

Agenda Item 3



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, January 18, 2023, at 9:30 a.m.
at the following location:

**Nevada Supreme Court Law Library
201 S. Carson Street, Room 107
Carson City, NV 89701**

Zoom Meeting Information

<https://us06web.zoom.us/j/85848272125?pwd=c1NTVE1PcVIYZCtmbFdYZStlL0MvQT09>

Zoom Meeting Telephone Number: 720-707-2699 *

Meeting ID: 858 4827 2125

Passcode: 107865

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 and on the Commission's YouTube channel.

1. Call to Order and Roll Call.

Chair Kim Wallin, CPA, CMA, CFM appeared in-person at the Nevada Supreme Court Law Library in Carson City and called the meeting to order at 9:30 a.m. Also appearing in-person were Vice-Chair Brian Duffrin and Thoran Towler, Esq. Commissioners Teresa Lowry, Esq., James Oscarson, and Amanda Yen, Esq. appeared via videoconference. Commissioner Barbara Gruenewald, Esq. appeared via teleconference. Commissioner Damian Sheets, Esq. was absent. Present for Commission staff in Carson City were Executive Director Ross E. Armstrong, Esq., Associate Counsel Elizabeth J. Bassett, Esq., Senior Legal Researcher Darci Hayden, and Executive Assistant Kari Pedroza. Deputy Attorney General Laena St-Jules, Esq. appeared in person in Carson City to provide assistance with interim Commission Counsel duties.

2. Public Comment.

There was no public comment.

3. Approval of Minutes of the December 8, 2022, Commission Meeting.

Chair Wallin stated that all Commissioners were present for the November Commission Meeting, except for Commissioners Yen and Sheets who were not present and would abstain from participating on this item.

Commissioner Towler moved to approve the December 8, 2022, Commission Meeting Minutes as presented. Vice-Chair Duffrin seconded the motion. The Motion was put to a vote and carried as follows:

Chair Wallin:	Aye.
Vice-Chair Duffrin:	Aye.
Commissioner Gruenewald:	Aye.
Commissioner Lowry:	Aye.
Commissioner Oscarson:	Aye.
Commissioner Towler:	Aye.
Commissioner Yen:	Abstain.

4. Discussion and approval of a Proposed Stipulation concerning Ethics Complaint No. 21-100C regarding Olek Czyz, Coach, Galena High School, Washoe County, State of Nevada.

Chair Wallin introduced the item and stated for the record that proper notice was provided and waivers were received regarding this item. Chair Wallin further noted that Vice-Chair Duffrin and Commissioners Gruenewald and Sheets served as members of the Review Panel and would be precluded from participating in this item pursuant to NRS 281A.220(4).

Chair Wallin asked the parties in the Complaint to identify themselves for the record. Associate Counsel Elizabeth J. Bassett, Esq. appeared on behalf of Executive Director Armstrong before the Commission in this matter and Steve Handelin, Esq. appeared via videoconference on behalf of Olek Czyz, who was not in attendance but was provided proper notice of the Agenda Item and understood that the Commission would proceed in his absence.

Associate Counsel Bassett provided an overview of Ethics Complaint Case No. 21-100C (Czyz) and the Proposed Stipulation. The Proposed Stipulation delineated the non-willful violation of NRS 281A.400(7) by Czyz based upon consideration of presented mitigating factors set forth in NRS 281A.775, and as outlined, Czyz received a public admonishment from the Commission and agreed to complete Ethics Training within sixty (60) days of the execution of the Stipulation. Associate Counsel Bassett outlined a typographical revision to the NRS citations included in subsection b of Section 5 which will be corrected prior to finalization of the Stipulation.

Chair Wallin asked counsel for Czyz if he had any additional information to add about the agreement. Steve Handelin, Esq. acknowledged that working with Associate Counsel Bassett had been great. He reiterated that High School Coaches and the whole state of Nevada needs education regarding Ethics Law to avoid issue. Steve Handelin, Esq. shared his opinion that his client was a scapegoat.

Chair Wallin commented that Executive Director Armstrong has been presenting Ethics training all over the state. She thanked Mr. Handelin for his comments.

Commissioner Towler asked a clarifying question regarding language included in the proposed Stipulation. Executive Director answered Commissioner Towler's question.

Commissioner Oscarson stated for the record that while he appreciated Mr. Handelin's comments regarding the need for education, he did not appreciate the scapegoat comment. He commented that the allegations had been vetted by the Commission and the comment made by Mr. Handelin was unnecessary.

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Commissioner Yen made a motion to accept the terms of the Stipulation as presented by the parties and corrected by Associate Counsel Bassett to resolve Ethics Complaint Case No. 21-100C (Czyz) and direct Deputy Attorney General Laena St-Jules to finalize the Stipulation in appropriate form. Chair Lowry seconded the motion. The Motion was put to a vote and carried as follows:

Chair Wallin:	Aye.
Vice-Chair Duffrin:	Abstain. (Review Panel Member)
Commissioner Gruenewald:	Abstain. (Review Panel Member)
Commissioner Oscarson:	Aye.
Commissioner Sheets:	Aye.
Commissioner Towler:	Aye.
Commissioner Yen:	Aye.

Chair Wallin thanked Steve Handelin, Esq. for his cooperation.

5. Report by Executive Director on agency status and operations, and possible direction thereon. Items to be discussed include, without limitation:
- a. Education and Outreach
 - b. Quarterly Case Log
 - c. Legislative Update
 - d. Budget Update
 - e. Commission Counsel Hiring Update

a. Education and Outreach: Executive Director Armstrong reported a new educational video regarding the cooling off provision will be uploaded to the Commission's website by the end of the month.

