

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the March 5, 2018, Meeting
1300 Broadway, Room 1B, 9:00 a.m.
Denver, Colorado

Present: Chairman Matt Smith; Vice-Chairwoman April Jones; Commissioner William Leone; Commissioner Gary Reiff; and Commissioner Jo Ann Sorensen.

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

I. GENERAL BUSINESS

1. Chairman Smith called the meeting to order at 9:11 a.m.
2. The Commission invited public comment and received none.
3. Upon motion duly seconded, the Commission unanimously approved the minutes of the February 12, 2018, meeting.
4. Mr. Ioannides provided the staff report.
5. The Commission called Complaints 16-02, 17-13, and 17-14, Commissioner Leone presiding. Mr. Ioannides recused himself. Counsel for the complainant and respondents entered appearances.
6. By unanimous consent the Commission denied the respondents' requests (in Complaints 17-13 and 17-14) to dismiss the complaints as untimely.
7. By unanimous consent, the Commission denied the motion to strike the Response to the Response to the Complaint. Respondents may, within ten days, file a reply to the Response to the Response to the Complaint.
8. By unanimous consent, the Commission denied the request for sanctions against the complainant.
9. Commissioner Jones moved to dismiss Complaints 16-02, 17-13, and 17-14, in the Commission's discretion, based on prospective application of the Commission's guidance to home rule cities and on the facts and circumstances of the complaints. The motion failed by majority vote.
10. By unanimous consent, the parties were ordered to file briefs, by April 30, 2018, concerning whether the City of Glendale has addressed the matters covered by Article XXIX.

11. Commissioner Smith resumed chairmanship of the meeting.
12. At 10:18 a.m., upon motion duly seconded, the Commission voted unanimously to enter Executive Session pursuant to C.R.S. § 24-6-402(3)(a)(II) and §13-90-107(1)(b) concerning legal updates from the Office of the Attorney General, for purposes of receiving legal advice on specific legal questions concerning the open records policy and proposed changes to the Commission's complaint form.

II. EXECUTIVE SESSION BUSINESS

13. The Commission met in Executive Session from 10:18 a.m. to 11:26 a.m. to receive legal advice from the Office of the Attorney General on specific legal questions concerning the open records policy and proposed changes to the Commission's complaint form.

III. GENERAL BUSINESS

14. The Commission returned to open session at 11:26 a.m.
15. The Commission recessed from 11:26 a.m. to 11:32 a.m.
16. At 11:34 a.m., upon motion duly seconded, the Commission voted unanimously to enter Executive Session pursuant to C.R.S. § 24-6-402(3)(a)(III) to discuss Complaint 17-48, filed with the Commission, which is required to be kept confidential pursuant to Article XXIX, § 5(3)(b) of the Colorado Constitution.

IV. EXECUTIVE SESSION BUSINESS

17. The Commission met in Executive Session from 11:34 a.m. to 11:44 a.m. concerning Complaint 17-48.

V. GENERAL BUSINESS

18. The Commission returned to open session at 11:44 a.m.
19. The Commission recessed from 11:44 a.m. to 12:05 p.m.
20. The Commission called Complaint 17-18, Commissioner Jones presiding. Respondent's counsel was present and the complainant participated telephonically. The Commission continued its deliberations to its next meeting by unanimous consent.
21. Having no further business, the Commission adjourned at 1:01p.m. The next regular meeting is scheduled for April 9, 2018, at 9:00 a.m., 1300 Broadway, Denver, Colorado.

Respectfully Submitted,

Dino Ioannides
Executive Director
Colorado Independent Ethics Commission