

With certain limited exceptions, all meetings of the Board of Directors of the corporation are open to the public. All meetings of the Board of Directors, closed and open, must be noticed and held in compliance with Nevada's open meeting laws. [Nevada Revised Statutes, Chapter 241.] This procedure and checklist addresses the general requirements for noticing, holding and preparing the minutes of the meetings. Any questions with respect to Open Meeting Law compliance should be directed to NAHAC's Legal Counsel.

### **REQUIREMENTS FOR REGULAR MEETINGS OF THE BOARD OF DIRECTORS<sup>1</sup>**

#### I. Notice of Meeting & Agenda:

##### A. Contents.

The Notice of and Agenda for the meeting must contain the following information:

1. The time, place and location of the meeting.
2. A list of the locations where the notice has been posted.
3. The name and contact information for the person designated by NAHAC from whom a member of the public may request the supporting material for the meeting and a list of the locations where the supporting material is available to the public.
4. An agenda consisting of:
  - (a) A clear and complete statement of the topics scheduled to be considered during the meeting.
  - (b) 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 to correct a prior violation of the Open Meeting Law by placing the term "for possible corrective action" next to the appropriate item.
  - (c) Periods devoted to comments by the general public, if any, and discussion of those comments. Comments by the general public must be taken:

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<sup>1</sup> Note: Additional requirements must be complied with if there will be any discussion of the character, alleged misconduct, professional competence or physical or mental health of any person (this includes performance reviews by the Board of the CEO or any other persons whose direct report is to the Board).

(I) At the beginning of the meeting before any items on which action may be taken are heard by the Board 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 Board, but before the Board takes action on the item.

(d) 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.

(e) If, during any portion of the meeting, the Board will consider whether to take administrative action against a person, the name of the person regarding a person administrative action may be taken.

(f) Notification that:

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

(II) Two or more agenda items may be combined for consideration; and

(III) An item may be removed from the from the agenda or discussion relating to an item on the agenda delayed at any time.

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

(h) Must inform the public that NAHAC and its employees shall make reasonable efforts to assist and accommodate persons with physical disabilities desiring to attend a meeting with the name and telephone number of a person who may be contacted so arrangements can be made in advance to avoid last minute problems.

See, Schedule 1 for a sample meeting Notice and Agenda.

B. Posting the Notice & Agenda.

*Posting:*

A copy of the Notice and Agenda must be posted in at least four (4) places (see details below), on NAHAC's web site and the State Web Site for posting notices (<https://notice.nv.gov>) no later than 9:00 a.m. the third working day before the meeting.

"Working day" means every day of the week except Saturday, Sunday, and any day declared to be a legal holiday, pursuant to NRS 236.015 NRS 236.015 designates the following as legal holidays in Nevada:

January 1 (New Year's Day)

Martin Luther King, Jr. Day

Washington's Birthday

Memorial Day

July 4 (Independence Day)

Labor Day

Nevada Day

November 11 (Veterans Day)

Thanksgiving Day

Friday following Thanksgiving Day (Family Day)

December 25 (Christmas Day)

Any day that may be appointed by the President of the United States for public fast, thanksgiving or as a legal holiday except for any Presidential appointment of the fourth Monday in October as Veterans Day.

When calculating the notice period do not count the day of the meeting.

Examples of the posting timeframe are as follows:

1. A Thursday meeting should be noticed by 9 a.m. on Monday of the same Week.
2. A Tuesday meeting must be noticed no later than 9 a.m. Thursday of the preceding week; if the Monday before a Tuesday meeting were a legal holiday, notice would be posted no later than 9 a.m. on Wednesday of the prior week.

The Notice and Agenda must be posted at the NAHAC office in Las Vegas and three other separate, prominent public places. The Notice and Agenda should also be posted at the NAHAC office in Reno, however do not count the NAHAC office in Reno as one of the additional three (3) posting locations. NAHAC has identified the sites below as potential posting locations where the three (3) other postings can be completed:

Las Vegas Library | 833 Las Vegas Blvd North | Las Vegas, NV 89101  
Clark County Government Center | 500 S Grand Central Pkwy | Las Vegas, NV 89155  
Las Vegas City Hall | 495 S Main St | Las Vegas, NV 89101  
Nevada JobConnect | 3405 South Maryland Parkway | Las Vegas, NV 89169  
Downtown Reno Library | 301 S. Center Street | Reno, NV 89501  
Office of the Attorney General | 5420 Kietzke Lane, Suite 202 | Reno, NV 89511|  
Nevada JobConnect | 4001 S. Virginia Street | Reno, NV 89502|  
Washoe County Courthouse | 75 Court St | Reno, NV 89501

Note: The inability to post notice of a meeting and the agenda on the NAHAC website as a result of a technical problem is not a violation of the law.