Executive Director Armstrong shared that Commission staff will be meeting the next week to discuss updating the Ethics Manual and will be working together to compile a new manual with input from the Nevada Association of Counties and the Nevada League of Cities.

Executive Director Armstrong provided information on recent trainings conducted including newly appointed and elected officials training. He outlined upcoming trainings scheduled including presentations to Washoe County, LVCVA, and the Clark County School District.

Vice-Chair Duffrin asked a question about training attendance and Executive Director responded to Vice-Chair Duffrin's question.

Executive Director Armstrong reported that the Nevada Purchasing Division instructed that a Request for Proposal for the Commission's Online Learning System was no longer required and as the vendor had completed the necessary registration and enrollment processes, the contract would be finalized upon Clerk of the Board approval.

Chair Wallin asked when the funding was allocated to the Commission and Executive Director Armstrong confirmed that the funds were applied last fall and reported that not all funds would be expended due to delays in the contracting process.

b. Quarterly Case Log: Executive Director Armstrong referenced the updated Quarterly Case Logs provided in the meeting materials noting that all cases from 2019 and 2020 were resolved, and one case remained from 2021 which is awaiting adjudicatory hearing in April.

Vice-Chair Duffrin inquired about the status of the Advisory Opinion progress and whether due dates are being met and Executive Director Armstrong responded that while the

workload is heavy without a Commission Counsel, Commission staff is meeting deadlines associated with Advisory Opinions.

Vice-Chair Duffrin thanked Advisory Opinion requestors for seeking guidance from the Commission.

Executive Director Armstrong asked for Commissioner feedback regarding the Case Logs. Chair Wallin asked that the Logs be sorted by status instead of date.

Chair Wallin commended Commission staff for resolving cases which were included on the backlog.

c. Legislative Update: Executive Director Armstrong informed the Commission that its Budget Hearing had been scheduled for Friday February 24 and he will be prepared to present. He referenced the Legislative Session Report provided in the meeting materials and outlined the bill tracking and analysis process noting that the Commission will be regularly notified of bill status changes via electronic mail.

Chair Wallin requested that meetings be coordinated with the members of the Assembly to introduce the Commission's bill AB 66 and confirmed her willingness to attend those meetings.

d. Budget Update: Executive Director Armstrong informed the Commission about the need for a small work program transferring funds into IT Category 26 from Court Reporting Category 11 to address a slight shortfall in that category.

Executive Director Armstrong reiterated that the Commission Counsel retirement reconciliation will be done at the end of the fiscal year.

Executive Director Armstrong reported that he has been in contact with the Attorney General's office regarding the conflict counsel contract necessary for the case in which the AG's office has a conflict and cannot assist the Commission.

Chair Wallin asked if a request for additional funding before IFC would be necessary for the conflict counsel contract and Executive Director Armstrong shared his belief that the matter could be resolved by a work program.

e. Commission Counsel Hiring Update: Executive Director Armstrong confirmed that the Commission Counsel recruitment was opened to statewide candidates and the new submission deadline is January 13. He acknowledged that the Commission had received a number of qualified applications and noted the plan for the Personnel Subcommittee to conduct initial interviews of potential incumbents on February 1 and the Commission conducting final interviews at its meeting on February 15. Executive Director Armstrong shared that if the interviews are conducted according to plan the new Commission Counsel would start with the Commission in early March.

Commissioner Oscarson expressed his interest in attending the Commission's Budget Hearing scheduled for February 24.

Commissioner Lowry requested clarification on the February 1 meeting and Chair Wallin confirmed that the February 1 meeting would be for Personnel Subcommittee members only and the Commission would hold final interviews of the candidates on February 15. Chair Wallin encouraged her fellow Commissioners to appear in person at that meeting. Commissioner Yen noted that she would not be available to attend the February 15 Commission meeting.

Vice-Chair Duffrin moved to accept the Executive Director's agency status report as presented. Commissioner Towler seconded the motion. The motion was put to a vote and carried unanimously.

6. Commissioner Comments on matters including, without limitation, identification of future agenda items, upcoming meeting dates and meeting procedures. No action will be taken under this agenda item.

Chair Wallin stated she was extremely impressed with staff's efforts and extended her welcome wishes and appreciation to Deputy Attorney General Laena St-Jules.

7. Public Comment.

There was no public comment.

8. Adjournment.

Commissioner Towler made a motion to adjourn the public meeting. Vice-Chair Duffrin seconded the motion. The Motion was put to a vote and carried unanimously.

The meeting adjourned at 10:12 a.m.

Minutes prepared by:

[/s/ Kari Pedroza](#)

Kari Pedroza
Executive Assistant

[/s/ Ross Armstrong](#)

Ross Armstrong, Esq.
Executive Director

Minutes approved February 15, 2023:

Kim Wallin, CPA, CMA, CFM
Chair

Brian Duffrin
Vice-Chair

Agenda Item 4



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Neoma Jardon**, Former Member,
City Council, Ward 5, City of Reno,
and Former Chair, Regional
Transportation Commission Washoe,
State of Nevada,

