Andrew Pilloud
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Seattle, Washington 98194-0794
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Public Disclosure Commission

October 13, 2013

Phil Stutzman, Director of Compliance
State of Washington Public Disclosure Commission
711 Capitol Way Room 206
P.O. Box 40908
Olympia, Washington 98504-0908

Re: THOMAS WILLIAM ALBRO – VIOLATION OF RCW 42.17A.555 AND UNREPORTED CAMPAIGN CONTRIBUTIONS AND EXPENDITURES EXCEEDING THE MAXIMUM LIMITS PROVIDED BY LAW

Dear Mr. Stutzman:

I am submitting to you a complaint regarding the violation of RCW 42.17A.555, which prohibits the use of public office or agency facilities in political campaigns. This complaint is regarding an ongoing violation that is probably affecting the outcome of the November 5, 2013 General Election. I believe this case requires an immediate and thorough investigation, as it may render the election void.

The Respondent is Commissioner Thomas William Albro, who is both the incumbent and a candidate for Port of Seattle Commissioner Position 4. He resides at 310 30th Avenue South, Seattle, Washington 98144. His telephone number is listed as (206) 930-4004 in his PDC filings.

In violating RCW 42.17A.555, I believe you will also find that Mr. Albro has accepted contributions from the Port of Seattle in excess of the limits for candidates imposed in RCW 42.17A.405. This is not a matter to be taken lightly, and is likely to require the taxpayers to spend millions of dollars on a special election. I urge you to subject Mr. Albro to the maximum civil penalty of three times the violation, between three million and seven and a half million dollars, as required under RCW 42.17A.750.

I have personally witnessed this violation multiple times between June 2013 and present. In addition, documents returned by the Port of Seattle, obtained by public disclosure requests, show the violations started no later than April 09, 2013 and have likely been happening for several months prior to that date. These records were received from and can be verified by Asia Linton, Public Disclosure Specialist at the Port of Seattle. Her office phone number is (206) 787-3392 and email is linton.a@portseattle.org. Finally, most of these violations occurred in a public area of the Sea-Tac Airport. Any traveler passing through the airport from April to Present can be considered a witness. I can provide the contact information for travelers on request.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that this complaint is complete, true and correct to the best of my knowledge and belief.

Thank you in advance for your assistance in this investigation. Please keep me appraised of progress and your determination on this matter.

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Statement of Facts

On April 9, 2013 from 9:30 AM to 10:30 AM at the Port Commission Office, Mr. Albro was involved in the production of Airport Public Address Recordings (Exhibit 1). Again, on May 14, 2013 from 10:30 AM to 12:00 PM at the Sea-Tac airport Tokyo Conference Room, Mr. Albro was involved in the production of Audio Message Recordings (Exhibit 1). In both cases, Mr. Albro used Port of Seattle facilities and staff to produce a Public Service Announcement promoting his work on the century agenda at the Port of Seattle.

The resulting recordings (Exhibit 2A, 2B, 2C, and 2D) all begin the same way: "Hello, I'm Port of Seattle Commissioner Tom Albro". This makes it immediately clear to the listener that they are hearing from Mr. Albro and that he is the incumbent Port Commissioner. The recordings then go on to talk about the great job Mr. Albro and one of his fellow commissioners have been doing improving the economy or environment at the port.

In my experience with the port, I have found that the economy and the environment are the most important issues to voters in the Port of Seattle's district. In addition, I believe the tone of the recording suggests that it is a campaign advertisement. Even if there is doubt about the nature of these recordings as campaign advertisements, state law is clear on the matter in RCW 42.17A.575:

> "No state-elected official or municipal officer may speak or appear in a public service announcement that is broadcast, show, or distributed in any form whatsoever during the period beginning January 1st and continuing through the general election if that official or officer is a candidate."

The law clearly prohibits the use of a public service announcement like the one produced for Mr. Albro. I can think of no reason for the production of a public service announcement that can not be used, unless it was produced as a campaign advertisement.

As is noted in Mr. Albro's agenda (Exhibit 1), this is a "Airport Public Address Recording". Immediately after their production, these recordings were put into use. They are being played thirty-two times per hour at the Sea-Tac airport (Exhibit 3). Not only were the port facilities used to produce the advertisement, they are being used to distribute the campaign materials. This is a use of public facilities and violation of RCW 42.17A.555.

The Port of Seattle has leased all rights for advertising and promotions at the Sea-Tac Airport to Clear Channel Outdoor, Inc. dba Clear Channel Airports (Exhibit 4). All advertising is controlled by Clear Channel, and use can be purchased from them. As the Port of Seattle has leased all advertisement rights to Clear Channel, either this space was stolen by the Port of Seattle, or an unreported campaign contribution and expenditure must have occurred to pay Clear Channel for the use of this space.

I contacted Blaine Shepherd, General Manager at Clear Channel Airports, who can be reached at (206) 494-4166. He informed me that they currently do not offer audio advertisements at the airport, and that the closest product they sell is video advertisements in baggage claim (Exhibit 5). This advertising only

covers a part of the baggage claim area, and would completely miss the frequent local business travelers who do not check bags. I believe this group includes a large number of voters and potential campaign contributors, significantly increasing the value of the advertising received by Mr. Albro. In addition, the best advertising available from Clear Channel is video only, with no audio component. It is much easier to ignore than the airport public address system, which routinely includes messages of importance. I can only conclude that the advertisement played over the public address system is of significantly more value than anything commercially available and would likely require a blanket contract with the airport at a cost of $416,666.67 per month or $2,500,000 over the six month period the advertisement has been playing (Exhibit 6).

If another candidate was to purchase the closest available advertising in the baggage claim area, it would require the purchase of 24 advertising units per month at $7,500 each. This comes to a total of $180,000 per month, or $1,080,000 over the same 6 month period (Exhibit 7). Even in this case, there is a gross violation of campaign finance regulations. According to the Public Disclosure Commissions own records, the most ever spent on a Port of Seattle commissioner campaign was $365,680.86 in 2011 (Exhibit 8). Even with this low valuation, it comes to three times the largest amount ever spent on a port commissioner race.

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Summary of Exhibits

Exhibit 1: Extract from Port of Seattle calendars.

This exhibit was received in response to Port of Seattle Public Records Request 13-196 on September 9, 2013. It includes specific days from the port commissioners calendars. Of interest in this case are page 1 and page 4, which show the meetings at which Mr. Albro made recordings in port facilities.

Exhibit 2A: Recording of Mr. Albro and Ms. Gregoire

This exhibit was received in response to Port of Seattle Public Records Request 13-196 on September 19, 2013. It is an audio recording of Mr. Albro and Ms. Gregoire. The transcript follows:

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

Courtney: And I'm Commissioner Courtney Gregoire. Welcome to Sea-Tac Airport.

Tom: As a part of our Century Agenda, a 25 year vision for the region, we are determined to make Washington a preferred destination for international travelers, and to strengthen access to global markets for Northwest businesses.

Courtney: From apples and salmon to airplanes and software, our region benefits from international trade.

Tom: And all over the world people recognize the Pacific Northwest as a beautiful place to visit and do business. We're glad you're here!

Exhibit 2B: Recording of Mr. Albro and Mr. Bryant

This exhibit was received in response to Port of Seattle Public Records Request 13-196 on September 19, 2013. It is an audio recording of Mr. Albro and Mr. Bryant. The transcript follows:

Tom: Hi, I'm Port of Seattle Commissioner Tom Albro.

Bill: And this is Commissioner Bill Bryant. Welcome to Sea-Tac, one of the greenest airports in the country.

Tom: Our dedication to making the Port of Seattle the greenest and most energy efficient port in North America is an essential part of our century agenda.

Bill: We're committed to balancing economic growth with environmental responsibility.

Tom: Because nothing matters if we don't preserve our environment for future generations.

Bill: And did I say this is Commissioner Bill Bryant?

Tom: Who?

Both: (Laughter)

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Exhibit 2C: Recording of Mr. Albro and Ms. Bowman

This exhibit was received in response to Port of Seattle Public Records Request 13-196 on September 19, 2013. It is an audio recording of Mr. Albro and Ms. Bowman. The transcript follows:

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, more economic growth, led by the Port of Seattle.

Exhibit 2D: Recording of Mr. Albro and Mr. Creighton

This exhibit was received in response to Port of Seattle Public Records Request 13-196 on September

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19, 2013. It is an audio recording of Mr. Albro and Mr. Creighton. The transcript follows:

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

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

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.

Exhibit 3: Skybridge playlist

This exhibit was received in response to Port of Seattle Public Records Request 13-196 on September 19, 2013. It is a schedule showing that the recordings in exhibits 2A, 2B, 2C, and 2D are to be played at the airport entrance sky-bridges 32 times per hour. Other recordings to be played include a security announcement (4 times per hour), light-rail announcement (4 times per hour), and Quincy Jones advertisement (2 times per hour).

Exhibit 4: Lease Agreement with Clear Channel

This exhibit was received in response to Port of Seattle Public Records Request 13-218 on October 9, 2013. It is titled "Lease And Concession Agreement For Advertising And Promotions" and is the lease agreement giving Clear Channel exclusive rights to advertisements at the airport.

Exhibit 5: Clear Channel Advertising Request

This exhibit is an email I received from Blane Shepard at Clear Channel on September 13, 2013. The attachment is Exhibit 7. The relevant text is as follows:

We do not have the capability to run :30 audio video. We do have static (.jpg) or motion (.swf) capabilities – however that we sell in increments of :10. I will attach an example of what they look like.

Exhibit 6: Port of Seattle revenue from Clear Channel

This exhibit was received in response to Port of Seattle Public Records Request 13-218 on October 9, 2013. It contains the revenue share that the port has received from Clear Channel every month in 2013. It shows that Clear Channel has fallen significantly short of the minimum revenue every month, and as a result has paid the port the contractual minimum of $416,666.67 per month.

Exhibit 7: Clear Channel Pricing Sheet

This exhibit is an email I received from Blane Shepard at Clear Channel on September 13, 2013. It shows that advertisements in baggage claim run $7,500 for a for month long unit. Each unit is ten seconds every four minutes. The advertisements do not cover 5 of the baggage claim carousels.

Exhibit 8: WILLIAM L BRYANT PDC report

This exhibit is a printout I made from the Public Disclosure Commission's website on October 13, 2013. It shows that William L Bryant raised $366,004.09 and spent 365,680.86 in is 2011 port commission race.

Conclusion

Given the presented facts and exhibits, I feel it is appropriate for the Public Disclosure Commission to review the actions of Thomas William Albro in order to determine whether he:

1. Misused public resources in the production and distribution of a campaign advertisement, in violation of RCW 42.17A.555.
2. Received unreported contributions and made unreported expenditures in violation of RCW 42.17A.405 and other laws.

If the commission finds that Mr. Albro did indeed violate one or more of these campaign finance regulations, I urge you to impose the maximum penalty authorized under RCW 42.17A.750: Ten-thousand dollars for each recording session, plus three times the value of the illegal campaign advertising. In addition, I urge you to immediately forward your findings to the state attorney general so the election may be held void and a special election held, as this violation probably affected the outcome of the current election.

Certification

I certify (or declare) under penalty of perjury under the laws of the State of Washington that this complaint is complete, true and correct to the best of my knowledge and belief.

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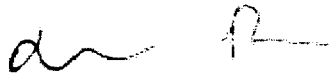
Public Disclosure Commission

Sincerely,



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Exhibits: 11 http://andrew.pilloud.us/sites/andrew.pilloud.us/files/PortOfSeattle2013-10-13Exhibits.zip

cc: Richard Pope, Port of Seattle Commissioner Candidate

Emily Heffter, Seattle Times
Jeff Burnside, KOMO 4 News
Jeff Dubois, KIRO 7 Eyewitness News
Glen Morgan, Freedom Foundation
Elly Snow, Washington Coalition for Open Government
Bob Ferguson, Washington State Attorney General
http://andrew.pilloud.us/blog/2013/10/13/port-seattle-millions-public-dollars-funneled-incumbents-campaigns

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October 13, 2013

Phil Stutzman, Director of Compliance
State of Washington Public Disclosure Commission
711 Capitol Way Room 206
P.O. Box 40908
Olympia, Washington 98504-0908

Re: STEPHANIE LYNNE BOWMAN – VIOLATION OF RCW 42.17A.555 AND UNREPORTED CAMPAIGN CONTRIBUTIONS AND EXPENDITURES EXCEEDING THE MAXIMUM LIMITS PROVIDED BY LAW

Dear Mr. Stutzman:

I am submitting to you a complaint regarding the violation of RCW 42.17A.555, which prohibits the use of public office or agency facilities in political campaigns. This complaint is regarding an ongoing violation that is probably affecting the outcome of the November 5, 2013 General Election. I believe this case requires an immediate and thorough investigation, as it may render the election void.

The Respondent is Commissioner Stephanie Lynne Bowman, who is both the incumbent and a candidate for Port of Seattle Commissioner Position 3. She resides at 3115 17th Avenue South, Seattle, Washington 98144. Her telephone number is listed as (206) 898-3043 in her PDC filings.

In violating RCW 42.17A.555, I believe you will also find that Ms. Bowman has accepted contributions from the Port of Seattle in excess of the limits for candidates imposed in RCW 42.17A.405. This is not a matter to be taken lightly, and is likely to require the taxpayers to spend millions of dollars on a special election. I urge you to subject Ms. Bowman to the maximum civil penalty of three times the violation, between eight hundred thousand and seven and a half million dollars, under RCW 42.17A.750.

I have personally witnessed this violation multiple times between June 2013 and present. In addition, documents returned by the Port of Seattle, obtained by public disclosure requests, show the violations started no later than May 14, 2013 and have likely been happening for several months prior to that date. These records were received from and can be verified by Asia Linton, Public Disclosure Specialist at the Port of Seattle. Her office phone number is (206) 787-3392 and email is linton.a@portseattle.org. Finally, most of these violations occurred in a public area of the Sea-Tac Airport. Any traveler passing through the airport from May to Present can be considered a witness. I can provide the contact information for travelers on request.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that this complaint is complete, true and correct to the best of my knowledge and belief.

