

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the May 2, 2016, Meeting
1300 Broadway, Room 1E, 10:00 a.m.
Denver, Colorado

Present: William Leone, Chairman (appearing by telephone); Bob Bacon, Vice-Chairman; April Jones; and Matt Smith.

Also Present: Dino Ioannides, IEC Executive Director; and Kyle Dumler of the Colorado Attorney General's Office.

I. GENERAL BUSINESS

1. Chairman Leone called the meeting to order at 10:04 a.m.
2. The Commission invited public comment and received none.
3. Upon motion duly seconded, the Commission unanimously approved the minutes of the April 4 and April 15, 2016, meetings, after amendment to each.
4. The Commission held a status conference for Complaint Nos. 15-31, 15-32, 15-33, and 15-34. Both the complainant (by telephone) and respondents (through counsel) were present. Upon motion duly seconded, the Commission unanimously approved the Proposed Notice of Grounds for Hearing and Order for Investigation, with instructions to staff to move to the investigative stage.
5. Upon motion duly seconded, the Commission unanimously approved Advisory Opinion 16-04, as amended.
6. Chairman Leone having recused himself, Vice-Chairman Bacon presided over the Commission's consideration of Letter Ruling 16-02. By unanimous consent, Letter Ruling 16-02 was tabled pending additional proposed amendments.
7. Chairman Leone resumed chairmanship of the meeting.
8. Upon motion duly seconded, the Commission unanimously approved Letter Ruling 16-03.
9. Mr. Ioannides provided a legislative audit status update.
10. The Commission discussed the status of HB16-1216 in connection with the Colorado Supreme Court decision in Colo. Ethics Watch v. IEC, 15SA244, 2016 CO 21.

11. Mr. Ioannides provided a status update about the comments received from interested parties regarding home rule ethics codes.
12. At 12:30 p.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to § 24-6-402(3)(a)(III), C.R.S., to discuss Complaint 16-02, which is required to be kept confidential pursuant to Article XXIX, § 5(3)(b), of the Colorado Constitution.

II. EXECUTIVE SESSION BUSINESS

13. Mr. Ioannides recused himself. The Commission met in Executive Session from 12:30 p.m. to 12:39 p.m. to discuss Complaint 16-02.

III. GENERAL BUSINESS

14. The Commission returned to open session at 12:39 p.m.
15. At 12:40 p.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to § 24-6-402(3)(a)(III), C.R.S., to discuss Complaint 16-13, which is required to be kept confidential pursuant to Article XXIX, § 5(3)(b), of the Colorado Constitution.

IV. EXECUTIVE SESSION BUSINESS

16. The Commission met in Executive Session from 12:40 p.m. to 12:41 p.m. to discuss Complaint 16-13.

V. GENERAL BUSINESS

17. The Commission returned to open session at 12:41 p.m. Mr. Ioannides returned to the meeting.
18. At 12:42 p.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to § 24-6-402(3)(a)(III), C.R.S., to discuss Complaint 16-14, which is required to be kept confidential pursuant to Article XXIX, § 5(3)(b), of the Colorado Constitution.

VI. EXECUTIVE SESSION BUSINESS

19. Chairman Leone having recused himself, Vice-Chairman Bacon presided over the Executive Session to discuss Complaint 16-14. The Commission met in Executive Session from 12:42 p.m. to 1:08 p.m.

VII. GENERAL BUSINESS

20. The Commission returned to open session at 1:08 p.m.

21. Upon motion duly seconded the Commission unanimously ordered its Executive Director to continue the preliminary investigation on Complaint 16-14 pursuant to Rule 7.F. (Chairman Leone having recused himself).
22. Chairman Leone resumed chairmanship of the meeting.
23. The Commission invited and received public comment regarding home rule ethics codes and Article XXIX of the Colorado Constitution.
24. At 1:47 p.m., upon motion duly seconded, the Commission voted unanimously to enter into Executive Session pursuant to §§ 24-6-402(3)(a)(II) and 13-90-107(1)(b), C.R.S., to receive legal advice concerning home rule ethics codes and Article XXIX of the Colorado Constitution.

VII. EXECUTIVE SESSION BUSINESS

25. The Commission met in Executive Session from 1:47 p.m. to 2:18 p.m. to discuss home rule ethics codes and Article XXIX of the Colorado Constitution.

VII. GENERAL BUSINESS

26. The Commission returned to open session at 2:18 p.m.
27. By motion duly seconded, the Commission unanimously postponed consideration of Advisory Opinion 15-12 and the home rule question to its next agenda.
28. Having no further business, the Commission adjourned at 2:31 p.m. The next meeting is scheduled for Thursday, June 30, 2016, at 9:30 a.m., room 1F.

Respectfully Submitted,

Dino Ioannides
Executive Director
Colorado Independent Ethics Commission