NAHAC is required to make and keep a record of compliance with the statutory requirement for posting the notice and agenda before 9 a.m. of the third working day before a public meeting. This record is to be made by the person who posted a copy of the public notice and it must include: (1) date and time of posting, (2) address of location of posting, and (3) name, title, and signature of person who posted the public notice.

See, Schedule 2 for the forms of Affidavit of Posting.

*Mailing to Persons Who Have Requested Notice of Meetings.*

In addition to posting the notice, NAHAC must mail a copy of the notice to all persons who have requested a copy of notice of the meetings. NAHAC has implemented an internal record keeping procedure to keep track of those who have requested notice and has implemented the use of a log in the form set forth in Schedule 3.

The requirement to mail the Notice and Agenda to persons who have requested copy of the notice of the meetings does not require actual receipt of the notice by the person to whom the notice must be mailed. It only requires that the notice be postmarked before 9 a.m. on the third working day before the meeting. Also, this mailing requirement of the Open Meeting Law is not satisfied by sending an e-mail to an individual who has requested personal notice of public meetings, unless the individual waived his or her statutory right to personal notice by regular mail and instead has elected to receive notice by e-mail.

A request for mailed notice of meetings automatically lapses six months after it is made to NAHAC, unless the requestor renews the request. NAHAC must inform the requestor of this fact by enclosure or notation upon the first notice sent.

C. Meeting Materials.

1. Prior to the Meeting.

It is NAHAC's policy to post all meeting materials on its web site. The materials which are available when the Notice and Agenda are posted should be posted at the same time as the Notice and Agenda. Meeting materials which become available thereafter should be posted as soon as they are available.

NAHAC will also provide copies of the Notice, Agenda and Meeting materials to persons who request that it do so at no charge. These documents must be mailed to the requestor, unless the requestor has agreed to accept receipt by electronic mail. *See additional discussion in Section 4, below.*

The following meeting materials do not need to be posted or provided:

- (1) Materials submitted to NAHAC pursuant to a nondisclosure or confidentiality agreement which relates to proprietary information;
- (2) Materials pertaining to the closed portion of a meeting; or
- (3) Materials declared confidential by law, unless otherwise agreed to by each person whose interest is being protected under the order of confidentiality.

For the purposes of the Open Meeting Law, “proprietary information” means:

(a) Any trade secret or confidential business information<sup>2</sup> that is contained in a bid submitted NAHAC or its authorized representative on a particular contract; or

(b) Any other trade secret<sup>3</sup> or confidential business information submitted to NAHAC or its authorized representative by a bidder and designated as proprietary by NAHAC or its authorized representative.

2. At the Meeting:

NAHAC shall make at least one copy of the Notice, Agenda and Meeting materials available to the public at the meeting to which the documents pertain.

3. After The Meeting.

After the meeting, NAHAC will also provide copies of the Notice, Agenda, and Meeting Materials to persons who request them at no charge.

4. Electronic Transmission.

If the requester has agreed to receive the information and material by electronic mail, NAHAC shall, if feasible, provide the information and material by electronic mail and shall inquire of the person requesting the materials if the person will accept by electronic mail a link to the posting on the website when the documents are made available.

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<sup>2</sup> “Confidential business information” means any information relating to the amount or source of any income, profits, losses or expenditures of a person, including data relating to cost, price, or the customers of a bidder which is submitted in support of a bid. The term does not include the amount of a bid submitted to NAHAC or its authorized representative.

<sup>3</sup> “Trade secret” means information, including, without limitation, a formula, pattern, compilation, program, device, method, technique, product, system, process, design, prototype, procedure, computer programming instruction or code that:

(a) Derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by the public or any other persons who can obtain commercial or economic value from its disclosure or use; and

(b) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

If as a result of technical problems with its electronic mail system, NAHAC is unable to provide a public notice, information or supporting material or a link to a website to a person who has agreed to receive such notice, information, supporting material or link by electronic mail this is not considered to be a violation of the Open Meeting Law.

