

May 4, 2016

City of Spokane Ethics Commission
Troy Bruner, Chair
808 West Spokane Falls Boulevard
Spokane, Washington 99204

Re: Response to Ethics Complaint and Request for Dismissal

Dear Mr. Bruner:

This is a response filed pursuant to section 4.3(1) of the Commission's Policy and Procedure Manual and a request for dismissal of the complaint. SMC 01.04A.110(D)(1) provides that the Commission must dismiss this complaint because the "alleged violation, if true, would not constitute a violation of this article" and the "complaint or inquiry is, on its face, frivolous, groundless or brought for purposes of harassment." As set forth below, this complaint does not assert a violation that amounts to a violation of the City's ethics code and is designed purely for political purposes and to harass. It is frivolous and completely groundless. It is meant to intimidate, terrorize, and embarrass me, my boss, and any City employee who may share publically a different political philosophy than Mr. Cannon, the political candidates he supports, the administrative officials with whom he shares friendship, and the political party with which he aligns.

The complaint asserts violation of SMC 01.04.040(F) and (G). Section F provides, "No City officer or employee shall engage in or accept private employment, or render services for, any private interest when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of official duties." Section G provides, "No City officer or employee may benefit either directly or indirectly from any legislation or contract to which the City shall be a party except for the lawful

compensation or salary of the City officer or employee unless such interest is a remote interest where the facts and extent of such interest is disclosed.”

I have not violated either of these sections of the City of Spokane’s Code of Ethics or any other section. I have not engaged in private employment or rendered services that are incompatible with the proper discharge of my official duties, nor would any of my private activities impair my independence of judgment or action in the performance of my official duties. I do not and have not had any personal interest in legislation considered by the Spokane City Council or legislation by the people through the initiative or referendum process.

SMC 1.04A.030 Section F - Certain Private Employment Prohibited.

The complaint does not contain facts that indicate how any activity I have engaged in is “incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of official duties.” Instead, the complaint has vague complaints about the nature of my work and my off-duty activities.

I have served as the Senior Executive Assistant to the Council President since November of 2013. I created McDaniel Projects as a small political consulting firm in 2015. Although I have managed and consulted for multiple political campaigns, I have received compensation from only one campaign (People for Lori Kinnear) as owner of McDaniel Projects.¹ All of my private business is done on my own time and outside the City workplace, as is allowed and encouraged under SMC 01.04A.030(K)(5). McDaniel Projects does not work on any matter that is currently before City Council. There are no facts asserted indicating anything to the contrary or that any activity specifically is incompatible with my official duties.

¹ Washington Public Disclosure Commission, People for Lori Kinnear C4. (Attached)

McDaniel Projects is not a lobbying firm. I have never been a registered Washington state lobbyist or an informal lobbyist for any organization. The objective of my small business is to get candidates with certain qualities elected and certain ballot measures adopted by a majority of voters. I have been fortunate to work with great candidates and causes that have been successful. I share those successes, as well as my experience working on policy in my role as Senior Executive Assistant to the Council President on my public resume as any other professional would do in any other profession. I have never been compensated for or received any direct or indirect financial benefit from developing, advocating, or attempting to defeat the passage of any piece of legislation by the people or through the Council process.

The services I provide through McDaniel Projects are not incompatible and do not impact my independence of judgment and performance when being in contact with City departments, other governmental agencies, businesses, civic organizations, media and citizens in the conduct of City Council business. My private employment does not impact my performance when coordinating the City Council office's flow of work. The work of McDaniel Projects does not impact my performance when coordinating items for City Council meeting agendas, when coordinating and organizing joint meetings and City Council Town Hall meetings, when purchasing office supplies, maintaining calendars and files for the Council President, and when performing secretarial support to the City Council President, Council Members, and Boards and Commission – all of which are essential functions of the Senior Executive Assistant to the Council President position.² Again, my work on McDaniel Projects is on my own time, outside of the workplace, and outside of working hours.

² Senior Executive Assistant to the Council President Job Description (Attached)

Because the complaint fails to assert facts indicating any incompatibility with my official duties, I request this complaint be dismissed.

SMC 1.04A.030 Section G - Personal Interest in Legislation Prohibited.

The complaint does not contain any facts indicating how I may have benefited either directly or indirectly from any legislation or contract to which the City shall be a party. Again, the complaint has vague complaints about the nature of my work and my off-duty activities.

