

Complaint by Larry Andrews  
 September 9, 2022  
 Analysis for Committee

Andrew's Assertion	Summary	Andrews's Authority
<b>Complaint Form: Nature of Violation</b>		
A. General Conflict		¶ A
F. Certain Private Employment		¶ F
K. Fair/Equitable Treatment		¶ K
N. Acts of Moral Turpitude/Dishonesty		¶ N

<b>Odegard Employment History</b>		
<ul style="list-style-type: none"> <li>•City of Spokane (Ex. B1) Full time Manager of Sustainability Initiatives</li> </ul>	Has management position in SAS (Sustainable Action Subcommittee)	Position is Subject to Ethics Rules
<ul style="list-style-type: none"> <li>•Measure Meant Consulting Works with her company part time per LinkedIn (Ex B.2), company website states "principal, not 'part time'" (Ex B.5). Other principal is probably her spouse (Ex B.4,.5). Odegard changed name of family consulting group same month she took City position in 3/2019 (Ex B.3,B.4)</li> </ul>	As set forth in next section, ownership-employment relationship with Measure Meant Consulting is alleged to be inherent conflict with her city employment.	No advisory opinions re: Odegard's employment. Complaint implies inherent violation of: ¶¶ A (F,K,N?)

<b>General Prohibitions (¶ A)</b>		
"Unclear to me how Odegard was hired... seems the position was created and overseen by City Council, not Administration."	Complainant does not assert an ethical concern to hiring process itself but, her hiring by Council "may call into question processes including reporting to superiors, oversight by HR,	N/A  ¶ A, K?

<p>“Uses official email, title, City seal, and makes decisions affecting citizens rights to information, participation, etc., in the public policy-making process as she has done throughout.”</p>	<p>other [unspecified] standard systems not established by city council, likely acting out of ordinary City employment protocols.”</p> <p>Complainant asserts that Odegard’s employment consulting services “are very similar to her work for City Council.”</p>	<p>¶ A,F,K,N?</p>
<p>“Measure Meant website (B.5) states that the company is the only B Corp and sustainability consultants in the Inland Norwest, ... works with companies of all sizes... to the City of Spokane itself, where we built a framework for citizen led climate action planning.”</p>	<p>Complainant alleges that past work by Odegard’s business included assisting the City’s when it “built” a framework for citizen-led climate action planning. [This section bolded by complainant.]</p> <p>Complainant states that the scope of [undated] services rendered building a framework in the past is “unclear” but Odegard or her spouse “are admitting to co-mingling Odegard’s [private] work with the City of Spokane.”</p>	<p>¶ A,F,K,N?</p> <p>¶ ???????</p>
<p>Employees who become aware of potential conflict in the course of their duties must disclose in writing to supervisor or appointing authority of the potential conflict.</p> <p>Complainant states that as an employee of the Council not the Administration, “the lines are blurred as to who Kara Odegard’s supervisor is.</p>	<p>Complainant states Odegard’s alleged failure to notify her supervisor of her conflict would be “irresponsible” and if such a report was made then the City should provide documentation.</p> <p>Odegard’s supervisor is unknown to complainant, or “blurred” due to her being a Council Employee not an employee of the Administration.</p>	<p>¶A.1, but the demand for documentation is a Public Records issue, not covered by ethics rules.</p> <p>N/A.</p>

Complainant states that “at a minimum” his claims should be “thoroughly explored and discussed due to obvious occurrence of a full-time Council Council program manager actively involved in a private business that share a highly similar purpose of sustainability.”	Complainant feels that Odegard’s private company is in conflict with her work on the sub-committee.	¶ A.
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<b>F. Certain Private Employment Prohibited</b>		
“Employment incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of public duties.”	Complaint alleges that her ownership of Measure Meant “could be viewed as too compatible.”	N/A
City of Spokane’s SAS website lists Odegard as affiliated with Measure Meant (Ex. C1)	<p>Complaint cites Ex B.6 as demonstrating the impairment of independent judgment.</p> <p>Odegard’s management position is “heavily involved in facilitating widespread community conversation on policy proposals” and “Measure Meant is a consulting firm that promotes set policies and systems.”</p> <p>Complainant recommends at “a minimum that City of Spokane remove all references to the company in its communications.”</p>	<p>¶ F</p> <p>¶ F</p>

<b>H. Fair and Equitable Treatment</b>		
Exhibits C.2 and C.3 depict Odegard using her City title in conjunction with promotion of her business.	C.2 is an article for CIRCulator website detailing a progress report on the Spokane Climate Project. She identified herself as founder and owner of Measure Meant and Manager of SAS. This promotes her business.	N/A Identification alone is not an ethics issue.

	Complainant states that a decision should be made whether Odegard is authorized to speak/write on behalf of the City.	Free Speech rights of employees: see <i>Garcetti v. Ceballos</i> , 547 U.S. 410 ('06).
	C.3, a pod cast on KYRS with Odegard as guest. She was introduced as city employee. Odegard promoted B Corp status, and “ <i>may</i> have spoken out of turn as a City senior manager.” (emphasis added).	¶ F (but labelled ¶ H?)  Speculative and ill-defined as to senior manager.
<b>N. Moral Turpitude or Dishonesty</b>		
Complainant states Ex D demonstrates violation of ¶ N.  Argues that Odegard’s dishonesty amounted to “deviant behavior constituting an immoral, unethical, or unjust departure from ordinary social standards such that it would shock a community,” citing legal dictionary.	Odegard wrote to members of her committee to cease “complaining about process or people via email ... No more wasting time of our City Attorney and council members.”  Complaints regarding the subcommittee’s process or personnel were to be sent to her directly.  Complainant states directing complaints to herself (as unelected person) and not to city legal or council members meets the dictionary definition of moral turpitude or dishonesty.	¶ N  This is a management-supervision issue, not an ethics violation under ¶ N.  Chain of command rules over complaints within duties of city agents are not barred by Free Speech. See <i>Garcetti</i> , above.
<b>Additional complaint not framed as Ethics Issues</b>		
The complaint lists other conduct that he alleges is a “departure from commonly-held democratic systems of community based self governance of volunteer and citizen committees, citing Ex. D	Complainant further states that rules governing meetings to be held only at City Hall were violations. Workgroup agreements were established without discussion. Violated the spirit of reducing carbon footprint. Complainant states that Odegard’s rules and her threatened enforcement was wrong.	N/A

	Her use of all caps to state “DO NOT REPLY ALL TO THIS EMAIL” was a type of angriness that should not be inflicted on any citizen by a public servant.	N/A
<b>Open Meeting Act Allegations</b>		
Complaint alleges that the sub-committee is governed by the OMA RCW 42.30.010	Argues that actions and deliberations of the SAS be handled openly.	N/A [OMA does not apply to subcommittee correspondence; PRA does]
Conclusion	Complainant asks for the Committee give Odegard the choice to serve the public or her clients.	N/A At this phase remedies are not considered and the authority of the Committee is not open-ended.