

Clark County Ethics Task Force

**Final Recommendations
January 1999**

Task Force Purpose

- ❖ **Review Existing Standard & Codes.**
- ❖ **Recommend Enhancements and Additions.**

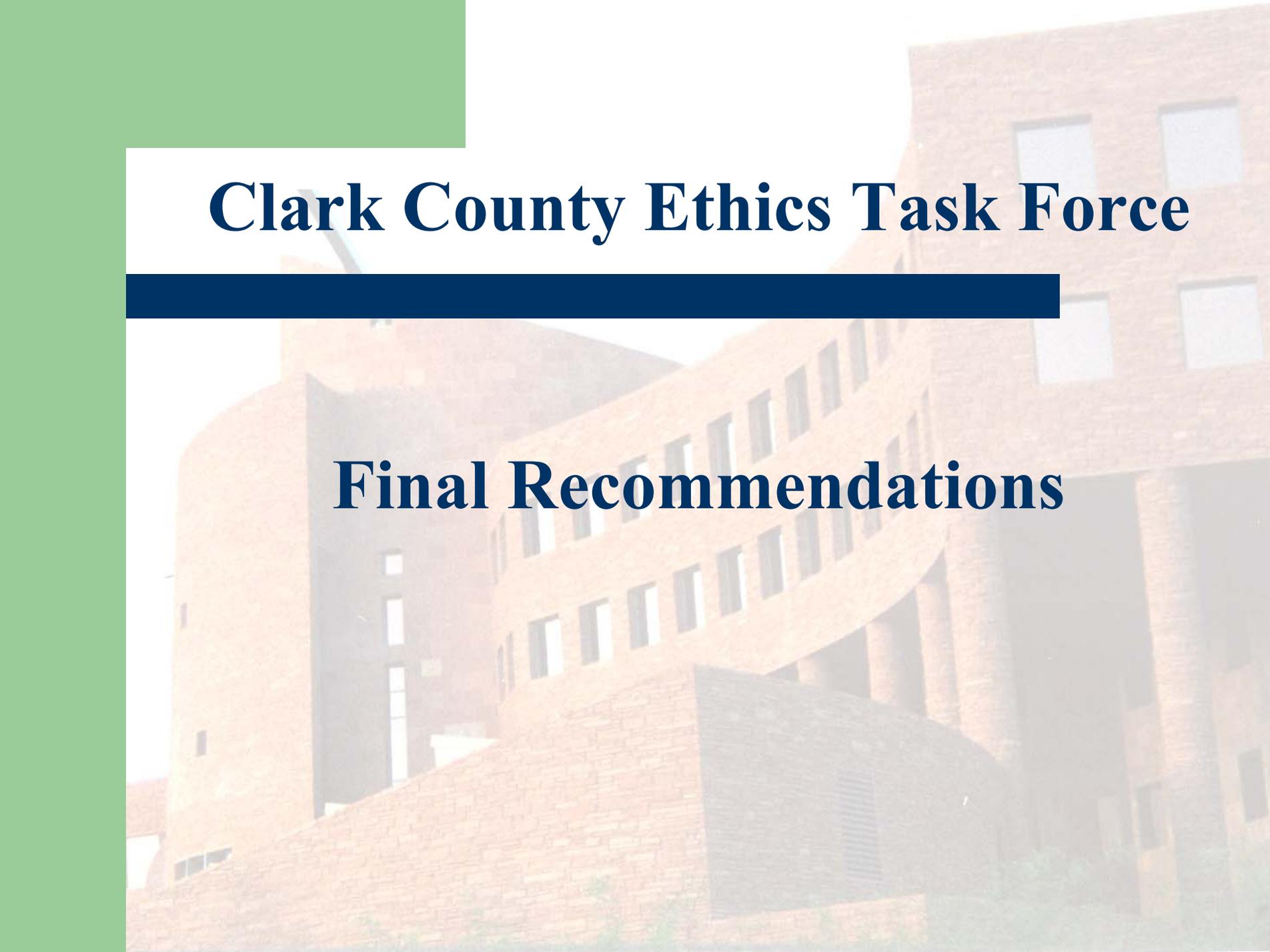


Task Force Membership

- ❖ **Media**
- ❖ **Civic & Religious Organizations**
- ❖ **County Commission/TAB**
- ❖ **UNLV**
- ❖ **Former Elected Officials**

Task Force Methodology

- ❖ **Researched Other Jurisdictions.**
- ❖ **Met with Ethics Commission Attorney and Former Ethics Commission Chair.**
- ❖ **Roundtable Discussion of Merits of Various Ethics Guidelines.**
- ❖ **Public Hearings.**
- ❖ **Draft Submitted to the County Manager and Ethics Commission.**
- ❖ **Recommendations Finalized.**

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Clark County Ethics Task Force

Final Recommendations

Conflict of Interest Employment

- ❖ **An official shall not seek other employment/contracts through the use of his/her official position.**



Conflict of Interest Confidential Information

- ❖ No disclosure or use of confidential information for personal profit.**
- ❖ Defined as any information that is not a matter of public record.**

Conflict of Interest Financial Benefit

- ❖ **Reasonable Person Standard- Do not accept anything if a reasonable person could see it as influencing him or her or another person in the discharge of official duties.**



Conflict of Interest Representing Others

- ❖ Do not accept \$\$ from anyone to counsel or represent them on issues before the officials' agency.



