BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In the Matter of Enforcement Action Against: Thomas Albro; John Creighton; Courtney Gregoire; and, Stephanie Bowman Respondents.	Case No. 14-006; 15-032; 15-033; 15-034 STIPULATION AS TO FACTS

The parties to this Stipulation, namely, the Public Disclosure Commission Staff, through its Executive Director, Andrea McNamara Doyle, and Respondents Thomas Albro, John Creighton, Courtney Gregoire and Stephanie Bowman submit this Stipulation as to Facts in this matter.

I. JURISDICTION

The Public Disclosure Commission has jurisdiction over this proceeding pursuant to RCW 42.17A, the state campaign finance disclosure law; RCW 34.05, the Administrative Procedure Act; and the Commission's rules located at WAC 390.

II. STIPULATED FACTS

Identification of Respondents

1. The Port of Seattle is a municipal corporation and special purpose district authorized under Title 53 RCW. The port owns and operates, among other properties, Seattle-Tacoma International Airport ("Sea-Tac Airport").

2. As adopted by the Port Commission on December 4, 2012 as part of the Century Agenda, the mission of the Port of Seattle, as a public agency, is to advance trade and commerce, promote industrial growth, stimulate economic development and create jobs.

3. The Port of Seattle is governed by a five-member elected Board of Commissioners.

4. Respondent Thomas Albro is a Port of Seattle Commissioner, and the current secretary of the board of commissioners. In 2013, Mr. Albro held the position of commission president. Mr. Albro was first elected to the port commission in the November 3, 2009 general election. In 2011 and 2012, Mr. Albro, together with Mr. Creighton, served as co-Chair of the Century Agenda strategic planning effort. He filed a C-1 Candidate Registration on February 11, 2010, registering his 2013 campaign for re-election.

5. Respondent John Creighton is a Port of Seattle Commissioner. Mr. Creighton was first elected to the port commission in the November 5, 2008 general election. In 2011 and 2012, Mr. Creighton, together with Mr. Albro, served as co-Chair of the Century Agenda strategic planning effort. He filed a C-1 Candidate Registration on December 18, 2009, registering his 2013 campaign for re-election.

6. Respondent Courtney Gregoire is a Port of Seattle Commissioner. Ms. Gregoire was appointed to the Port Commission on March 5, 2013 and was officially sworn in as a Commissioner on March 15, 2013. She filed a C-1 Candidate Registration on March 15, 2013, registering her 2013 campaign to seek election to her position.

7. Respondent Stephanie Bowman is a Port of Seattle Commissioner. Ms. Bowman was appointed to the port commission on May 3, 2013. She filed a C-1 Candidate Registration on May 15, 2013, registering her 2013 campaign to seek election to her position.

8. Mr. Albro and Mr. Creighton were re-elected to the Port of Seattle Commission in the November 5, 2013 general election. Ms. Bowman and Ms. Gregoire were elected to office in the same election.

Role of the Commission

9. Commissioners bear ultimate responsibility for the Port's operations. As part of their duties, Commissioners frequently appear in public or before private organizations to discuss Port operations and other trade-related issues. For example,

Commissioners regularly sit on panels related to regional or international trade issues, frequently address trade-industry groups, interest groups including labor, the environment, neighborhood groups, and others, and interact regularly with the media.

Century Agenda Development

10. The Century Agenda articulates the Port's mission, vision, commitments, its 25-year strategies and objectives, and calls for broader collective action through regional initiatives. The initial planning phase of the Century Agenda started in 2008 and concluded in 2009, and resulted in the August 4, 2009 adoption by the Commission of the Century Agenda Guiding Principles.

11. The second phase of developing the Century Agenda began with the appointment of a Century Agenda committee of the Commission in January 2011 and concluded with the adoption of the Century Agenda in December 2012. This second phase was co-chaired by Commissioners Albro and Creighton, and the work included all the then-sitting Commissioners. In 2011, the Port Commission held nine publicly-noticed and publicly-broadcast "roundtables" with outside experts to help it develop the Century Agenda. Included within these roundtables was a March 8, 2011 media roundtable that focused on how the Commission could better communicate the Port's operations, vision, and goals to the public.

12. On December 4, 2012, the Commission unanimously adopted the Century Agenda.

2013 Recorded Commissioner Greetings

13. Sea-Tac airport has a public address system on the skybridges leading from the parking garage to the airport terminal. The public address system is used to communicate airport information, regional information including the Port's current local music program, and other Port-related messages. It is never used for commercial advertisements.

14. On January 30, 2013, Mr. Albro (serving as Commission President) engaged the Port of Seattle's public affairs staff and informed them of his intention to use the airport skybridge announcements to publicize the Century Agenda. He further described his hope that the four main thrusts of the Century Agenda would each be described in a recording including two Commissioners – himself and each of his colleagues in turn.

15. On February 11, 2013, the scripts for each message were finalized and Commissioner Albro emailed each of the other commissioners to begin the recording effort.

16. On February 12, 2013, former commissioner Robert Holland resigned, and the recording efforts were suspended while his replacement—and the replacement for former Commissioner Gael Tarleton, who resigned to join the State House of Representatives –were appointed.