Thank you in advance for your assistance in this investigation. Please keep me appraised of progress and your determination on this matter.

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Public Disclosure Commission

Statement of Facts

On May 14, 2013 from 11:30 AM to 11:45 AM at the Sea-Tac airport Tokyo Conference Room, Ms. Bowman was involved in the production of Audio Message Recordings (Exhibit 1). Ms. Bowman used Port of Seattle facilities and staff to produce a Public Service Announcement promoting her work on the century agenda at the Port of Seattle.

In the resulting recording (Exhibit 2C) her first words are: "And I'm Commissioner Stephanie Bowman. The Port of Seattle supports over 200,000 jobs, directly and indirectly, in our region." This makes it immediately clear to the listener that they are hearing from Ms. Bowman and that she is the incumbent Port Commissioner. The recording then goes on to talk about the great job Ms. Bowman and one of her fellow commissioners have been doing improving the economy at the port.

In my experience with the port, I have found that the economy and the environment are the most important issues to voters in the Port of Seattle's district. In addition, I believe the tone of the recording suggests that it is a campaign advertisement. Even if there is doubt about the nature of these recordings as campaign advertisements, state law is clear on the matter in RCW 42.17A.575:

> "No state-elected official or municipal officer may speak or appear in a public service announcement that is broadcast, show, or distributed in any form whatsoever during the period beginning January 1st and continuing through the general election if that official or officer is a candidate."

The law clearly prohibits the use of a public service announcement like the one produced for Ms. Bowman. I can think of no reason for the production of a public service announcement that can not be used, unless it was produced as a campaign advertisement.

Immediately after their production, these recordings were put into use. They are being played eight times per hour at the Sea-Tac airport (Exhibit 3). Not only were the port facilities used to produce the advertisement, they are being used to distribute the campaign materials. This is a use of public facilities and violation of RCW 42.17A.555.

The Port of Seattle has leased all rights for advertising and promotions at the Sea-Tac Airport to Clear Channel Outdoor, Inc. dba Clear Channel Airports (Exhibit 4). All advertising is controlled by Clear Channel, and use can be purchased from them. As the Port of Seattle has leased all advertisement rights to Clear Channel, either this space was stolen by the Port of Seattle, or an unreported campaign contribution and expenditure must have occurred to pay Clear Channel for the use of this space.

I contacted Blaine Shepherd, General Manager at Clear Channel Airports, who can be reached at (206) 494-4166. He informed me that they currently do not offer audio advertisements at the airport, and that the closest product they sell is video advertisements in baggage claim (Exhibit 5). This advertising only covers a part of the baggage claim area, and would completely miss the frequent local business travelers who do not check bags. I believe this group includes a large number of voters and potential campaign contributors, significantly increasing the value of the advertising received by Ms. Bowman. In addition,

the best advertising available from Clear Channel is video only, with no audio component. It is much easier to ignore than the airport public address system, which routinely includes messages of importance. I can only conclude that the advertisement played over the public address system is of significantly more value than anything commercially available and would likely require a blanket contract with the airport at a cost of $416,666.67 per month or $2,500,000 over the six month period the advertisement has been playing (Exhibit 6).

If another candidate was to purchase the closest available advertising in the baggage claim area, it would require the purchase of 6 advertising units per month at $7,500 each. This comes to a total of $45,000 per month, or $270,000 over the same 6 month period (Exhibit 7). Even in this case, there is a gross violation of campaign finance regulations. According to the Public Disclosure Commissions own records, the most ever spent on a Port of Seattle commissioner campaign was $365,680.86 in 2011 (Exhibit 8). Even with this low valuation, it comes to almost three quarters of the largest amount ever spent on a port commissioner race.

Summary of Exhibits

Exhibit 1: Extract from Port of Seattle calendars.

This exhibit was received in response to Port of Seattle Public Records Request 13-196 on September 9, 2013. It includes specific days from the port commissioners calendars. Of interest in this case is page 6, which show the meeting at which Ms. Bowman made recordings in port facilities.

Exhibit 2C: Recording of Mr. Albro and Ms. Bowman

This exhibit was received in response to Port of Seattle Public Records Request 13-196 on September 19, 2013. It is an audio recording of Mr. Albro and Ms. Bowman. The transcript follows:

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, more economic growth, led by the Port of Seattle.

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Public Disclosure Commission

Exhibit 3: Skybridge playlist

This exhibit was received in response to Port of Seattle Public Records Request 13-196 on September

19, 2013. It is a schedule showing that the recordings in exhibits 2A are to be played at the airport entrance sky-bridges 8 times per hour. Other recordings to be played include other commissioner advertisements (24 times per hour), a security announcement (4 times per hour), light-rail announcement (4 times per hour), and Quincy Jones advertisement (2 times per hour).

Exhibit 4: Lease Agreement with Clear Channel

This exhibit was received in response to Port of Seattle Public Records Request 13-218 on October 9, 2013. It is titled "Lease And Concession Agreement For Advertising And Promotions" and is the lease agreement giving Clear Channel exclusive rights to advertisements at the airport.

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This exhibit is an email I received from Blane Shepard at Clear Channel on September 13, 2013. The attachment is Exhibit 7. The relevant text is as follows:

We do not have the capability to run :30 audio video. We do have static (.jpg) or motion (.swf) capabilities – however that we sell in increments of :10. I will attach an example of what they look like.

Exhibit 6: Port of Seattle revenue from Clear Channel

This exhibit was received in response to Port of Seattle Public Records Request 13-218 on October 9, 2013. It contains the revenue share that the port has received from Clear Channel every month in 2013. It shows that Clear Channel has fallen significantly short of the minimum revenue every month, and as a result has paid the port the contractual minimum of $416,666.67 per month.

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This exhibit is an email I received from Blane Shepard at Clear Channel on September 13, 2013. It shows that advertisements in baggage claim run $7,500 for a for month long unit. Each unit is ten seconds every four minutes. The advertisements do not cover 5 of the baggage claim carousels.

Exhibit 8: WILLIAM L BRYANT PDC report

This exhibit is a printout I made from the Public Disclosure Commission's website on October 13, 2013. It shows that William L Bryant raised $366,004.09 and spent 365,680.86 in is 2011 port commission race.

Conclusion

Given the presented facts and exhibits, I feel it is appropriate for the Public Disclosure Commission to review the actions of Stephanie Lynne Bowman in order to determine whether she:

1. Misused public resources in the production and distribution of a campaign advertisement in

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Exhibit 1, Page 11 of 22
Public Disclosure Commission

violation of RCW 42.17A.555.

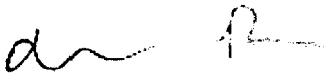
2. Received unreported contributions and made unreported expenditures in violation of RCW 42.17A.405 and other laws.

If the commission finds that Ms. Bowman did indeed violate one or more of these campaign finance regulations, I urge you to impose the maximum penalty authorized under RCW 42.17A.750: Ten-thousand dollars for each recording session, plus three times the value of the illegal campaign advertising. In addition, I urge you to immediately forward your findings to the state attorney general so the election may be held void and a special election held, as this violation probably affected the outcome of the current election.

Certification

I certify (or declare) under penalty of perjury under the laws of the State of Washington that this complaint is complete, true and correct to the best of my knowledge and belief.

Sincerely,



Andrew Pilloud

Exhibits: 8 http://andrew.pilloud.us/sites/andrew.pilloud.us/files/PortOfSeattle2013-10-13Exhibits.zip

cc: Michael Wolfe, Port of Seattle Commissioner Candidate
Emily Heffter, Seattle Times
Jeff Burnside, KOMO 4 News
Jeff Dubois, KIRO 7 Eyewitness News
Glen Morgan, Freedom Foundation
Elly Snow, Washington Coalition for Open Government
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Phil Stutzman, Director of Compliance
State of Washington Public Disclosure Commission
711 Capitol Way Room 206
P.O. Box 40908
Olympia, Washington 98504-0908

Re: JOHN WATSON CREIGHTON III – VIOLATION OF RCW 42.17A.555 AND UNREPORTED CAMPAIGN CONTRIBUTIONS AND EXPENDITURES EXCEEDING THE MAXIMUM LIMITS PROVIDED BY LAW

Dear Mr. Stutzman:

I am submitting to you a complaint regarding the violation of RCW 42.17A.555, which prohibits the use of public office or agency facilities in political campaigns. This complaint is regarding an ongoing violation that is probably affecting the outcome of the November 5, 2013 General Election. I believe this case requires an immediate and thorough investigation, as it may render the election void.

The Respondent is Commissioner John Watson Creighton III, who is both the incumbent and a candidate for Port of Seattle Commissioner Position 1. He resides at 118 107th Avenue Northeast Apartment B208, Bellevue, Washington 98004. His telephone number is listed as (206) 320-1238 in his PDC filings.

In violating RCW 42.17A.555, I believe you will also find that Mr. Creighton has accepted contributions from the Port of Seattle in excess of the limits for candidates imposed in RCW 42.17A.405. This is not a matter to be taken lightly, and is likely to require the taxpayers to spend millions of dollars on a special election. I urge you to subject Mr. Creighton to the maximum civil penalty of three times the violation, between eight hundred thousand and seven and a half million dollars, under RCW 42.17A.750.

I have personally witnessed this violation multiple times between June 2013 and present. In addition, documents returned by the Port of Seattle, obtained by public disclosure requests, show the violations started no later than May 14, 2013 and have likely been happening for several months prior to that date. These records were received from and can be verified by Asia Linton, Public Disclosure Specialist at the Port of Seattle. Her office phone number is (206) 787-3392 and email is linton.a@portseattle.org. Finally, most of these violations occurred in a public area of the Sea-Tac Airport. Any traveler passing through the airport from May to Present can be considered a witness. I can provide the contact information for travelers on request.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that this complaint is complete, true and correct to the best of my knowledge and belief.

Thank you in advance for your assistance in this investigation. Please keep me appraised of progress and your determination on this matter.

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Public Disclosure Commission

Statement of Facts

On May 14, 2013 from 11:45 AM to 12:00 PM at the Sea-Tac airport Tokyo Conference Room, Mr. Creighton was involved in the production of a Audio Message Recording (Exhibit 1). Mr. Creighton used Port of Seattle facilities and staff to produce a Public Service Announcement promoting his work on the century agenda at the Port of Seattle.

In the resulting recording (Exhibit 2D) his first words are: "And I'm Commissioner John Creighton. Welcome to Sea-Tac Aiport, a leading international gateway and the Northwest's busiest." This makes it immediately clear to the listener that they are hearing from Mr. Creighton and that he is the incumbent Port Commissioner. The recording then goes on to talk about the great job Mr. Creighton and one of his fellow commissioners have been doing improving the economy at the port.

In my experience with the port, I have found that the economy and the environment are the most important issues to voters in the Port of Seattle's district. In addition, I believe the tone of the recording suggests that it is a campaign advertisement. Even if there is doubt about the nature of these recordings as campaign advertisements, state law is clear on the matter in RCW 42.17A.575:

> "No state-elected official or municipal officer may speak or appear in a public service announcement that is broadcast, show, or distributed in any form whatsoever during the period beginning January 1st and continuing through the general election if that official or officer is a candidate."

The law clearly prohibits the use of a public service announcement like the one produced for Mr. Creighton. I can think of no reason for the production of a public service announcement that can not be used, unless it was produced as a campaign advertisement.

Immediately after their production, these recordings were put into use. They are being played eight times per hour at the Sea-Tac airport (Exhibit 3). Not only were the port facilities used to produce the advertisement, they are being used to distribute the campaign materials. This is a use of public facilities and violation of RCW 42.17A.555.

The Port of Seattle has leased all rights for advertising and promotions at the Sea-Tac Airport to Clear Channel Outdoor, Inc. dba Clear Channel Airports (Exhibit 4). All advertising is controlled by Clear Channel, and use can be purchased from them. As the Port of Seattle has leased all advertisement rights to Clear Channel, either this space was stolen by the Port of Seattle, or an unreported campaign contribution and expenditure must have occurred to pay Clear Channel for the use of this space.

I contacted Blaine Shepherd, General Manager at Clear Channel Airports, who can be reached at (206) 494-4166. He informed me that they currently do not offer audio advertisements at the airport, and that the closest product they sell is video advertisements in baggage claim (Exhibit 5). This advertising only covers a part of the baggage claim area, and would completely miss the frequent local business travelers who do not check bags. I believe this group includes a large number of voters and potential campaign contributors, significantly increasing the value of the advertising received by Mr. Creighton. In addition,

the best advertising available from Clear Channel is video only, with no audio component. It is much easier to ignore than the airport public address system, which routinely includes messages of importance. I can only conclude that the advertisement played over the public address system is of significantly more value than anything commercially available and would likely require a blanket contract with the airport at a cost of $416,666.67 per month or $2,500,000 over the six month period the advertisement has been playing (Exhibit 6).

If another candidate was to purchase the closest available advertising in the baggage claim area, it would require the purchase of 6 advertising units per month at $7,500 each. This comes to a total of $45,000 per month, or $270,000 over the same 6 month period (Exhibit 7). Even in this case, there is a gross violation of campaign finance regulations. According to the Public Disclosure Commissions own records, the most ever spent on a Port of Seattle commissioner campaign was $365,680.86 in 2011 (Exhibit 8). Even with this low valuation, it comes to almost three quarters of the lar[illegible] spent on a port commissioner race.

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Summary of Exhibits

Exhibit 1: Extract from Port of Seattle calendars.

This exhibit was received in response to Port of Seattle Public Records Request 13-196 on September 9, 2013. It includes specific days from the port commissioners calendars. Of interest in this case is page 5, which show the meeting at which Mr. Creighton made recordings in port facilities.