**ADDITIONAL REQUIREMENTS FOR MEETINGS OF THE BOARD OF DIRECTORS WHEN THERE WILL BE A DISCUSSION OF THE CHARACTER, ALLEGED MISCONDUCT, PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF ANY PERSON (THIS INCLUDES PERFORMANCE REVIEWS BY THE BOARD OF THE CEO OR ANY OTHER PERSONS WHOSE DIRECT REPORT IS TO THE BOARD).**

NAHAC may not hold a meeting of its Board of Directors to consider the character, alleged misconduct, professional competence, or physical or mental health of any person unless it previously provided a written notice to the person whose character, alleged misconduct, professional competence or physical or mental health is being considered and received proof of service of the notice. This applies whether the meeting will be open or closed. This notice to the effected person is discussed further below.

The notice must include a list of the general topics concerning the person who will be considered by the Board during the meeting. If the meeting (or that portion addressing the particular person) will be closed, the notice also must contain the following statements:

1. That the person being considered by the Board is permitted to attend the closed meeting;
2. That the person being considered may have an attorney or other representative of his/her choosing present during the closed meeting; and
3. That the person being considered may present written evidence, provide testimony, and present witnesses relating to his character, alleged misconduct, professional competence, or physical or mental health to the Board during the closed meeting.

See, Schedule 4 for a sample form of notice and proof of service.

The notice must be delivered either personally to that person at least five working days before the meeting or must be sent by certified mail to the last known address of that person at least 21 working days before the meeting. NAHAC must receive proof of service of the notice before the meeting may be held. The person may also waive notice so long as NAHAC obtains the signature of the effected person on the form of Waiver of Open Meeting Law Service Requirements. *See, Schedule 5* for a sample form of Waiver. The Waiver must be signed before the meeting before the meeting may be held.

**NOTE:** These notice provisions do not apply to applicants for employment with NAHAC. Additionally, casual or tangential references to a person or the name of a person during a closed meeting do not constitute consideration of the character, alleged misconduct, professional competence, or physical or mental health of the person.

**REQUIREMENTS FOR CLOSED MEETINGS:**

If there is a specific statutory authorization for a closed session or when the character, alleged misconduct, professional competence, or physical or mental health of a person will be discussed at a meeting, NAHAC may hold a closed meeting, but is not required to do so. If the person who is being discussed makes a request to open the meeting at any time NAHAC must open the meeting (although it may close the meeting upon the request of a testifying witness for the purposes of that witness' testimony only).

For closed meetings, NAHAC must start its public meeting in the open and then it may close the meeting after passing a motion specifying the nature of the business to be considered in closed session *and* the statutory authority pursuant to which it is authorized to close the meeting.

However, the Open Meeting Law does not permit taking *action* in closed session to select a person for employment or terminate a person. The closed session must be limited to specific discussions about the specific person. General discussions about general policies or practices may not be held during a closed session. Also, all discussions of the appointment or removal of a Board Member must take place in an open session



**A. Guidance for closed sessions to consider character, allegations of misconduct, professional competence, or physical and mental health of a person.**

NAHAC will start the closed session with a duly noticed open meeting. Items which will be discussed in closed session will be indicated on the agenda as a closed session under NRS 241.030(1), and the person's name being considered will be included on the agenda pursuant to NRS 241.020(c)(4). The closed session will not be listed as an "action" item on the agenda because action cannot be taken during the closed session. *See* discussion above. The agenda will contain a separate item on the open agenda for action taken on the item discussed in closed session. NAHAC will document that the additional notice to the person being discussed is served and that the proof of service of this additional notice has been received by NAHAC before the closed session can proceed.

At the meeting, a motion must be made to go into closed session, and the motion must specify the business to be considered during the closed session and the statutory authority pursuant to which the Board is authorized to close the meeting. It is up to the Chairperson to decide who else shall be included in the closed session, or the Chairperson can determine who may attend through a majority vote of the Board, which must occur in an open meeting.

All meetings, including closed sessions must be tape-recorded. Closed sessions must be recorded on a separate tape. The person being considered must be permitted to present written evidence, testimony and present witnesses relating to his character, alleged misconduct, professional competence or physical or mental health to the Board. The person being considered may record the closed session. Minutes must be kept of the closed session, and they must be prepared with the same detail as minutes of the open session.

*See Schedule 1*, which contains an exemplar agenda item a closed session item on the consideration of a person's character, allegations of misconduct, professional competence, or physical and mental health.

**EMERGENCY MEETINGS.**

The Open Meeting Law defines an emergency as: “an unforeseen circumstance which requires immediate action and includes, but is not limited to: (a) Disasters caused by fire, flood, earthquake or other natural causes; or (b) Any impairment of the health and safety of the public.”