Mr. Cannon's complaint alleges that I benefit financially from legislation passed into law by the Spokane City Council. Mr. Cannon has attached screenshots of my public LinkedIn Profile and my public website for my small business, McDaniel Projects, in an attempt to substantiate his claim. I do not and have not received any direct or indirect financial benefit from any piece of legislation ever adopted by the Spokane City Council.

For example:

- I have never been charged and convicted of possession of marijuana. McDaniel Projects has not contracted with any organization or individual seeking to have possession of marijuana misdemeanor convictions vacated by the Spokane Municipal Court through a Spokane City Council ordinance.
- I am not an immigrant to the United States. McDaniel Projects has not contracted with any individual or immigrant advocacy organization to adopt an ordinance outlining police procedures related to immigration status.
- As a City of Spokane employee, I already receive a generous earned safe and sick leave benefit that exceeds the ordinance adopted by the Spokane City Council. McDaniel

Projects has not contracted with any individual or organization supporting or opposing earned safe and sick leave legislation in the city of Spokane.

- I am not a victim of domestic violence or sexual assault. McDaniel Projects has not contracted with any organization or client to develop or lobby for legislation to protect victims of domestic violence or sexual assault.
- McDaniel Projects does not develop or sell PCB-free street materials. I do not have any known financial interest in any company that develops and sells PCB-free materials.
- McDaniel Projects does not sell recycled paper or reusable merchandise. I do not have any known personal financial interest in a recycled paper company or a company that specializes in reusable products.

All benefits assumed from these pieces of legislation are assumed as a member of our community. My business and I *benefit* from a fairer criminal justice system, better public health, a cleaner river, and a community that cares about victims of domestic violence and sexual assault. All residents of Spokane receive these same community *benefits* as well.

Moreover, as the attached letter indicates, my employer, Council President Stuckart, was aware of my off-duty work and specifically approved.

Because the complaint fails to assert facts indicating any direct or indirect benefit, the complaint must be dismissed.

The Complaint must Dismissed because it Represents a Continuing Pattern of Harassment

I have known of Mr. Cannon ever since he ran for City Council in 2013. At the time, I served as Campaign Manager for Council Member Jon Snyder's Re-Election Campaign and was a supporter of Council Member Candace Mumm. I was not employed by the City of Spokane

while serving as Council Member Snyder's Campaign Manager. Although Mr. Cannon and I have never had a personal face-to-face conversation, Mr. Cannon has communicated to me online mostly through mutual friends or public Facebook pages. Mr. Cannon's tone is typically argumentative and personal in nature. I have attached our most recent interaction which stems from a comment I made to a personal friend, former City Council Member Mike Allen, related to a City issue.³

Mr. Cannon recently did a public records request for all of my emails, texts, leave accounts and documents related to certain pieces of legislation.⁴ He also requested two years' worth of internet history. Mr. Cannon will not find anything unethical or nefarious in any of these searches. He will, however, know where I bank, what books I check out from our local library, my daily news sources, personal medical information including my primary care physician and who I contract with for medical insurance. Mr. Cannon will have access to information related to my friends, family members, and co-workers. Mr. Cannon will have knowledge and access to video of my ten year old sister playing softball. He will have links to an online memorial that some of my colleagues signed when a family member passed away. He will have information related to my military service. Mr. Cannon will know that I listen mostly to country music at work; occasionally check on the Mariners' score; read about my alma mater, the University of Alabama, landing another high profile football recruit; read the online versions of the Spokesman Review or New York Times each morning. It is not about accountability, but rather it is simply a gentleman abusing state law to harass a political adversary. It's obsessive, dangerous and incredibly strange.

³ Michael Allen Facebook Page, March 29, 2016 (Attached)

⁴ Terri Pfister Email 'Cannon – Public Records Requests dated 04-07-16

If this was truly a question of ethics, would Mr. Cannon publish a press release to every local news outlet indicating he successfully filled out a form to file a City ethics complaint?⁵ If this was a question of ethics, wouldn't Mr. Cannon allow the Commission to make its determination and allow the press to write about the findings of the Commission based on the evidence presented?