Ethics Complaint
Case No. 22-098C

Subject. /

**PROPOSED
STIPULATED AGREEMENT**

1. **PURPOSE:** This Stipulated Agreement resolves Ethics Complaint Case No. 22-098C before the Nevada Commission on Ethics (“Commission”) concerning Neoma Jardon (“Jardon”), Former Reno City Councilmember and Former Chair of the Regional Transportation Commission Washoe.
2. **JURISDICTION:** At all material times, Jardon was a public officer as defined in NRS 281A.160 or a former public officer within one year of departing public service. The Ethics in Government Law (“Ethics Law”) set forth in NRS Chapter 281A gives the Commission jurisdiction over elected and appointed public officers and public employees whose conduct is alleged to have violated the provisions of NRS Chapter 281A. See NRS 281A.280. Accordingly, the Commission has jurisdiction over Jardon in this matter.
3. **PROCEDURAL HISTORY BEFORE COMMISSION:**
 - a. On or about August 17, 2022, the Commission received a Complaint alleging various violations of NRS Chapter 281A by Jardon.
 - b. The Commission issued its *Order on Jurisdiction and Investigation* on September 29, 2022, directing the Executive Director to investigate alleged violations of NRS 281A.410, and to issue a *Notice of Additional Issues and Facts* regarding Jardon’s alleged conduct pertaining to NRS 281A.400(1), (2), (10) and NRS 281A.550.
 - c. On or about September 29, 2022, the Executive Director served notice accordingly.

d. On or about November 14, 2022, Jardon provided a written response to the allegations. On or about January 23, 2023, Jardon provided a supplemental written response.

e. On or about February 7, 2023, Jardon waived the Review Panel process in order to proceed to the Commission to consider a Stipulated Agreement.

f. In lieu of an adjudicatory hearing before the Commission, Jardon and the Commission now enter into this Stipulated Agreement (“Agreement”).

4. STIPULATED FACTS:

a. Jardon has served as a City Council member for the City of Reno (“City”) since 2012 and was most recently elected in 2020 for a term of four years.

b. As part of her City Council duties, Jardon also served as a member of the Washoe Regional Transportation Commission (RTC) board.

c. The *Downtown Reno Partnership* (“Partnership”) is the business name for the non-profit corporation, *Downtown Reno Business Improvement District*. The Partnership was engaged by the City to provide services as specified in that certain professional services agreement dated May 23, 2018 in connection with the Business Improvement District (“BID”) established by Ordinance 6455 (the “Agreement”). As a member of the City Council, Jardon abstained from voting on the approval of the Agreement.

d. In addition to the professional services agreement with the City, RTC and Partnership entered into a Contribution Agreement on November of 2021 for certain services to be provided through calendar year 2024.

e. Jardon served on the RTC board at the time the contract between RTC and Partnership was executed.

f. The City announced Jardon’s resignation in a news release posted on the City’s website on August 8, 2022. The post also stated that the August 10, 2022 City Council meeting would be her last meeting.

g. She was serving as Chair of RTC at the time of her hiring by Partnership and resignation from the Reno City Council.

h. Jardon has not presented on any matters before the City or the RTC since starting her new position at the Partnership.

i. Jardon's annual salary as executive director of the DRP is greater than her annual compensation as a member of the City Council.

5. TERMS / CONCLUSIONS OF LAW: Based on the foregoing, Jardon and the Commission agree as follows:

a. Each of the stipulated facts enumerated in Section 4 of this Agreement is agreed to by the parties.

b. Jardon's actions constitute a single course of conduct resulting in one non-willful violation of the Ethics Law, implicating the provisions of NRS 281A.550(5).

c. The Commission dismisses the allegations implicating NRS 281A.400(1), (2), (10), and NRS 481A.410.

d. Based upon the consideration and application of the statutory mitigating criteria set forth in NRS 281A.775, the Commission concludes that Jardon's violation in this case should be deemed a non-willful violation pursuant to NRS 281A.775 and the imposition of a civil penalty is not appropriate for the following reasons:

- 1) **Seriousness of Violation:** Although violations of the cooling off provisions of the ethics law can be serious, there is no evidence in this case that Jardon took specific actions as a public officer in exchange for private employment or otherwise used public resources to acquire her new position.
- 2) **Previous History:** Jardon has not previously been the subject of any violation of the Ethics Law or previous ethics complaints.
- 3) **Cost of Investigation and Proceedings:** Jardon was diligent to cooperate with and participate in the Commission's investigation and resolution of this matter. Because Jardon was willing to resolve the matter prior to a review panel determination, minimal costs were incurred for Commission proceedings.
- 4) **Mitigating Factors Such as Self-Reporting or Correction:** Jardon pursued legal advice on several issues related to her departure from the City and beginning her service at the Partnership. In doing so, she showed good faith in attempting to comply with various aspects of public service law. The investigation revealed that she has been diligent in not presenting before or otherwise lobbying members of her former public bodies.
- 5) **Financial Gain:** Although Jardon earns more annually as executive director of the DRP than she did as a council member, there is no evidence that she would not have obtained the increase compensation

but for the violation described here; to the contrary, Jardon had substantial experience relevant to her role as executive director of the DRP, including but not limited to her lengthy representation of Ward 5, making her an attractive candidate for the position.

6) Other factors justice requires: The Ethics Law permits a public officer or employee to request relief from the strict requirements of the cooling off provisions in NRS 281A in certain circumstances. Although Jardon did not properly seek relief, the following facts are in her favor so that had she sought relief, it may have been granted:

A. The Partnership is a unique entity. It was established by interested landowners specifically to work in support of the BID, which was created by the City. As such, it has no marketplace competitors for its services that are now at a disadvantage because of Jardon's employment. This nature of this type of public/private partnership means there are not open competitors for these contracts at this time.

B. The services provided are quasi-public such as city beautification and services of vulnerable populations.

C. The investigation did not reveal that Jardon used her public office or resources to unfairly secure the position. Jardon recused herself from the executive director hiring decision as a DRP Board member, and she was a competitive candidate based on significant relevant professional attributes, including her service on the City Council. This is clear evidence of her intent to maintain ethical integrity of the process and the merits of her hiring.