An emergency meeting may be called or an item may be taken up on an emergency basis only:

- Where the need to discuss or act upon an item truly is unforeseen at the time the meeting agenda is posted and mailed, or before the meeting is called; and
- Where an item is truly of such a nature that immediate action is required at the meeting.

In an emergency:

- A meeting may be scheduled with less than three working days’ notice if the meeting is limited only to the matter which qualifies as an emergency. The minutes of the meeting should reflect the nature of the emergency and why notice could not be timely given.
- If a meeting already has been scheduled, notice already has been posted and mailed, and less than three working days remain before the meeting, the emergency item may be added to the agenda at the meeting. The minutes should reflect the nature of the emergency and why notice could not be timely given.
- If a meeting has been scheduled, and it is possible to amend the notice and agenda and to post and mail the amended notice (or a notice of an emergency item to be added to the agenda) more than three working days before the meeting, the notice and agenda should be so amended.

In all cases, whenever a matter is taken up as an emergency, NAHAC shall provide as much supplementary notice to the public as is reasonably possible under the circumstances and all other requirements of the Open Meeting Law must be observed.

**REQUIREMENTS FOR FACILITIES, TELEPHONE PARTICIPATION AND MINUTES.**

**A. Facilities.**

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NAHAC public meetings will be held in its Las Vegas office. In the event anticipated attendance by members of the public will exceed space limitations, NAHAC will select an alternative, larger meeting location. NAHAC will also use reasonable efforts to assist and accommodate physically handicapped persons desiring to attend its public meetings, and will hold such meetings only in buildings that are reasonably accessible to the physically handicapped.

Note: At a public meeting, members of the public may record the meeting on audio tape or any other means of sound or video reproduction if recording in no way interferes with the conduct of the meeting.

**B. Telephone Participation.**

Nothing in the Open Meeting Law prohibits a quorum of members of NAHAC's Board of Directors from deliberating toward a decision or taking action on public business via a telephone conference call or video conference in which they simultaneously are linked to one another telephonically. However, since this is a "meeting," the notice requirements of the Open Meeting Law must be complied with, and the public must have an opportunity to listen to the discussions and votes by all the members.

**C. Minutes.**

NAHAC must keep written minutes of each meeting it holds regardless of whether the meeting was open or closed to the public. The minutes must include:

- a. The date, time, and place of the meeting;
- b. The names of the members of the Board who were present, whether in person or by means of electronic communication, and those who were absent;
- c. The substance of all matters proposed, discussed, or decided and, at the request of any member, a record of each member's vote on any matter decided by vote;

d. The substance of remarks made by any member of the general public who addresses the body if he/she requests that the minutes reflect his or her remarks, or if he/she has prepared written remarks, a copy of his/her written remarks if he/she submits a copy for inclusion; and

e. Any other information that any member of the body requests be included or reflected in the minutes.

Verbatim minutes are not required by Open Meeting Law and there is no requirement that verbatim remarks be included in the minutes at the request of any person.

Schedule 6 contains a sample form of minutes.

Minutes or audio recordings of public meetings are declared by the Open Meeting Law to be public records and must be available for inspection by the public within 30 working days after the meeting is adjourned.

All minutes must be approved within 45 days after the meeting or at the next meeting of the Board, whichever occurs later. Any unapproved minutes must be made available within 30 days after the meeting adjourned to any person who requests them, together with a written statement that such minutes have not yet been approved and are subject to revision at the next meeting.

NAHAC shall retain all minutes as part of its permanent corporate records. All Minutes of open meetings will be posted on the NAHAC web site within 30 working days after the meeting was adjourned. If the draft Minutes have not been approved by the Board within 30 working days after the meeting was adjourned, the draft Minutes shall be posted on the NAHAC web site with a notation that the Minutes have not yet been approved by the NAHAC Board. Upon approval, the approved version shall be posted on the NAHAC web site.

**\*\*Minutes - Closed Sessions.** Minutes of closed meetings become public records when NAHAC determines that the matters discussed no longer require confidentiality and the person whose character, conduct, competence, or health was discussed has consented to their disclosure. However, the subject person always is entitled to a copy of the minutes of the closed session upon request, whether or not they ever become public records.

NAHAC shall retain all audio and video tapes of all meetings for one year. Recordings of closed sessions are given the same protection from public disclosure as minutes of closed sessions and must be made available to the subject of the closed session upon request as well as the Office of the Attorney General.

