

To: Mayor, City Attorney, Council President

To Whom it May Concern --

I am writing to file a formal complaint against Tukwila Councilmember De'Sean Quinn pursuant to **Tukwila Municipal Code 2.97.050 Complaint Process**.

TMC 2.97.030 Prohibited Conduct reads as follows:

The following shall constitute violations of this Code of Ethics:

1. General Prohibition Against Conflicts of

Interest. *In order to avoid becoming involved or implicated in a conflict of interest or impropriety, no current Elected Official should be involved in any activity that might be seen as conflicting with the conduct of official City business.*

2. Beneficial Interests in Contracts Prohibited. *No Elected Official shall participate in his/her capacity as an Elected Official in the making of a contract in which she/he has a financial interest, direct or indirect. This shall include any contract for sale, lease or purchase, with or for the use of the City, or the acceptance directly or indirectly of any compensation, gratuity or reward from any other person beneficially interested therein. Provided, however, that this prohibition shall not apply where the Elected Official has only a remote interest in the contract, and where the fact and extent of such interest is disclosed and noted in the official minutes or similar records of the City prior to formation of the contract, and thereafter the governing body authorizes, approves or ratifies the contract in good faith, by a vote of its membership sufficient for the purpose without counting the vote(s) of the official(s) having the remote interest. For purposes of this **TMC Chapter 2.97**, a "remote interest" means:*

a. That of a non-salaried officer of a nonprofit corporation;

b. That of an employee or agent of a contracting party where the compensation of such employee or agent consists entirely of fixed wages or salary;

c. That of a landlord or tenant of a contracting party; or

d. That of a holder of less than one percent of the shares of a corporation, a limited liability company, or other entity, which is a contracting party.

De'Sean Quinn has a major conflict of interest between his role on the council and his role as a board member of Forterra, an environmentalist group that has multiple contracts with the city.

Unfortunately, De'Sean Quinn failed to note his conflict of interest into the minutes (as required per **TMC 2.97.030(2)**) and voted to approve a massive \$76,725 contract between Forterra (where he serves as a board member), and the City of Tukwila (where he serves as a councilmember). Quinn also did not recuse himself

from this vote, despite having recused himself in the past on issues related to King County (where he is an employee).

What is perhaps most concerning is the fact that Quinn is also a board member of Forterra Strong Communities Fund Manager, LLC, a for-profit corporation that is silently amassing land in and around the City of Tukwila. It is unclear what the relationship between these two Forterra entities are, or how much Quinn has personally profited from his dual role on these corporations and the City. This needs to be disclosed to Tukwila residents immediately.

This contract was also heard (and placed on the consent agenda) by the Community Affairs and Parks Committee, which Quinn chairs. At no point throughout this process did Quinn note that he is on Forterra's board and -- as addressed and clarified in a separate complaint against him with the Public Disclosure Commission (PDC Case#16801) -- he hid this fact on his F1 personal financial disclosure form. (This case is also currently under investigation by the Washington State Attorney General's office).

Here is the background and link to the illegal contract in question:

Contract 16-112 (between the City of Tukwila and Forterra)
Value -- \$76,725 (Ostensibly for environmental work.)

<http://records.tukwilawa.gov/WebLink8/1/doc/275552/Page1.aspx>

As you can read here, Quinn failed to enter into the minutes the fact that he had a conflict of interest relating to this contract:

<http://records.tukwilawa.gov/WebLink8/1/doc/275548/Page1.aspx/>

This is a clear violation of the Tukwila Municipal Code.

In addition to submitting this complaint, I feel it is necessary to reference the complaint I submitted against Quinn which is currently being investigated by the PDC and the Attorney General's office, which can be found here: <https://www.pdc.wa.gov/browse/cases/16801>

Conclusion

I am requesting that the Council enter a formal cease and desist order against Quinn to prohibit him from voting on any future contracts with Forterra, order Quinn to pay the City a civil penalty of \$1000, and officially admonish Quinn for violating the Tukwila Municipal Code that he has sworn to uphold as well as the apologize to the board and the voters of Tukwila for violating well-defined ethics laws.

Please don't hesitate to contact me if you have any additional questions, or if you need further testimony at any future ethics board inquiry on this issue.

Best Regards,

Glen Morgan