D. Jardon had no knowledge of Alex Stettinski's departure as executive director of the DRP when she voted to approve the Contribution Agreement. She did not learn of his departure until July 11, 2022.

e. Jardon agrees to a civil penalty of \$3,060.00, pursuant to NRS 281A.790(3), to be paid in one lump sum by April 3, 2023 or in monthly payments on a payment schedule established by the Executive Director.

f. Jardon agrees to comply with the Nevada Ethics Law for the duration of her cooling off period which is one year from her departure from the City and RTC.

g. This Agreement depends on and applies only to the specific facts, circumstances and law related to the Ethics Complaint, the Order on Jurisdiction and

Investigation, and the Notice of Additional Issues and Facts now before the Commission. Any facts or circumstances that may come to light after its entry that are in addition to or differ from those contained herein may create a different resolution of this matter.

h. This Agreement is intended to apply to and resolve only this specific proceeding before the Commission and is not intended to be applicable to or create any admission of liability for any other proceeding, including administrative, civil, or criminal, regarding Jardon. If the Commission rejects this Agreement, none of the provisions herein shall be considered by the Commission or be admissible as evidence in a hearing on the merits in this matter.

6. WAIVER

a. Jardon knowingly and voluntarily waives her right to a hearing before the full Commission on the allegations in Ethics Complaint Case No. 22-098C and all rights she may be accorded with in regard to this matter pursuant to NRS Chapter 281A, the regulations of the Commission (NAC Chapter 281A), the Nevada Administrative Procedures Act (NRS Chapter 233B) and any other applicable provisions of law.

b. Jardon knowingly and voluntarily waives her right to any judicial review of this matter as provided in NRS Chapter 281A, NRS Chapter 233B or any other applicable provisions of law.

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7. **ACCEPTANCE:** We, the undersigned parties, have read this Stipulated Agreement, understand each and every provision therein, and agree to be bound thereby once approved by the Commission. In addition, the parties orally agreed to be bound by the terms of this agreement during the regular meeting of the Commission on February 15, 2023.¹

DATED this _____ day of _____, 2023.

Neoma Jardon

FOR NEOMA JARDON
Subject

DATED this _____ day of _____, 2023.

Lucas Foletta, Esq.
Counsel for Subject

FOR ROSS E. ARMSTRONG, ESQ.
Executive Director
Nevada Commission on Ethics

DATED this _____ day of _____, 2023.

Elizabeth J. Bassett, Esq.
Associate Counsel
Nevada Commission on Ethics

¹ Subject waived any right to receive written notice pursuant to NRS 241.033 of the time and place of the Commission's meeting to consider her character, alleged misconduct, professional competence, or physical or mental health.

Approved as to form by:

FOR NEVADA COMMISSION ON ETHICS

DATED this _____ day of _____, 2023.

Laena St-Jules, Esq.
Deputy Attorney General

The above Stipulated Agreement is accepted by the Nevada Commission on Ethics²:

DATED this _____ day of _____, 2023.

By: _____
Kim Wallin, CPA, CMA, CFM
Chair

By: _____
James Oscarson
Commissioner

By: _____
Brian Duffrin
Vice-Chair

By: _____
Thoran Towler, Esq.
Commissioner

By: _____
Barbara Gruenewald, Esq.
Commissioner

By: _____
Damian R. Sheets, Esq.
Commissioner

By: _____
Teresa Lowry, Esq.
Commissioner

² Commissioner Amanda Yen disclosed she is a partner at the law firm McDonald Carano, which represents the Subject in this matter. After consultation with Commission Counsel, Commissioner Yen abstained from participation in this matter based upon this relationship and application of the Ethics Law and the Code of Judicial Conduct to the disclosed conflict.



Submitted Electronically on 08-17-2022

NEVADA COMMISSION ON ETHICS

ETHICS COMPLAINT

[NRS 281A.700 to 281A.790](#)

1. SUBJECT OF THE COMPLAINT - person you allege violated provisions of NRS Chapter 281A, the Nevada Ethics in Government Law. (Please use a separate form for each individual.)

Subject Name: <i>(Last, First)</i>	Jardon, Neoma	Title of Public Office: <i>(Position)</i>	Councilwoman
Public Entity: <i>(Name of the entity employing this position)</i>	Reno City Council		
Address:		City, State, Zip Code:	Reno, NV 89501
Telephone:	<i>Work:</i>	<i>Other (home/cell):</i>	Email:

2. Describe the alleged conduct of the public officer or employee (subject) that you believe violated NRS Chapter 281A. (Include specific facts and circumstances to support your allegation: times, places, and the name and position of each person involved.)

Neoma Jardon has resigned her position on City Council to accept the top position of the Downtown Reno Partnership, a private entity she voted to allocate public funding to. <https://www.msn.com/en-us/news/politics/reno-city-council-member-neoma-jardon-steps-down-for-top-job-at-downtown-reno-partnership/ar-AA10sdxn> This move is a violation of NRS 281A.410 as Councilwoman Jardon was part of the vote to approve public funding to this private entity. A public official may not accept a position with a private entity that they personally voted to fund with public funding. This is a clear and direct violation of the statute and should be investigated.

