to all such requests for public records by the general public.

B. Policy Statement

Public records in the possession of the District that are not otherwise declared to be confidential by State or federal law, and/or related governing interpretations of the law, will be made available to the general public for inspection and copying under Nevada law.

C. Governing Law

This Policy is made in conformance with the Nevada Open Meeting Law (NRS 241), the Nevada Public Records Law (NRS 239) and District Policy. This Policy will remain in effect until changed or rescinded by the District’s Board of Trustees.

D. Policy Administrator

The General Manager shall appoint a District “Public Records Officer” who shall oversee the execution and administration of this Policy. In the absence of such designation, the General Manager shall hold the title of “Public Records Officer” and shall directly administer this Policy.

The General Manager may name more than one “Public Records Officer” because District records may be maintained at multiple District locations or to ensure uninterrupted staff coverage during vacations and other absences.



**Policy and Procedure Resolution No. 137 –
Resolution Number 1905
A POLICY FOR THE PROVISION OF
PUBLIC RECORDS TO THE GENERAL PUBLIC**

E. General Provisions

1. Form

The District will prepare and provide a “Public Records Request” form to be used by the general public for all requests for public records. This form will be available on the District’s website and in person at the District office (893 Southwood Boulevard, Incline Village).

2. Submission

All hard copy Public Records Request forms shall be mailed or hand-delivered to:

Attn: Public Records Officer
IVGID Administration Building
893 Southwood Boulevard
Incline Village, Nevada, 89451

All electronic Public Records Request forms shall be e-mailed to:

PublicRecordsOfficer@ivgid.org.

Any verbal request for public records will be submitted by the receiving staff member through the form for tracking and processing.

3. Responses to Public Records Requests

The Public Records Officer will review all Public Records Request forms received and will determine whether the requested records exist. A response (with copies of the requested public records, indicating the anticipated date on which the public records will be provided, or informing the Requester that the District does not have the public records or will not be producing them for a lawful reason) will be made within five (5) business days from receipt of the form, not counting that day, and thereafter as



**Policy and Procedure Resolution No. 137 –
Resolution Number 1905
A POLICY FOR THE PROVISION OF
PUBLIC RECORDS TO THE GENERAL PUBLIC**

appropriate, in compliance with the provisions of NRS 239.0107.

Specifically, by the conclusion of the fifth day after a request is received by the District, District staff will take one of the following actions:

- A. Provide copies of the requested documents, if they are readily available and can be provided within that timeframe.
- B. Provide the requester with confirmation of receipt of the request, and a date by which staff anticipates responsive documents will be provided.
- C. Inform the requester that the District does not have the records that are requested.
- D. Inform the requester that the requested documents will not be disclosed because one or more exemptions to the PRA's disclosure requirements apply (the specific exemption(s) will also be provided as part of this response).

Documents may be withheld pursuant to NRS 239.010 and all statutes cited therein; Nevada regulations; federal laws and regulations; state and federal case law; and the *Bradshaw* balancing test (the government's interest in withholding a record clearly outweighs the public interest in disclosure).

The Public Records Officer, based on the advice of the District's General Counsel, may assert confidentiality in redacting or withholding certain records. If a record is redacted or withheld, the legal basis for such redaction or withholding will be stated in the District's response to the Requester.

All decisions to redact or withhold a record will be reviewed by the Board of Trustees. All decisions by the Board of Trustees are final.

4. Charges For Providing Public Records

Pursuant to NRS 239.052, the District may charge a fee for providing a



**Policy and Procedure Resolution No. 137 –
Resolution Number 1905
A POLICY FOR THE PROVISION OF
PUBLIC RECORDS TO THE GENERAL PUBLIC**

copy of a public record. The fee must not exceed the actual cost to the District to provide the copy of the public record unless a specific statute or regulation sets a fee that the District must charge for the copy. “Actual cost” means the direct cost incurred by a governmental entity in the provision of a public record, including, without limitation, the cost of ink, toner, paper, media and postage. The term does not include a cost that a governmental entity incurs regardless of whether or not a person requests a copy of a particular public record. Further, the District shall not charge a fee for providing a copy of a public record if a specific statute or regulation requires the District to provide the copy without charge.

In compliance with NRS 239.052, the following categories will govern the charges, if any, which will be assessed and the method in which the request will be provided:

a) *Public Records Provided by E-Mail*

Public records which have been specifically identified as being able to be provided by e-mail will be provided to the Requester at no charge.

b) *Public Records Not Provided by E-Mail*

Public records that cannot be provided by e-mail or that the Requester requests in some other form will be provided in accordance with the following fee schedule:

- I. \$.05 for each printed page.
- II. Actual cost for each storage device (DVD, CD, thumb drive, etc.).
- III. Actual cost for postage.

Fee payment is due prior to the release of the requested public records.



**Policy and Procedure Resolution No. 137 –
Resolution Number 1905
A POLICY FOR THE PROVISION OF
PUBLIC RECORDS TO THE GENERAL PUBLIC**

5. Publication of Public Records Requests and Responses

The Public Records Officer shall publish on the District's website or other forum approved by the Board of Trustees the current and recent public records requests and the District's responses, including all supporting documents and information which were provided to the requester.