
From: Faggiano, Sam
Sent: Wednesday, September 7, 2022 3:12 PM
To: Stragier, Doris
Subject: FW: Automatic reply: Ethics Commission Complaint against Breean Beggs - EC-22-01

From: Tom Bassler <tom@gvdcommercial.com>
Sent: Friday, August 12, 2022 9:31 PM
To: Faggiano, Sam <sfaggiano@spokanecity.org>
Subject: Re: Automatic reply: Ethics Commission Complaint against Breean Beggs - EC-22-01

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Sam. I don't have good access. I tried to do reply all but does not seem to have worked. Can you send this to everyone for me? Thanks. Tom B

Good afternoon, Sam -

I apologize that I am sending this response via email. As I mentioned, I am traveling most of this month with family and don't have access to my computer currently.

I appreciate Council President Beggs providing his email source of the proposals and scoring sheet. It is very concerning that his source was Ben Stuckart, who was the subject of another Ethics complaint brought forward by a City Councilmember due to similarly disturbing conflict of interest concerns. Despite being a large benefactor of one of the proposals, he was set to make over \$150,000 if one bid was chosen—Stuckart failed to recuse himself from the Board discussion. Not to mention, Stuckart's history of repeated issues with confidentiality and conflicts of interest, both while serving as Council President and after.

Council President Beggs is incorrect in stating that because the CoC Board had failed to reach a consensus in their recommendation, that the RFP process had run its course. The CoC was serving in an advisory capacity only, with no binding requirement for the Mayor to follow their recommendation. The Mayor could have chosen the highest scored proposal and ignored the CoC Board's recommendation.

The next step in the process was for the Mayor to make a decision, not Council President Beggs nor the City Council. In fact, the proposals and scoring sheet were exempt from public disclosure until an apparent winning bid was announced by the Administration. Council President Beggs' mishandling of the RFPs put the City at risk from a fairness in contracting perspective, and possibly in legal jeopardy.

CoC Board Chair Ben Stuckart should not have forwarded the proposals and scoring sheets (by blind copy), and Beggs should not have perpetuated the breach in confidentiality by sending them on to Council. Further, it is clear that Beggs knew there was an issue with the source because he did not merely forward Stuckart's email, he created a new email to send the proposals and score sheets on to Council and Council staff.

Further, it is hard to believe that Stuckart would forward this information to any ordinary citizen, given that he did not want the media involved. Rather, he sent the proposals to Beggs, an ally and Council President who would have an influence in the process.

I am particularly concerned by appearance issues, namely that Stuckart and Beggs may have been trying to advantage the Jewel Helping Hands proposal, and in so doing deliver Stuckart a \$151,000 taxpayer funded payday. Beggs' interference in the process could be viewed as an attempt to give JHH and Stuckart a very lucrative contract. If I was a competitor bidder, and learned of these going's on behind the scenes, I would issue a protest to the City. It was not until the Mayor flagged this disturbing situation that Beggs suddenly argues the RFP information was not confidential, or even if it was, he didn't knowingly violate any laws.

Finally, it should not go unnoticed that Stuckart and Beggs also conspired to keep the media out of the discussion and to control the narrative further demonstrating that the proposals were in fact, not public. If the proposals were public, they should have had no issue with the media being apprised of the information.

In summary, there is clear and convincing evidence that Beggs, exerted undue influence and disclosed confidential information, in violation of both RCW 39.26.030 and SMC Section 01.04A.020. For these reasons I respectfully request that the Commission reaffirm its decision to move this complaint forward with the investigatory phase and to grant my request for a continuance so I may have the time to properly prepare and present documentary evidence at the hearing.

Sincerely,

Thomas J. Bassler, MD

Sent from my iPhone

On Aug 12, 2022, at 7:58 PM, Tom Bassler <tom@gvdcommercial.com> wrote:

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Sincerely,

Thomas J. Bassler, MD

Sent from my iPhone

On Aug 11, 2022, at 6:05 PM, Faggiano, Sam <sfaggiano@spokanecity.org> wrote:

I am out of the office through Friday August 12, 2022. I will not have immediate access to my email or messages. If you need immediate assistance you may call

my Legal Assistant Shelly Koegler at (509) 625-6811 or the front desk at (509) 625-6225. Otherwise, I will respond to your message as soon as I am able. Thank you.