

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the September 15, 2020, Meeting
Meeting Conducted by Web Conference

Present: Chair Elizabeth Espinosa Krupa; Vice-Chair William Leone; Commissioner Selina Baschiera; Commissioner Debra Johnson; and Commissioner Yeulin Willett.

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

I. GENERAL BUSINESS

1. Due to COVID-19, the meeting was conducted by web conference. Chair Espinosa Krupa called the meeting to order at 9:03 a.m.
2. The Commission invited public comment and received none.
3. Upon motion duly seconded, the Commission unanimously approved the minutes of the August 18, 2020, meeting.
4. Mr. Ioannides provided the staff report.
5. Upon motion duly seconded, the Commission unanimously delegated authority to Chair Espinosa Krupa to give final approval of the fiscal year 2022 budget submittal.
6. Commissioner Willett having recused himself, the Commission considered the draft report of investigation for Complaint 19-25. By unanimous consent, the Commission authorized the executive director to obtain input from commissioners prior to finalizing the report of investigation.
7. Commissioner Willett having recused himself, the Commission considered the draft report of investigation for Complaint 19-26. By unanimous consent, the Commission authorized the executive director to obtain input from commissioners prior to finalizing the report of investigation.
8. At 9:18 a.m., upon motion duly seconded, the Commission voted unanimously (Commissioner Willett recused) to enter executive session pursuant to C.R.S. § 24-6-402(3)(a)(II), for purposes of receiving legal advice on specific legal questions related to the Respondent's Motion to Dismiss and Submission of Supplemental Authority in Complaint 19-26.

II. EXECUTIVE SESSION BUSINESS

9. The Commission met in executive session from 9:18 a.m. to 9:48 a.m. for purposes of receiving legal advice on specific legal questions related to the Respondent's Motion to Dismiss and Submission of Supplemental Authority in Complaint 19-26.

III. GENERAL BUSINESS

10. The Commission returned to open session at 9:48 a.m.
11. Upon motion duly seconded, the Commission unanimously (Commissioner Willett recused): scheduled Complaint 19-26 for its October 20, 2020, meeting to take up the pending motion to dismiss and hear argument from the parties; ordered that, if the complainant wishes to file a response to the motion to dismiss, the complainant should seek leave to file the response and explain why no response has been filed to date; and approved the report of investigation for delivery to the parties with the caveat that there may be additional investigation and supplementation to the report of investigation.
12. The Commission took up Complaint 20-18 and, by unanimous consent, granted the Respondent's Motion for Extension of Time to File Response.
13. At 10:01 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 (III), to discuss Complaints 20-07, 20-08, 20-11, and 20-66 for purposes of receiving legal advice on specific legal questions, and which are required to be kept confidential pursuant to Article XXIX, §5(3)(b) of the Colorado Constitution.

IV. EXECUTIVE SESSION BUSINESS

14. The Commission met in executive session from 10:01 a.m. to 11:12 a.m. concerning Complaints 20-07, 20-08, 20-11, and 20-66. Chair Espinosa Krupa departed the meeting at 11:00 a.m.; Vice-Chair Leone assumed the chair.

V. GENERAL BUSINESS

15. The Commission returned to open session at 11:12 a.m., Vice-Chair Leone presiding.
16. Upon motion duly seconded, the Commission unanimously (Chair Espinosa Krupa not participating) dismissed Complaints 20-07 and 20-08 as frivolous and for lack of jurisdiction.
17. By unanimous consent, the Commission ordered additional preliminary investigation of Complaint 20-11.
18. By unanimous consent, the Commission ordered additional preliminary investigation of Complaint 20-66.
19. Ms. Cannan provided legal updates.

20. By unanimous consent, Mr. Ioannides was instructed to canvass commissioners for their availability for a special meeting to consider commissioner-requested discussion topics.

21. Having no further business, the Commission adjourned at 11:21 a.m. The next regular meeting is scheduled for October 20, 2020, at 9:00 a.m.

Respectfully Submitted,

Dino Ioannides
Executive Director
Colorado Independent Ethics Commission