



**THE DISTRICT**  
LYNNWOOD, WASHINGTON

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To: City of Lynnwood Councilmembers

July 11, 2023

From: Lynnwood Public Facilities District DBA The District Board Members

RE: Vote of Nonconfidence in Lynnwood Public Facilities District Board Member Vivian Dong

Dear Councilmembers,

On June 17<sup>th</sup> a protest was organized on our property following a court decision on who can legally enter the business of our tenant Olympus Spa. Counter protesters were also legally organized in opposition to the messaging from the organizers. Approximately 250 people attended, but the projections were that up to 2000 people could attend. While it was billed as an event to support the Olympus Spa, the owner and our tenant Sun Lee had expressed clearly to the main organizers of the protest, Sovereign Women Speak, that he did not want the protest to happen and that it would be harmful to his business. However, the organizers told him that it would continue regardless.

After discussion with City of Lynnwood administrative personnel and Lynnwood Police (LPD), the Lynnwood Public Facilities District (LPFD) staff swung into action and spent the week prior to the event in preparations with our legal team and heavy consultation with our consultants JLL and Oakview Group on the best ways to protect our property, our tenants, the community, and our staff. We were instructed that the LPD would need to focus on protecting lives in public spaces and could not focus on the interior property where the spa is located, so the LPFD needed to plan for the security of our thirteen acres.

As social media traffic on both sides of the issue intensified throughout the week, the LPFD team was instructed to plan for the worst by our consultant teams and LPD. Based on that advice a private security team of nine people was hired for an 8-hour shift, plus overtime if needed. The LPD placed a riot team on our site and had other local police departments on standby. The LPFD rented extensive security barriers that couldn't be used as weapons, as well as other traffic barrier equipment. Plans were made to limit access to the property to avoid damage to our buildings and fencing was purchased to surround the "Love Your New Neighbor" sculpture to keep it safe, as the goal was to move everyone to public property on the sidewalks as much as possible.

Based on intelligence collected by the LPD, including their communications with the Federal Bureau of Investigation, as well as the advice of the international security team at Jones Lang LaSalle (JLL) the recommendation was made to request our tenants close for the day. Fortunately, the Event Center did not have an event that day.

On June 17<sup>th</sup>, around noon it became evident people attending were wearing body armor, carrying weapons and placing backpacks around our property. The LPD activated the riot police very early on during the event and the inside lanes of 36<sup>th</sup> Ave and 196<sup>th</sup> were blocked off. Police maintained a



barrier line between both sides of protestors and lined the opposite side of 36<sup>th</sup> and 196<sup>th</sup> to protect those businesses. Other local police units made a presence. Our private security team protected the perimeter of the Event Center and blocked off all traffic coming on our property unless they had specific business and their license plates documented. People needing to visit the post office were significantly impacted as was traffic along 196<sup>th</sup> and 36<sup>th</sup>. These activities helped contain the protest to the front Northeast corner of the Event Center building and the heart sculpture was protected

Total costs for the LPFD for this security was approximately \$10,000 - \$12,000. We are still awaiting some invoices. While each of our tenants altered their businesses differently that day, total business lost for our tenants has been reported as approximately \$35,000. We have several tenants where Saturday is their top performing day of the week. Several tenants expressed concern for the safety of their staff and their businesses. The LPFD staff lost a critical week in operations and master planning activities preparing for the protest, as well as significant hours in the aftermath. Emergency staff on site that day had a few conversations with the LPD where there was concern for their safety and escape plans had to be put in place. Had there been an event at the Event Center that day it could have been a loss of tens of thousands in income directly to the LPFD, a very negative impact on a client, and the loss of tens of thousands in economic impact for the City of Lynnwood.

### **Board Member Vivian Dong Involvement**

While not the primary organizer of the protest, there is considerable evidence that board member Ms. Dong and her organization Safe Lynnwood were very involved in the promotion and organization of the event. Safe Lynnwood promoted the protest on social media and interacted frequently with several individuals involved in the event, including groups on national watch lists as extremist organizations, and herself engaged in what could be viewed as extremist language about the topic and its relevance to the LGBTQ+ community. Ms. Dong worked with the City of Lynnwood on the planning and requested information from our attorney on representing as a board member at the protest. She also requested to be inside the event center to observe the protest. Ms. Dong continued these activities after being explicitly informed on June 12th that the owner of the Olympus Spa did not want this protest to happen. Regardless, her posts on social media before and after the event continued to state that it was being done to support the owner. At no time did Ms. Dong reach out to LPFD or Event Center staff to inquire if there was an event that day or to discuss the impacts that such a protest might have on our organization. In addition, information that was shared privately with Ms. Dong and the LPFD board seemed to be available to local media covering the event shortly after it was conveyed or appeared on social media posts of other individual heavily invested in the event.

While we respect Ms. Dong's first amendment rights, she has also signed a code of ethics as part of her onboarding process to our board that her involvement in this protest has violated. The document leads with "as safeguards of the public trust, board members are responsible for protecting the organization's



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assets" and they are "responsible for the health and wellbeing of the organization". This protest harmed the organization and our tenants, while significantly impacting and distracting the LPFD and our small business tenants from their daily operations. It was continually promoted by Ms. Dong after she was notified that our tenant at the center of the case was very distraught and made clear that he did not want it to happen. The ethics document also states that board members "shall conduct their public and private actions in a manner that shall present no apparent or actual conflict of interest between their public trust and their private interests". Board members are also expected to "maintain the confidentiality of the organization". Finally, the ethics document states, "board members shall act ethically, in good faith, with integrity and care, and in a manner they reasonably believe to be in the best interests of the public that is served by the LPFD".

In addition, as a destination tourism organization, it is imperative that the LPFD conducts itself as an apolitical organization and be broadly welcoming to groups and individuals to attract greater economic impact and public benefit to the City and Snohomish County. Our mission, vision, values, and position statement all support diversity, equity and inclusion for all community members. In addition, we broadly support the City of Lynnwood's "All are Welcome" statement which inspired the heart sculpture in front of our building and our LPFD branding. Ms. Dong's activity in planning this protest caused clear harm to our organization and tenants, as well as a sampling of her viewpoints on social media are contrary to our purpose, mission, vision, and values do not represent our board well. Based on her involvement in this protest, it is doubtful that Ms. Dong could be trusted at this point to put the best interests of the LPFD, our tenants, and our goals ahead of her own personal beliefs and the community organizing activities of Safe Lynnwood or that we can expect confidentiality in our communications with her.

After witnessing Ms. Dong's activities and reviewing her statements on social media, the LPFD Board took a vote of no confidence for Ms. Dong's continuation on our Board of Directors. We are removing her from our board and request that you assign another community member to our board. We would welcome Dr. Annie Armstrong who was the Council's second choice for this position.

Sincerely,

Mike Miller, Board Chair

Taylor Nordby, Vice Chair

Rosario Reyes

Wally Webster II