The Open Meeting Law requires that minutes and tapes be made available for inspection once prepared following a public meeting and does not authorize charging a fee for inspection. A copy of the minutes or audio recording must be made available to a member of the public upon request at no charge.

Proposed

SCHEDULE 1  
FORM OF OPEN MEETING LAW NOTICE AND AGENDA



Nevada Affordable Housing  
Assistance Corporation

**PUBLIC MEETING NOTICE**  
**Nevada Affordable Housing Assistance Corporation**  
**(NAHAC) Board of Directors**

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**DATE:** \_\_\_\_\_, 2016  
**TIME:** \_\_\_\_\_ : \_\_\_\_\_ A.M. / P.M.  
**LOCATION:** Nevada Affordable Housing Assistance Corporation (NAHAC)  
Conference Room  
3016 W. Charleston Blvd., Suite 160, Las Vegas, Nevada 89102  
**TELECONFERENCE TO:**  
( ) - ; Access Code: ; Meeting ID:  
**VIDEOCONFERENCE TO:**  
<https://global.gotomeeting.com/join/>  
Access Code: ; Meeting ID:

**The public is invited to attend in person, via teleconference or via videoconference.**

**AGENDA**

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**NOTICE :** 1) Items may be taken out of order; 2) Two or more items may be combined; or 3) Items may be removed from the agenda or delayed at any time. Reasonable efforts will be made to assist and accommodate individuals with disabilities who wish to attend the meeting. Please contact AJ Gavilanes, NAHAC Administrative Assistant at (702) 675-6635 (agavilanes@nahac.org), in advance, so that arrangements can be made. Public Comment is limited to 5 minutes per person, per item.

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1. Call to order and roll call of the NAHAC Board of Directors
2. Public comment. **(Discussion Only)** *No action may be taken on any matter raised under this item of the agenda until the matter itself has been included specifically on an agenda as an item upon which action will be taken.*
3. Discussion and possible action on approval of \_\_\_\_\_, 2016, meeting minutes. **(For possible action)**
4. \_\_\_\_\_ **(Presentation)**
5. \_\_\_\_\_ (Discussion)

# Nevada Affordable Housing Assistance Corporation | 2016

## Open Meeting Law Procedure and Checklist

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6. \_\_\_\_\_ (For possible action)

7. Closed session to consider the character, alleged misconduct, or professional competence of John Doe, a staff employee of NAHAC. (Discussion).

**NOTE: Before closing a meeting, the NAHAC must approve a member's motion to close the meeting which specifies the nature of the business to be considered and the statutory authority on which the meeting will be closed. If closure is pursuant to NRS 241.030(3) the name of the person to be considered must appear on the agenda.**

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8. Performance Evaluation of Sue Smith including, but not limited to, termination, suspension, demotion, reduction in pay, reprimand, promotion, endorsement, engagement, retention, or "no action." (For possible action)

**NOTES: (1) A Closed session may be held to consider character, alleged misconduct, professional competence, and physical or mental health pursuant to NRS 241.030. However, if action is to be taken, it must be in an open session, and the names of the subject persons should be listed. (2) Notice provisions of NRS 241.033 do not apply to applicants for employment with NAHAC. NRS 241.033(7)(a) exempts public meetings held to consider applicants for employment from the provisions of NRS 241.033.**

9. Disciplinary Hearings (For possible action). NAHAC may take action against the following persons which might include employment termination, suspension, demotion, reduction in pay, reprimand, promotion, retention, or no action.

- Sam Smith
- Harry Brown

**NOTE:** (1) If action is to be taken, it must be in an open session, and the names of the subject persons should be listed.

10. Report by CEO/Executive Director (Discussion) including: (formal approval of Report: for possible action; all other matters in this item are informational only):

- \_\_\_\_\_
- \_\_\_\_\_

11. Public comment. **(Discussion Only)** *No action may be taken on any matter raised under this item of the agenda until the matter itself has been included specifically on an agenda as an item upon which action will be taken.*

12. Adjournment

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# Nevada Affordable Housing Assistance Corporation | 2016 Open Meeting Law Procedure and Checklist

Supporting material for this meeting may be found at <http://www.nahac.org>, requested from AJ Gavilanes, NAHAC Administrative Assistant at (702) 675-6635 (agavilanes@nahac.org) or requested in person at the NAHAC office located at 3016 W. Charleston Blvd., Suite 160, Las Vegas, Nevada 89102