17. On April 9, 2013, Mr. Albro recorded skybridge announcements with Mr. Bryant and Ms. Gregoire. On that date, Commissioner Gregoire arrived at the Port of Seattle Commission office for a regularly scheduled commission meeting. Commissioner Albro asked her to tape a greeting for Sea-Tac International Airport. She was provided a prepared script by Port staff to record alongside Commission President Tom Albro. She was not consulted nor informed about when the messages would start airing, in what frequency, or for what duration.

18. On April 19, 2013, these messages began airing along the Sea-Tac airport sky bridges. The recorded message featuring the voices of Port of Seattle Commission President Tom Albro and Commissioner Gregoire promoted the port's impact on employment and the economy, as follows:

Albro / Gregoire ***("with emphasis on small business opportunities")***

Tom: Hello, I'm Port of Seattle Commissioner Tom Albro

Courtney: And I'm Commissioner Courtney Gregoire. The Port of Seattle supports over 200,000 jobs, directly and indirectly, in our region.

Tom: The Port promotes small business growth and the development of a strong workforce as part of our Century Agenda.

Courtney: This is important to accomplishing our vision of adding 100,000 new jobs here over the next 25 years.

Tom: More jobs, economic growth, led by the Port of Seattle.

19. On May 16, 2013, two additional recorded messages featuring the voices of Port of Seattle Commission President Tom Albro and Commissioners Bowman and Creighton began playing along the Sea-Tac airport sky bridges. Mr. Albro asked both Ms. Bowman and Mr. Creighton to record the messages. Neither Ms. Bowman nor Mr. Creighton were consulted nor informed about when the messages would start airing, in what frequency, or for what duration. The message scripts promoted the port's impact on employment and the economy, as follows:

Albro / Bowman ***("with emphasis on small business opportunities")***

Tom: Hello, I'm Port of Seattle Commissioner Tom Albro

Stephanie: And I'm Commissioner Stephanie Bowman. The Port of Seattle supports over 200,000 jobs, directly and indirectly, in our region.

Tom: The Port also promotes small business growth and the development of a strong workforce as part of our Century Agenda.

Stephanie: This is important to accomplishing our vision of adding 100,000 new jobs here over the next 25 years.

Tom: More jobs, economic growth, led by the Port of Seattle.

Albro / Creighton ***("with emphasis on jobs and airline flights/destinations")***

Tom: Hello, I'm Port of Seattle Commissioner Tom Albro

John: And I'm Commissioner John Creighton. Welcome to Sea-Tac Airport, the Northwest's busiest and a leading international gateway.

Tom: We want to tell you about our efforts to create another 100,000 jobs here in the Northwest. It's our Century Agenda.

John: One way we can do this is by growing our number of flights and destinations. That's important for local businesses and tourism.

Tom: And...doing so means more jobs...that's what the Port of Seattle is all about.

20. As of April 19, 2013, when recordings with Commission President Albro and Commissioner Gregoire began airing in Sea-Tac airport, the messages played at the rate of 5 messages per hour. Beginning May 16, 2013, when recordings with Commission President Albro and Commissioners Stehanie Bowman and John Creighton were added to the playlist, the messages ran at 12 messages per hour, with each commissioner pair running 4 times each hour. On July 19, 2013, the playback of commissioner messages increased to 32 messages per hour, with each commissioner pair running eight times each hour. Commission President Tom Albro requested the increase in frequency of playing the recorded messages.

21. The messages played along the airport's six sky bridges, and were heard in no other location. The messages were aired in rotation with directional messages recorded by port staff or messages by Northwest musicians.

22. On October 18, 2013, PDC staff contacted Craig Watson, General Counsel to the Port of Seattle, to inform him that the PDC had received a complaint regarding the recorded commissioner messages. On October 21, 2013, Mr. Watson contacted PDC staff and stated that the recorded messages had been pulled from the airport's sky bridges, per PDC staff's instructions.

History of Port of Seattle Commissioner Greetings

23. The Port of Seattle has aired recorded commissioner messages in Sea-Tac airport since at least 2004. The frequency of these messages for the years 2007 through 2012 was as follows:

YEAR	DATE	COMMISSIONER	FREQUENCY/hr
2007	2/6/2007	Davis	12
	3/1/2007	Creighton	60
	5/23/2007	Creighton	7
	10/16/2007	Creighton	15
2009	3/1/2009	Bryant	20
	11/19/2009	Bryant	15
2010	2/17/2010	Bryant	15
2011	8/24/2011	Bryant	15
2012	1/26/2012	Bryant	13
	2/15/2012	Tarleton	13

24. The messages aired in 2013 were similar in substance to messages aired in prior years, as prior messages focused on the port's business, environment and trade initiatives and other port accomplishments. However, recorded messages played in prior years included only the voice of the commission president. The individual messages aired in 2013 featured all five members of the port commission. These changes were brought about at the request of Port of Seattle Commission President Tom Albro.

Andrea M. Doyle 2/13/15

Andrea McNamara Doyle, Executive Director — Date Signed
Public Disclosure Commission

s/ approved by email — 2/12/15
Robert Klein, attorney for Respondent Albro — Date Signed

s/ approved by email — 2/12/15
Becky Roe, attorney for Respondents Bowman and Gregoire — Date Signed

s/ approved by email — 2/12/15
Keith Scully, attorney for Respondent Creighton — Date Signed