Exhibit 2D: Recording of Mr. Albro and Mr. Creighton

This exhibit was received in response to Port of Seattle Public Records Request 13-196 on September 19, 2013. It is an audio recording of Mr. Albro and Mr. Creighton. The transcript follows:

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

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

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.

Exhibit 3: Skybridge playlist

This exhibit was received in response to Port of Seattle Public Records Request 13-196 on September

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19, 2013. It is a schedule showing that the recordings in exhibits 2A are to be played at the airport entrance sky-bridges 8 times per hour. Other recordings to be played include other commissioner advertisements (24 times per hour), a security announcement (4 times per hour), light-rail announcement (4 times per hour), and Quincy Jones advertisement (2 times per hour).

Exhibit 4: Lease Agreement with Clear Channel

This exhibit was received in response to Port of Seattle Public Records Request 13-218 on October 9, 2013. It is titled "Lease And Concession Agreement For Advertising And Promotions" and is the lease agreement giving Clear Channel exclusive rights to advertisements at the airport.

Exhibit 5: Clear Channel Advertising Request

This exhibit is an email I received from Blane Shepard at Clear Channel on September 13, 2013. The attachment is Exhibit 7. The relevant text is as follows:

We do not have the capability to run :30 audio video. We do have static (.jpg) or motion (.swf) capabilities – however that we sell in increments of :10. I will attach an example of what they look like.

Exhibit 6: Port of Seattle revenue from Clear Channel

This exhibit was received in response to Port of Seattle Public Records Request 13-218 on October 9, 2013. It contains the revenue share that the port has received from Clear Channel every month in 2013. It shows that Clear Channel has fallen significantly short of the minimum revenue every month, and as a result has paid the port the contractual minimum of $416,666.67 per month.

Exhibit 7: Clear Channel Pricing Sheet

This exhibit is an email I received from Blane Shepard at Clear Channel on September 13, 2013. It shows that advertisements in baggage claim run $7,500 for a for month long unit. Each unit is ten seconds every four minutes. The advertisements do not cover 5 of the baggage claim carousels.

Exhibit 8: WILLIAM L. BRYANT PDC report

This exhibit is a printout I made from the Public Disclosure Commission's website on October 13, 2013. It shows that William L Bryant raised $366,004.09 and spent 365,680.86 in is 2011 port commission race.

Conclusion

Given the presented facts and exhibits, I feel it is appropriate for the Public Disclosure Commission to review the actions of John Watson Creighton III in order to determine whether he:

1. Misused public resources in the production and distribution of a campaign advertisement, in

violation of RCW 42.17A.555.

2. Received unreported contributions and made unreported expenditures in violation of RCW 42.17A.405 and other laws.

If the commission finds that Mr. Creighton did indeed violate one or more of these campaign finance regulations, I urge you to impose the maximum penalty authorized under RCW 42.17A.750: Ten-thousand dollars for each recording session, plus three times the value of the illegal campaign advertising. In addition, I urge you to immediately forward your findings to the state attorney general so the election may be held void and a special election held, as this violation probably affected the outcome of the current election.

Certification

I certify (or declare) under penalty of perjury under the laws of the State of Washington that this complaint is complete, true and correct to the best of my knowledge and belief.

Sincerely,

Andrew Pilloud

Exhibits: 8 http://andrew.pilloud.us/sites/andrew.pilloud.us/files/PortOfSeattle2013-10-13Exhibits.zip

cc: Pete Lewis, Port of Seattle Commissioner Candidate
Emily Heffter, Seattle Times
Jeff Burnside, KOMO 4 News
Jeff Dubois, KIRO 7 Eyewitness News
Glen Morgan, Freedom Foundation
Elly Snow, Washington Coalition for Open Government
Bob Ferguson, Washington State Attorney General
http://andrew.pilloud.us/blog/2013/10/13/port-seattle-millions-public-dollars-funneled-incumbents-campaigns

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Andrew Pilloud
P.O. Box 4794
Seattle, Washington 98194-0794
(206) 641-7654
andrew@pilloud.us

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Public Disclosure Commission

October 13, 2013

Phil Stutzman, Director of Compliance
State of Washington Public Disclosure Commission
711 Capitol Way Room 206
P.O. Box 40908
Olympia, Washington 98504-0908

Re: COURTNEY O'GRADY GREGOIRE – VIOLATION OF RCW 42.17A.555 AND UNREPORTED CAMPAIGN CONTRIBUTIONS AND EXPENDITURES EXCEEDING THE MAXIMUM LIMITS PROVIDED BY LAW

Dear Mr. Stutzman:

I am submitting to you a complaint regarding the violation of RCW 42.17A.555, which prohibits the use of public office or agency facilities in political campaigns. This complaint is regarding an ongoing violation that is probably affecting the outcome of the November 5, 2013 General Election. I believe this case requires an immediate and thorough investigation, as it may render the election void.

The Respondent is Commissioner Courtney O'Grady Gregoire, who is both the incumbent and a candidate for Port of Seattle Commissioner Position 2. She resides at 1555 Grand Ave, Seattle, Washington 98122. No other contact information is known.

In violating RCW 42.17A.555, I believe you will also find that Ms. Gregoire has accepted contributions from the Port of Seattle in excess of the limits for candidates imposed in RCW 42.17A.405. This is not a matter to be taken lightly, and is likely to require the taxpayers to spend millions of dollars on a special election. I urge you to subject Ms. Gregoire to the maximum civil penalty of three times the violation, between eight hundred thousand and seven and a half million dollars, under RCW 42.17A.750.

I have personally witnessed this violation multiple times between June 2013 and present. In addition, documents returned by the Port of Seattle, obtained by public disclosure requests, show the violations started no later than April 09, 2013 and have likely been happening for several months prior to that date. These records were received from and can be verified by Asia Linton, Public Disclosure Specialist at the Port of Seattle. Her office phone number is (206) 787-3392 and email is linton.a@portseattle.org. Finally, most of these violations occurred in a public area of the Sea-Tac Airport. Any traveler passing through the airport from April to Present can be considered a witness. I can provide the contact information for travelers on request.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that this complaint is complete, true and correct to the best of my knowledge and belief.

Thank you in advance for your assistance in this investigation. Please keep me appraised of progress and your determination on this matter.

Statement of Facts

On April 9, 2013 from 9:30 AM to 10:00 AM at the Port Commission Office, Ms. Gregoire was involved in the production of an Airport Public Address Recording (Exhibit 1). Ms. Gregoire used Port of Seattle facilities and staff to produce a Public Service Announcement promoting her work on the century agenda at the Port of Seattle.

In the resulting recording (Exhibit 2A) her first words are: "And I'm Commissioner Courtney Gregoire. Welcome to Sea-Tac Airport." This makes it immediately clear to the listener that they are hearing from Ms. Gregoire and that she is the incumbent Port Commissioner. The recording then goes on to talk about the great job Ms. Gregoire and one of her fellow commissioners have been doing improving the economy at the port.

In my experience with the port, I have found that the economy and the environment are the most important issues to voters in the Port of Seattle's district. In addition, I believe the tone of the recording suggests that it is a campaign advertisement. Even if there is doubt about the nature of these recordings as campaign advertisements, state law is clear on the matter in RCW 42.17A.575:

> "No state-elected official or municipal officer may speak or appear in a public service announcement that is broadcast, show, or distributed in any form whatsoever during the period beginning January 1st and continuing through the general election if that official or officer is a candidate."

The law clearly prohibits the use of a public service announcement like the one produced for Ms. Gregoire. I can think of no reason for the production of a public service announcement that can not be used, unless it was produced as a campaign advertisement.

As is noted in Ms. Gregoire's agenda (Exhibit 1), this is a "Airport Public Address Recording". Immediately after their production, these recordings were put into use. They are being played eight times per hour at the Sea-Tac airport (Exhibit 3). Not only were the port facilities used to produce the advertisement, they are being used to distribute the campaign materials. This is a use of public facilities and violation of RCW 42.17A.555.

The Port of Seattle has leased all rights for advertising and promotions at the Sea-Tac Airport to Clear Channel Outdoor, Inc. dba Clear Channel Airports (Exhibit 4). All advertising is controlled by Clear Channel, and use can be purchased from them. As the Port of Seattle has leased all advertisement rights to Clear Channel, either this space was stolen by the Port of Seattle, or an unreported campaign contribution and expenditure must have occurred to pay Clear Channel for the use of this space.

I contacted Blaine Shepherd, General Manager at Clear Channel Airports, who can be reached at (206) 494-4166. He informed me that they currently do not offer audio advertisements at the airport, and that the closest product they sell is video advertisements in baggage claim (Exhibit 5). This advertising only covers a part of the baggage claim area, and would completely miss the frequent local business travelers who do not check bags. I believe this group includes a large n[illegible] and potential campaign

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Summary of Exhibits

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Exhibit 2A: Recording of Mr. Albro and Ms. Gregoire

This exhibit was received in response to Port of Seattle Public Records Request 13-196 on September 19, 2013. It is an audio recording of Mr. Albro and Ms. Gregoire. The transcript follows:

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

Courtney: And I'm Commissioner Courtney Gregoire. Welcome to Sea-Tac Airport.

Tom: As a part of our Century Agenda, a 25 year vision for the region, we are determined to make Washington a preferred destination for international travelers, and to strengthen access to global markets for Northwest businesses.

Courtney: From apples and salmon to airplanes and software, our region benefits from international trade.

Tom: And all over the world people recognize the Pacific Northwest as a beautiful place to visit and do business. We're glad you're here!

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Exhibit 3: Skybridge playlist

This exhibit was received in response to Port of Seattle Public Records Request 13-196 on September 19, 2013. It is a schedule showing that the recordings in exhibits 2A are to be played at the airport entrance sky-bridges 8 times per hour. Other recordings to be played include other commissioner advertisements (24 times per hour), a security announcement (4 times per hour), light-rail announcement (4 times per hour), and Quincy Jones advertisement (2 times per hour).

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Conclusion

Given the presented facts and exhibits, I feel it is appropriate for the Public Disclosure Commission to review the actions of Courtney O'Grady Gregoire in order to determine whether she:

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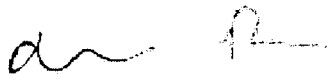
2. Received unreported contributions and made unreported expenditures in violation of RCW 42.17A.405 and other laws.

If the commission finds that Ms. Gregoire did indeed violate one or more of these campaign finance regulations, I urge you to impose the maximum penalty authorized under RCW 42.17A.750: Ten-thousand dollars for each recording session, plus three times the value of the illegal campaign advertising. In addition, I urge you to immediately forward your findings to the state attorney general so the election may be held void and a special election held, as this violation probably affected the outcome of the current election.

Certification

I certify (or declare) under penalty of perjury under the laws of the State of Washington that this complaint is complete, true and correct to the best of my knowledge and belief.

Sincerely,



Andrew Pilloud

Exhibits: 8 http://andrew.pilloud.us/sites/andrew.pilloud.us/files/PortOfSeattle2013-10-13Exhibits.zip

cc: John Naubert, Port of Seattle Commissioner Candidate
Emily Heffter, Seattle Times
Jeff Burnside, KOMO 4 News
Jeff Dubois, KIRO 7 Eyewitness News
Glen Morgan, Freedom Foundation
Elly Snow, Washington Coalition for Open Government
Bob Ferguson, Washington State Attorney General
http://andrew.pilloud.us/blog/2013/10/13/port-seattle-millions-public-dollars-funneled-incumbents-campaigns

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For Tom and John 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.

For Tom and Bill with emphasis on environment:

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

Bill: And I'm Commissioner Bill Bryant. Welcome to Sea-Tac, one of the greenest airports in the country.

Tom: Our dedication to making the Port of Seattle the greenest and most energy efficient port in North America is an essential part of our Century Agenda.

Bill: We are committed to balancing economic growth with environmental responsibility.

Tom: Because nothing matters if we don't preserve our environment for future generations.

For Tom and Courtney 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.

For Tom with the emphasis on maximizing access to global markets for NW businesses:

Tom: Hello, I'm Port of Seattle Commissioner Tom Albro. Welcome to Sea-Tac Airport.

As a part of our Century Agenda, a 25 year vision for the region, we are determined to make Washington a preferred destination for international travelers, and to strengthen access to global markets for Northwest businesses.

From apples and salmon to airplanes and software, our region benefits from global markets. And all over the world people recognize the Pacific Northwest as a beautiful place to visit and do business.

For Tom and Stephanie 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.

For Tom and John 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.

Tony Perkins

From: Watson, Craig [Watson.C@portseattle.org]
Sent: Monday, October 21, 2013 8:53 AM
To: Tony Perkins
Cc: Albro, Thomas; Bowman, Stephanie; Bryant, Bill; Creighton, John; Gregoire, Courtney; Yoshitani, Tay; Beckett, Kurt
Subject: RE: PDC law re: Public Service Announcements by Municipal Officers

Dear Mr. Perkins: Apologies for my tardy response as I have been out of the office and thank you for this helpful information. The recorded commissioner greetings at STIA have been a familiar part of the airport experience for many years and are designed to personalize an airport users experience at the airport. Per your direction the commission messages have been discontinued. Regards, CRW

Craig R. Watson, General Counsel
Pier 69 | 2711 Alaskan Way
P. O. Box 1209 | Seattle, WA 98111
Dir: 206-787-3218 | Cell: 206-910-9543
Fax: 206-787-3205
watson.c@portseattle.org

Port of Seattle

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone the message or any information contained in the message.

If you have received the message in error, please advise the sender by reply e-mail and delete the message. Thank you very much.

From: Tony Perkins [mailto:tony.perkins@pdc.wa.gov]
Sent: Friday, October 18, 2013 5:21 PM
To: Watson, Craig
Subject: PDC law re: Public Service Announcements by Municipal Officers

Dear Mr. Watson,

I'm sending this email as a follow-up to voice messages left this afternoon with Julie Thomas, assistant to Port of Seattle CEO Tay Yoshitani, and with Clare Gallagher, the port's government relations manager. Public Disclosure Commission (PDC) staff has urgent guidance for port officials that we hoped we could deliver today.