This is not about the ethics code. It is about press coverage and scoring cheap political points. It is about going after me personally and Council President Ben Stuckart indirectly, as many of Mr. Cannon's comments clearly reflect. One recent Spokesman Review comment stated, "Cannon added that ethical lapses can be traced back to Stuckart, who is "a little bit drunk on power." He continued, "If there is a weakness on the council, it's in the council president's office and his flippant attitude toward ethics and his strong sense of power,"⁶ Another quote on the Spokane 8th Man Facebook Page, a right-wing anti-City Council page to which he frequently contributes, reads "Adam has a severely inflated sense of self. He should spend less time on Facebook and Twitter playing politics and more time earning his inflated government salary. It's widely known he's not good at his job."⁷ Most recently in *The Inlander*, he was quoted as saying "[McDaniel's] so brazen about the stuff that he does and he's so condescending in his opposition, he's a target. He's mouthy and condescending and belittling."⁸ Mr. Cannon's comments are personal in nature and reflect his intention to target me based on his animosity.

Mr. Cannon's complaint boils down to this: he is using a public process to express his distaste concerning the fact that my professional reputation improves due to my successes, and those of

⁵ Michael Cannon Facebook Page, April 19th (Attached)

⁶ 'Spokane City Council aide's outside political work draws ethics complaint' – Spokesman Review, April 21, 2016 (Attached)

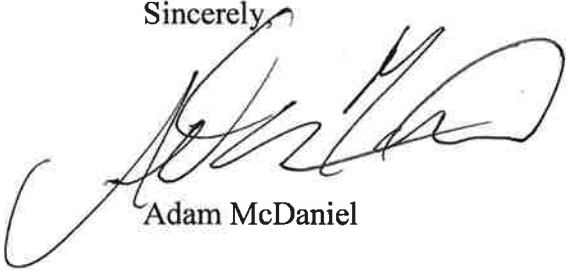
⁷ Spokane 8th Man Facebook Page, August 26, 2015 (Attached)

⁸ 'The Council Whisperers' – The Inlander, April 28, 2016 (Attached)

my employer. The fact that Mr. Cannon does not like my professional success is not a violation of the code of ethics.

Per SMC 01.04A.110(D)(1), I ask that the Ethics Commission dismiss this complaint because it is “on its face, frivolous, groundless, [and] brought for purposes of harassment.” I ask that you publicly admonish Mr. Cannon for his actions to clearly abuse the ethics code by filing this frivolous complaint. Please take this opportunity to send a forceful message to those seeking to utilize the City’s Ethics Commission as a political tool that their actions will not be tolerated or legitimized.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam McDaniel', written over the printed name.

Adam McDaniel



SPOKANE CITY COUNCIL
808 W. Spokane Falls Blvd.
Spokane, WA 99201-3335
(509) 625-6255

Ben Stuckart
Council President

May 4, 2016

Troy Bruner, Chair
City of Spokane Ethics Commission
808 West Spokane Falls Blvd
Spokane, WA 99204

Dear Mr. Bruner:

In early 2015 my assistant, Adam McDaniel, approached me and asked if he could do paid data work for candidates running for City Council. I take all requests for work outside of council work very seriously and review the Ethics Code to ensure compliance.

In my research I reviewed Spokane Municipal Code 01.4A.030K(5). It reads as follows:

City Officers and employees are encouraged to participate in the political process on their own time and outside of the workplace by working on campaigns for the election of any person to any office or for the promotion of or opposition to any ballot proposition, but shall not use or authorize the use of City facilities or resources for such purposes except as authorized by the provisions of RCW 42.17.13

The Spokane Municipal Code actually encourages working for political campaigns. It does not say, "You can only work for a political campaign if...." As this type of work is explicitly allowed in the municipal code encourages, I told Adam it was acceptable to work for a political campaign.

I explained to Adam that all of his campaign work should be done outside of his time at City Hall.

Since this complaint neglects to even address the section of the Ethics Code that explicitly allows political campaign work, I view the complaint as baseless. I encourage you to dismiss this complaint at your earliest convenience.

Sincerely,

Ben Stuckart
Spokane City Council President

CASH RECEIPTS AND EXPENDITURE

SCHEDULE A to C4 (11/93)

2

Candidate or Committee Name (Do not abbreviate. Use full name.)

Report Date

LORI KINNEAR (People for Lori Kinnear)

07/28/15 08/31/15

1. CASH RECEIPTS (Contributions) which have been reported on C3. List each deposit made since last C4 report was submitted.