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In accordance with NRS 241.020, this public notice and agenda was posted on or before 9:00 AM on the third working day before the meeting on: the NAHAC website, <http://www.nahac.org>; at the NAHAC principal office located at 3016 W. Charleston Blvd., Suite 160, Las Vegas, Nevada 89102; on the following web site: <http://notice.nv.gov>; and at the following other checked location(s):

- Nevada Affordable Housing Assistance Corporation | 760 Margrave Dr., Suite 100 | Reno, NV 89502<sup>4</sup>
- West Charleston Library | 6301 W Charleston Blvd. | Las Vegas, NV 89146
- Clark County Government Center | 500 S Grand Central Pkwy | Las Vegas, NV 89155
- Las Vegas City Hall | 495 S Main St | Las Vegas, NV 89101
- Regional Justice Center | 200 Lewis Avenue | Las Vegas, NV 89101
- Downtown Reno Library | 301 S. Center Street | Reno, NV 89501
- Office of the Attorney General | 5420 Kietzke Lane, Suite 202 | Reno, NV 89511|
- Clark County Law Library | 309 South Third St., Suite 400 | Las Vegas, NV 89155
- Washoe County Courthouse | 75 Court St | Reno, NV 89501

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<sup>4</sup> The Reno NAHAC office should not be used to count as one of the 3 additional posting locations. However the notice should be posted at the Reno office.



**SCHEDULE 2**  
**FORMS OF AFFIDAVITS OF POSTING**

**A. LAS VEGAS:**



Nevada Affordable Housing  
Assistance Corporation

**AFFIDAVIT OF PUBLIC MEETING POSTING**  
**Nevada Affordable Housing Assistance Corporation**

**Las Vegas**

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The undersigned affirms that prior to 9:00 AM on \_\_\_\_\_, 2016, he/she posted a copy of the Notice of Public Meeting and Agenda for the \_\_\_\_\_, 2016, meeting of the Nevada Affordable Housing Assistance Corporation Board of Directors in accordance with NRS 241.020; said notice and agenda were posted at the following checked Las Vegas location(s):

- Nevada Affordable Housing Assistance Corporation | 3016 W. Charleston Blvd., Suite 160 | Las Vegas, NV 89102
- West Charleston Library | 6301 W Charleston Blvd. | Las Vegas, NV 89146
- Clark County Government Center | 500 S Grand Central Pkwy | Las Vegas, NV 89155
- Las Vegas City Hall | 495 S Main St | Las Vegas, NV 89101
- Regional Justice Center | 200 Lewis Avenue | Las Vegas, NV 89101
- Clark County Law Library | 309 South Third St., Suite 400 | Las Vegas, NV 89155

\_\_\_\_\_  
SIGNATURE

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date & Time of Posting: \_\_\_\_\_, 2016 : \_\_\_\_\_ AM / PM

**B. RENO:**



Nevada Affordable Housing  
Assistance Corporation

**AFFIDAVIT OF PUBLIC MEETING POSTING**  
**Nevada Affordable Housing Assistance Corporation**  
**Reno**

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The undersigned affirms that prior to 9:00 AM on \_\_\_\_\_, 2016, he/she posted a copy of the Notice of Public Meeting and Agenda for the \_\_\_\_\_, 2016, meeting of the Nevada Affordable Housing Assistance Corporation Board of Directors in accordance with NRS 241.020; said notice and agenda were posted at the following checked Reno location(s):

- Nevada Affordable Housing Assistance Corporation | 760 Margrave Dr., Suite 100 | Reno, NV 89502
- Downtown Reno Library | 301 S. Center Street | Reno, NV 89501
- Office of the Attorney General | 5420 Kietzke Lane, Suite 202 | Reno, NV 89511|
- Washoe County Courthouse | 75 Court St | Reno, NV 89501

\_\_\_\_\_  
SIGNATURE

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date & Time of Posting: \_\_\_\_\_, 2016 : \_\_\_\_\_ AM / PM

C. WEB:



Nevada Affordable Housing  
Assistance Corporation

**AFFIDAVIT OF PUBLIC MEETING POSTING**  
**Nevada Affordable Housing Assistance Corporation**  
**Web**

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The undersigned affirms that prior to 9:00 AM on \_\_\_\_\_, 2016, he/she posted a copy of the Notice of Public Meeting and Agenda for the \_\_\_\_\_, 2016, meeting of the Nevada Affordable Housing Assistance Corporation Board of Directors in accordance with NRS 241.020; said notice and agenda were posted on the following web sites:

<http://www.nahac.org>; and <https://notice.nv.gov>.