On October 15, 2013, PDC staff notified Port of Seattle commissioners Tom Albro, John Creighton, Courtney Gregoire, and Stephanie Bowman of complaints filed against them by Andrew Pilloud. (Copies of the complaints are attached to this email.) The complaints concerned four audio recordings allegedly played over the public address system at SeaTac airport since at least this summer, and possibly continuing. As described in the complaints, the recordings feature the voices of the four commissioners, and identify them by name. The complaint alleges violations of RCW 42.17A.555 and RCW 42.17A.405 by the commissioners in connection with the recordings. PDC staff is currently reviewing the complaints to determine whether a formal investigation or other action is warranted.

If accurate as described, we believe that the four recordings are subject to RCW 42.17A.575, a statute that prohibits state-elected officials and municipal officers from speaking or appearing in a public service announcement from January 1 to the date of the general election in a year in which the official is a candidate. Accordingly, we recommend that the Port of Seattle cease airing the recordings in the airport, if they have continued to air, and refrain from distributing them in any other manner. If the port takes such corrective action, we would appreciate being informed of the steps you have taken.

For more information on the prohibition in RCW 42.17A.575, please see *PDC Interpretation 10-01, Public Service Announcements By State-Elected Officials and Municipal Officers Section 703, Chapter 204, Laws of 2010*.

Thank you for your attention to this. Please let me know if you have any questions.

Sincerely,

Tony Perkins
Lead Political Finance Specialist
Washington State Public Disclosure Commission

(360) 586-1042
(360) 753-1112
tony.perkins@pdc.wa.gov

Tony Perkins

From: Safora, Isabel [Safora.I@portseattle.org]
Sent: Wednesday, October 30, 2013 2:29 PM
To: Tony Perkins
Cc: Watson, Craig; Beckett, Kurt
Subject: Pilloud Complaint - Port of Seattle Officials
Attachments: Commissioner Miller_Message_7.6.2004.pdf; Commissioner Creighton_Message_10.23.2008.pdf; Commissioner Bryant_Message_1.26.2009.pdf; Commissioner Tarleton_Message_2.10.2012.pdf; Comms Albro Bryant Gregoire_Message_4.8.2013.pdf; Comms Albro Bowman Creighton 5 14 13.pdf

Mr. Perkins,
This responds to your email of October 25th to Craig Watson. Below, in red, are the Port's responses to your questions.

1. Approximately how many years has STIA utilized recorded commissioner greetings? The furthest back we located is a script from 2004. Tracking on the messages only goes back to 2007. Attached is the 2004 script for the announcement by former Port Commissioner Paige Miller.

2. Are recorded commissioner greetings in constant use at the airport, or are they heard less frequently? How frequently? The Commissioner messages run 24/7 along the 6 sky bridges from the airport garage to the terminal only. The messages are heard in rotation with directional messages recorded by Port staff or by Northwest musicians as part of the Port's music initiative.
   Commissioner messages run between 20-35 seconds in duration, music messages are approximately 40 seconds long. In 2013, the Commissioner messages did not run from January until April during the transition from former Commissioner President Gael Tarleton to current Commission President Tom Albro. The gap in messaging allowed for the completion of scripts and recordings with the new Commission President. When Commissioner messages are not playing, the Port plays the staff and musician messages noted above. Beginning April 19, 2013, messages with Commission President Albro and Commissioner Bill Bryant and with Commission President Albro and Commissioner Courtney Gregoire began playing. These messages ran at the rate of 5 messages/hr. (Commissioners Albro/Bryant at 3 messages/hr.; Commissioners Albro/Gregoire at 2 messages/hr.), all 24/7 in rotation as noted above. Beginning May 16, 2013, messages with Commission President Albro and Commissioner John Creighton and messages with Commission President Albro and Commissioner Stephanie Bowman were added to the playlist. At that time the Commissioner messages ran at 12 messages/hr., with each Commissioner pair running at 4 each/hr. On July 19, 2013, Commissioner messages increased in frequency to 32 messages/hr. with each Commissioner pair running 8 each/hr.

3. Are particular commissioners rotated through the recorded messages according to any schedule? All Commissioner messages were played with the same frequency. If so, does this schedule pay any attention to whether a given commissioner is a candidate for election at the time their recorded message is scheduled to be used? Please explain. The schedule is the same for all Commissioner messages.

4. Did the content of the messages at issue in Mr. Pilloud's complaints differ substantially from the recorded commissioner messages used in the past? The content of the Commissioner messages is substantially similar to the scripts used in the past. Previously, the messages were only recorded by the Commission President. In 2013, all Commissioners are featured. The messages focus on the Port's business, environment and trade initiatives and other Port accomplishments. With your answer, please provide a script or detailed description of representative past messages. Attached are scripts of Commissioner messages from 2004, 2008, 2009, 2012 and 2013.

Please let me know if you require additional information. Thank you.

Isabel R. Safora
Deputy General Counsel
Port of Seattle
P. O. Box 1209
Seattle, WA 98111
safora.i@portseattle.org
206-787-3216

CONFIDENTIALITY NOTICE. This message may contain information that is protected by the attorney-client and/or work product privilege. If this message was sent to you in error, any use, disclosure or distribution of its contents is prohibited. If you receive this message in error, please contact me at the telephone number or e-mail address listed above and delete this message without printing, copying, or forwarding it. Thank you.

From: Tony Perkins <tony.perkins@pdc.wa.gov>
Date: October 25, 2013 at 4:09:09 AM GMT+8
To: "Watson, Craig" <Watson.C@portseattle.org>
Subject: RE: PDC law re: Public Service Announcements by Municipal Officers

Dear Mr. Watson,

PDC staff is continuing our review of the complaints filed by Andrew Pilloud against Port of Seattle officials, and a question has come up that I hope you can assist us in answering. In your email below, you state that recorded commissioner greetings at SeaTac International Airport have been "a familiar part of the airport experience for many years." To help understand the precise meaning of this statement, please provide the following information at your earliest convenience:

1. Approximately how many years has STIA utilized recorded commissioner greetings?
2. Are recorded commissioner greetings in constant use at the airport, or are they heard less frequently? How frequently?
3. Are particular commissioners rotated through the recorded messages according to any schedule? If so, does this schedule pay any attention to whether a given commissioner is a candidate for election at the time their recorded message is scheduled to be used? Please explain.
4. Did the content of the messages at issue in Mr. Pilloud's complaints differ substantially from the recorded commissioner messages used in the past? With your answer, please provide a script or detailed description of representative past messages.

Thanks for your attention to this. I look forward to hearing from you.

Sincerely,

Tony Perkins
Lead Political Finance Specialist
Washington State Public Disclosure Commission

(360) 586-1042
(360) 753-1112
tony.perkins@pdc.wa.gov

From: Watson, Craig [mailto:Watson.C@portseattle.org]
Sent: Monday, October 21, 2013 8:53 AM
To: Tony Perkins
Cc: Albro, Thomas; Bowman, Stephanie; Bryant, Bill; Creighton, John; Gregoire, Courtney; Yoshitani, Tay; Beckett, Kurt
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Craig R. Watson, General Counsel
Pier 69 | 2711 Alaskan Way
P. O. Box 1209 | Seattle, WA 98111
Dir: 206-787-3218 | Cell: 206-910-9543
Fax: 206-787-3205
watson.c@portseattle.org

Port of Seattle

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone the message or any information contained in the message.

If you have received the message in error, please advise the sender by reply e-mail and delete the message. Thank you very much.

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Dear Mr. Watson,

I'm sending this email as a follow-up to voice messages left this afternoon with Julie Thomas, assistant to Port of Seattle CEO Tay Yoshitani, and with Clare Gallagher, the port's government relations manager. Public Disclosure Commission (PDC) staff has urgent guidance for port officials that we hoped we could deliver today.

On October 15, 2013, PDC staff notified Port of Seattle commissioners Tom Albro, John Creighton, Courtney Gregoire, and Stephanie Bowman of complaints filed against them by Andrew Pilloud. (Copies of the complaints are attached to this email.) The complaints concerned four audio recordings allegedly played over the public address system at SeaTac airport since at least this summer, and possibly continuing. As described in the complaints, the recordings feature the voices of the four commissioners, and identify them by name. The complaint alleges violations of RCW 42.17A.555 and RCW 42.17A.405 by the commissioners in

connection with the recordings. PDC staff is currently reviewing the complaints to determine whether a formal investigation or other action is warranted.

If accurate as described, we believe that the four recordings are subject to RCW 42.17A.575, a statute that prohibits state-elected officials and municipal officers from speaking or appearing in a public service announcement from January 1 to the date of the general election in a year in which the official is a candidate. Accordingly, we recommend that the Port of Seattle cease airing the recordings in the airport, if they have continued to air, and refrain from distributing them in any other manner. If the port takes such corrective action, we would appreciate being informed of the steps you have taken.

For more information on the prohibition in RCW 42.17A.575, please see *PDC Interpretation 10-01, Public Service Announcements By State-Elected Officials and Municipal Officers Section 703, Chapter 204, Laws of 2010*.

Thank you for your attention to this. Please let me know if you have any questions.

Sincerely,

Tony Perkins
Lead Political Finance Specialist
Washington State Public Disclosure Commission

(360) 586-1042
(360) 753-1112
tony.perkins@pdc.wa.gov

Hello. I'm Port of Seattle Commission President Paige Miller.

Welcome to Seattle Tacoma International Airport.
We have a lot of exciting changes in store for you. Now open is the Gina Marie Lindsey Arrivals Hall and Concourse A at the south end of the terminal, providing new gates, moving sidewalks, shops, restaurants and fabulous artwork.

If you need help while you're here, just ask any airport employee. We're all here to help you along your way.

New Skybridge Announcements (11/08)

Message #1

"Hi, I'm Port of Seattle Commissioner John Creighton. Welcome to Sea-Tac Airport, recognized as a national leader in noise reduction efforts. This year, our Fly Quiet Program congratulates both SkyWest Airlines and Cargolux for being named the quietest in their categories."

Message #2 (before and after versions)

"Hi, I'm Port of Seattle Commissioner John Creighton. Welcome to Sea-Tac Airport, where we will open a third runway on November 20th that will make our airport more efficient in low visibility weather, helping to reduce both flight delays and aircraft emissions."

"Hi, I'm Port of Seattle Commissioner John Creighton. Welcome to Sea-Tac Airport, where we recently opened a third runway that gives the airport the ability to remain efficient in low visibility weather, helping to reduce both flight delays and aircraft emissions."

Message #3:

"Hi, I'm Port of Seattle Commissioner John Creighton. Welcome to Sea-Tac Airport, where conservation efforts have reduced our energy consumption by 25 percent in recent years."

New Skybridge Announcements (01/09)

Message #1 (Noise Reduction)

"Hi, I'm Port of Seattle Commissioner Bill Bryant. Welcome to Sea-Tac Airport, recognized as a national leader in noise reduction efforts. This year, our Fly Quiet Program congratulates both SkyWest Airlines and Cargolux for being named the quietest in their categories."

Message #2 (Third Runway)

"Hi, I'm Port of Seattle Commissioner Bill Bryant. Welcome to Sea-Tac Airport, where we recently opened a third runway that gives the airport the ability to remain efficient in low visibility weather, helping to reduce both flight delays and aircraft emissions."

Message #3: (Energy Conservation)

"Hi, I'm Port of Seattle Commissioner Bill Bryant. Welcome to Sea-Tac Airport, where conservation efforts have reduced our energy consumption by 25 percent in recent years."

Safety:

Message #4

Hi, I'm Port of Seattle Commissioner Bill Bryant. Welcome to Sea-Tac Airport. In the interest of your safety, we would like to remind you that escalators and lots of luggage don't mix. Please consider using the elevators located nearby.

Message #5

Hi, I'm Port of Seattle Commissioner Bill Bryant. Welcome to Sea-Tac Airport. Please be careful when using escalators. Hold onto the handrail and assist children and others who may need help.

Message #6

Hi, I'm Port of Seattle Commissioner Bill Bryant. Welcome to Sea-Tac Airport. We want your journey to be a safe one. So please be careful stepping on and off the escalators.

Older Environmental messages:

Message #7

Hi. I'm Port of Seattle Commissioner Bill Bryant. Welcome to Sea-Tac Airport, one of the greenest airports in the nation. We're committed to cleaner air and water, energy conservation and recycling.

Message #8

Hi. I'm Port of Seattle Commissioner Bill Bryant. Welcome to Sea-Tac Airport, one of the nation's most environmentally friendly airports. Our taxis and shuttles use clean-burning fuel to protect the air & conserve gasoline.

Message #9

Hi. I'm Port of Seattle Commissioner Bill Bryant. Welcome to Sea-Tac Airport, where we combine the Northwest passion for coffee with an award-winning environmental program. Our concessions recycle 12 tons of coffee grounds every month!

Way Finding:

Message #10

Hi, and welcome to Sea-Tac Airport. I'm Port of Seattle Commissioner Bill Bryant.
If you need directions while you're here, be sure to ask any airport employee - especially one of our many Pathfinders and Volunteers. We're all here to help you along your way.

Audio Messages for Sea-Tac 2012

- Hi, I'm Port of Seattle Commissioner, Gael Tarleton. I'm proud that Sea-Tac Airport is partnering with Alaska Airlines, Boeing and others to promote aviation biofuel development in the Northwest. This alternative fuel source is made from renewable resources such as algae and wood byproducts.

- Hello, I'm Port of Seattle Commissioner, Gael Tarleton. Our seaport and airport operations have many programs to help reduce greenhouse gas emissions in this region. The "Greener Skies" Initiative at Sea-Tac Airport will make aircraft landings more efficient, reduce emissions, and noise.

