

# **COLORADO INDEPENDENT ETHICS COMMISSION**

Minutes of the February 15, 2022, Meeting  
Meeting Conducted by Web Conference

Present: Chair Elizabeth Espinosa Krupa; Commissioner Selina Baschiera; Commissioner Annie Kao; Commissioner Sarah Mercer; and Commissioner Cole Wist.

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. The Chair being temporarily absent, Vice-chair Baschiera called the meeting to order at 9:12 a.m.
2. The Commission invited public comment and received none.
3. The Commission unanimously (Commissioner Espinosa Krupa not participating) approved the minutes of the January 18, 2022, meeting.
4. Mr. Ioannides provided the staff report.
5. By unanimous consent, the Commission postponed consideration of Advisory Opinion 22-01 to its March 2022 meeting.
6. The Commission stood in recess from 9:22 a.m. to 9:30 a.m.
7. Chair Espinosa Krupa joined the meeting.
8. The Commission called Complaint 21-18. The parties presented oral argument regarding the Respondent's Motion to Stay and the Complainant's Response to Motion to Stay.
9. At 10:17 a.m., upon motion duly seconded, the Commission voted unanimously to enter closed session to discuss Complaint 21-18, for purposes of receiving legal advice.

## **II. CLOSED SESSION BUSINESS**

10. The Commission met in closed session from 10:17 a.m. to 10:51 a.m. concerning Complaint 21-18.

## **III. GENERAL BUSINESS**

11. The Commission returned to open session at 10:51 a.m. and immediately recessed until 11:05 a.m.

12. Upon motion duly seconded, the Commission voted 3-2 (Chair Espinosa Krupa and Commission Baschiera dissenting) to grant Respondent's Motion to Stay until a disposition or determination is returned from the grand jury.
13. By unanimous consent, the Commission indicated it would issue a procedural order granting Respondent's Motion to Stay.
14. The Commission opened its rulemaking hearing. Commission staff and counsel provided opening comments. The Commission received oral comments from Ms. Jane Feldman. No other person offered oral comments.
15. At 11:29 a.m., upon motion duly seconded, the Commission voted unanimously to enter closed session to discuss the rulemaking, for purposes of receiving legal advice.

#### **IV. CLOSED SESSION BUSINESS**

16. The Commission met in closed session from 11:29 a.m. to 11:48 a.m. concerning the rulemaking.

#### **V. GENERAL BUSINESS**

17. The Commission returned to open session at 11:48 a.m.
18. By unanimous consent, the Commission postponed further rulemaking proceedings to its next meeting.
19. The Commission proceeded to its docket of confidential complaints and Commissioner Mercer announced her recusal for Complaints 21-25 and 21-26.
20. At 11:51 a.m., upon motion duly seconded, the Commission voted unanimously to enter closed session to discuss Complaints 21-25, 21-26, 21-31, and 22-08, 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**

21. The Commission met in closed session from 11:51 a.m. to 12:49 p.m. concerning Complaints 21-25, 21-26, 21-31, and 22-08. Commissioner Mercer recused herself from Complaints 21-25 and 21-26.

#### **VII. GENERAL BUSINESS**

22. The Commission returned to open session at 12:49 p.m.
23. Upon motion duly seconded, the Commission unanimously (Commissioner Mercer recused) deemed Complaint 21-25 as non-frivolous.
24. Upon motion duly seconded, the Commission unanimously (Commissioner Mercer recused) dismissed Complaint 21-26 as frivolous.

25. By unanimous consent, the Commission directed its staff to conduct a preliminary investigation for Complaint 21-31.
26. Upon motion duly seconded, the Commission unanimously dismissed Complaint 22-08 as frivolous.
27. Having no further business, the Commission adjourned at 12:53 p.m. The next regular meeting is scheduled for March 15, 2022.

Respectfully Submitted,

Dino Ioannides  
Executive Director  
Colorado Independent Ethics Commission