



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Gerri Schroder**, Member,  
City Council, City of Henderson,  
State of Nevada,

Ethics Complaint  
Case No. **17-35C**

Subject. /

**PANEL DETERMINATION<sup>1</sup>**

NRS 281A.440(5); NAC 281A.440; S.B. 84<sup>2</sup>

The Nevada Commission on Ethics (“Commission”) received Ethics Complaint No. 17-35C (“Complaint”) regarding the alleged conduct of Geri Schroder (“Schroder” or “Subject”), a member of the Henderson City Council. Specifically, the Complaint alleges that the Subject, given the duty to avoid conflicts set forth in NRS 281A.020, engaged in the following conduct:

1. NRS 281A.400(2) (improper use of government position to secure unwarranted advantage).
2. NRS 281A.420 (failure to disclose conflict and abstain in the matter).

As a member of the Henderson City Council, Subject is a public officer as defined in NRS 281A.160. The Commission has jurisdiction over this matter pursuant to NRS 281A.280 because the allegations contained in the Complaint relate to the Subject’s conduct as a public officer and has associated implications under the Ethics Law.

On January 17, 2018, a Review Panel (“Panel”) consisting of Commissioners Barbara Gruenewald, Esq., Lynn Stewart and Amanda Yen, Esq. reviewed the following: 1) Ethics Complaint No. 17-35C; 2) Subject’s Response to the Complaint; 3) Investigator’s Report; and 4) the Executive Director’s Recommendation to the Review Panel and associated exhibits.<sup>3</sup>

///

<sup>1</sup> Except as provided otherwise by law, a Panel Determination shall not be cited as legal precedent.

<sup>2</sup> S.B. 84 of the 79th Session of the Nevada Legislature (2017) amends and enacts various provisions of NRS Chapter 281A, which statutes have yet to be formally codified. The amendatory provisions of S.B. 84 control over any contrary provisions of NAC Chapter 281A.

<sup>3</sup> All materials provided to the Panel, except the Ethics Complaint, represent portions of the investigatory file and remain confidential pursuant to Section 9 of S.B. 84. With the concurrence of Commission Counsel, Commissioner Stewart disclosed that he knows Subject Schroder as a professional acquaintance; however, that relationship does not amount to a commitment in a private capacity under NRS 281A.065 and is insufficient to trigger the disclosure and abstention requirements of NRS 281A.420.

Under NAC 281A.435, the Panel unanimously finds and concludes that the facts do not establish credible evidence to substantiate just and sufficient cause for the Commission to render an opinion in the matter regarding the allegations pertaining to NRS 281A.400(2) and NRS 281A.420(1) and (3). Although Schroder has contributed over \$7,000 of personal campaign funds to Henderson Community Foundation (“HCF”), her donations were made more than two years ago and prior to her honorary appointment to HCF’s Chairman’s Council. The Review Panel determined that credible evidence does not support just and sufficient cause that Schroder’s current volunteer service with HCF as a member of the Chairman’s Council establishes a private commitment to the interests of HCF which required disclosure regarding matters before the City Council. Schroder’s role as an Honorary Member of the HCF’s Chairman’s Council provides no voting rights or other authority to act on behalf of the organization.

Therefore, this matter is dismissed with prejudice and issued with a confidential letter of instruction that provides guidance regarding the applicability of the Ethics Law to Schroder’s ongoing duty to avoid conflicts as a public officer. In particular, the letter should address private conflicts that may exist with regard to volunteer service with a business or nonprofit organization and the types of disclosures that would be appropriate under NRS Chapter 281A in such circumstances. Pursuant to S.B. 84, the letter of instruction may be considered in any subsequent Ethics Complaint that relates to similar conduct or related issues.

Dated this 17<sup>th</sup> day of January, 2018.

#### NEVADA COMMISSION ON ETHICS

By: /s/ Barbara Gruenewald  
Barbara Gruenewald, Esq.  
Commissioner

By: /s/ Amanda Yen  
Amanda Yen, Esq.  
Commissioner

By: /s/ Lynn Stewart  
Lynn Stewart  
Commissioner

**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 **Ethics Complaint No. 17-35C** via U.S. Certified Mail and electronic mail addressed to the Parties as follows:

Yvonne M. Nevarez-Goodson, Esq.  
Executive Director  
Judy A. Prutzman, Esq.  
Associate Counsel  
Nevada Commission on Ethics  
704 W. Nye Lane, Suite 204  
Carson City, NV 89703

Email: [ynevarez@ethics.nv.gov](mailto:ynevarez@ethics.nv.gov)

Email: [jprutzman@ethics.nv.gov](mailto:jprutzman@ethics.nv.gov)

Josh M. Reid, Esq.  
City Attorney  
City of Henderson  
240 S. Water Street  
Henderson, NV 89015

Email: [josh.reid@cityofhenderson.com](mailto:josh.reid@cityofhenderson.com)

*Attorney for Subject*

Certified Mail No.: 9171 9690 0935 0037 6428 05

Gerri Schroder  
City of Henderson  
240 S. Water Street  
Henderson, NV 89015

*Subject*

Dated: 1/17/18



\_\_\_\_\_  
Employee, Nevada Commission on Ethics