- Hi, I'm Port of Seattle Commissioner, Gael Tarleton. And welcome to Sea-Tac Airport. We at the Port of Seattle are committed to a greener environment. In fact, the airport recycles over 1,300 tons of material a year.

- Hello, I'm Port of Seattle Commissioner, Gael Tarleton. Did you know that Sea-Tac Airport collects, treats or segregates all storm water leaving airport property. This is to make sure it is completely clean when discharged back to the Puget Sound.

- Hello, I'm Port of Seattle Commissioner, Gael Tarleton. Welcome to Sea-Tac Airport, the 17th largest airport in North America. We served more than 32 million passengers in 2011, and we're still growing.

- Hi, I'm Port of Seattle Commissioner, Gael Tarleton. Seattle-Tacoma International Airport's 26 passenger airlines include 75 non-stop domestic and 21 non-stop international destinations. Your journey begins here.

- Hello, I'm Port of Seattle Commissioner, Gael Tarleton. While visiting Sea-Tac Airport, why not stop into one of our award-winning shops and restaurants! And check out the music player on our free airport wifi for great music by Seattle artists.

Tony Perkins

From: Safora, Isabel [Safora.I@portseattle.org]
Sent: Thursday, October 31, 2013 2:02 PM
To: Tony Perkins
Cc: Phil Stutzman; Jacob Berkey; Beckett, Kurt; Albro, Thomas
Subject: Pilloud Complaint - Port of Seattle Officials

Mr. Perkins,
Commission President Tom Albro advised that he requested both changes noted in your inquiry.
Thank you.

Isabel R. Safora
Deputy General Counsel
Port of Seattle
P. O. Box 1209
Seattle, WA 98111
safora.i@portseattle.org
206-787-3216

CONFIDENTIALITY NOTICE. This message may contain information that is protected by the attorney-client and/or work product privilege. If this message was sent to you in error, any use, disclosure or distribution of its contents is prohibited. If you receive this message in error, please contact me at the telephone number or e-mail address listed above and delete this message without printing, copying, or forwarding it. Thank you.

From: Tony Perkins [mailto:tony.perkins@pdc.wa.gov]
Sent: Wednesday, October 30, 2013 2:42 PM
To: Safora, Isabel
Cc: Phil Stutzman; Jacob Berkey
Subject: RE: Pilloud Complaint - Port of Seattle Officials

Thank you for your response, Isabel. Can you provide any information to explain why the port began including all commissioners in its recorded greetings in 2013, rather than the commission president only? Can you explain the increase in the frequency of the recorded messages beginning on July 19, 2013?

Thank you in advance for the additional information.

Tony Perkins
Lead Political Finance Specialist
Washington State Public Disclosure Commission

(360) 586-1042
(360) 753-1112
tony.perkins@pdc.wa.gov

From: Safora, Isabel [mailto:Safora.I@portseattle.org]
Sent: Wednesday, October 30, 2013 2:29 PM
To: Tony Perkins
Cc: Watson, Craig; Beckett, Kurt
Subject: Pilloud Complaint - Port of Seattle Officials

Mr. Perkins,

This responds to your email of October 25th to Craig Watson. Below, in red, are the Port's responses to your questions.

1. Approximately how many years has STIA utilized recorded commissioner greetings? The furthest back we located is a script from 2004. Tracking on the messages only goes back to 2007. Attached is the 2004 script for the announcement by former Port Commissioner Paige Miller.

2. Are recorded commissioner greetings in constant use at the airport, or are they heard less frequently? How frequently? The Commissioner messages run 24/7 along the 6 sky bridges from the airport garage to the terminal only. The messages are heard in rotation with directional messages recorded by Port staff or by Northwest musicians as part of the Port's music initiative. Commissioner messages run between 20-35 seconds in duration, music messages are approximately 40 seconds long. In 2013, the Commissioner messages did not run from January until April during the transition from former Commissioner President Gael Tarleton to current Commission President Tom Albro. The gap in messaging allowed for the completion of scripts and recordings with the new Commission President. When Commissioner messages are not playing, the Port plays the staff and musician messages noted above. Beginning April 19, 2013, messages with Commission President Albro and Commissioner Bill Bryant and with Commission President Albro and Commissioner Courtney Gregoire began playing. These messages ran at the rate of 5 messages/hr. (Commissioners Albro/Bryant at 3 messages/hr.; Commissioners Albro/Gregoire at 2 messages/hr.), all 24/7 in rotation as noted above. Beginning May 16, 2013, messages with Commission President Albro and Commissioner John Creighton and messages with Commission President Albro and Commissioner Stephanie Bowman were added to the playlist. At that time the Commissioner messages ran at 12 messages/hr., with each Commissioner pair running at 4 each/hr. On July 19, 2013, Commissioner messages increased in frequency to 32 messages/hr. with each Commissioner pair running 8 each/hr.

3. Are particular commissioners rotated through the recorded messages according to any schedule? All Commissioner messages were played with the same frequency. If so, does this schedule pay any attention to whether a given commissioner is a candidate for election at the time their recorded message is scheduled to be used? Please explain. The schedule is the same for all Commissioner messages.

4. Did the content of the messages at issue in Mr. Pilloud's complaints differ substantially from the recorded commissioner messages used in the past? The content of the Commissioner messages is substantially similar to the scripts used in the past. Previously, the messages were only recorded by the Commission President. In 2013, all Commissioners are featured. The messages focus on the Port's business, environment and trade initiatives and other Port accomplishments. With your answer, please provide a script or detailed description of representative past messages. Attached are scripts of Commissioner messages from 2004, 2008, 2009, 2012 and 2013.

Please let me know if you require additional information. Thank you.

Isabel R. Safora
Deputy General Counsel
Port of Seattle
P. O. Box 1209
Seattle, WA 98111
safora.i@portseattle.org
206-787-3216

CONFIDENTIALITY NOTICE. This message may contain information that is protected by the attorney-client and/or work product privilege. If this message was sent to you in error, any use, disclosure or distribution of its contents is prohibited. If you receive this message in error, please contact me at the telephone number or e-mail address listed above and delete this message without printing, copying, or forwarding it. Thank you.

From: Tony Perkins <tony.perkins@pdc.wa.gov>
Date: October 25, 2013 at 4:09:09 AM GMT+8
To: "Watson, Craig" <Watson.C@portseattle.org>
Subject: RE: PDC law re: Public Service Announcements by Municipal Officers

Dear Mr. Watson,

PDC staff is continuing our review of the complaints filed by Andrew Pilloud against Port of Seattle officials, and a question has come up that I hope you can assist us in answering. In your email below, you state that recorded commissioner greetings at SeaTac International Airport have been "a familiar part of the airport experience for many years." To help understand the precise meaning of this statement, please provide the following information at your earliest convenience:

1. Approximately how many years has STIA utilized recorded commissioner greetings?
2. Are recorded commissioner greetings in constant use at the airport, or are they heard less frequently? How frequently?
3. Are particular commissioners rotated through the recorded messages according to any schedule? If so, does this schedule pay any attention to whether a given commissioner is a candidate for election at the time their recorded message is scheduled to be used? Please explain.
4. Did the content of the messages at issue in Mr. Pilloud's complaints differ substantially from the recorded commissioner messages used in the past? With your answer, please provide a script or detailed description of representative past messages.

Thanks for your attention to this. I look forward to hearing from you.

Sincerely,

Tony Perkins
Lead Political Finance Specialist
Washington State Public Disclosure Commission

☎ (360) 586-1042
🖷 (360) 753-1112
tony.perkins@pdc.wa.gov

From: Watson, Craig [mailto:Watson.C@portseattle.org]
Sent: Monday, October 21, 2013 8:53 AM
To: Tony Perkins
Cc: Albro, Thomas; Bowman, Stephanie; Bryant, Bill; Creighton, John; Gregoire, Courtney; Yoshitani, Tay; Beckett, Kurt
Subject: RE: PDC law re: Public Service Announcements by Municipal Officers

Dear Mr. Perkins: Apologies for my tardy response as I have been out of the office and thank you for this helpful information. The recorded commissioner greetings at STIA have been a familiar part of the airport experience for many years and are designed to personalize an airport users experience at the airport. Per your direction the commission messages have been discontinued. Regards, CRW

Craig R. Watson, General Counsel
Pier 69 | 2711 Alaskan Way
P. O. Box 1209 | Seattle, WA 98111
Dir: 206-787-3218 | Cell: 206-910-9543
Fax: 206-787-3205
watson.c@portseattle.org

Port of Seattle

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone the message or any information contained in the message.

If you have received the message in error, please advise the sender by reply e-mail and delete the message. Thank you very much.

From: Tony Perkins [mailto:tony.perkins@pdc.wa.gov]
Sent: Friday, October 18, 2013 5:21 PM
To: Watson, Craig
Subject: PDC law re: Public Service Announcements by Municipal Officers

Dear Mr. Watson,

I'm sending this email as a follow-up to voice messages left this afternoon with Julie Thomas, assistant to Port of Seattle CEO Tay Yoshitani, and with Clare Gallagher, the port's government relations manager. Public Disclosure Commission (PDC) staff has urgent guidance for port officials that we hoped we could deliver today.

On October 15, 2013, PDC staff notified Port of Seattle commissioners Tom Albro, John Creighton, Courtney Gregoire, and Stephanie Bowman of complaints filed against them by Andrew Pilloud. (Copies of the complaints are attached to this email.) The complaints concerned four audio recordings allegedly played over the public address system at SeaTac airport since at least this summer, and possibly continuing. As described in the complaints, the recordings feature the voices of the four commissioners, and identify them by name. The complaint alleges violations of RCW 42.17A.555 and RCW 42.17A.405 by the commissioners in connection with the recordings. PDC staff is currently reviewing the complaints to determine whether a formal investigation or other action is warranted.

If accurate as described, we believe that the four recordings are subject to RCW 42.17A.575, a statute that prohibits state-elected officials and municipal officers from speaking or appearing in a public service announcement from January 1 to the date of

the general election in a year in which the official is a candidate. Accordingly, we recommend that the Port of Seattle cease airing the recordings in the airport, if they have continued to air, and refrain from distributing them in any other manner. If the port takes such corrective action, we would appreciate being informed of the steps you have taken.

For more information on the prohibition in RCW 42.17A.575, please see *PDC Interpretation 10-01, Public Service Announcements By State-Elected Officials and Municipal Officers Section 703, Chapter 204, Laws of 2010*.

Thank you for your attention to this. Please let me know if you have any questions.

Sincerely,

Tony Perkins
Lead Political Finance Specialist
Washington State Public Disclosure Commission

☎ (360) 586-1042
🖷 (360) 753-1112
tony.perkins@pdc.wa.gov

Tony Perkins

From: Tom Albro [tom.albro@nakesa.com]
Sent: Tuesday, December 31, 2013 1:37 PM
To: Tony Perkins
Subject: PDC Case 14-006

Tony,

Thank you for extending the timeframe for my response to the PDC complaint you are investigating.

You have mentioned that you are looking into the complaint to see if it might violate the RCW 42.17A.575 prohibition on Public Service Announcements by a public official during thecalendar year of his/her election.

I am confident that the Commissioner announcements at Seattle-Tacoma International Airport garage access ramps, the facility we govern, are not public service announcements. Instead, they are normal duties of a commissioner (particularly the President) as specifically allowed in RCW 42.17A.555 as an exception (see Section 3) for "activities which are part of the normal and regular conduct of the office or agency".

While I was unable to find a definition of "public service announcement" in the Revised Code of Washington itself, the common meaning clearly does not include the Port Commission ramp announcements. Definitions of the term by Black's Law Dictionary (online) and Wikipedia follow:

> *Definition per Black's Law Dictionary:*
>
> *What is PUBLIC SERVICE ANNOUNCEMENT?*
> *A message that is broadcast to the general public by mass media free of any costs. There is no charge to anyone for these public service announcements.*
>
> *Definition per Wikipedia:*
>
> *A public service announcement (PSA) or public service ad, are messages in the public interest disseminated by the media without charge, with the objective of raising awareness, changing public attitudes and behavior towards a social issue.*

The Port Commissioner ramp announcements are not conveyed over "mass media" or "the media". Nor are they broadcast to the "general public", but to specific users of the airport facility - the same facility for which the Commission is responsible.

Others at the Port have provided you with specific information about the announcements, their content and their frequency. They have also provided you historical background showing that these have been an ongoing part of Commissioner responsibilities for many years.

You have asked me to speak to two questions specifically:

- Why did I invite my colleagues to join in the announcements when historically the President has reserved this privilege to himself or herself alone?
- Why did I ask our staff to review the frequency of the announcements and adjust them if appropriate?

These are fair questions and, while I believe irrelevant to the legal question you are investigating as part of the complaint, the answers do provide a perspective that is useful.

I invited my colleagues to join me in these announcements because I believed it was important for the Port Commission to convey a common commitment to the Port's strategic goals and that we, as a Commission, were working together in their pursuit.

The Century Agenda was adopted by the Port Commission in December 2012. I co-Chaired the final phase of this Commission led effort with my colleague, John Creighton. This effort was undertaken in a very public fashion. Throughout 2011, the Commission as a whole engaged subject matter experts in 9 separate round table discussions, which were both noticed public meetings and televised (also available on the Port's website). After adopting a set of draft strategic objectives and during most of 2012, all Port Commissioners presented the draft plan throughout the County. Commissioners addressed over 70 separate city counsels, community organizations, and business groups. We created a short video describing the Century Agenda specifically for this use and to broaden the audience so we could get as much feedback as possible.

Shortly after adopting the Century Agenda, the Port Commission experienced two vacancies and subsequently appointed replacement Commissioners. While these new Commissioners were not part of the Century Agenda efforts, both ascribed to the strategic goals. As President I believed it valuable for the public to know that while these new members that had not been included in the deliberations, they were nonetheless committed to the Century Agenda.

