

# CITY OF SPOKANE ETHICS COMMISSION ETHICS COMPLAINT FORM

OFFICE OF THE CITY ATTORNEY

Please review the City of Spokane's Code of Ethics – Chapter 1.04A SMC – before completing this complaint form. When you have completed this form, submit it to:

City of Spokane Ethics Commission Attention: Rebecca Riedinger Office of the City Attorney 5<sup>th</sup> Floor Municipal Building W. 808 Spokane Falls Blvd. Spokane, WA 99201

or at: rriedinger@spokanecity.org

Pursuant to the City of Spokane's Code of Ethics, I am filing a complaint regarding conduct which I believe constitutes a violation of the City's Code of Ethics.

Name, position, and department of person(s) I believe to have violated the Code of Ethics:

Name: Margarett Redd

Position/Title: City Of Spokane Taxes & Licenses Department

#### **Nature of Code of Ethics violation:**

What specific provision of SMC 1.04A.030 do you believe has been violated?

N. Commission Of Acts Of Moral Turpitude Or Dishonesty

M Aiding others prohibited

Describe in as much detail as possible the alleged Code of Ethics violation conduct. Attach additional sheets of paper, if necessary. Please include all documentation you believe demonstrates a violation. Your description should include the date, location and frequency of the alleged violation.



Margarette Reed Of City Of Spokane Tax & License Department Testified under oath at City of Spokane Appeal hearing on Tuesday July 12th 2016
In that hearing Margarette Reed testified that she and Michael Roberge of Spokane Police Department completed a notice of infraction on 6/15
Testimony by Margarette Reed confirmed by Michael Roberge that a citation was written to Pendleton Enterprises LLC
There are no records or copies of this Citation in public records. There is no citation in records in Municipal courts
for 6/15 or any date prior to 6/28/16. There are no records of a Citation being written from Margarett Reed for Pendleton Enterprises
Margarette Reed has lied under oath in a City of Spokane Public hearing of writing a citation at a earlier date to justify
revised compliance citations written on 6/29/16

Names and positions of the persons who may have witnessed the event:
Officer Michael Roberge attended the appeals hearing and testified
Judge Brian T McGinn hearing examiner presided over the hearing.
Chad Patrick of Pendleton Enterprises attended and testified at the hearing.

Matthew Folsom City Of Spokane Assistant Attorney submitted the incident report and 6/29 citation as evidence in the hearing.

### **Evidence or documentation**

Please list any evidence or documentation that would support your allegation of a Code of Ethics violation. Indicate whether you can personally provide that information.

Incident Report 16-215781 written by SPD Officer Michael Roberge

Supplemental Report 16-215781 written by SPD Officer Roberge

filed copy of "fixed" citation written on 6/29/16 as referenced by supplemental report written on 6/29/16 signed by M Redd

Hearing Examiner Notice of Hearing heard on 6/27/16

## **Complainant Declaration**

I declare under penalty of perjury of the laws of of my knowledge, information, and belief forme information in the complaint is true and correct.	d after reasonable reflection, the
Somic Priarell	7-13-2016
Complainant's Signature	Date
Date and Place (e.g. City, State)	
7-13-16 Spokane, Wa	
Name (please print): Jamie C Pendl	eton
	1888 Veradale, Wa 99037
Phone Number(s): 208-918-1045	
E-Mail Address: jpendleton@spok	anedaiquirifactory.com
L-IVIAII AUGIESS.	