Date of deposit	Amount	Date of deposit	Amount	Date of deposit	Amount	Total deposits
07/31/2015	1,700.00	08/21/2015	855.00			
08/07/2015	1,500.00	08/28/2015	2,000.00			
08/14/2015	650.00	08/13/2015	250.00			

2. TOTAL CASH RECEIPTS

Enter also on line 2 of C4 \$ 6,955.00

CODES FOR CLASSIFYING EXPENDITURES: If one of the following codes is used to describe an expenditure, no other description is generally needed. The exceptions are:

- 1) If expenditures are in-kind or earmarked contributions to a candidate or committee or independent expenditures that benefit a candidate or committee, identify the candidate or committee in the Description block;
- 2) When reporting payments to vendors for travel expenses, identify the traveler and travel purpose in the Description block; and
- 3) If expenditures are made directly or indirectly to compensate a person or entity for soliciting signatures on a statewide initiative or referendum petition, use code "V" and provide the following information on an attached sheet: name and address of each person/entity compensated, amount paid each during the reporting period, and cumulative total paid all persons to date to gather signatures.

CODE
DEFINITIONS
ON NEXT PAGE

C - Contributions (monetary, in-kind & transfers)
I - Independent Expenditures
L - Literature, Brochures, Printing
B - Broadcast Advertising (Radio, TV)
N - Newspaper and Periodical Advertising
O - Other Advertising (yard signs, buttons, etc.)
V - Voter Signature Gathering

P - Postage, Mailing Permits
S - Surveys and Polls
F - Fundraising Event Expenses
T - Travel, Accommodations, Meals
M - Management/Consulting Services
W - Wages, Salaries, Benefits
G - General Operation and Overhead

3. EXPENDITURES

- a) Expenditures of \$50 or less, including those from petty cash, need not be itemized. Add up these expenditures and show the total in the amount column on the first line below..
- b) Itemize each expenditure of more than \$50 by date paid, name and address of vendor, code/description, and amount.
- c) For each payment to a candidate, campaign worker, PR firm, advertising agency or credit card company, attach a list of detailed expenses or copies of receipts/invoices supporting the payment.

Date Paid	Vendor or Recipient (Name and Address)	Code	Purpose of Expense and/or Description	Amount
N/A	Expenses of \$50 or less	N/A	N/A	
08/02/15	PREFERRED LABOR SIGN LOCAL 1094 2704 N Hogan Suite 3 Spokane, WA 99207		Yards Signs	989.17
08/13/15	BARBARA MARNEY 2705 E Mt Vernon Drive Spokane, WA 99223		Public Disclosure Filing	350.00
08/13/15	MCDANIEL PROJECTS 1717 W 14th Avenue Spokane, WA 99204		Voter Strategy	700.00
08/21/15	THERESE COVERT 811 W 24th Avenue Spokane, WA 99203		Reimburse Printing expense Campaign Flyers	261.97
08/11/15	ARISTOTLE INTERNATIONAL 205 Pennsylvania Avenue SE Washington, DC 20003		Data Management	150.00
08/31/15	PAYPAL on-line processing Spokane, WA 99223		Credit Card Processing	18.33

Total from attached pages \$ 0.00

4. TOTAL CASH EXPENDITURES

Enter also on line 11 of C4 \$ 2,469.47

CASH RECEIPTS AND EXPENDITURE

SCHEDULE
to C4

A
(11/93)

2

Candidate or Committee Name (Do not abbreviate. Use full name.)

Report Date

LORI KINNEAR (People for Lori Kinnear)

10/27/15

11/30/15

1. CASH RECEIPTS (Contributions) which have been reported on C3. List each deposit made since last C4 report was submitted.

Date of deposit	Amount	Date of deposit	Amount	Date of deposit	Amount	Total deposits
11/02/2015	300.00					
11/03/2015	50.00					
11/09/2015	500.00					
2. TOTAL CASH RECEIPTS						Enter also on line 2 of C4 \$ 850.00

CODES FOR CLASSIFYING EXPENDITURES: If one of the following codes is used to describe an expenditure, no other description is generally needed. The exceptions are:

- 1) If expenditures are in-kind or earmarked contributions to a candidate or committee or independent expenditures that benefit a candidate or committee, identify the candidate or committee in the Description block;
- 2) When reporting payments to vendors for travel expenses, identify the traveler and travel purpose in the Description block; and
- 3) If expenditures are made directly or indirectly to compensate a person or entity for soliciting signatures on a statewide initiative or referendum petition, use code "V" and provide the following information on an attached sheet: name and address of each person/entity compensated, amount paid each during the reporting period, and cumulative total paid all persons to date to gather signatures.

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DEFINITIONS
ON NEXT PAGE

C - Contributions (monetary, in-kind & transfers)
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3. EXPENDITURES

- a) Expenditures of \$50 or less, including those from petty cash, need not be itemized. Add up these expenditures and show the total in the amount column on the first line below..
- b) Itemize each expenditure of more than \$50 by date paid, name and address of vendor, code/description, and amount.
- c) For each payment to a candidate, campaign worker, PR firm, advertising agency or credit card company, attach a list of detailed expenses or copies of receipts/invoices supporting the payment.