Fortunately, the Century Agenda has four major thrusts – cargo, tourism, workforce development and small business growth, and environmental stewardship. I elected to take advantage of this and engage all of my colleagues in the announcements. In each, I am joined by one of my colleagues and we jointly speak to one of the elements of the Century Agenda.

After the announcements were up and running for several months, I noticed that I rarely heard them whilewalking from the garage to the airport. Instead, I noticed prolonged periods of silence and some periods of other announcements. As a result, I asked the staff to review the frequency to make best use of the opportunity.

I hope this provides you what you need to conclude your work. If I can be of any further assistance, please don't hesitate to contact me directly.

Sincerely,

Tom Albro
206.930 4004

From: Tony Perkins <tony.perkins@pdc.wa.gov>
Date: Wednesday, December 18, 2013 2:53 PM
To: Tom Albro <tom.albro@nakesa.com>
Subject: RE: Your voice message, re: PDC Case 14-006

Dear Mr. Albro,

Thanks for your email. Yes, an extension until December 31, 2013 will be acceptable. Earlier today, I sent an email to your Port of Seattle address offering the same.

Let me know if you have any other questions. Thanks for your attention to this.

Sincerely,

Tony Perkins
Lead Political Finance Specialist
Washington State Public Disclosure Commission

(360) 586-1042

(360) 753-1112
tony.perkins@pdc.wa.gov

From: Tom Albro [mailto:tom.albro@nakesa.com]
Sent: Wednesday, December 18, 2013 2:48 PM
To: Tony Perkins
Subject: FW: Your voice message, re: PDC Case 14-006

Tony,

I understand from one of my colleagues that you agreed to extend his deadline until 12/31 since you will be out of the office over the holidays.

May I have the same extension?

Tom Albro
206.930.4001

From: "Albro, Thomas" <Albro.T@portseattle.org>
Date: Monday, December 16, 2013 3:31 PM
To: Tom Albro <tom.albro@nakesa.com>
Subject: Fwd: Your voice message, re: PDC Case 14-006

Sent from my iPad

Begin forwarded message:

From: "Albro, Thomas" <Albro.T@portseattle.org>
Date: December 16, 2013 at 3:31:24 PM PST
To: Tony Perkins <tony.perkins@pdc.wa.gov>
Subject: Re: Your voice message, re: PDC Case 14-006

Tony,

Thank you for providing me a little more time.

I will provide you my response by December 20th.

Best,

Tom

Sent from my iPad

On Dec 16, 2013, at 10:58 AM, "Tony Perkins" <tony.perkins@pdc.wa.gov> wrote:

Dear Mr. Albro,

Thank you for your voice message of this morning regarding PDC Case 14-006. I'm taking this opportunity to email in reply, with the hope that I might focus your response to the complaint. In corresponding with Isabel Safora, deputy general counsel to the Port of Seattle, PDC staff learned that the port began including all commissioners in its recorded greetings in 2013, rather than the commission president only. Ms. Safora also stated that the frequency of playback of the recorded commissioner greetings increased from 5 messages per hour to 12 messages per hour beginning on April 19, 2013, and from 12 messages per hour to 32 messages per hour on July 19, 2013. Ms. Safora stated that all of the changes described above were made at your request. In responding to the complaint, please confirm whether this is the case, and if so, explain the reason for the changes.

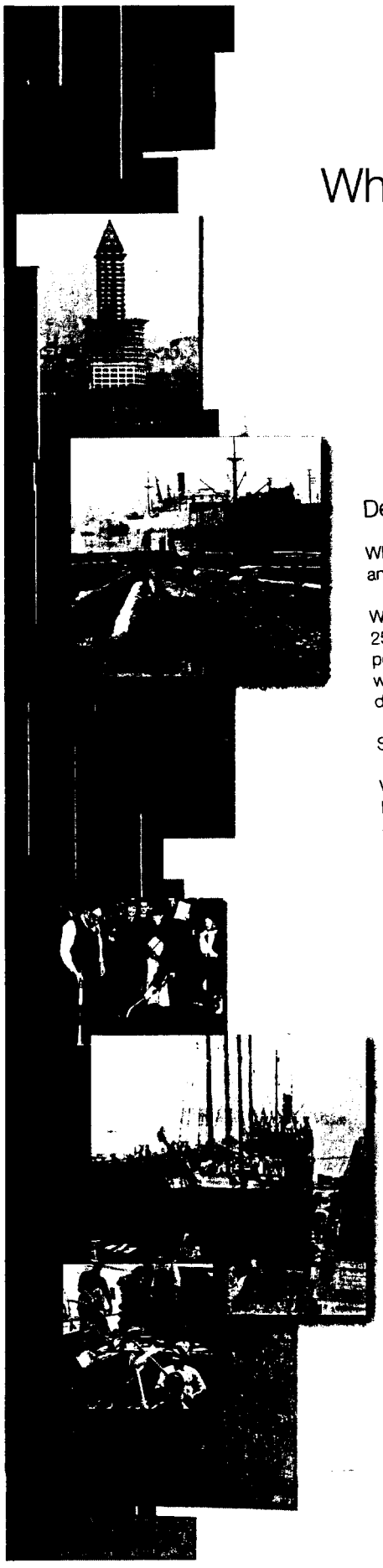
Finally, it will be acceptable to respond to the complaint by this Friday, December 20, 2013. Just let me know if you anticipate any additional delays.

Thank you for your attention to this. Please let me know if you have any questions.

Sincerely,

Tony Perkins
Lead Political Finance Specialist
Washington State Public Disclosure Commission

(360) 586-1042
(360) 753-1112
tony.perkins@pdc.wa.gov



What does it take to **MAKE BIG THINGS HAPPEN?**

Dear Colleague,

What does it take? How do we make big things happen–those that make the difference and that none of us can do alone?

We have been asking ourselves that very question as we put together the Port of Seattle's 25-year vision, our Century Agenda. For the truth is, we cannot generate 100,000 new port-related jobs alone. In fact, most of the elements necessary for achieving this vision are well beyond our control as port commissioners. We can make our facilities ready, but the demand to use them will come from our region's economic growth.

So what does that take?

We believe the way forward has been demonstrated many times. How did we get the Dreamliner assembly and the deep-bore tunnel? Looking farther back, how did we establish a publicly owned port, clean up Lake Washington and host a World's Fair?

We did it together by agreeing to focus our energies, by agreeing on common goals, by contributing our resources to the cause. We worked as colleagues first and executives, educators or elected officials second. Our models are the Aerospace Alliance, Forward Thrust and Century 21. We know what we need to do.

So let's do it again. Let's agree on a handful of regional initiatives that will truly move the needle—that will be held up as examples by our successors 25 and 50 years from now.

We are proposing four regional initiatives for your consideration that would be good for our region, and are necessary to create more than 100,000 jobs. There are other challenges that also demand regional leadership to improve quality of life for Washington citizens. We believe that these proposed initiatives complement those collective efforts.

We stand ready to get to work, contribute resources and join the teams that pursue these new initiatives. We are asking you to do the same.

Sincerely,

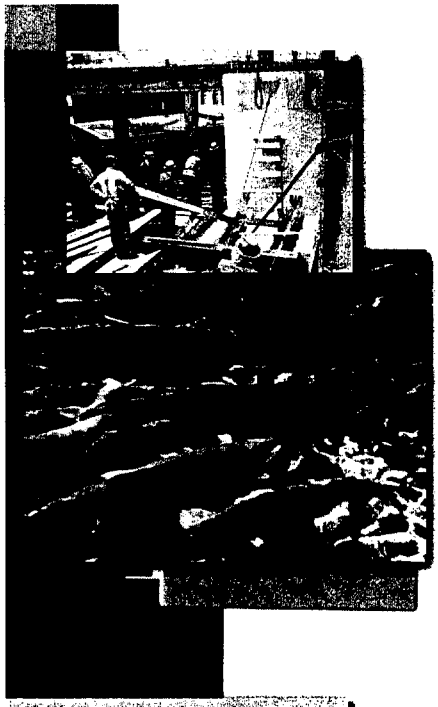
Tom Albro

Bill Bryant

Stephanie Bowman

Courtney Gregoire

John Creighton



FOUR REGIONAL INITIATIVES

1 Strengthen access to global markets and supply chains for Northwest businesses

From apples and salmon to airplanes and software, our region benefits from global markets. The growth of emerging markets allows us to do even more to maximize our unique position.

Aligning efforts like the Center for Advanced Manufacturing in Puget Sound, Washington State's Innovation Partnership Zones (IPZ) and our Foreign Trade Zones would strengthen the region's role as a premier logistics hub, and grow exports from Northwest businesses. Advocating for improved policies on taxation and land use will assist this effort.

2 Make Washington a preferred destination for international tourists from countries with which we have direct flights

Strengthening the Washington Tourism Alliance can expand the role of tourism in the state's economy, and increase the number of international visitors to the Puget Sound. Attracting both new and repeat visitors and encouraging longer visits to our region leads to economic growth.

A coalition with tourism stakeholders, ranging from hospitality providers to wineries and more, can make Washington a "must visit" place. We can create synergy between tourism and business travelers, furthering foreign investment and trade that will grow Northwest industries, and adding to our efforts to establish our state as a primary nexus of U.S./Asia relations.

3 Establish an educational consortium to serve the needs of the maritime industry for workforce development, applied research and business growth

Our trade-dependent region has three times more jobs in maritime industries than the national average. Let's use this strength to make the Northwest a national magnet for maritime education, technological innovation and tomorrow's entrepreneurs. Boat building and repair for the Northern Pacific fishing fleet alone can pump $40 billion into our economy in the coming years.

We can meet private sector needs for designers, marine engineers, welders and boat crews through education and training models developed by the Washington STEM initiative, Centers for Excellence, our community colleges and workforce development organizations. As we do so, we can create an educational magnet that would incubate new technologies and bring business to Washington.

4 Foster a coordinated effort among Puget Sound ports in support of Washington state's pursuit of a healthier Puget Sound

Our region's beauty is heightened by the balance of land use, habitat protection and restoration, and water quality in Puget Sound. Let's join forces to restore the sound's vitality, through a coordinated effort among Puget Sound ports, and other regional organizations, to protect and improve our shared environment.

We can increase the health of Puget Sound and enhance additional acres of fresh water and estuarine habitat in the Green/Duwamish watershed and Elliott Bay, while ensuring the vitality of our manufacturing and industrial districts.

MISSION, VISION & COMMITMENT

Our Mission: The Port of Seattle is a public agency that creates jobs by advancing trade and commerce, promoting industrial growth, and stimulating economic development.

Our Vision: Over the next 25 years, we will add 100,000 jobs through economic growth led by the Port of Seattle, for a total of 300,000 port-related jobs in the region, while reducing our environmental footprint.

Our Commitment: The Port of Seattle creates economic opportunity for all, stewards our environment responsibly, partners with surrounding communities, promotes social responsibility, conducts ourselves transparently, and holds ourselves accountable. We will leave succeeding generations a stronger port.

OUR CENTURY AGENDA STRATEGIES & OBJECTIVES

Position the Puget Sound region as a premier international logistics hub

- Grow seaport annual container volume to more than 3.5 million TEUs
- Structure our relationship with Washington ports to optimize infrastructure investments and financial returns
- Triple air cargo volume to 750,000 metric tons
- Triple the value of our outbound cargo to over $50 billion
- Double the economic value of the fishing and maritime cluster industries

Advance this region as a leading tourism destination and business gateway

- Make Sea-Tac Airport the West Coast "Gateway of Choice" for international travel
- Double the number of international flights and destinations
- Meet the region's air transportation needs at Sea-Tac Airport for the next 25 years and encourage the cost-effective expansion of domestic and international passenger and cargo service
- Double the economic value of cruise traffic to Washington state

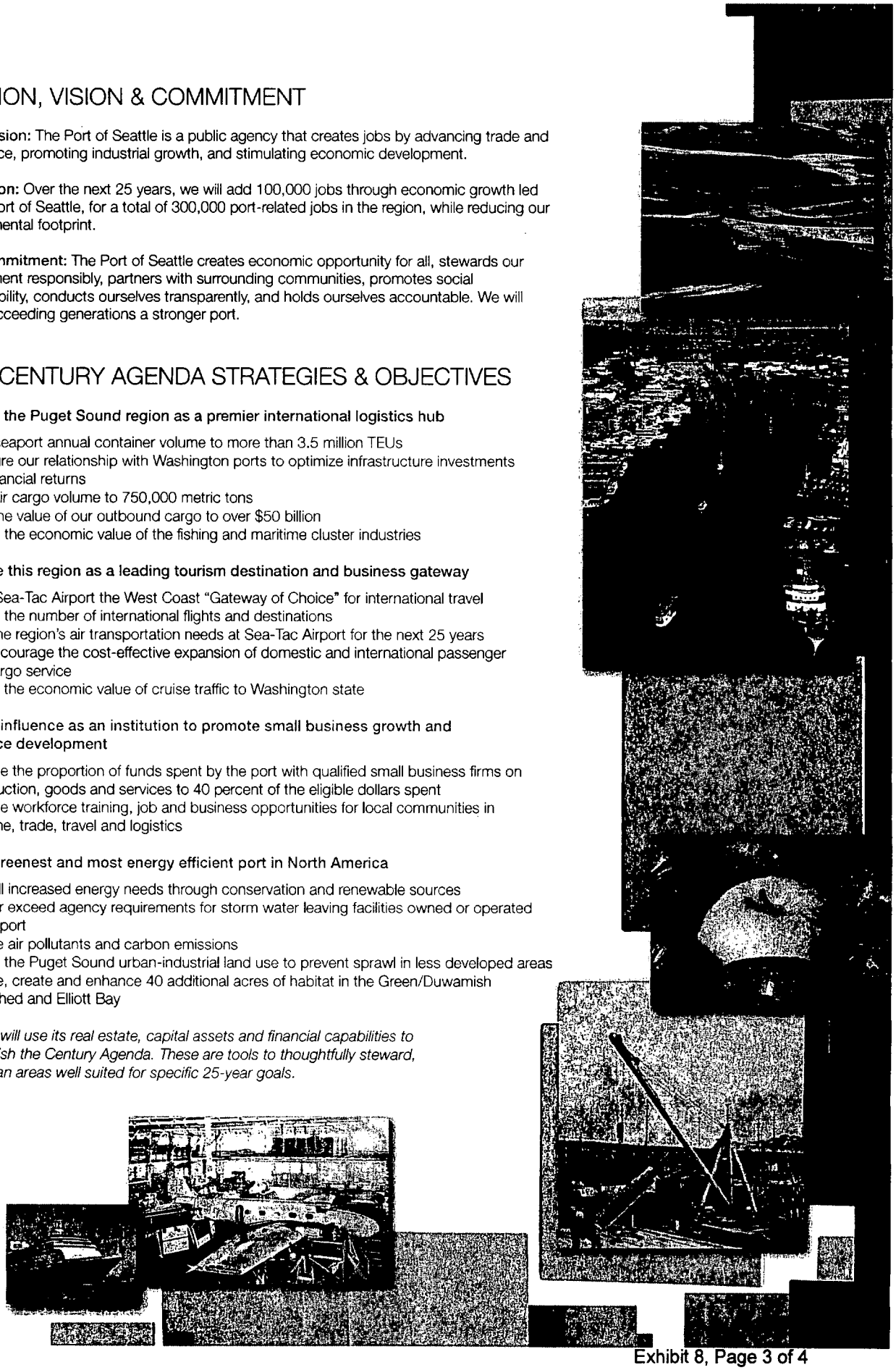
Use our influence as an institution to promote small business growth and workforce development

