

COLORADO INDEPENDENT ETHICS COMMISSION

Minutes of the December 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 9:02 a.m.
2. The Commission invited public comment and received none.
3. Upon motion duly seconded, the Commission unanimously (Commissioner Leone not participating) approved the minutes of the October 20, 2020, meeting.
4. Mr. Ioannides provided the staff report.
5. Commissioner Leone joined the meeting.
6. At 9:08 a.m., upon motion duly seconded, the Commission voted unanimously to enter closed session, for purposes of receiving legal advice and legal updates from the Office of the Attorney General.

II. CLOSED SESSION BUSINESS

7. The Commission met in closed session from 9:08 a.m. to 9:45 a.m. for purposes of receiving legal advice and legal updates from the Office of the Attorney General regarding the remand of the merits case in *Dunafon v. Jones*; the CORA and OML implications of *Dunafon v. Jones*; and the *City of Glendale v. Independent Ethics Commission* litigation.

III. GENERAL BUSINESS

8. The Commission returned to open session at 9:45 a.m.
9. The Commission received a presentation made by the City of Aurora regarding options for possible changes to City's code of ethics.

10. The Commission considered the draft Order of Dismissal in Complaint 19-26. Commissioner Willett recused himself. Upon motion duly seconded, the Commission unanimously adopted the Order of Dismissal as drafted.
11. The Commission considered the Response to Complaint and the Motion to Dismiss in Complaint 20-18.
12. At 10:11 a.m., upon motion duly seconded, the Commission voted unanimously to enter closed session, for purposes of receiving legal advice regarding Complaint 20-18.

IV. CLOSED SESSION BUSINESS

13. The Commission met in closed session from 10:11 a.m. to 10:17 a.m. to receive legal advice regarding Complaint 20-18.
14. The Commission recessed from 10:17 a.m. to 10:26 a.m.

V. GENERAL BUSINESS

15. The Commission returned to open session at 10:26 a.m.
16. The Commission considered a staff update in Complaints 16-02 and 17-14. Mr. Ioannides explained the purposes of his previous recusal in these complaint cases and the reasons why there would be no impediment to his future participation. By unanimous consent, Commissioner Leone will resume his role as hearing commissioner and Mr. Ioannides will serve as the investigator.
17. The Commission considered a staff update in Complaint 17-28. Commissioner Leone recused himself. By unanimous consent, Commissioner Johnson was assigned as hearing officer.
18. The Commission considered the draft report of investigation in Complaint 19-25. Commissioner Willett recused himself. By unanimous consent, the Commission instructed staff to release the report of investigation to the parties. Further procedural matters will be handled by the assigned hearing commissioner, Commissioner Baschiera.
19. At 10:54 a.m., upon motion duly seconded, the Commission voted unanimously to enter closed session to discuss Complaints 20-11, 20-30, 20-67, 20-68, 20-70, 20-73, 20-74, and 20-75, for purposes of receiving legal advice, and which are required to be kept confidential pursuant to Article XXIX, §5(3)(b) of the Colorado Constitution.

VI. CLOSED SESSION BUSINESS

20. The Commission met in closed session from 10:54 a.m. to 11:58 a.m. concerning Complaints 20-11, 20-30, 20-67, 20-68, 20-70, 20-73, 20-74, and 20-75. Commissioner Willett recused himself from participating in the discussion of Complaints 20-67 and 20-68. Commissioner Baschiera recused herself from participating in the discussion of Complaint 20-75.

VII. GENERAL BUSINESS

21. The Commission returned to open session at 11:58 a.m.
22. Upon motion duly seconded, the Commission unanimously dismissed Complaint 20-11 as frivolous.
23. Upon motion duly seconded, the Commission unanimously dismissed Complaint 20-30 as frivolous.
24. Upon motion duly seconded, the Commission unanimously deemed Complaint 20-73 non-frivolous and instructed the executive director to propose a written order dismissing the non-jurisdictional claims in the complaint.
25. Upon motion duly seconded, the Commission unanimously dismissed Complaint 20-74 as frivolous and for lack of jurisdiction.
26. By unanimous consent, the Commission instructed staff to conduct a preliminary investigation in Complaint 20-75.
27. The Commission considered commissioner-requested discussion topics and instructed staff to set a special meeting for additional consideration of same and proposed rulemaking. By unanimous consent, the special meeting was set for 1:30 p.m. on January 7, 2021.
28. Having no further business, the Commission adjourned at 12:19 p.m. The next regular meeting is scheduled for January 19, 2020.

Respectfully Submitted,

Dino Ioannides
Executive Director
Colorado Independent Ethics Commission