



**STATE OF NEVADA
COMMISSION ON ETHICS**
<http://ethics.nv.gov>

**MINUTES
of the meeting of the
NEVADA COMMISSION ON ETHICS**

The Commission on Ethics held a public meeting on
Wednesday, November 13, 2019, at 9:30 a.m.
at the following location:

**Nevada Legislative Building
401 S. Carson Street
Room 2134
Carson City, NV 89701**

and via video-conference to:

**Grant Sawyer State Building
555 E. Washington Avenue
Room 4412E
Las Vegas, NV 89101**

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics. A recording of the meeting is available for public inspection at the Commission's office.

1. Call to Order and Roll Call.

Chair Cheryl A. Lau, Esq. appeared in Carson City and called the meeting to order at 9:30 a.m. Also appearing in Carson City were Commissioners Barbara Gruenewald, Esq. and Kim Wallin, CPA. Appearing in Las Vegas were Commissioners Teresa Lowry, Esq. and Amanda Yen, Esq. Vice-Chair Keith A. Weaver, Esq. appeared telephonically. Commissioners Brian Duffrin and Philip K. (P.K.) O'Neill were excused. Present for Commission staff in Carson City were Executive Director Yvonne M. Nevarez-Goodson, Esq., Commission Counsel Tracy L. Chase, Esq., Associate Counsel Casey Gilham, Esq., Senior Legal Researcher Darci Hayden, Investigator Erron Terry, and Executive Assistant Kari Pedroza.

The pledge of allegiance was conducted.

2. Public Comment.

There was no public comment.

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3. Approval of Minutes of the October 16, 2019 Commission Meeting.

Chair Lau stated that all Commissioners were present for the October meeting and may participate in this item.

Commissioner Yen moved to accept the October 16, 2019 Minutes as presented. Commissioner Lowry seconded the motion. The Motion was put to a vote and carried unanimously.

4. Consideration and approval of Proposed Stipulated Agreement in Ethics Complaint No. 19-021C regarding Joel Dunn, Former Executive Director, Carson City Culture & Tourism Authority, submitted pursuant to NRS 281A.770.

- The Commission may discuss and consider the Proposed Stipulated Agreement in a closed session pursuant to NRS 281A.750.
- The Commission will take action on the item in an open session.

Chair Lau stated Review Panel Members Duffrin, Lowry, and Yen were precluded from participating in this matter.

Commission Counsel stated that although Commissioner O'Neill was excused from the meeting, she wanted to note for the record his disclosure that he had percipient knowledge of the underlying facts and that he abstained from all matters relating to the case pursuant to NRS 281A.420 and the Canons of Judicial Ethics as applicable to Commissioners in their quasi-judicial capacity.

Chair Lau asked the parties in the Complaint to identify themselves for the record. Executive Director Nevarez-Goodson appeared before the Commission in this matter and Mike Pavlakis, Esq. appeared on behalf of his client Joel Dunn, who was also present.

Executive Director Nevarez-Goodson provided a brief overview of the Proposed Stipulated Agreement which would resolve Ethics Complaint No. 19-021C concerning subject Joel Dunn, Former Executive Director, Carson City Culture and Tourism Authority (CTA). Executive Director Nevarez-Goodson summarized that the Complaint alleged Former Executive Director Dunn violated the Ethics Law through his conduct related to the recommendation of CTA policy changes that would affect his private retirement benefits and the negotiation of a contract between CTA and his private company to provide services to the CTA upon his retirement. She informed the Commission that a Review Panel found just and sufficient cause for the matter to be referred to the Commission regarding the allegations that implicated NRS 281A.400(1), (2), (3) and (10), NRS 281A.420(1), NRS 281A.430 and NRS 281A.550(5).

The Executive Director reported that during the meeting at which the CTA Board adopted the revised policies, Mr. Dunn failed to publicly disclose that the proposed provisions would apply to him and his spouse and result in a realized financial benefit for accrued sick leave as well as a monthly medical subsidy. She stated that at a separate CTA meeting where the Board considered a contract for services to be provided by NV Consulting, LLC, Mr. Dunn similarly failed to publicly disclose that he and his daughter were the managing members of the company and the fiscal impact of the contract to his pecuniary interest. The Proposed Stipulated Agreement reflects that Mr. Dunn's conduct would result in one willful violation of the Ethics Law for his failure to publicly disclose his pecuniary interest and the interest of his spouse and daughter when recommending the policy changes and negotiating the contract for his services upon retirement. For the willful violation, Mr. Dunn would pay a \$5,000 civil penalty which may be collected by the Commission in monthly installments with the full amount due in approximately two years. She outlined mitigating factors taken into account to reach the penalty amount proposed in the Agreement, specifically that this was Mr. Dunn's first violation of the Ethics Law, his cooperation with the Commission's investigation and resolution of the matter, and that at the time giving rise to the

events of this matter Mr. Dunn and the CTA Board were being represented by the District Attorney's office.

Executive Director Nevarez-Goodson further stated that the remaining allegations regarding NRS 281A.400(1), (2), (3), and (10), as well as NRS 281A.430 and NRS 281A.550(5) would be dismissed through the Stipulated Agreement for a lack of sufficient evidence to support a violation. She concluded her presentation by expressing her belief that the terms of the Stipulated Agreement reflect the seriousness of the conduct and send a clear message that public officers must properly disclose conflicts between their personal interests and public duties.