- Increase the proportion of funds spent by the port with qualified small business firms on construction, goods and services to 40 percent of the eligible dollars spent
- Increase workforce training, job and business opportunities for local communities in maritime, trade, travel and logistics

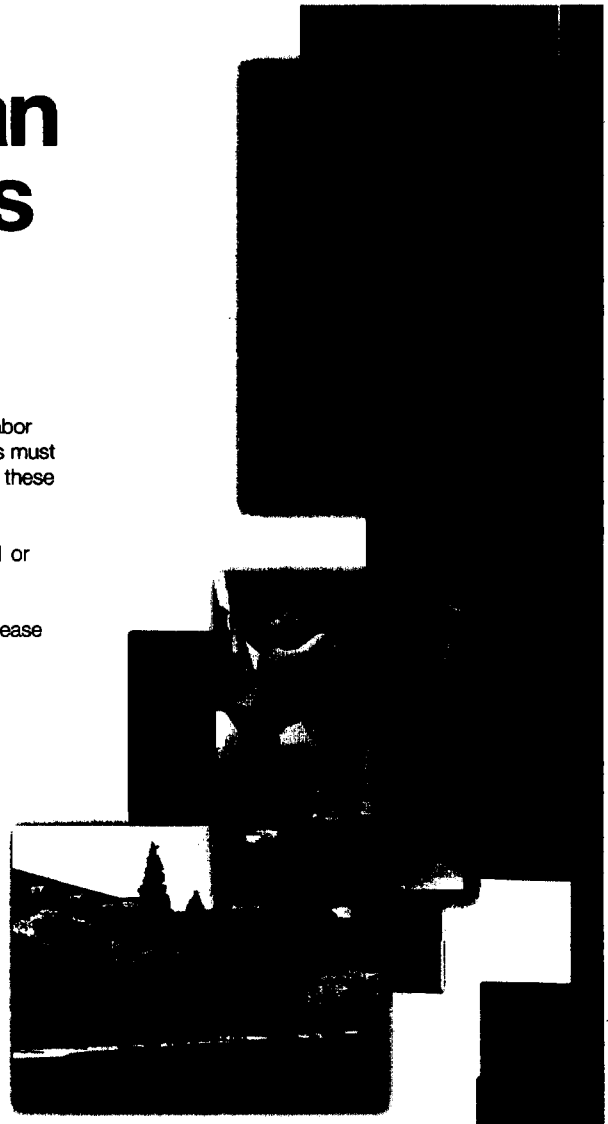
Be the greenest and most energy efficient port in North America

- Meet all increased energy needs through conservation and renewable sources
- Meet or exceed agency requirements for storm water leaving facilities owned or operated by the port
- Reduce air pollutants and carbon emissions
- Anchor the Puget Sound urban-industrial land use to prevent sprawl in less developed areas
- Restore, create and enhance 40 additional acres of habitat in the Green/Duwamish watershed and Elliott Bay

The port will use its real estate, capital assets and financial capabilities to accomplish the Century Agenda. These are tools to thoughtfully steward, rather than areas well suited for specific 25-year goals.



Together we can make big things happen.



Will you help lead this effort?

To help meet this challenge, businesses, workforce organizations, labor unions, educational institutions, government and community leaders must come together and identify innovative and meaningful ways to bring these initiatives to life.

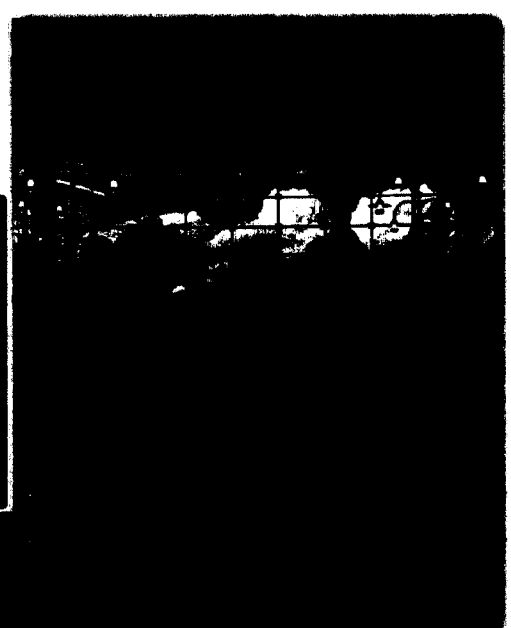
Share your thoughts and ideas with us! Contact us at 206.787.4371 or CenturyAgenda@portseattle.org

For more information about the Port of Seattle's Century Agenda, please visit our website at www.portseattle.org/about/commission

Port of Seattle

Commissioners
Tom Albro
Stephanie Bowman
Bill Bryant
John Creighton
Courtney Gregoire

Chief Executive Officer
Tay Yoshitani



Port of Seattle

Where a sustainable world is headed.™

Port of Seattle, P.O. Box 1209
Seattle, WA 98111 USA
206.787.3000
www.portseattle.org

The Port of Seattle operates under the State of Washington's Public Disclosure Act. To obtain public records, please email specific requests to public-disclosure@portseattle.org, phone 206.787.3094 or fax 206.787.3205

Images courtesy of Washington State Archives, Museum of History and Industry, Seattle Municipal Archives, Washington State University, Port of Seattle Archives and Don Wilson for Port of Seattle.

1000 6-13

JOHN W. CREIGHTON
6619 – 132ND AVENUE NE, PMB 182
KIRKLAND, WA 98033

December 27, 2013

State of Washington Public Disclosure Commission
711 Capitol Way, Room 206
PO Box 40908
Olympia, WA 98504-0908
Attn: Tony Perkins

Re: Response to Complaint filed by Mr. Andrew Pilloud, PDC Case No. 14-006

Dear Mr. Perkins:

I am responding to the complaint filed by Mr. Andrew Pilloud with the Public Disclosure Commission on October 13, 2013 alleging that certain incumbent Seattle port commissioners, including myself, violated RCW 42.17A.555 by virtue of the welcome messages playing on the parking garage sky-bridges at Seattle-Tacoma International Airport, a Port of Seattle facility, recorded by myself and my colleagues.

Mr. Pilloud's complaint is filled with factual errors. During and before my tenure on the Port Commission, the Sea-Tac Airport sky-bridge sound system has been used almost exclusively to welcome travelers to a Port of Seattle facility. The sky-bridge sound system has never been used for advertising, nor has is it ever been made available for the submission of recordings by third party individuals or organizations, for payment or otherwise, unrelated to the purpose of welcoming travelers to the airport.

Port commissioners, as the elected leaders of the Port of Seattle, have acted properly over the years in recording the airport welcome announcements. This activity is no different than a local mayor having a plaque in city hall welcoming visitors, or a county executive or other elected official having a welcome message on the website of the relevant local municipality.

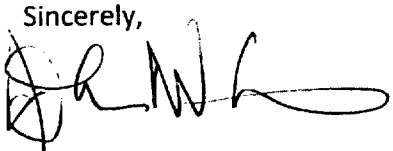
In addition, the playing of welcome messages recorded by commissioners at the airport does not violate the provisions of RCW 42.17A.575. The welcome messages do not constitute a "public service announcement" as defined in WA 390-05-525. The messages are not "[d]esigned to benefit or promote the community's health, safety or welfare", they are designed to welcome travelers to the airport. The recordings are not geared towards being "of primary interest to the general public", but rather are targeted at travelers entering the airport facility and played solely on the airport sky-bridges.

Nevertheless, in an abundance of caution, the Port of Seattle discontinued the welcome messages upon learning of this complaint.

Mr. Pilloud was an unsuccessful candidate for Seattle Port Commission during 2013. His complaint is meritless, and appears timed and intended solely to harass and besmirch his opponent and other incumbent port commissioners immediately prior to ballots being mailed out. I urge the Public Disclosure Commission to dismiss this complaint in its entirety.

Please do not hesitate to contact me at jwcreighton3@yahoo.com or (206) 818-4473 if you have any questions or need any further information.

Sincerely,



John W. Creighton

December 31, 2013

State of Washington Public Disclosure Commission
711 Capitol Way, Room 206
PO Box 40908
Olympia, WA 98504-0908
Attention: Tony Perkins

Re: Response to PDC Case No.14-006

Dear Mr. Perkins,

I am writing in response to the complaint filed by Mr. Andrew Pilloud with the Public Disclosure Commission on October 13, 2013 alleging that Port of Seattle Commissioners, including myself, violated RCW 42.17A.555 by participating in recorded "welcome" messages played at the skybridge entrance to the Sea-Tac International Airport.

I was appointed on May 3, 2013 to an open seat on the Port of Seattle Commission. Within a week of my appointment, I was asked to participate with Commissioner Tom Albro in recording a taped message welcoming guests to the Sea-Tac airport. My understanding is that these messages by Port Commissioners have played continuously for several years, and serve only to welcome guests to the airport. They are audible only to guests crossing over the skybridge from the parking garage to the airport's main terminal (approximately 25 yards). As a new Commissioner, I agreed to participate, as I was assured this was a common practice and was similar in nature to a Mayor or County Executive having a welcome message located on a sign or an official website.

Although I am not an attorney, my understanding of RCW 42.17A.575 is that it prohibits public service announcements, which are messages "designed to benefit or promote the community's health, safety or welfare" (WA 390-05-525). By contrast, the recorded messages heard over the skybridge at Sea-Tac airport are simply welcome messages directed at travelers.

Although I dispute Mr. Pilloud's accusation, I asked the Port of Seattle staff to immediately discontinue the recorded messages until this matter can resolved by your staff. I am disappointed that Mr. Pilloud, who was an unsuccessful candidate for the Port of Seattle Commission in 2013, chose to file this complaint only days before the ballots were mailed to citizens. As a new Commissioner, I certainly would not have agreed to participate in recording a welcome message at the airport if I thought it in any way might violate Washington State election laws. Nevertheless, I am dismayed that this sole complaint appears to motivated by politics rather than an interest in upholding the strong campaign public disclosure laws for which our state is known. I urge the Public Disclosure Commission to dismiss this complaint in its entirety and provide closure to this issue.

Please don't hesitate to contact me directly if I may be of any additional assistance. I can be reached at (206) 898-3043 or by email at Stephanie.Bowman10@gmail.com. Thank you for your time and service.

Sincerely,

Stephanie Bowman

Tony Perkins

From: Courtney Gregoire [courtney.gregoire@outlook.com]
Sent: Monday, January 06, 2014 10:30 AM
To: Tony Perkins
Subject: RE: Letter mailed December 18, 2013 (Complaint by Andrew Pilloud in PDC Case 14-006)

January 6, 2014

Tony Perkins
Public Disclosure Commission
PO Box 40908
Olympia, WA 98408

Re: Complaint filed by Andrew Pilloud
PDC Case No. 14-006

Dear Mr. Perkins:

Thank you for your letter of December 18th. I do not have record of your letter dated December 4th so thank you for the additional time to respond. I would have responded earlier but was unfortunately unable to access my email for several days during holiday travel.

Although your December 4th letter does not specifically request a response, please know that I considered the recording of the airport announcement part of my official and regular duties as a Port Commissioner and that it did not even enter my mind that this was something that would benefit my campaign for re-election.

Please know also that I was not aware of the prohibition against appearing in a public service announcement during the election year until it was brought to my attention in connection with this complaint, nor do I have knowledge of or experience with whether this would meet the legal definition of a public service announcement.

Please let me know if you have any questions or if I can provide additional information to assist you with your investigation.

Sincerely,

Courtney O. Gregoire

From: tony.perkins@pdc.wa.gov
To: courtney.gregoire@outlook.com
Subject: Letter mailed December 18, 2013 (Complaint by Andrew Pilloud in PDC Case 14-006)
Date: Wed, 18 Dec 2013 23:02:59 +0000

Dear Ms. Gregoire,

Thanks for speaking with me a moment ago. Please see the attached letter, and contact me with any questions.