**INCIDENT REPORT** Page 1 Spokane Police/Spokane County Sheriff INCIDENT NUMBER EVIDENCE NUMBER 16-215781 SPD ATTEMPTED INCIDENT CLASSIFICATION #2 ATTEMPTED INC DENT CLASSIFICATION #1 INCIDENT TYPE **CIVIL INFRACTION** Information ATTEMPTED ATTEMPTED INCIDENT CLASSIFICATION #4 INC DENT CLASSIFICATION #3 ASSIGNMENT (Officer Assault) RESPONDING TO (Officer Assault) DATE/TIME + OCCURRED TO DATE/TIME DISTRICT OCCURRED ON **ДАТЕЛІМЕ** REPORTED ON Wed 06/08/2016 12:00 Tue 06/14/2016 10:00 Tue 06/14/2016 10:00 REPORT DATE REPORTTIME EST TOTAL PROPERTY LOSS CLEARED TIME DISPATCH TIME ARRIVEO TIME 06/16/2016 18:09 UCR/NIBRS CODE PRIMARY CHARGE LOCATION NAME (IF APPLICABLE) LOCATION OF INCIDENT 121 N Wall, Spokane, WA 99201 SOLVABILITY FACTORS Suspect Named, Witness to Crime INCIDENT XREF RELATED INCIDENT NUMBERS ADDITIONAL REPORTING OFFICERS None S-Suspect V-Victim - Individual A-Artested Person, VB-Victim - Business - M-Naving - MR-Person Mentioned, RO-Registered Cover, V-Declarated, PS-Passenger, PE-Padestrian, PC-Padestrian - Cycles, O-Other, O-Completional, III-Institutional, G-Legal Gazanian, O-Divier, V-Wilness, CV-Completional, IV-Confederate, RIJ-Revieway, O-W-Owner of Property SUSPECTS DATE OF BIRTH/AGE NAME LAST FIRST MIDDLE SEX RACE/ETHNICITY CODE 07/05/1973 42 M B-Black PENDLETON, JAMIE C S-1 DESCRIPTORS EYES HAIR HEIGHT WEIGHT BUILD CONFIDENT : ADDRESS STREET, CITY, STATE ZIP RESIDENTIAL STATUS PHONE ☐ 1 24805 E Liberty Creek Road, Liberty Lake, WA 99019 EMPLOYER PHONE OCCUPATION PLACE OF EMPLOYMENT/SCHOOL/ ADDRESS ADDITIONAL PHONES (509) 589-1045 SEX RACE/E THNICITY DATE OF BIRTH/AGE NAME: LAST, FIRST, MIDDLE CODE F | -06/19/1972 43 Thompson, Sabrina S-2 DESCRIPTORS WEIGHT BUILD EYES HEIGHT CONFIDENT ADDRESS STREET CITY STATE ZIP

1888, Veradale, WA 99037 RESIDENTIAL STATUS PHONE EMPLOYER PHONE OCCUPATION PLACE OF EMPLOYMENT/SCHOOL/ ADDRESS Pendleton Enterprises ADDITIONAL PHONES

ID NO /NAME OF REPORTING OFFICER	DISTRIBUTION	
#531 - Roberge, Michael		
APPROVAL	DATE/TIME	
#331 - Overhoff, David	06/17/2016 09:05	
Incident Report #1		06/:7/2016 09 12 52 559

(Business) (208) 610-5876

## INCIDENT REPORT CONTINUED

Spoka	ne Police/Spol	kane County	Sheriff			Page 2
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ADDITIONAL (Busine	PHONES <b>ss) (509) 241-3778</b>					
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Pendlet	on Enterprises					
ADDITIONAL (Busine	PHONES <b>ss) (509) 241-3778</b>					
VICTIM/W	ITNESSES/OTHERS	S-Suspect, V-Victim - Ind. PE-Pedestrian, PC-Pade RU-Runamy, O'A-Dano	vidual, A-Arrested Person, VG Vici shian - Cyclest, O-Other, C. Comple of Property	nn - Business, h-Missing, M Brant, IN-Institutional, G-Eng	lift-Person Merrichad, RO-Reg al Guingan, D-Driver, W-With	stored Owner, V-Document, PG-Passenger ess, CV-Springlandini in Metire, CON-Contact.
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On 06/08/2016 I received an email notification from Washington state liquor and cannabis board investigator Marvin Garrett detailing the following:

FYI

I was downtown as civilian with my fiancé tonight at about 2130. We walked by the Daiquiri factory and there was a sign that said "now open," in front of the premise. The lights were on, music going and doors open, but no patrons in the premise at all. We walked in and asked the one employee that was there if they were open and he said, "yes we are, but tomorrow night would be there grand opening." While in the premise there was no alcohol on or around the bar area or anywhere we could see. There was a menu that listed all of their Daiquiri's, but at the bottom of the menu it says, "all beverages contain no alcohol." So I'm assuming they are planning on not serving alcohol during their opening because they have no Liquor License. But who knows what their plan is! Here are some photos. If anybody is out working the next few days and has time stop by and check to see if they are serving any Liquor let me know.

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Incident Report #1		CONTINUED ON NEXT PAGE
		06/17/2016 00 12 53 637

## INCIDENT REPORT CONTINUED

## Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION CIVIL INFRACTION

ATTEMPTED INCIDENT NUMBER

16-215781

Figured this was good info and I know the City of Spokane is not too happy about their reopen.

Thanks

Officer Garrett Marvin Spokane Enforcement WA State Liquor and Cannabis Board 509-309-6381

Based upon this information I contacted Spokane City Department of Taxes and Licensing, licensing clerk M. Redd and asked that she contact and remind the business owners that they could not be playing loud music without the issuance of an entertainment license. She agreed to do so and stated that she left them a voicemail telling them such.