Date Paid	Vendor or Recipient (Name and Address)	Code	Purpose of Expense and/or Description	Amount
N/A	Expenses of \$50 or less	N/A	N/A	
10/31/15	ADAM J MCDANIEL 1717 W 14th Avenue Spokane , WA 99204		reimburse for: Office Depot	73.89
10/30/15	LAWTON PRINTING 1411 E Mission Avenue Spokane, WA 99202		Printing	122.83
11/04/15	WETHERALD COMMUNICATIONS 1427 E 39th Avenue Spokane, WA 99203		Social Media, Website and campaign design	2,000.00
11/04/15	ADAM J MCDANIEL 1717 W 14th Avenue Spokane , WA 99204		Campaign Consulting	1,000.00
11/04/15	BARBARA MARNEY 2705 E Mt Vernon Drive Spokane , WA 99223		Public Disclosure Filing	350.00
11/11/15	THE WOMENS CLUB 1428 W 9th Avenue Spokane, WA 99204		Space Rental	149.00

Total from attached pages \$ 1,380.69

4. TOTAL CASH EXPENDITURES

Enter also on line 11 of C4 \$ 5,076.41

Job Title:	Senior Executive Assistant to the Council President
Reports To:	Council President
Employee Group:	Exempt-Confidential
SPN:	727
Pay Grade:	Grade 24
Salary Range:	\$40,006.08 - \$49,360.32
FLSA Code:	Exempt-Professional
EEO4 Code:	02 – Professionals
Revised/Retitled:	October, 2013



Nature of Work:

Perform responsible secretarial/administrative work for the City Council office and the Council President. Manage the office's budget and travel. Work requires comprehensive knowledge of office procedures and the ability to independently plan, organize and prioritize daily workflow. Work requires comprehensive knowledge of City government procedures, policies, and issues as well as on the State and national levels. Work requires the application of independent judgment and decision-making skills based on considerable knowledge of the function of the Council offices in the areas of coordinating communication between City Administration and Council. Assists in the orientation of new Council members. Employee has regular contact with the public, outside sources, and internal departments. Quality and quantity of work as well as manner of conduct reflects directly on the City Council offices.

Supervision:

Plans and arranges own work, follows established procedures, and refers unusual cases to appropriate personnel. Requires little direct supervision.

Essential Job Functions:

- Has regular contact with City departments, other governmental agencies, businesses, civic organizations, media and citizens in the conduct of City Council business. Within the scope of responsibility, handles a wide variety of issues, which come to the City Council office, either by resolving them or referring them to the appropriate department/individual.
- Coordinates the City Council office's flow of work to help prevent duplication of effort and maintain a harmonious work environment.
- Performs secretarial support to the City Council President and Council members as needed including composition of written documents, scheduling meetings and other duties as assigned.
- Reviews and coordinates items for City Council meeting agendas.
- Coordinate and organize City sponsored quarterly Joint City/County Committee meetings and City Council Town Hall meetings. Finalize and ensure actions on legislative items are referred to the appropriate authority.
- Takes action authorized during City Council's absence and uses initiative, discretion and judgment to see that matters requiring attention are handled or referred to the appropriate parties.
- Selects and makes recommendations for purchase/upgrade of supplies; maintains weekly calendar, expense records and confidential files for Council President.
- Provides general clerical support to Boards and Commissions as needed.

- Works on special projects for the Council as needed.
- Performs other duties as assigned or as judgment or necessity dictates.

Requirements of Work:

- Considerable knowledge of modern office practices, procedures and machines.
- Considerable knowledge of City policies, procedures, applicable laws, statutes and ordinances. Ability to maintain confidentiality of sensitive Council activities and information.
- Must have excellent oral, written and organizational skills as well as superb interpersonal and communication abilities.
- Must have excellent public/employee relations skills.
- Shorthand is desirable but not required; must be able to take and transcribe meeting minutes. Types material from longhand and rough copy. Operates office machines as necessary including computer, calculator, electronic mail, copy machines, facsimile and visual aid equipment.

Working Conditions and Physical Demands:

See well enough to read fine print. Capable of communicating with publics served. Ability to use office machines. Ability to move from one machine to another or to the front reception area. Ability to work extended hours and irregular work week.