3. Is the alleged conduct currently pending before another administrative, law enforcement or judicial body? If yes, describe:

4. NRS Chapter 281A requires public officers and employees to hold public office as a public trust and avoid conflicts between public duties and private interests. (NRS 281A.020) What provisions of NRS Chapter 281A are relevant to the conduct alleged? **Please check all that apply.**

<input type="checkbox"/> NRS 281A.400(1)	Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity for himself or person to whom he has a commitment in a private capacity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
<input type="checkbox"/> NRS 281A.400(2)	Using his position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for himself, any business entity in which he has a significant pecuniary interest, or any person to whom he has a commitment in a private capacity.
<input type="checkbox"/> NRS 281A.400(3)	Participating as an agent of government in the negotiation or execution of a contract between the government and himself, any business entity in which he has a significant pecuniary interest or any person to whom he has a commitment in a private capacity.

<input type="checkbox"/> NRS 281A.400(4)	Accepting any salary, retainer, augmentation, expense allowance or other compensation from any private source for himself or any person to whom he has a commitment in a private capacity for the performance of his duties as a public officer or employee.
<input type="checkbox"/> NRS 281A.400(5)	Acquiring, through his public duties or relationships, any information which by law or practice is not at the time available to people generally, and using the information to further the pecuniary interests of himself or any other person or business entity.
<input type="checkbox"/> NRS 281A.400(6)	Suppressing any governmental report or other document because it might tend to affect unfavorably his pecuniary interests or the interests of any person to whom he has a commitment in a private capacity.
<input type="checkbox"/> NRS 281A.400(7)	Using governmental time, property, equipment or other facility to benefit his significant personal or pecuniary interest, or any person to whom he has a commitment in a private capacity. (Some exceptions apply).
<input type="checkbox"/> NRS 281A.400(8)	A State Legislator using governmental time, property, equipment or other facility for a nongovernmental purpose or for the private benefit of himself or any other person, or requiring or authorizing a legislative employee, while on duty, to perform personal services or assist in a private activity. (Some exceptions apply).
<input type="checkbox"/> NRS 281A.400(9)	Attempting to benefit his personal or pecuniary interest or the interests of any person to whom he has a commitment in a private capacity through the influence of a subordinate.
<input type="checkbox"/> NRS 281A.400(10)	Seeking other employment or contracts for himself or any person to whom he has a commitment in a private capacity through the use of his official position.
<input checked="" type="checkbox"/> NRS 281A.410	Representing or counseling a private person for compensation on an issue pending before a public agency while employed, or within 1 year after leaving the service of a public agency, including before any state agency of the Executive or Legislative Department. (State and local legislators and part-time public officers and employees may represent/counsel private persons before agencies they do not serve, except local legislators may not represent/counsel private persons before other local agencies within the same county.)
<input type="checkbox"/> NRS 281A.420(1)	Failing to sufficiently disclose his acceptance of a gift or loan, pecuniary interest, commitment in a private capacity to the interest of another person or the nature of any representation or counseling provided to a private person for compensation before another agency in the preceeding year that is reasonably affected by an official matter.
<input type="checkbox"/> NRS 281A.420(3)	Failing to abstain from acting on an official matter which is materially affected by his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.
<input type="checkbox"/> NRS 281A.430	Bidding on or entering into a government contract in which he has a significant pecuniary interest. (Some exceptions apply).
<input type="checkbox"/> NRS 281A.500	Failing to file or timely file a Nevada Acknowledgment of Ethical Standards for Public Officers form.
<input type="checkbox"/> NRS 281A.510	Accepting or receiving an improper honorarium.
<input type="checkbox"/> NRS 281A.520	Requesting or otherwise causing a governmental entity to incur an expense or make an expenditure to support or oppose a ballot question or candidate during the relevant timeframe.
<input type="checkbox"/> NRS 281A.550	Negotiating or accepting employment from a business or industry regulated by or contracted with former public agency within one year after leaving the service of the agency. (Failing to honor the applicable "cooling off" period after leaving public service).

*Pursuant to NRS 281A.065, a public officer or employee has a commitment in a private capacity to the following persons:

1. Spouse; domestic partner
2. Household member
3. Family member within 3rd degree of consanguinity/affinity.
4. Employer or spouses/domestic partner/houshold member's employer
5. Substantial and continuing business relationships, i.e. partner, associate, or business entity.
6. Substantially similar relationships to those listed above, including close, personal relationships akin to family and fiduciary relationships to business entities.

5. YOU MUST SUBMIT EVIDENCE TO SUPPORT YOUR ALLEGATIONS. (NRS 281A.710 through 281A.715.)

Attach all documents or items you believe support your allegations, including witness statements, public or private records, audio or visual recordings, documents, exhibits, concrete objects, or other forms of proof.

6. Witnesses: Identify all persons who have knowledge of the facts and circumstances you have described, as well as the nature of the testimony the person will provide.

(There were no witnesses specified.)

7. Requesters Information:

Your Name:	Leslie McCarroll		
Your Address:		City, State, Zip:	Reno, NV 89523
Your Telephone:	<u>Day:</u> [REDACTED]	<u>Evening:</u> [REDACTED]	Email: [REDACTED]

Your identity as the Requester will be provided to the Subject if the Commission accepts jurisdiction of this matter, unless:

Pursuant to NRS 281A.750, I request that my identity as the requester of this Ethics Complaint remain confidential because (please check appropriate box):

I am a public officer or employee who works for the same public body, agency or employer as the subject of this Ethics Complaint. Provide evidence in the text box below, or as an attachment, of your employment with the same public body, agency or employer.

OR

I can show a reasonable likelihood that disclosure of my identity will subject me or a member of my house-hold to a bona fide threat of physical force or violence. Describe in the text box below, or in an attachment, the facts and circumstances that support a reasonable likelihood of a bona fide threat of physical force or violence.

