

CITY OF SPOKANE ETHICS COMMISSION

ETHICS COMPLAINT FORM

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
5th 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: Kate Burke

Position/Title: City Council

Nature of Code of Ethics violation:

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

1.31, 6.3A, 6.4, 6.5 and Chapter 42.36 RCW
+ RCW 42.23

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.

Please see Attached

Names and positions of the persons who may have witnessed the event:

Everyone via the news. John Lemus, Jackie Murray,
+ Mark Richards

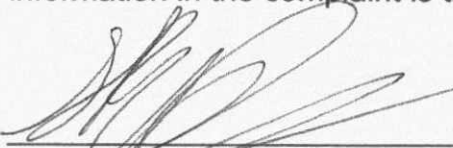
Evidence or documentation

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.

statements from the above people, photos from protest which we were at, + info from the news. Just her participation in the protest, along side people with criminal records against the city should be enough for her to disqualify herself from taking part in voting on anything to do with homeless, sit + lie, or no camping. She should not even represent our district, but she certainly should not vote on anything - major conflict of interest.

Complainant Declaration

I declare under penalty of perjury of the laws of the State of Washington that to the best of my knowledge, information, and belief formed after reasonable reflection, the information in the complaint is true and correct.


Complainant's Signature

12-18-18
Date

Date and Place (e.g. City, State)

Spokane WA 99202 12-18-18

Name (please print): Shane Brynelsen

Address: 2804 E. Sharp Ave Spokane WA 99202

Phone Number(s): 509 475-7611

E-Mail Address: Shanebrynelsen@gmail.com

Violations we believe Kate Burke has made:

I'd like to point out on 1.3.1 Burke is clearly not upholding the laws or ordinances of the City by her actions and participation with the protesters. She is in contact with Alfredo and others and that is how she knew to be there to participate in the protest even before the scheduled time they announced they would protest just before the eviction was supposed to take place. She is sharing information with and conspiring with the lawbreakers. She is the Council person for my district and I am deeply disgusted by her actions. Also you can check Washington State Criminal records on Alfredo Lopez, Joan Medina, Richard Bocook, Charlie Milo Johansen, etc to see that they all have criminal records. No idea why she is siding against the law-abiding residents, tax payers, and property and business owners and befriending these criminals.

6.3, 6.4, and 6.5 that Burke did participate in the meeting and voted regarding the Sit and Lie ordinance rather than disqualify herself. Burke also chained herself to protesters and took part in a public protest by criminal transients that were protesting the City on that same exact issue. She does have an ongoing relationship with the protesters and should not have taken part. Not to mention, they had been served a vacate notice because they were in violation of the no camping law. They are also clearly using drugs in public, smoking in front of no smoking sign, loitering, and littering yet there she was aiding people breaking the law. It is a clear that she was not impartial and had a pre-judgement of the issue, and cannot be fair on any issues regarding the Sit and Lie ordinance, the no camping, or anything to do with homeless. Burke is close friends with many of the protesters. She even had one of them named John Lemus living in her basement for awhile. John Lemus is the Human Rights Commission Chairman. Alfredo Llamado's goal to try to have any reason to sue the city for a human rights violations. John Lemus admitted that and said she made him move out so she could rent/sublet out her basement to someone else. That is a huge conflict of interest!!!

Burke also violated the Mission Statement "shall maintain utmost standards of responsibility, trustworthiness, integrity, truthfulness, honesty and fairness in carrying out their public duties, avoid any improprieties in their roles as public servants including the appearance of impropriety, and never use their City position, authority or resources for personal gain."

Ethics Commission

"Mission Statement/Purpose: It is the policy of the City of Spokane to uphold, promote and demand the highest standards of ethics from all of its employees and City officers, whether elected, appointed or hired. City officers and employees shall maintain the utmost standards of responsibility, trustworthiness, integrity, truthfulness, honesty and fairness in carrying out their public duties, avoid any improprieties in their roles as public servants including the appearance of impropriety, and never use their City position, authority or resources for personal gain."

Full Codes she violated:

Rule 1.3 DUTY OF ETHICAL CONDUCT

1.3.1 Every council member must uphold the constitution, laws, and regulations of

1.3.4 No council member may use or authorize the use of facilities of the City, directly

6.3 A council member shall disqualify him(her)self from participating in a hearing him or her from exercising fair-minded, independent judgment on the facts and established policy. Disqualifying influences include prejudgment of the issues that cannot be swayed by the facts in evidence, a partiality or personal bias for or against a party, and a personal pecuniary interest in the subject matter. Examples of disqualifying bias include a close personal, family or business relationship with a party, ownership of property the value of which might be affected by the decision, and a business or personal financial situation that might be affected by the decision.

6.4 Should a council member be aware of circumstances which might appear to disqualify him or her, he or she can either disqualify him(her)self or explain the circumstances before the hearing and let the rest of the Council, by majority vote, decide whether he or she participate. Should the Council be aware of circumstances which might appear to disqualify a member, the Council, may, by majority vote, disqualify the member. The Council's discussion concerning disqualification of a member may occur in executive session. A disqualified member shall be absent from the said during the hearing and during the discussion and voting.

6.5 In all adjudicatory appeals and hearings, council members are acting in their quasi-judicial capacity and shall comply with all applicable provisions of state laws including the appearance of fairness doctrine in Chapter 42.36 RCW and the code of ethics for municipal officers in contract interests in RCW 42.23.

This is all the information I can provide you aside from pictures we took of her at the protest, but I really think it is enough for her to disqualify herself from the above-mentioned topics, as it is clear she cannot be fair. And if anyone goes to protest outside our home, we will know it is because she shared this complaint with them and we will call the police.

Very respectfully,
'Shane Brynelsen