Downtown neighborhood conditions officer's noted the business open on 06/07/2016 at approximately 1500 hrs. They continually monitored the open business throughout the weekend. The downtown Spokane Daiquiri Factory was noted in bar patrol blogs on both Friday and Saturday evenings 06/10/2016 - 06/11/2016 by Sgt. Meyer. In speaking with Sgt. Meyer on Tuesday morning 06/14/2016 a stated that although the venue was open it was not crowded and that's music was emanating from the club however it was not as problematic during the evenings as some of the other clubs in the downtown core. He did not make any mention of entering the club.

06/14/2016: I was notified by Lt. T. Meidl that on Saturday at approximately 11 AM she noted loud music emanating from inside the downtown Spokane daiquiri factory while she was assigned to work during the Pride Parade through the downtown core.

06/15/2016: Based upon this information I notified Spokane City Department of Taxes and Licensing clerk M. Redd of the violation. I assisted her in completing a notice of infraction for the violation (one count). It should be noted that the daiquiri factory was open and emanating loud music despite the lack of license for the time period of 06/07/2016 until 06/14/2016.

06/15/2016: Based upon the Daiquiri Factory's willful noncompliance with Spokane municipal code, I denied their application for entertainment licensing. I notified the Washington State Liquor and Cannabis Board of this denial and the ongoing violations.

It should be noted, that I was unable to confirm the identity of anyone involved other than Jamie C. Pendleton and the registered business name.

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

M. D. Roberge #531 Spokane PD (CEU) N10

Incident Report #1

**END OF INCIDENT REPORT** 

06/17/2016 09 12:53 746

Page 3

## SUPPLEMENTAL REPORT

Spokane Po	olice/Spokane Cou	inty Sheriff				Page 1
AGENCY NAME/SUBSTA		EVIDENCE NUMBER				
SPD			16-21	5781		
REPORT PURPOSE			REPORTED ON DATE  Wed 06/29/20	TIME 16 10:40	INCIDENT XREF	
INCIDENT CLASSIFICAT		ATTEMPTED INCIDE	NT CLASSIFICATION #2			ATTEMPTED
INCIDENT CLASSIFICAT	TION #3	ATTEMPTED INCIDE	NT CLASSIFICATION #4			ATTEMPTED
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 06/29/2016		REPORT TIME 10:39	
PRIMARY CHARGE					UCR/NIBRS	CODE
NARRATIVE			War and American			11 1111

On 06/29/2016 I was contacted by Spokane City Prosecutors Office and asked to assist Spokane Taxes and Licenses Clerk M. Redd in fixing an infraction for compliance with the Municipal Court Clerk. The Prosecutor advised that the initial citation would be voided and that separate citations should be issued for each involved party within the Pendleton Enterprises LLC.

Lassisted M. Redd in completing these infractions (W047779, W047780, W047781) per the instruction Leceived.

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

M.D. Roberge #531 Spokane PD N10

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APPROVAL	DATE/TIME		
#531 - Roberge, Michael			
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OFFICER REPORT

CITY OF HEARING EXAMINER 808 W. SPOKANE FALLS BLVD. SPOKANE, WASHINGTON 99201-3333 509.625.6010 FAX 509.625.6059

> Brian T. McGinn HEARING EXAMINER

June 27, 2016

Appellant:

Jacqueline Pendleton

Pendleton Enterprises LLC

P.O. Box 1888

Veradale, WA 99037

Respondent:

Tim Szambelan, Assistant City Attorney

City of Spokane

808 W Spokane Falls Blvd. Spokane, WA 99201

RE:

Appeal of the denial of a Entertainment License

Regarding property located at 121 N. Wall Street, Spokane, WA

Hearing Examiner File # AP-16-01

#### Dear Parties:

Pursuant to SMC 17G.050.320 (A) this hearing notice is to confirm that a hearing on the above-noted appeal has been scheduled for 10:00 A.M. Tuesday, July 12, 2016, in the City Council Briefing Center Conference Room located on the Lower Level, Spokane City Hall, 808 West Spokane Falls Boulevard.

If the Appellant wishes to submit additional written prehearing materials (via: email: hearingexaminer@spokanecity.org; fax: 509-625-6059 or postal) to this office please do so by 4:00 p.m., Tuesday, July 5, 2016, The City will have until 4:00 p.m., Monday, July 11, 2016, to reply. Please submit copies to each other as well. If you have any questions regarding procedure, please contact this office.

Respectfully,

Lee Ann Reid

Office of the City of Spokane Hearing Examiner

c: Michael Roberge, Spokane Police Department Crystal Marchand, Accounting

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. Individuals requesting reasonable accommodations or further information may call, write, or email Individuals requesting reasonable accommodations or further information may call, write, or email Christine Cavanaugh at (509) 625-6383, 808 W. Spokane Falls Blvd., Spokane, WA, 99201; or ccavanaugh@spokanecity.org. Persons who are deaf or hard of hearing may contact Ms. Cavanaugh at (509) 625-6383 through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.