Mike Pavlakis, Esq., legal counsel for Subject Dunn, confirmed for the record that he had no statement.

Commissioner Wallin moved to accept the terms of the Stipulated Agreement as presented and directed Commission Counsel to finalize it in appropriate form. Commissioner Gruenewald seconded the Motion.

The Motion was put to a vote and carried as follows:

Chair Lau:	Aye.
Vice-Chair Weaver:	Aye.
Commissioner Gruenewald:	Aye.
Commissioner Lowry:	Abstain. (Review Panel Member)
Commissioner Wallin:	Aye.
Commissioner Yen:	Abstain. (Review Panel Member)

5. Report and recommendations by Executive Director on agency status and operations and possible direction thereon. Items to be discussed include, without limitation:
- Education and Outreach by the Commission
 - 2020 Calendar Year Meeting Schedule
 - FY20 Budget Update, including Legislative request for additional resources to accommodate increased case load

Education and Outreach by the Commission: Executive Director Nevarez-Goodson informed the Commission that there has been a significant increase in the number of requests for trainings since the Legislative session ended and projected that the Commission would stay on course with the yearly average of 40 trainings. She apprised the Commission of her recent trainings presented to the City of North Las Vegas and the Southern Nevada Regional Housing Authority. She maintained that she is taking under consideration the prior direction of the Commission to engage more with public outreach and with the turn of the new year will be reviewing media resources to emphasize the work of the Commission, particularly the recent cases processed by the Commission. Executive Director Nevarez Goodson referenced the Training Scheduled provided in the meeting materials and noted that she also intends to provide training to the anticipated reconstituted Dental Board, as directed by the Governor.

2020 Calendar Year Meeting Schedule: Executive Director Nevarez-Goodson confirmed the third Wednesday of the month for regularly scheduled Commission meetings in Calendar Year 2020 with the exception of the November and December meetings which will be scheduled for the second Wednesday of the month. She requested that Commissioners keep those days available for meetings and she would provide notification of any cancellations in advance. She reiterated that the upcoming December Meeting would be cancelled due to the holidays and staff travel for the annual COGEL conference. Executive Director Nevarez-Goodson provided that the next scheduled Commission Meeting would be held on January 15, 2020.

FY20 Budget Update, including Legislative request for additional resources to accommodate increased case load: Executive Director Nevarez-Goodson recalled the discussion during the previous Commission Meeting regarding the anticipated need for additional resources to accommodate the increased case load which has remained consistent with the increased FY19 submissions, and she reiterated her concerns about older complaint cases pending investigation, the oldest being over a year old. She reviewed the direction given to her previously by the Commission to pursue an additional temporary part-time attorney or investigator position through the Interim Finance Committee (IFC) and the Board of Examiners (BOE) and provided an overview of the process to initiate the proposal to IFC and BOE. Executive Director Nevarez-Goodson also reported that she had followed the direction given by the Commission at the previous meeting and consulted with the Governor's office to receive feedback regarding the pursuit of funding for the necessary position. She informed the Commission that the feedback was that the Governor's office did not have a position on the issue at that time and advised her to contact the agency's Budget Analyst at the Budget Office for information on how to proceed with the Commission's request. She outlined the next step would be to compile a formal plan with a budgetary analysis for the Commission's approval and asked if it was still the Commission's intent to direct her to do so. Executive Director Nevarez Goodson reminded the Commission that the allotted budget for court reporting expenses had already been used for the Fiscal Year, for transcription of investigatory interviews and discovery demands under the increased case load as reported at the previous meeting. She stated that cost savings in the existing budget to do a work program or a request from IFC would be the options for any additional court reporting expenses this Fiscal Year.

Commissioner Gruenewald moved to accept the Executive Director's agency status report as presented. Commissioner Wallin seconded the motion. Commission Counsel inquired whether the motion included direction to the Executive Director to provide a formal plan regarding budgetary resource requests to the Commission for approval. Commissioner Gruenewald and Commissioner Wallin confirmed the inclusion. The motion was put to a vote and carried unanimously.

As a final matter, the Executive Director informed the Commission that Vice-Chair Weaver's appointment had expired with the Commission, however, the Governor's office authorized, and Vice-Chair Weaver has agreed to continue serving on the Commission until a new appointment is made. Executive Director thanked Commissioner Weaver for his extensive service to the Commission and expressed her appreciation for his contributions through the years as a Commissioner. She noted that the next Agenda will include an item to elect a new Vice-Chair for the Commission. Chair Lau echoed Executive Director's sentiments to Vice-Chair Weaver. Vice-Chair Weaver thanked the Commission and staff.

6. Commissioner comments and identification of future agenda items. No action will be taken under this agenda item.

Chair Lau lauded the Commissioners and Commission staff for their efforts.

7. Public Comment.

No public comment.

8. Adjournment.

Commissioner Wallin made a motion to adjourn the public meeting. Chair Lau seconded the motion. The Motion was put to a vote and carried unanimously.

The meeting adjourned at 9:54 a.m.

Minutes prepared by:

[/s/ Kari Pedroza](#)

Kari Pedroza
Executive Assistant

[/s/ Yvonne M. Nevarez-Goodson](#)

Yvonne M. Nevarez-Goodson, Esq.
Executive Director

Minutes approved January 15, 2020:

Cheryl A. Lau, Esq.
Chair

Keith A. Weaver, Esq.
Vice-Chair

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