Sincerely,

Tony Perkins
Lead Political Finance Specialist
Washington State Public Disclosure Commission
(360) 586-1042
(360) 753-1112
tony.perkins@pdc.wa.gov

Tony Perkins

From: Tom Albro [tom.albro@nakesa.com]
Sent: Tuesday, March 04, 2014 10:58 AM
To: Tony Perkins
Subject: Re: PDC Case 14-006

Tony,

Thanks for your call back yesterday and checking with me to see if I wanted to further clarify my position using the WAC's definition of PSA's. Yes, I am pleased to do so.

The following is an excerpt from the PDC Interpretation 10-01, *Public Service Announcements By State-Elected Officials and Municipal Officers*, you reference in your email below:

> The Commission adopted the following rules prior to the passage of the 2010 PSA Law:
>
> **WAC 390-05-525 Public service announcement.**
> (1) "Public service announcement" means a communication meets all the following criteria. The communication is:
>
> (a) Designed to benefit or promote the community's health, safety or welfare or nonprofit community events;
>
> (b) Not selling a product or service;
>
> (c) Sponsored by an organization with a history of routinely providing the community such outreach public service messages in the service area of the organization;
>
> (d) Of primary interest to the general public and is not targeted to reach only voters or voters in a specific jurisdiction;
>
> (e) Not coordinated with or controlled or paid for by a candidate's authorized committee or political committee;
>
> (f) Subject to the policies for public service announcements of the entity broadcasting, transmitting, mailing, erecting, distributing or otherwise publishing the communication including policies regarding length, timing and manner of distribution; and
>
> (g) One for which the arrangements to include a reference or depiction of the candidate or candidates in the communication were made at least six months before the candidate became a candidate.
>
> (2) Examples of public service announcements include but are not limited tocommunications regarding nonprofit community events, outreach or awareness activities such as: Breast cancer screening, heart disease, domestic violence, organ donation, emergency or other disaster relief for organizations such as the Red Cross, programs designed to encourage reading by school children, childhood safety, fund drives for charitable programs such as United Way, and similar matters.

For the walkway messages to be considered PSA's per WAC 390-05-525, all of the above criteria must be met. In fact, several of the criteria are not met. These include:

(a) Designed to benefit or promote the community's health, safety or welfare or nonprofit community events;

The walkway messages were not designed to benefit or promote the community's health safety or welfare or nonprofit community events, but instead were designed to 1) inform the facility user that they were using a Port of Seattle facility and welcome them 2) to inform the user that the mission of the Port of Seattle is economic development and job growth, 3) to convey to the user the four major strategic thrusts of how the Port of Seattle planned to address that mission.

(c) Sponsored by an organization with a history of routinely providing the community such outreach public service messages in the service area of the organization;

The walkway messages were not "sponsored" by the Port of Seattle nor does the Port of Seattle routinely provide "outreach public service messages". Instead, the Port of Seattle utilizes its opportunity to communicate with facility users to convey matters of importance to the Port of Seattle. A good example of this are the music initiative messages that also ran during 2013. These promoted the Port of Seattle's SeaTac music initiative, which is a purposed effort of the Port of Seattle as an economic development agency to support the Pacific Northwest's music industry.

(d) Of primary interest to the general public and is not targeted to reach only voters or voters in a specific jurisdiction;

The walkway messages are not of primary interest to the general public, but in the interest of the specific users of the Port of Seattle's SeaTac airport and targeted to reach only them.

f) Subject to the policies for public service announcements of the entity broadcasting, transmitting, mailing, erecting, distributing or otherwise publishing the communication including policies regarding length, timing and manner of distribution;

The walkway messages are not subject to Port of Seattle policies regarding public services announcements, but instead are in keeping with long established Port of Seattle practices to communicate to Port of Seattle facility users information that is important to the Port.

On a separate note, in our previous communications we discussed the walkway message frequency. I have described the events that led to the increase in message frequency to what turned out to be 32 times per hour (according the the exchange below). I just wanted to point out that since each message was about 15 seconds long (if I recall correctly), this equates to these messages totaling about 8 minutes of every hour. I mention this here, because I didn't see any other quantification included in the exchange besides the frequency itself.

Thank you again for your diligence in your duties and this matter. Please don't hesitate to contact me or call me if I can provide any additional information.

Sincerely,

Tom Albro
206.930.4004

From: Tony Perkins <tony.perkins@pdc.wa.gov>
Date: Monday, February 24, 2014 8:50 AM
To: Tom Albro <tom.albro@nakesa.com>
Subject: RE: PDC Case 14-006

Thanks for your email, Tom. I was out this past Friday, and will be occupied with other investigative matters this week, so there is no particular hurry. Just let me know when I might hear from you.

Tony Perkins
Lead Political Finance Specialist
Washington State Public Disclosure Commission

(360) 586-1042
(360) 753-1112
tony.perkins@pdc.wa.gov

From: Tom Albro [mailto:tom.albro@nakesa.com]
Sent: Friday, February 21, 2014 7:53 AM
To: Tony Perkins
Subject: Re: PDC Case 14-006

Tony,

Can I let you know on Monday? That will give me time to review the materials.

Tom

Sent from my iPhone

On Feb 20, 2014, at 3:05 PM, Tony Perkins <tony.perkins@pdc.wa.gov> wrote:

> Dear Mr. Albro,
>
> I'm in the process of writing up my findings regarding the complaint in PDC Case 14-006. Before my report is finalized, I may need to conduct a brief interview with you by telephone. If so, I will let you know.
>
> The main purpose of this email to check whether you planned to supplement your response to the complaint, taking into account the definition of "Public Service Announcement" in WAC 390-05-525, as further clarified by the Public Disclosure Commission in PDC Interpretation 10-01, *Public Service Announcements By State-Elected Officials and Municipal Officers*. I understand that you dispute that the recorded commissioner greetings at SeaTac International Airport are public service announcements; however, because your initial response to the complaint drew from Black's Law Dictionary and Wikipedia, I wanted to make sure that you had the opportunity to speak to the relevant definition in your formal response to the complaint.
>
> Please reply to this email to let me know whether I can expect anything further from you by way of a written response, and if so, when you expect to provide that response.
>
> Thanks for your attention to this, and for your cooperation with the PDC's investigative process. I look forward to hearing from you.
>
> Sincerely,
>
> **Tony Perkins**
> Lead Political Finance Specialist
> Washington State Public Disclosure Commission
>
> (360) 586-1042
> (360) 753-1112
> tony.perkins@pdc.wa.gov

From: Tony Perkins
Sent: Tuesday, December 31, 2013 2:39 PM
To: 'Tom Albro'
Subject: RE: PDC Case 14-006

Dear Mr. Albro,

Thank you for your response. I will review it and contact you if we need additional information to complete our investigation.

For your information, in enforcing RCW 42.17A.575, the 2010 PSA law, PDC staff operates under the definition of "public service announcement" in WAC 390-05-525. In PDC Interpretation 10-01, *Public Service Announcements By State-Elected Officials and Municipal Officers*, the Public Disclosure Commission provided additional interpretation of this definition for the purposes of the 2010 PSA law. If after reviewing the administrative rule and relevant Commission guidance you wish to supplement your response, please let me know.

Sincerely,

Tony Perkins
Lead Political Finance Specialist
Washington State Public Disclosure Commission

(360) 586-1042
(360) 753-1112
tony.perkins@pdc.wa.gov

From: Tom Albro [mailto:tom.albro@nakesa.com]
Sent: Tuesday, December 31, 2013 1:37 PM
To: Tony Perkins
Subject: PDC Case 14-006

Tony,

Thank you for extending the timeframe for my response to the PDC complaint you are investigating.

You have mentioned that you are looking into the complaint to see if it *might* violate the RCW 42.17A.575 prohibition on Public Service Announcements by a public official during thecalendar year of his/her election.

I am confident that the Commissioner announcements at Seattle-Tacoma International Airport garage access ramps, the facility we govern, are not public service announcements. Instead, they are normal duties of a commissioner (particularly the President) as specifically allowed in RCW 42.17A.555 as an exception (see Section 3) for "activities which are part of the normal and regular conduct of the office or agency".

While I was unable to find a definition of "public service announcement" in the Revised Code of Washington itself, the common meaning clearly does not include the Port Commission ramp announcements. Definitions of the term by Black's Law Dictionary (online) and Wikipedia follow:

Definition per Black's Law Dictionary:

What is PUBLIC SERVICE ANNOUNCEMENT?

A message that is broadcast to the general public by mass media free of any costs. There is no charge to anyone for these public service announcements.

Definition per Wikipedia:

A public service announcement (PSA) or public service ad, are messages in the public interest disseminated by the media without charge, with the objective of raising awareness, changing public attitudes and behavior towards a social issue.

The Port Commissioner ramp announcements are not conveyed over "mass media" or "the media". Nor are they broadcast to the "general public", but to specific users of the airport facility - the same facility for which the Commission is responsible.

Others at the Port have provided you with specific information about the announcements, their content and their frequency. They have also provided you historical background showing that these have been an ongoing part of Commissioner responsibilities for many years.

You have asked me to speak to two questions specifically:

Why did I invite my colleagues to join in the announcements when historically the President has reserved this privilege to himself or herself alone?

Why did I ask our staff to review the frequency of the announcements and adjust them if appropriate?

These are fair questions and, while I believe irrelevant to the legal question you are investigating as part of the complaint, the answers do provide a perspective that is useful.

I invited my colleagues to join me in these announcements because I believed it was important for the Port Commission to convey a common commitment to the Port's strategic goals and that we, as a Commission, were working together in their pursuit.

The Century Agenda was adopted by the Port Commission in December 2012. I co-Chaired the final phase of this Commission led effort with my colleague, John Creighton. This effort was undertaken in a very public fashion. Throughout 2011, the Commission as a whole engaged subject matter experts in 9 separate round table discussions, which were both noticed public meetings and televised (also available on the Port's website). After adopting a set of draft strategic objectives and during most of 2012, all Port Commissioners presented the draft plan throughout the County. Commissioners addressed over 70 separate city counsels, community organizations, and business groups. We created a short video describing the Century Agenda specifically for this use and to broaden the audience so we could get as much feedback as possible.

Shortly after adopting the Century Agenda, the Port Commission experienced two vacancies and subsequently appointed replacement Commissioners. While these new Commissioners were not part of the Century Agenda efforts, both

ascribed to the strategic goals. As President I believed it valuable for the public to know that while these new members that had not been included in the deliberations, they were nonetheless committed to the Century Agenda.

Fortunately, the Century Agenda has four major thrusts – cargo, tourism, workforce development and small business growth, and environmental stewardship. I elected to take advantage of this and engage all of my colleagues in the announcements. In each, I am joined by one of my colleagues and we jointly speak to one of the elements of the Century Agenda.

After the announcements were up and running for several months, I noticed that I rarely heard them whilewalking from the garage to the airport. Instead, I noticed prolonged periods of silence and some periods of other announcements. As a result, I asked the staff to review the frequency to make best use of the opportunity.

I hope this provides you what you need to conclude your work. If I can be of any further assistance, please don't hesitate to contact me directly.

Sincerely,

Tom Albro
[illegible]

From: Tony Perkins <tony.perkins@pdc.wa.gov>
Date: Wednesday, December 18, 2013 2:53 PM
To: Tom Albro <tom.albro@nakesa.com>
Subject: RE: Your voice message, re: PDC Case 14-006

Dear Mr. Albro,

Thanks for your email. Yes, an extension until December 31, 2013 will be acceptable. Earlier today, I sent an email to your Port of Seattle address offering the same.

Let me know if you have any other questions. Thanks for your attention to this.

Sincerely,

Tony Perkins

Lead Political Finance Specialist
Washington State Public Disclosure Commission

(360) 586-1042
(360) 753-1112
tony.perkins@pdc.wa.gov

From: Tom Albro [mailto:tom.albro@nakesa.com]
Sent: Wednesday, December 18, 2013 2:48 PM
To: Tony Perkins
Subject: FW: Your voice message, re: PDC Case 14-006

Tony,

I understand from one of my colleagues that you agreed to extend his deadline until 12/31 since you will be out of the office over the holidays.

May I have the same extension?

Tom Albro
206.930.4004

From: "Albro, Thomas" <Albro.T@portseattle.org>
Date: Monday, December 16, 2013 3:31 PM
To: Tom Albro <tom.albro@nakesa.com>
Subject: Fwd: Your voice message, re: PDC Case 14-006

Sent from my iPad

Begin forwarded message:

> **From:** "Albro, Thomas" <Albro.T@portseattle.org>
> **Date:** December 16, 2013 at 3:31:24 PM PST
> **To:** Tony Perkins <tony.perkins@pdc.wa.gov>
> **Subject: Re: Your voice message, re: PDC Case 14-006**
>
> Tony,
>
> Thank you for providing me a little more time.
>
> I will provide you my response by December 20th.
>
> Best,
>
> Tom
>
> Sent from my iPad
>
> On Dec 16, 2013, at 10:58 AM, "Tony Perkins" <tony.perkins@pdc.wa.gov> wrote:
>
> Dear Mr. Albro,
>
> Thank you for your voice message of this morning regarding PDC Case 14-006. I'm taking this opportunity to email in reply, with the hope that I might focus your response to the complaint. In corresponding with Isabel Safora, deputy general counsel to the Port of Seattle, PDC staff learned that the port began including all commissioners in its recorded greetings in 2013, rather than the commission president only. Ms. Safora also stated that the frequency of playback of the recorded commissioner greetings increased from 5 messages per hour to 12 messages per hour beginning on April 19, 2013, and from 12 messages per hour to 32 messages per hour on July 19, 2013. Ms. Safora stated that all of the changes described above were made at your request. In responding to the complaint, please confirm whether this is the case, and if so, explain the reason for the changes.
>
> Finally, it will be acceptable to respond to the complaint by this Friday, December 20, 2013. Just let me know if you anticipate any additional delays.

Thank you for your attention to this. Please let me know if you have any questions.

Sincerely,

Tony Perkins
Lead Political Finance Specialist
Washington State Public Disclosure Commission

(360) 586-1042
(360) 753-1112
tony.perkins@pdc.wa.gov