

[Section 01.04A.010](#) Purpose

- A. 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.
- B. It is the intent of the City Council that this chapter be reasonably construed to accomplish its purpose of protecting the public against decisions that are affected by undue influence, conflicts of interest or any other violation of this Code of Ethics. This Code of Ethics is supplemental to state law, including, but not limited to, chapter 42.20 RCW – Misconduct of Public Officers, chapter 42.23 RCW – Code of Ethics for Municipal Officers – Contract Interests, and chapter 42.36 RCW – Appearance of Fairness Doctrine.
- C. It is the function of the Ethics Commission to pursue the above stated policy of the City of Spokane. The Ethics Commission shall develop training, programs and initiatives in support of this goal.

Muller Comment: *The Purpose section of our Ethics Code above sets the tone and clear expectations for behavior of our City's elected officials and employees. The above section is applied throughout the complaint.*

[Section 01.04A.020](#) Definitions

The following definitions are relevant to this complaint.

"Assist" means to act, or offer or agree to act, in such a way as to help, aid, advise, furnish information to or otherwise provide assistance to another person, believing that the action is of help, aid, advice or assistance of the person with intent so to assist such person.

"Confidential information" means:

1. Specific information, rather than generalized knowledge, that is not available to the general public on request

"Dishonesty" means behavior that intends to deceive or cheat people; untruthfulness; untrustworthiness. It is not possible to be negligently "dishonest."

"Moral turpitude" is conduct that violates commonly accepted standards of good morals, honesty, and justice; the application of this standard depends upon the collective conscience and judgment of the members of the Commission.

[Section 01.04A.030](#) Prohibited Conduct

<p>A. General Prohibition Against Conflicts of Interest.</p> <p>1. Any employee who becomes aware that he or she might have a potential conflict of interest that arises in the course of his or her official duties shall notify in writing his or her supervisor or appointing authority of the potential conflict.</p>	<p>Muller complaint: Zappone pages 4-5 City business via private emails. page 6 Emails on City business with campaign manager/political consultant page 7 Texting with staff on strategy to limit conservative voices page 8 Texting with staff, discussion to conceal information to public page 9-10 Zappone Communication about ethics, "Legal" affirmation page 10 Texting with Councilmember Wilkerson page 11 Communication with reporter Daniel Walters pages 12-13 Emailing with political allies, admits political motivation page 14 Texting on Council vote counts and litigation page 15 Texting on gerrymandering and ethics concerns</p>
<p>G. Personal Interest in Legislation Prohibited.</p>	<p>Muller complaint: Zappone page 7 Texting with staff on strategy to limit conservative voices page 8 Texting with staff, discussion to conceal information to public page 9-10 Zappone Communication about ethics, "Legal" affirmation page 10 Texting with Councilmember Wilkerson page 11 Communication with reporter Daniel Walters pages 12-13 Emailing with political allies, admits political motivation page 14 Texting on Council vote counts and litigation page 15 Texting on gerrymandering and ethics concerns</p>
<p>K. Fair and Equitable Treatment.</p>	
<p>K.1 No City officer or employee shall knowingly use his or her office or position to secure personal benefit, gain or profit, or use position to secure special privileges or exceptions for himself/herself or for the benefit, gain or profits of any other persons.</p>	<p>Muller complaint: Zappone pages 4-5 City business via private emails. page 6 Emails on City business with campaign manager/political consultant page 7 Texting with staff on strategy to limit conservative voices page 8 Texting with staff, discussion to conceal information to public</p>

	<p>page 9-10 Zappone Communication about ethics, "Legal" affirmation</p> <p>page 10 Texting with Councilmember Wilkerson</p> <p>page 11 Communication with reporter Daniel Walters</p> <p>pages 12-13 Emailing with political allies, admits political motivation</p> <p>page 14 Texting on Council vote counts and litigation</p> <p>page 15 Texting on gerrymandering and ethics concerns</p>
K.2 No City officer or employee shall employ or use the employment of any person under the City officer's or employee's official control or direction for the personal benefit, gain or profit of the City officer or employee or another beyond that which is available to every other person.	<p>Muller complaint: Zappone</p> <p>page 7 Texting with staff on strategy to limit conservative voices</p> <p>page 8 Texting with staff, discussion to conceal information to public</p> <p>page 10 Texting with Councilmember Wilkerson</p>
K.3 No City officer or employee shall use City-owned vehicles, equipment, materials, money or property for personal or private convenience or profit. Use is restricted to such services as are available to the public generally, for the authorized conduct of official business (not personal use), and for such purposes and under such conditions as can be reasonably expected to be approved by City policies.	<p>Muller complaint: Zappone</p> <p>pages 4-5 City business via private emails.</p> <p>page 6 Emails on City business with campaign manager/political consultant</p> <p>page 8 Texting with staff, discussion to conceal information to public</p> <p>page 11 Communication with reporter Daniel Walters</p> <p>pages 12-13 Emailing with political allies, admits political motivation</p> <p>page 14 Texting on Council vote counts and litigation</p> <p>page 15 Texting on gerrymandering and ethics concerns</p>
K.5 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 42.17A.555.	<p>Muller complaint: Zappone</p> <p>page 4 falsely describing citizens as a "political party".</p> <p>page 6 Emails on City business with campaign manager/political consultant</p> <p>page 7 Texting with staff on strategy to limit conservative voices</p> <p>page 8 Texting with staff, discussion to conceal information to public</p> <p>page 9-10 Zappone Communication about ethics, "Legal" affirmation</p> <p>page 11 Communication with reporter Daniel Walters</p>

	<p>pages 12-13 Emailing with political allies, admits political motivation</p> <p>page 14 Texting on Council vote counts and litigation.</p> <p>page 15 Texting on gerrymandering and ethics concerns</p>
M. Aiding others prohibited.	<p>Muller complaint: Zappone</p> <p>page 7 Texting with staff on strategy to limit conservative voices</p> <p>page 8 Texting with staff, discussion to conceal information to public</p>
N. Commission of Acts of Moral Turpitude or Dishonesty Prohibited.	<p>Muller complaint: Zappone</p> <p>page 4 falsely describing citizens as a “political party”.</p> <p>page 6 Emails on City business with campaign manager/political consultant</p> <p>page 7 Texting with staff on strategy to limit conservative voices</p> <p>page 8 Texting with staff, discussion to conceal information to public</p> <p>page 11 Communication with reporter Daniel Walters</p> <p>pages 12-13 Emailing with political allies, admits political motivation</p> <p>page 14 Texting on Council vote counts and litigation.</p>