Minimum Qualifications:

Graduation from an accredited college or university with a four(4) year degree in Communications, Public Relations or a related field in addition to four (4) years of work experience in a responsible administrative support position. Work experience in public sector/government office is desirable, but not mandatory. Experience in working with boards and/or commissions preferred. Must have excellent customer relation skills and be able to simultaneously handle multiple priorities and the demands placed on a highly visible office. Must be able to accurately take and transcribe meeting minutes, utilize Microsoft Work, Excel, Access, PowerPoint and the Internet.

Behavioral Standards:

Respectful, courteous, and friendly to customers, other City employees, and City leadership. A team player that helps the organization meet its objectives. Takes initiative to meet work objectives. Effectively communicates with customers and other City employees. Gets along with co-workers and managers. Positively represents the City, maintaining the trust City residents have placed in each of us. Demonstrates honest and ethical behaviors.

This position is governed by SMC 1.04 - Code of Ethics.



Benjamin T. Stuckart, City Council President

10-21-13

Date



Heather L. Lowe, Human Resources Director

10-21-13

Date

Senior Executive Assistant to the Council President



Adam McDaniel The Salary Review Commission has just completed their work for both the Mayor and Council. Now why not just tie the Mayor and Council's to an appropriate index, eliminate the token political cover of the Salary Review Commission and end this really stupid discussion over and over and over? Math > Politics

Like · Reply · 5 · March 29 at 9:30am



Michael Cannon The council seems less willing to abide by the Math > Politics philosophy when anyone but themselves gets a raise, Adam.

Like · Reply · March 29 at 4:53pm



Adam McDaniel Michael Cannon, I'm fairly sure the Council adopted a budget full of raises for City employees this year. Ask Michael Allen. I'm pretty sure he voted for it.

Like · Reply · March 29 at 4:56pm · Edited



Michael Cannon Adam McDaniel http://www.spokesman.com/.../council-strips-pay-hikes...



Council strips pay hikes from city budget

SPOKESMAN.COM

Like · Reply · March 29 at 5:04pm



Adam McDaniel Michael Cannon We do annual budgets at the City. That was the 2015 budget.

Like · Reply · March 29 at 5:07pm



Michael Cannon Yes Adam, you're not the only one smart enough to read a damn date. Oh I see - so it's ok for the Council to change their minds whenever it suits them. I was merely pointing out that you were sanctimoniously saying this is a simple matter of Math > Politics, yet the Council has clearly not seen it that way in the past and have been brazenly political.

Like · Reply · March 29 at 5:10pm · Edited

McDaniel, Adam

From: Pfister, Terri
Sent: Friday, April 08, 2016 5:32 PM
To: Sloon, Michael; Chan-Palmer, May; Stum, Blaine; McDaniel, Adam; Bustos, Kim; Lowe, Heather
Cc: Stuckart, Ben; Beggs, Breean; Lowe, Heather; Farnsworth, Laurie; McGee, Adi; Dalton, Pat
Subject: Cannon -- Public Records Requests dated 04-07-16
Attachments: Affidavit 1 0.docx

See public records requests below and advise as to time frame needed to search for and compile responsive records. Blaine and Adam – With respect to Item No. 3, please search your personal devices as well as your work devices for any responsive records. With respect to emails on your work-related computer, we will work with IT to capture those. Attached is an affidavit for consideration of completion as it relates to a search of your personal devices. Do not destroy any records in your possession pertaining to these requests. To do so, would be a violation of State law.

Heather and Kim, I have included you both on this email as I am not sure which of your departments will compile the records for Item No. 2.

If you require any clarification before you can proceed, please advise. In addition, if you are aware of any other individuals or departments who may have responsive records to this request, please advise.

The City Clerk's five-day deadline for initial response is April 15, 2016. Please get back to me before that time.



Terri L. Pfister, MMC | City of Spokane | City Clerk
808 W. Spokane Falls Boulevard, Spokane, WA 99201-3342
509.625.6354 | fax 509.625.6217 | tpfister@spokanecity.org

From: Michael Cannon [<mailto:mpcannon@gmail.com>]
Sent: Thursday, April 07, 2016 8:39 PM
To: Pfister, Terri
Subject: Re: Public Records Requests

Thank you - here are the requests:

- 1) Please provide all time records for the Council staff for all of 2015 and 2016, that show all specific time worked, all specific time off, vacation time, floating holidays, sick leave and personal leave. Please provide information as it becomes available, rather than in it's entirety after it is compiled.
- 2) Please provide the internet history for Blain Matthew Stum, and Adam McDaniel for 2015 and 2016. Please provide information as it becomes available, rather than in it's entirety after it is compiled.
- 3) Please provide all written records and communications including but not limited to emails and text messages by or between Blaine Stum and Adam McDaniel relating to the following topics:

Earned Safe and Sick Leave

Misdemeanor Marijuana Vacations
Immigration Status Information
Domestic Violence and Sexual Assault Victim Protections
PCB-free Purchasing Preference
Quality Jobs Package
Recycled Products Purchasing Preference

This request encompasses both work and personal devices and accounts, and includes both electronic and hard copy communications and records. This request extends to all communications between Mr. Stum and/or Mr. McDaniel including third parties.

Thank you,

Michael

On Thu, Apr 7, 2016 at 5:10 PM, Pfister, Terri <tpfister@spokanecity.org> wrote:

Hello – feel free to put all three requests in one email.

Thank you,



Terri L. Pfister, MMC | City of Spokane | City Clerk

808 W. Spokane Falls Boulevard, Spokane, WA 99201-3342

[509.625.6354](tel:509.625.6354) | fax [509.625.6217](tel:509.625.6217) | tpfister@spokanecity.org

From: Michael Cannon [mailto:mpcannon@gmail.com]

Sent: Thursday, April 07, 2016 3:24 PM

To: Pfister, Terri

Subject: Public Records Requests

Hi Ms. Pfister,

I'd like to submit 3 separate records requests. For simplicity, would it be better for you to receive all 3 in one email, or each in a separate email?

Thanks!

Michael Cannon

Adam Home 20+

**Michael Cannon**

April 19 at 6:09pm · Spokane, WA ·

Fellow Spokanites - your Council President's office has violated the City's Code of Ethics again....

Ethics Complaint Filed Against Spokane City Council President's Assistant
Spokane, WA 4/19/16 - An ethics complaint has been filed against Spokane City Council President Ben Stuckart's assistant, Adam McDaniel. The complaint alleges McDaniel broke the City's Code of Ethics repeatedly over a several month period by having a long standing conflict of interest.

The complaint says, "In short, Mr. McDaniel and his political consulting business are personally benefiting from the policy work he is doing and being paid for by Spokane taxpayers." The Code of Ethics is clear regarding conflicts of interest. McDaniel Projects is a political consulting firm led by Council President Ben Stuckart's assistant, Adam McDaniel is a business entity registered with the State of WA. The firm claims it has been "successfully leading the progressive shift in Spokane" and cites a list of policies it has worked on that the Spokane City Council has passed. Based on its success, the firm has been hired and been paid by political clients, including current members of the Spokane City Council. Since McDaniel is Council President Stuckart's assistant and is paid by the City, he is forbidden from benefitting personally from legislation beyond his compensation as a City employee.

"This demonstrates a clear pattern of ongoing violations and disregard for ethics in the Council President's office," said Michael Cannon, who filed the complaint with the City's Ethics Commission. "We've already seen Council President Stuckart blatantly violate ethics and get fined. Now his assistant Adam McDaniel flouts the same code of ethics, not in an isolated occurrence, but over a long period of time."

The complaint contains pages of screen shots which showed the policy work McDaniel Projects has done that has been adopted by the City Council. Adam McDaniel started working in the City Council office in December 2013, while McDaniel Projects has been providing policy work on council issues since 2014. "His employment with the City, and requirement to sign the City's Ethics Code would predate the formation of his firm, making the conflict even more apparent," the complaint states.

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Spokane City Council aide's outside political work draws ethics complaint

By Nicholas Deshais

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Spokane City Council President Ben Stuckart's top aide, Adam McDaniel, has been accused of violating the city's ethics code due to his political consulting business and work for local Democratic campaigns.

The complaint alleges that McDaniel's business, McDaniel Projects, has benefited "from the policy work he is doing and being paid for by Spokane taxpayers." The complaint refers to two sections of the ethics code, which prohibit some types of employment and "directly or indirectly" benefiting from legislation.

Michael Cannon, who filed the complaint, is a real estate investor and local Republican who ran for City Council in 2013, but lost to Councilwoman Candace Mumm.

While the complaint doesn't point to specific examples of McDaniel benefiting from city laws, it says he "provides political consulting, for money," and "benefits from McDaniel Projects claiming credit for 'successfully leading the progressive shift in Spokane' and, as a consultant who gets paid for this type of work, developing the policy that is then passed by the Spokane City Council."

policy that is then passed by the Spokane City Council.