\_\_\_\_\_  
SIGNATURE

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date & Time of Posting: \_\_\_\_\_, 2016 : \_\_\_\_\_ AM / PM



**SCHEDULE 4**  
**FORM OF NRS 241.033 NOTICE & PROOF OF SERVICE**

**NOTICE OF INTENT TO CONSIDER, CHARACTER, MISCONDUCT, COMPETENCE OR HEALTH OF A PERSON** Page | 21

\_\_\_\_\_, 20\_\_\_\_

Ms. \_\_\_\_\_

\_\_\_\_\_  
Reno, Nevada 895\_\_

***Re: Notice of meeting of the Commission to consider your character, alleged misconduct, professional competence, or health.***

Dear Ms. \_\_\_\_\_:

In connection with your \_\_\_\_\_, the Board of Directors of the Nevada Affordable Housing Assistance Corporation (“NAHAC”) may consider your character, alleged misconduct, professional competence or health at its meeting on \_\_\_\_\_, 20\_\_\_\_. The meeting will begin at \_\_\_\_\_ a.m./p.m. at 3016 W. Charleston Blvd., Suite 160, Las Vegas, Nevada, Nevada, teleconference \_\_\_\_\_; videoconference \_\_\_\_\_.

The meeting is a public meeting, and you are welcome to attend. The Board may go into closed session to consider the following general topics: your \_\_\_\_\_, your \_\_\_\_\_, your \_\_\_\_\_, and matters properly related thereto.<sup>5</sup> You are welcome to attend the closed session, have an attorney or other representative of your choosing present during the closed meeting, present written evidence, provide testimony, and present witnesses relating to your character, alleged misconduct, professional competence, or physical or mental health.

If the Board determines it necessary after considering your character, alleged misconduct, professional competence, or physical or mental health whether in a closed meeting or open meeting, it may also take administrative action against you at this meeting<sup>6</sup>. This informational statement is in lieu of any notice that may be required pursuant to NRS 241.034<sup>7</sup>.

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<sup>5</sup> The list of general topics should be as inclusive as possible. NRS 241.033(2)(c).

<sup>6</sup> NRS 241.020 requires agenda statement both for the closed meeting consideration and the administrative action item, which must occur in an open meeting.

<sup>7</sup> See NRS 241.034(3).

This notice is provided to you under NRS 241.033.

Very truly yours,

**PROOF OF SERVICE**

I, \_\_\_\_\_, being first duly sworn, deposes and says under penalty of perjury that the following assertions are true and correct:

I am an employee of the NEVADA AFFORDABLE HOUSING ASSISTANCE CORPORATION, and that in accordance with NRS 241.033, on this date I caused to be served the foregoing **NOTICE OF INTENT TO CONSIDER, CHARACTER, MISCONDUCT, COMPETENCE OR HEALTH OF A PERSON** on \_\_\_\_\_ by the method(s) indicated below:

\_\_\_\_\_ By Personally Serving it on \_\_\_\_\_ at \_\_\_\_\_

\_\_\_\_\_ By placing it in a sealed envelope, certified mail number \_\_\_\_\_, with sufficient postage affixed thereto and depositing it in the United States mail at \_\_\_\_\_, Nevada, addressed to \_\_\_\_\_ at \_\_\_\_\_, Nevada 89\_\_\_\_\_.

DATED: This \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

BY: \_\_\_\_\_

NAME: [INSERT NAME OF PERSON  
MAKING SERVICE]

SWORN and SUBSCRIBED  
before me, a Notary Public, this \_\_\_\_\_ day  
of \_\_\_\_\_, 201\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

**SCHEDULE 5**  
**FORM OF WAIVER OF OPEN MEETING LAW SERVICE REQUIREMENTS**



Nevada Affordable Housing  
Assistance Corporation

**WAIVER OF NRS 214.033 & NRS 214.034 OPEN MEETING LAW**  
**NOTICE SERVICE REQUIREMENTS**  
**Nevada Affordable Housing Assistance Corporation (NAHAC)**

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I, \_\_\_\_\_, the undersigned, being apprised of the requirements under NRS 241.033 and NRS 241.034 for a public body to notify a person by certified mail twenty – one (21) working days in advance or by personal service five (5) working days in advance of a meeting in which that public body will consider that person’s character, professional competence, or physical or mental health or take administrative action regarding that person, knowingly and voluntarily waives these service and notification requirements as to the undersigned for (an) agenda item(s) pertaining to the undersigned at the meeting of the Board of Directors of the Nevada Affordable Housing Assistance Corporation set for \_\_\_\_\_, 201\_\_ at \_\_\_\_\_ a.m./p.m.