A copy of this Complaint will be provided to the Subject. If your request for confidentiality is approved by the Commission, the Complaint will be redacted to protect your identity as the Requester. The Commission may decline to maintain the confidentiality of your identity as the Requester for lack of sufficient evidence of your employment status with the same public body, agency or employer, or proof of a bona fide threat of physical force or violence.

If the Commission declines to maintain my confidentiality, I wish to:

- Withdraw my Complaint, **OR**
- Submit the Complaint understanding that the Subject will know my identity as the Requester.

By my signature below, I affirm that the facts set forth in this document and all of its attachments are true and correct to the best of my knowledge and belief. I am willing to provide sworn testimony regarding these allegations. I acknowledge that this Ethics Complaint, the materials submitted in support of the allegations, and the Commission's investigation are confidential unless and until the Commission's Review Panel renders a determination. Certain Commission proceedings and materials, including the Investigatory File remain confidential pursuant to NRS 281A.750 through 281A.760.



Date: 08-17-2022

Signature:

Print Name: Leslie McCarroll

You may file a Complaint using the Commission's online form submission at ethics.nv.gov (Preferred) or You must submit this form bearing your signature to the Executive Director via: **delivery/mail** to Nevada Commission on Ethics, 704 W. Nye Lane, Suite 204, Carson City, Nevada, 89703, **email** to NCOE@ethics.nv.gov, or **fax** to (775) 687-1279



**STATE OF NEVADA
BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Neoma Jardon**, Former Member,
City Council, Ward 5, City of Reno,
and Former Chair, Regional
Transportation Commission Washoe,
State of Nevada,

Ethics Complaint
Case No. 22-098C
Confidential

Subject. /

**ORDER ON JURISDICTION AND INVESTIGATION, AND
NOTICE OF ADDITIONAL ISSUES AND FACTS**
Pursuant to NRS 281A.715

The Nevada Commission on Ethics ("Commission") received an Ethics Complaint on August 17, 2022, regarding Neoma Jardon ("Subject"). On September 29, 2022, pursuant to the requirements of the Nevada Ethics in Government Law set forth in NRS Chapter 281A ("Ethics Law") and NAC 281A.405, the Commission conducted its jurisdictional and evidentiary review of the record, including the Ethics Complaint, supporting evidence, and the recommendation of the Executive Director.¹

IT IS HEREBY ORDERED:

The Commission accepts jurisdiction of this Ethics Complaint and directs the Executive Director to investigate and serve a *Notice of Complaint and Investigation* regarding the Subject's alleged violations of the following provisions of the Ethics Law:

NRS 281A.410 Representing or counseling a private person for compensation on an issue pending before a public agency while employed, or within 1 year after leaving the service of a public agency, including before any state agency of the Executive or Legislative Department.

Separately, pursuant to NAC 281A.415, the Executive Director is directed to serve a *Notice of Additional Issues and Facts* regarding the following violations in addition to the allegations set forth in the Ethics Complaint:

¹ The following Commissioners participated in this jurisdictional review: Chair Wallin, Vice-Chair Duffrin and Commissioners Gruenewald, Lowry, Oscarson, Towler.

After consultation with Commission Counsel, Commissioner Amanda Yen disclosed that the Subject of this complaint and the City of Reno ("City") are clients or former clients of the law firm of McDonald Carano ("Firm"). Commissioner Yen is a partner with the Firm and has both a pecuniary interest in her employment and a private commitment to the Firm, as her employer, and its clients under NRS 281A.065. Consequently, the independence of judgment of a reasonable person in Commissioner Yen's situation could be materially affected in voting upon matters related to this case. In order to avoid any appearance of impropriety and comply with Nevada's Ethics in Government Law set forth in NRS Chapter 281A and Rule 2.11 of the Code of Judicial Conduct, Commissioner Yen is disclosing her private interests and is abstaining from participation in this case.

- NRS 281A.400(1)** Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity for herself or person to whom she has a commitment in a private capacity which would tend improperly to influence a reasonable person to depart from the faithful and impartial discharge of public duties.
- NRS 281A.400(2)** Using position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for herself, any business entity in which she has a significant pecuniary interest, or any person to whom she has a commitment in a private capacity.
- NRS 281A.400(10)** Seeking other employment or contracts for herself or any person to whom she has a commitment in a private capacity through the use of his official position.
- NRS 281A.550** Negotiating or accepting employment from a business or industry regulated by or contracted with former public agency within one year after leaving the service of the agency.

DATED this 29th day of September, 2022.

NEVADA COMMISSION ON ETHICS

/s/ Kim Wallin

Kim Wallin, CPA, CMA, CFM
Commission Chair

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 deposited for mailing, via U.S. Postal Service, certified mail, return receipt requested, through the State of Nevada mailroom, a true and correct copy of the foregoing **Order on Jurisdiction and Investigation**, addressed as follows:

Neoma Jardon
Executive Director
Downtown Reno Partnership
40 E. Fourth Street
Pavilion A
Reno, NV 89501

Cert. Mail No.: 9171 9690 0935 0037 6403 99

Dated: 9/29/22



Employee, Nevada Commission on Ethics



704 W. Nye Lane, Suite 204
Carson City, Nevada 89703
(775) 687-5469 • Fax (775) 687-1279
ethics.nv.gov

In re **Neoma Jardon**, Former Member,
City Council, Ward 5, City of Reno;
and Former Chair, Regional Transportation
Commission, Washoe County,
State of Nevada,

Ethics Complaint
Case No. 22-098C

Subject. /

WAIVER OF STATUTORY TIME REQUIREMENTS: ADJUDICATORY HEARING

I, Neoma Jardon, the above Subject, affirm that I am represented by counsel and have read the provisions of NRS 281A.745 and hereby freely and voluntarily waive the sixty (60) day statutory time limit for the Commission to hold the adjudicatory hearing and render an opinion in this matter on any date which is hereafter agreed to by my counsel of record or set forth in a Notice of Hearing and Scheduling Order issued in these proceedings.