- ❖ 1 year “Cooling Off” period from representing or counseling anyone upon any issue which was under consideration at officials' agency.

Conflict of Interest Contracts

- ❖ **If the official or a relative has a pecuniary interest, make the interest known and do not vote or participate in the discussion of the contracts, sale or purchase.**



Conflict of Interest Contracts (RFP Process)

- ❖ **No ex parte communication once RFP is released until the agenda item is posted for action, EXCEPT with designated staff members.**



Conflict of Interest Contracts (Airport Master Concessionaire)

- 1. Determine/Identify Concession Need**
- 2. Establish Project**
- 3. Develop Scope of Work**
- 4. Determine Method of Solicitation**
- 5. Establish Business Model**
- 6. Develop Solicitation Package**
- 7. Advertising/ Notification**
- 8. Receipt of Proposals**
- 9. Evaluation of Proposals**
- 10. Submission for Approval**

Conflict of Interest Contracts (Airport Master Concessionaire)

- ❖ **Ex parte prohibition would apply during steps 7, 8 and 9.**
- ❖ **For these purposes the Master Concessionaire would be considered staff.**



Contracting with Former Officials

- ❖ **BCC must approve:**
 - **If employed by County in last 12 months.**
 - **If former employee owns controlling interest or is sole proprietor THEN,**
 - **Items must explain why the former employee is the best choice.**



Conflict of Interest Fee / Honorarium

- ❖ **Officials Shall Not Accept an Honorarium.**



Conflict of Interest Conduct

- ❖ **No unwarranted privileges or exemptions for himself, herself or other persons.**
- ❖ **Do not by conduct give a reasonable basis for the impression someone can improperly influence the official or enjoy the officials' favor.**

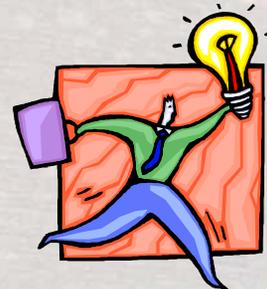
Disclosure

- ❖ **Publicly disclose orally the nature of a conflict of interest prior to the first official discussion of the matter.**



Abstention

- ❖ **Reasonable Person Standard-**
Abstain if a reasonable person has grounds to believe the official has an interest that might be affected by their official acts or actions of the County.



State Ethics Commission

- ❖ **Support Adequate Funding.**
- ❖ **Encourage alternate organizational structures to meet caseload demand.**
- ❖ **Promote Ethics Education Programs.**

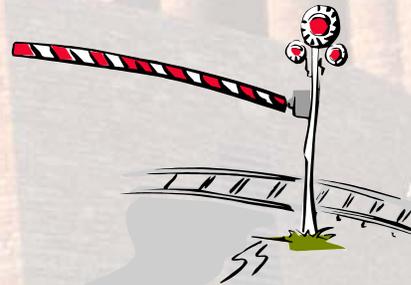


State Ethics Commission

- ❖ **Establish annual ethics training for elected and appointed officials.**
- ❖ **Provide updates on State Ethics Commission Opinions.**
- ❖ **Publish Ethics Commission guidelines.**
- ❖ **Require an ethics disclosure statement that they have attended annual ethics training.**

County Ethics Commission

- ❖ **Task Force does not recommend a separate County Ethics Commission.**



Annual Ethics Training

❖ Recommended Topics:

- **What is Ethics?**
- **What is a conflict of interest and necessary action?**
- **NRS – Ethics**
- **District Attorney's Role.**
- **Who do I ask for clarification?**
- **Review State Ethics Commission Opinions.**

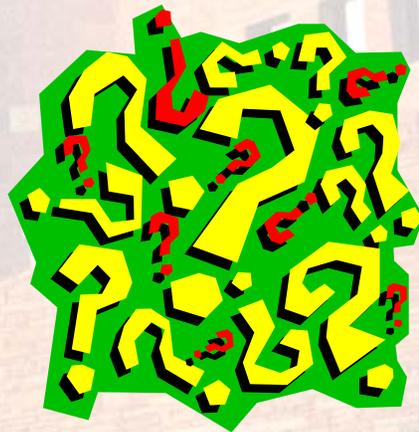




Recognition of Staff

- ❖ **District Attorney's Office**
- ❖ **Administrative Services**
- ❖ **General Services**
- ❖ **Department of Aviation**

Questions



Clark County Ethics Task Force

- **Application of the “Cooling Off” period for former County Officials**
 - **Should any exceptions be permitted?**
 - **Does Lobbying include Contact with any level of Staff?**
- **The ability of petitioners to “Create” conflicts for elected officials.**

Clark County Ethics Task Force

- **What penalties, if any, can legally and practically be applied, and to whom.**
- **Clarification of when an elected official must abstain from voting on an item, and when he/she can disclose a potential conflict but remain eligible to vote.**