Date: \_\_\_\_\_, 2016

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

**SCHEDULE 6  
FORM OF OML MINUTES**

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE NEVADA HOUSING ASSISTANCE CORPORATION ON \_\_\_\_\_ (DATE OF THE MEETING)**

The Board of Directors of the Nevada Affordable Housing Assistance Corporation, a Nevada non-profit corporation (“NAHAC”) held a public meeting on (date), beginning at (time) at the following locations:

NAHAC Conference Room:

3016 W. Charleston Blvd., Suite 160, Las Vegas, Nevada 89102

By Teleconference to: ( ) - ; Access Code: ; Meeting ID:

By Videoconference to:

<https://global.gotomeeting.com/join/>

Access Code: ; Meeting ID:

**1. Call to order, roll call<sup>8</sup>.**

The meeting was called to order by Chairperson \_\_\_\_\_. Present were Board Members \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_. Absent was Board Member \_\_\_\_\_.

Also present were CEO/Executive Director \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_. Members of the public were asked to sign in, and the sign-in-sheet is attached to the original minutes as Exhibit A.

**2. Public comment (1st period).**

**3. Approval of minutes of previous meeting.<sup>9</sup>**

Board Member \_\_\_\_\_ moved to approve the minutes without changes. The Motion was seconded by \_\_\_\_\_ and the minutes of the \_\_\_\_\_ meeting were approved without changes by unanimous vote. [Note: When the vote is less than unanimous the votes of each Board Member should be identified. Example Text: The votes of each Board Member on this

<sup>8</sup> The date, time, and place of meeting, as well as the members of the public body who were present and absent, is required. NRS 241.035(1). Listing others present is not required by the Open Meeting Law but may be helpful in resolving Open Meeting Law and other complaints regarding the proceeding.

<sup>9</sup> If requested by a member, the minutes must record each member’s vote. NRS 241.035(1)(c) and it is advisable to give details about who made and seconded motions and how votes were cast.



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item were as follows: Board Members \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ voted in favor and Board Member \_\_\_\_\_ and \_\_\_\_\_ against.]

**4. Report by \_\_\_\_\_ on \_\_\_\_\_.**

Mr. \_\_\_\_\_ reported on \_\_\_\_\_ and advised that the report by \_\_\_\_\_ on \_\_\_\_\_ had been completed. A copy of the report is attached to the original minutes as Exhibit B.

Insert Discussion<sup>10</sup>.

**5. Closed session to discuss the character, alleged misconduct, and professional competence of NAHAC employee John Doe<sup>11</sup>.**

Example Text: On motion by Board Member \_\_\_\_\_, seconded by Board Member \_\_\_\_\_, and approved with a unanimous vote, a closed session was conducted to discuss the character, alleged misconduct, and professional competence of a NAHAC employee. NAHAC received proof that the employee was notified as required by law. Separate minutes of the session have been prepared. No action was taken<sup>12</sup>.

**6. Approval of Contract with \_\_\_\_\_.**

Example Text: The Board Members discussed the proposed contract to \_\_\_\_\_ with \_\_\_\_\_. [Insert Discussion] On motion by Board Member \_\_\_\_\_, seconded by Board Member \_\_\_\_\_, and approved with a unanimous vote, the contract with \_\_\_\_\_ attached to the original of these minutes as Exhibit C was approved.

**7. 2nd period of Public Comment and Discussion.**

Example Text: A member of the public addressed the Board and asked that her remarks be included in the record. A copy of her remarks is attached to the original of these minutes as Exhibit D.<sup>13</sup>

**8. Adjournment was unanimously approved at \_\_\_\_\_.**

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<sup>10</sup> The substance of the discussion must be reported. NRS 241.035(1)(c). Also, No action may be taken if the Report is listed on the agenda as a discussion item only.

<sup>11</sup> Whenever the character, alleged misconduct, and professional competence of any person is to be discussed in an open or closed session in order to proceed, NAHAC must confirm on the record that it received proof that the employee was notified as required by law.

<sup>12</sup> The minutes should reflect that all the procedural requirements and limitations of a closed session have been followed.

<sup>13</sup> See NRS 241.035(1)(d). If the commentator does not have written remarks, then his/her oral remarks must be reflected.