Dated: 1-7-23



Neoma Jardon

Date received: 2/8/23



Employee of the Commission



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Carson City, Nevada 89703
(775) 687-5469 • Fax (775) 687-1279
ethics.nv.gov

In re **Neoma Jardon**, Former Member,
City Council, Ward 5, City of Reno;
and Former Chair, Regional
Transportation Commission, Washoe
County, State of Nevada,


Ethics Complaint
Case No. 22-098C

Subject. /

WAIVER OF PANEL PROCEEDING/DETERMINATION AND CONFIDENTIALITY

I, Neoma Jardon, the Subject of the above referenced Ethics Complaint, affirm that I have read the provisions of NRS 281A.725 and NRS 281A.730, and hereby freely and voluntarily waive all statutory requirements for a Review Panel proceeding and/or a Review Panel Determination. I do not object, and hereby submit to the jurisdiction of the Nevada Commission on Ethics ("Commission") to conduct further proceedings relating to the Ethics Complaint including, without limitation, rendering an opinion in this matter.

Dated: 1-7-23



Neoma Jardon, Subject

Date Received: 2/8/23



Employee of the Commission



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Carson City, Nevada 89703
(775) 687-5469 • Fax (775) 687-1279
ethics.nv.gov

In re **Neoma Jardon**, Former Member,
City Council, Ward 5, City of Reno;
and Former Chair, Regional Transportation
Commission, Washoe County,
State of Nevada,

Ethics Complaint
Case No. 22-098C

Subject. /

**WAIVER OF NOTICE REQUIRED UNDER NRS 241.033(1) TO
CONSIDER CHARACTER, MISCONDUCT, OR COMPETENCE
OF SUBJECT IN ETHICS COMPLAINT PROCEEDINGS**

The Nevada Commission on Ethics ("Commission") will be holding various hearings, meetings, judicial review or appellate proceedings and other proceedings to consider the Subject's character, misconduct or competence as related to the above referenced Consolidated Ethics Complaints (collectively "Proceedings"). If the Proceedings are not exempt from Nevada's Open Meeting Law pursuant to NRS Chapters 241 or 281A, NRS 241.033(1) requires notice be personally served on Subject of the time and place of the meeting at least 5 working days before the meeting or sent by certified mail to the last known address at least 21 working days before the meeting. Subject agrees to comply with all noticed deadlines and scheduled dates for the Proceedings, including those noticed by a posted public agenda, scheduled with the parties, or set forth in a Notice of Hearing and Scheduling Order and other issued Orders, including any amendments thereto.

I, Neoma Jardon, understand the statutory notice requirements of NRS 241.033 and hereby knowingly and voluntarily waive my rights thereto associated with any Proceedings. In doing so, I expressly consent to any discussion of my qualifications, competence, and character in the Proceedings. Prior to signing this waiver, I either had the opportunity to discuss this matter with my attorney or have voluntarily determined to proceed on my own accord, thereby waiving the right to consult with an attorney.

Dated this 7th day of February, 2023.

By:


Neoma Jardon



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Neoma Jardon**, Former Member,
City Council, Ward 5, City of Reno;
and Former Chair, Regional Transportation
Commission, Washoe County,
State of Nevada,

Ethics Complaint
Case No. 22-098C

Subject. /

NOTICE OF HEARING TO CONSIDER STIPULATED AGREEMENT

NRS 281A.745

PLEASE TAKE NOTICE, the Nevada Commission on Ethics ("Commission") will hold a public meeting to consider a **Proposed Stipulated Agreement** regarding the allegations submitted in Ethics Complaint No 22-098C at the following time and location:

When: Wednesday, **February 15, 2023** at **9:30 a.m.**

Where: State Bar of Nevada
9456 Double R Boulevard, Suite B
Reno, NV 89521

And via Zoom at:

<https://us06web.zoom.us/j/88488094964?pwd=RHhJNmNhN2JYVkhkdy9oYzlvOTQ1dz09>

Zoom Meeting Telephone Number: 720-707-2699*

Meeting ID: 884 8809 4964

Passcode: 166126

Subject has waived the personal notice requirements of NRS 241.033 (Nevada's Open Meeting Law). If the Proposed Stipulated Agreement is approved, it will serve as the final written opinion in this matter pursuant to NRS 281A.135.

DATED: February 8, 2023

/s/ Laena St-Jules
Laena St-Jules, Esq.¹
Deputy Attorney General

¹ The Commission has retained legal counsel from the Office of the Nevada Attorney General during the vacancy of the Commission Counsel position.

