



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Kelvin Watson**, Executive Director,
Las Vegas-Clark County Library District,
State of Nevada,

Ethics Complaint
Case No. 24-027C

Subject./

**STIPULATED DEFERRAL AGREEMENT
NRS 281A.740**

1. This Stipulated Deferral Agreement (“Stipulation”) is entered into in Ethics Complaint Case No. 24-027C regarding Kelvin Watson (“Watson”) following a Settlement Conference.

2. At all material times, Watson served as the Executive Director of the Las Vegas-Clark County Library District (“District”) and was a public officer as defined in NRS 281A.160. The Ethics in Government Law (“Ethics Law”) set forth in NRS Chapter 281A gives the Commission jurisdiction over Watson as a public officer whose conduct was alleged to have violated the provisions of NRS Chapter 281A. See NRS 281A.280.

3. This Stipulation is entered into based upon the parties’ agreement and Commission’s determination that Watson’s alleged conduct may be appropriately addressed through the terms and conditions of a deferral agreement instead of proceeding to an adjudicatory hearing before the Commission.

4. The facts relied upon by the Commission to make its determination are summarized in Appendix A (“Relevant Facts Relied Upon by the Commission”).¹

¹ The Relevant Facts Relied Upon by the Commission do not constitute part of the “Investigative File” as that term is defined by NRS 281A.755. All statutory and common law protections afforded to the Investigative File shall remain and are not affected by this Stipulation.

5. The Commission has not made any findings that Watson violated the Ethics Law, and this Stipulation does not constitute an admission by Watson of any violation of the Ethics Law.

A. Procedural History:

1. On or about March 12, 2024, the Commission received Ethics Complaint No. 24-027C.

2. On April 24, 2024, the Commission issued an *Order on Jurisdiction and Investigation* directing the Executive Director to conduct an investigation regarding Watson's alleged violations of the following provisions of the Ethics Law:

NRS 281A.400(1) Seeking or accepting any gift, favor, employment, engagement, emolument or economic opportunity for himself or person to whom he has a commitment in a private capacity which would tend to improperly influence a person in his position to depart from the faithful and impartial discharge of his public duties.

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.

3. On April 24, 2024, the Executive Director provided a *Notice of Complaint and Investigation* to Watson pursuant to NRS 281A.720 and NAC 281A.410 and provided Watson with an opportunity to submit a response to the allegations.

4. Watson provided his *Response* to the Complaint through his attorney Scott M. Abbott, Esq., on June 7, 2024.

5. On July 15, 2024, the Review Panel issued its Panel Determination, finding that the facts establish credible evidence to support a determination that just and sufficient cause exists for the Commission to render an opinion regarding the alleged violation of NRS 281A.400(1) and (2) and referred the matter to the Commission for further proceedings.

6. On July 18, 2024, Watson completed and submitted a waiver of the adjudicatory hearing timeframes found in NRS 281A.745(1).

7. On August 12, 2024, the parties attended a settlement conference presided over by Commissioner Amanda Yen, Esq. Aided by Commissioner Yen, Watson, the Executive Director and the Commission now enter into this Stipulation.

B. Terms and Conditions of Stipulated Deferral Agreement:

1. This Stipulated Deferral Agreement (“Agreement”) shall be in effect for a period of one (1) year (the “Deferral Period”) from the date of approval by the Commission.

2. Watson agrees to continue to comply in all material respects with the provisions of the Ethics Law set forth in NRS Chapter 281A during the Deferral Period without being the subject of another ethics complaint arising from an alleged violation of the Ethics Law which occurs during the Deferral Period and for which a Review Panel determines that there is just and sufficient cause for the Commission to render an opinion in the matter.

3. Watson agrees to arrange and implement ethics training provided and/or approved by the Executive Director for all District staff, including himself, within 90 days from the date of the Commission’s approval of this Agreement. This 90 day time frame may be extended by mutual agreement between the Executive Director and Watson.

4. During the Deferral Period, Watson agrees to work with the District’s legal counsel and Board of Trustees to revise the District’s internal policy on conflicts of interest and gifts to provide guidance and procedures to District officers and employees in evaluating the appropriateness and/or receipt and distribution of any gifts. Final copies of the District-approved policy shall be submitted to the Executive Director for the file.

5. During the Deferral Period, the Executive Director shall monitor Watson’s compliance with this Agreement. Should the Executive Director discover that Watson has not complied with any term or condition of this Agreement, the Executive Director shall:

- a. Inform the Commission of any alleged failure of Watson to comply with this Agreement;
- b. Give Watson written notice of any alleged failure to comply with this Agreement; and
- c. Allow Watson not less than 15 calendar days to respond to such a notice.

