



July 12th, 2023

Spokane Ethics Commission Members

Via Mike Piccolo

Re: June 20th, 2023, Complaint

Dear Commission Members:

I am respectfully requesting the Spokane Ethics Commission decline jurisdiction over the June 20th, 2023, complaint against me.

I would like to adopt the statement provided by Council President Beggs to Mr. Piccolo on June 21st, 2023 which reads:

"Mr. Miller's purported ethics complaint does not claim any violations of the Spokane Ethics code as set out in Chapter 1.04.030 and therefore the Commission does not have jurisdiction under the code to adjudicate it. Even if Mr. Miller had identified provisions in the code, none of the facts he alleges, even if true, would violate the code, nor has he met his burden of explaining why there are violations of the ethics code. In addition, all of the conduct alleged by Mr. Miller occurred within a legislative meeting pursuant to the adopted legislative rules of conduct for the Spokane City Council and thus are entitled to Legislative Privilege. In my role as presiding officer at the meetings, I was required to enforce the rules with initial interpretations subject to being overruled by a majority of Council. Mr. Miller does not agree with the rules, but he is subject to them. The one evening he agreed to provide his true name pursuant to the rules, he was allowed to testify. At other meetings he refused to do so after being invited to comply with the rules and acknowledged that Dave M was not his true name and that he did not want to disclose it. As is often the case lately, potentially frivolous claims take up precious time of both the Commission and government leaders. I respectfully request that the Commission promptly decline jurisdiction."

I would also like to add that Council President Beggs is the authority on enforcing the rules. I did not enforce the rules and therefore this complaint does not pertain to me.

Thank you in advance for your consideration and for the work you do for our city.

Sincerely,

A handwritten signature in blue ink, appearing to read "Zack Zappone", is located below the "Sincerely," text.

Zack Zappone

Spokane City Council Member, District 3