In an interview, Cannon said it's the indirect benefit McDaniel may receive that troubles him.

"He's a policy worker in the city, but that's also what he gets paid for at his business," Cannon said. "Any legislation pads his resume and he can go get further clients and say, 'Look at my success.' There's a reason he operates as a business and not just a volunteer."

McDaniel denies any ethical violations but acknowledged working on the recent campaigns for council members Amber Waldref and Lori Kinnear "targeting voters." As a self-proclaimed "data geek," he said he identifies which voters are more likely to vote for the candidates. He also ran Jon Snyder's 2013 campaign before being hired by Stuckart.

McDaniel said he believes Cannon's complaint stems from "personal or political animosity" and is a smear campaign aimed at Stuckart.

"I don't sell recycled paper. I'm not an apprentice," McDaniel said, referring to city legislation promoted by Stuckart. "I have 100 percent faith that the Ethics Commission will find this complaint frivolous."

McDaniel said he and Cannon have regularly clashed on social media, notably in the comment threads of Facebook posts made by former Councilman Mike Allen, who often asks questions and spurs debate.

Most recently, in a post Allen wrote about the recent pay increase for council members, McDaniel recommended linking elected officials' pay raises to inflation to "end this really stupid discussion." Cannon was the first to reply, suggesting council members were hypocritical on the subject of pay raises at City Hall. .

Cannon acknowledged that Councilman Mike Fagan does similar outside political work as McDaniel, but he said Fagan is "not receiving any benefit from his work as as council member."

Along with Tim Eyman, Fagan is the co-founder and co-director of Voters Want More Choices, an anti-tax group that regularly mounts statewide initiatives.

"Fagan's work doesn't overlap with the council," Cannon said. "Adam's work absolutely overlaps with the council. That's the issue."

Cannon would not say what he thought McDaniel's punishment should be if found to have violated the code but said "He needs to choose between his business and the

to have violated the code but said, "He needs to choose between his business and the city. People have lost their jobs for a lot less. It's such a conflict that he has to choose."

Cannon added that ethical lapses can be traced back to Stuckart, who is "a little bit drunk on power."

"If there is a weakness on the council, it's in the council president's office and his flippant attitude toward ethics and his strong sense of power," Cannon said.

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Tags: Adam McDaniel, Ben Stuckart, government, Michael Cannon, Spokane City Council, Spokane City Hall

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Vol Linder Expressing Mr. Cannon's ego and the need of

Adam McDaniel, in a suit, tie and dusty Mariners cap, jokes in his Alabama drawl that he's "not the *House of Cards* guy," referencing the Netflix political drama rife with behind-the-scenes scheming.

But there's no question that, as the legislative assistant for Spokane City Council President Ben Stuckart, McDaniel has major behind-the-scenes influence.

After all, the council's legislative assistants are the ones who control the appointment book. They're the ones who attend the meetings that council members can't. Increasingly, they're the ones influencing policy.

For those most critical of the current liberal-leaning city council, they're obvious targets.

"[McDaniel's] so brazen about the stuff that he does and he's so condescending in his opposition, he's a target," says Michael Cannon, a local business owner who lost the 2013 council race to Candace Mumm. "He's mouthy and condescending and belittling."

Attacks on council assistants represent a long-running philosophical battle about the role of the councilmembers and their assistants. Last week, Cannon filed an ethics complaint against McDaniel, accusing him of a conflict of interest for how he was running McDaniel Projects, a political consulting firm.

"I feel like we've become more of a target by proxy, for our councilmembers," McDaniel says. "I think it's partly a nature of the political process in 2016."

BEYOND SECRETARIES

Back in 2007, the Spokane City Council felt the move to the strong mayor system of government had left the council handicapped, compared to the city administration.

As a result, the council voted to hire a part-time staff member for each member to help them research legislation, answer constituent questions and schedule meetings. Over the years, the council gradually ratcheted up their hours and pay. By 2014, the council's legislative assistants had become full-time, and were actually being paid *more* than the councilmembers they assisted.

The fight over that expansion got brutal at times: In the midst of the recession, some conservatives took issue with the expanding cost of the council. Former Councilman Steve Salvatori refused to take on an assistant — and then faced an ethics committee inquiry over how he'd spent the budget earmarked for his legislative assistant instead. And when former Councilman Mike Allen refused to support the move to make assistants full-time, Stuckart threatened to kick him off the Park Board as a consequence.