



## STATE OF NEVADA

### BEFORE THE NEVADA COMMISSION ON ETHICS

In the Matter of the Third-Party Request  
for Opinion Concerning the Conduct of  
**Brad Bonkowski**, Supervisor, Ward 2,  
Board of Supervisors, Carson City,  
State of Nevada,

Request for Opinion No. **16-78C**

Subject. /

#### **PANEL DETERMINATION** NRS 281A.440(5); NAC 281A.440

The Nevada Commission on Ethics ("Commission") received Third-Party Request for Opinion ("RFO") No. 16-78C regarding the conduct of Carson City Supervisor Brad Bonkowski ("Subject") associated with the performance of his public duties relating to his private pecuniary or other private interests in certain Carson City commercial properties held by his company, Gregg Street Partners, LLC, which conduct is alleged to be in violation of the Ethics in Government Law set forth in NRS Chapter 281A ("Ethics Law"). The provisions of the Ethics Law allegedly violated are: NRS 281A.020(1) (Duty to avoid conflicts of interest); NRS 281A.400(2) (Improper use of government position to secure unwarranted advantage); NRS 281A.400(3) (Participating in the negotiation of a contract between government and business entities); NRS 281A.420(1) (Failure to disclose a conflict); NRS 281A.420(3) (Failure to abstain as required by statute); and NRS 281A.430 (Bidding on a contract between an agency and business entity for which there is a significant pecuniary interest).

As an elected member of Carson City's Board of Supervisors, Subject is a public officer as defined in NRS 281A.160. The Commission has jurisdiction over the conduct of public officers and public employees pursuant to NRS 281A.280.

On April 19, 2017, pursuant to NRS 281A.440(5), an Investigatory Panel consisting of Commissioners Barbara Gruenewald, Esq. and Lynn Stewart reviewed the following: 1) RFO; 2) Subject's Response to the RFO; 6) Investigator's Report to Associate Counsel; and 7) Executive Director's Recommendation to the Investigatory Panel and associated exhibits.

Under NAC 281A.435, the Panel unanimously finds and concludes that there is sufficient credible evidence to support a determination that just and sufficient cause exists for the Commission to render an opinion in the matter regarding the allegations pertaining to NRS 281A.020, NRS 281A.400(2) and 281A.420(1) and (3). Therefore, the Investigatory Panel refers these alleged violations to the Commission to hold a hearing and render an opinion. Under NRS 281A.440, a notice of hearing and a procedural order will follow.

However, the Panel unanimously finds and concludes that the facts do not establish credible evidence to substantiate a just and sufficient cause for the Commission to consider the alleged violations pertaining to NRS 281A.400(3) and NRS 281A.430 concerning Subject using his public position to negotiate or seek a contract with a public agency to benefit a pecuniary interest.

Dated: April 25, 2017

By: /s/ Tracy L. Chase  
Tracy L. Chase, Esq.  
Commission Counsel

## CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I transmitted a true and correct copy of the **PANEL DETERMINATION** regarding **RFO No. 16-78C** via U.S. Postal or electronic mail addressed as follows:

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Dated: April 25, 2017.

*Valerie Carter*

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Employee, Nevada Commission on Ethics