6. The Commission may vacate this Agreement and conduct further proceedings in the matter, including an adjudicatory hearing, if the Commission finds that Watson failed to comply with the terms and conditions of this Agreement.

7. If Watson complies with the terms and conditions of this Agreement, the Commission shall issue a superseding Order dismissing the Complaint.

8. This Agreement applies only to the alleged conduct related to this Complaint and is not intended to apply to any future unrelated alleged conduct.

C. Acceptance:

We, the undersigned parties, have read this Stipulated Deferral Agreement, understand each and every provision therein, and agree to be bound thereby.

DATED this 11th day of September, 2024. *Kevin Watson*
Kelvin Watson

FOR KELVIN WATSON

DATED this 11th day of September, 2024. /s/ *Scott M. Abbott*
Scott M. Abbott Esq.
Kamer Zucker Abbott

FOR KELVIN WATSON

The above Stipulated Deferral Agreement is approved:

FOR THE NEVADA COMMISSION
ON ETHICS

DATED this 9th day of September, 2024. /s/ *Ross E. Armstrong*
Ross E. Armstrong, Esq.
Executive Director

Approved as to form by:

FOR THE NEVADA COMMISSION
ON ETHICS

DATED this 10th day of October, 2024. /s/ *Elizabeth J. Bassett*
Elizabeth J. Bassett, Esq.
Commission Counsel

The above Stipulated Deferral Agreement is approved by the Commission.

Dated this 16th day of October, 2024

By: /s/ Scott Scherer
Scott Scherer, Esq.
Chair

By: /s/ John T. Moran
John T. Moran III, Esq.
Commissioner

By: /s/ Kim Wallin
Kim Wallin, CPA, CMA, CFM
Vice Chair

By: /s/ Stan R. Olsen
Stan R. Olsen
Commissioner

By: /s/ Teresa Lowry
Teresa Lowry, Esq.
Commissioner

Appendix A – Relevant Facts Relied Upon by the Commission

- A. Watson has served as the Executive Director of the Las Vegas-Clark County Library District (“District”) since February 2021.
- B. Community outreach is an integral and important part of the District’s commitment to public service as was expressly required by the District’s job announcement when it hired Watson.
- C. Due to Las Vegas hosting the Super Bowl in February 2024, the District and the National Football League Foundation (“NFL Foundation”) partnered in a local event prior to the Super Bowl—specifically, the Barbershop Books program. This “award-winning literacy program celebrates, amplifies, and affirms the interests of Black boys by encouraging them to engage with age-appropriate books, offered in the safe, welcoming spaces of their neighborhood barbershops.”²
- D. The NFL Inspire Change Barbershop Books event was hosted by the District just days before the Super Bowl, providing football and literacy-themed stations for children, along with free haircuts and books. NFL Commissioner Roger Goodell attended the event, along with a group of players from the NFL Legends community.
- E. In recognition of the collaboration of the two organizations on this event, the NFL Foundation offered the District a gift of two tickets to the 2024 Super Bowl in December 2023. The tickets were gifted to the District with the suggestion that the Library Operations Director receive one of the tickets.
- F. Watson did not solicit or ask the NFL Foundation for the specific tickets received.
- G. Following the NFL Foundation’s offer of the tickets, Watson contacted the District’s General Counsel for legal advice on whether the tickets could be accepted by the District and whether Watson could attend the Super Bowl using one of the tickets.
- H. Watson also contacted the Chair of the District’s Board of Trustees regarding the potential acceptance of the tickets. Based on guidance provided by legal counsel and his discussion with the Board Chair, Watson accepted the tickets.
- I. The Ethics Law provides in NRS 281A.790(5) that when a public officer relies in good faith on the advice of agency counsel prior to acting, the safe harbor provisions apply to shield the public officer from some liability under the Ethics Law.
- J. Watson and the Library Operations Director attended the 2024 Super Bowl using the tickets gifted to the District.
- K. Average 2024 Super Bowl tickets sold for \$8,600 each.³

² <https://barbershopbooks.org/>

³ <https://www.sportsbusinessjournal.com/Articles/2024/02/09/super-bowl-lviii-notes>

- L. Watson did not request an Advisory Opinion from the Commission regarding this matter.
- M. The NFL Foundation may support the District in future collaborations to enhance the Foundation's public relations strategy.