CERTIFICATE OF SERVICE

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 foregoing **Notice of Hearing** via electronic mail to the Parties, as follows:

Executive Director:

Ross Armstrong, Esq.
Executive Director
Elizabeth J. Bassett, Esq.
Associate Counsel
704 W. Nye Lane, Suite 204
Carson City, NV 89703

Email: ramstrong@ethics.nv.gov

Email: ebassett@ethics.nv.gov

Subject:

Neoma Jardon
c/o Lucas M. Foletta, Esq.
McDonald Carano LLP
100 West Liberty Street
Tenth Floor
Reno, NV 89501

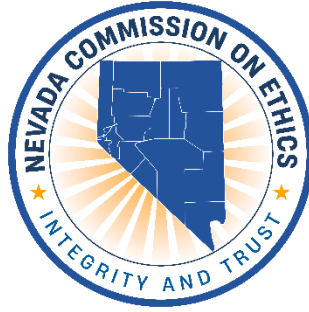
Email: lfoletta@mcdonaldcarano.com

DATED: February 8, 2023



Employee of the Nevada Commission on Ethics

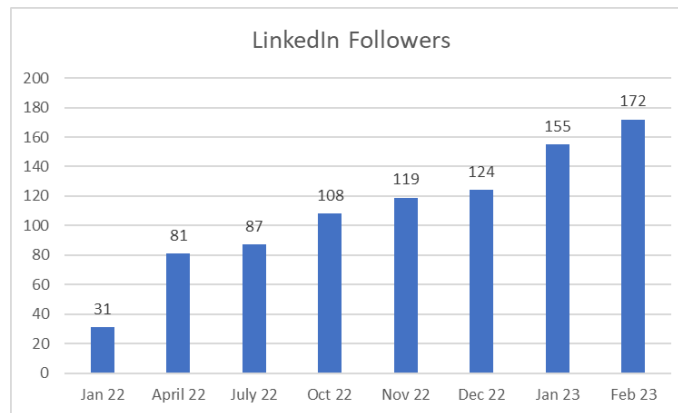
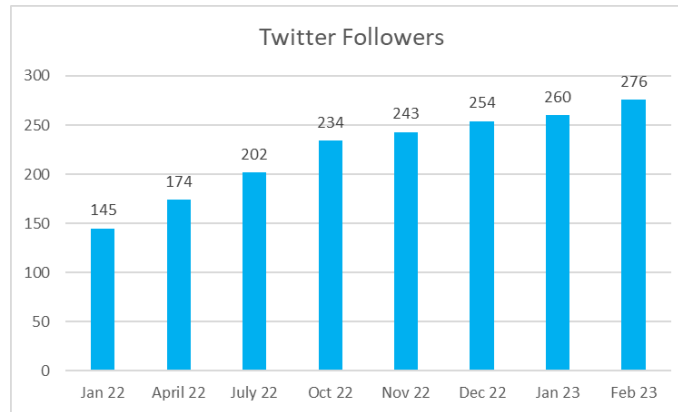
Agenda Item 5



Executive Director Report – February 2023

Education and Outreach

Social Media Audience Update



Training and Technical Assistance

- Public Officers/Employees Trained
 - Fiscal Year to Date: 1,191
 - Calendar Year to Date: 82

Online Learning System

- Contract approved and initiating invoice approved

Legislative Update

- See attached Legislative Report

Budget Update

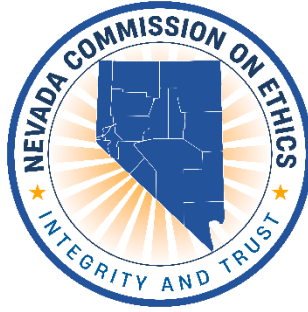
- Budget Hearing scheduled for February 24
- PIO Position included in Governor Recommends Budget
- Competitive salary enhancement not included but the Governor did include a proposal for salary increases for all state staff

Commission Counsel Hiring Update

- Several applicants withdrew from interview opportunity
- Evaluating options for next steps

Submitted: Ross E. Armstrong, Executive Director

Date: 2/8/2023



2023 Legislative Session Report – February 2023

NCOE Hearing Dates

February 9 – NCOE Presentation to Assembly/Senate Legislative Operations Committee

February 24 – NCOE Budget Hearing

Current Bill Draft Request for Monitoring

Track (bills identified with confirmed effect on agency)

- AB66 – NCOE Sponsored Bill
- AB52 – Changes to Nevada’s Open Meeting Law

Monitor (bills with potential effect on agency)

- AB 13 - Revises provisions related to state employees (sets retaliation filing deadlines)
- SB22 – Authorizes Electronic Notices in Certain Circumstances
- SB 34 - Revises provisions relating to legal representation by the Attorney General (representation when the state employee is not named in the matter, for subpoenas, etc)
- SB 37 - Makes changes relating to pro bono activities of attorneys in public employment (permits government attorney to serve as a third-party neutral mediator)
- SB 62 – Revises provisions governing the Commission on Judicial Discipline (sets terms limits)

Dropping Off Monitoring (no foreseeable effect on agency)

- SB84 – Revises provisions governing the confidentiality of the personal information of certain persons (Adds educators to those whose information may be kept confidential by county recorders)
- AB76 - Revises provisions governing civil litigation (changes maximize recoverable fees for expert witnesses)

Remaining Bill Draft Requests – Awaiting Bill Language

- BDR 14 – Revises provisions relating to public officers
- BDR 48 - Revises provisions relating to boards and commissions
- BDR 103 - Revises provisions governing the legislative measures that may be requested for a regular legislative session
- BDR 120 - Revises provisions governing public notice
- BDR 124 - Revises provisions governing state procurement
- BDR 131 - Revises provisions relating to certain public employees
- BDR 149 - Revises provisions governing civil procedure
- BDR 155 - Revises provisions governing collective bargaining
- BDR 194 - Revises provisions relating to the Legislature
- BDR 197 - Revises provisions relating to government administration
- BDR 285 - Revisions provisions relating to state government administration
- BDR 875 – Revises provisions relating to ethics

Important General Dates

February 6 – first day of the session

April 14 – committee passage deadline (first house)

April 25 – first house passage deadline

May 19 – committee passage deadline (second house)

May 26 – second house passage deadline

June 5 – last day of the session

Submitted: Ross E. Armstrong, Executive Director

Date: 2/8/2023