

## **SETTLEMENT AGREEMENT**

This Settlement Agreement (“Agreement”) is made and entered into by the Board of Ethics of the City of Philadelphia, J. Shane Creamer, Jr., the Executive Director of the Board, the Local 692 Sprinklerfitters PAC, and Joseph Matthews, the treasurer of the Local 692 Sprinklerfitters PAC, jointly referred to as “the Parties.”

### **RECITALS**

- A. The Board of Ethics of the City of Philadelphia is an independent, five-member City board established in 2006 through voter approval of an amendment to the Philadelphia Home Rule Charter. Pursuant to Section 4-1100 of the Home Rule Charter, the Board is charged with administering and enforcing the City’s Campaign Finance Law.
- B. The Local 692 Sprinklerfitters PAC is a political committee based in Philadelphia. The Local 692 Sprinklerfitters PAC has previously filed campaign finance reports with the Board.
- C. Joseph Matthews is the treasurer of the Local 692 Sprinklerfitters PAC.
- D. Pursuant to Board Regulation No. 1 Paragraph 1.20(d)(i), a political committee must electronically file with the Board a campaign finance report or statement for any reporting cycle in which the committee makes expenditures or incurs debt to influence the outcome of a City election.
- E. January 31, 2017 was the deadline for political committees to file 2016 Annual (Cycle 7) campaign finance reports.
- F. During the 2016 cycle 7 reporting period, the Local 692 Sprinklerfitters PAC made a contribution to a candidate for City elective office. Therefore, the committee should have electronically filed a 2016 Cycle 7 campaign finance report with the Board by January 31, 2017. However, the committee failed to file a 2016 cycle 7 report by January 31, 2017.
- G. On February 1, 2017, Board enforcement staff notified the committee of its failure to file a 2016 Cycle 7 campaign finance report with the Board. The committee filed its 2016 Cycle 7 report with the Board on February 7, 2017, seven days after the deadline.
- H. Pursuant to Philadelphia Code §§ 20-1006(4) and 20-1301(2) and Regulation No. 1 Paragraph 1.53, the late filing of a campaign finance report violates the City’s Campaign Finance law and is subject to a civil monetary penalty of \$250 for each day the report is late with maximum total penalties of \$2,000 for the first 30 days the report remains unfiled plus \$1,000 for each additional 30 day period, or part thereof, the report remains unfiled.
- I. On April 21, 2016, the Local 692 Sprinklerfitters PAC entered into a settlement agreement with the Board resolving a violation of the City’s Campaign Finance Law for its failure to timely file a 2015 Cycle 5 campaign finance report with the Board.

- J. The Parties desire to enter into this Agreement in order to resolve the issues described herein.

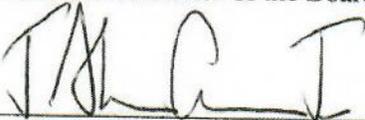
## **AGREEMENT**

The Parties agree that:

1. By filing its 2016 cycle 7 campaign finance report seven days late, the Local 692 Sprinklerfitters PAC violated the City's Campaign Finance Law, for which the PAC and Joseph Matthews are jointly and severally liable for a civil monetary penalty of \$1,750. The civil monetary penalty shall be paid within 14 days of the effective date of the Agreement. Payment shall be by check made payable to the City of Philadelphia and delivered to the offices of the Board.
2. The Local 692 Sprinklerfitters PAC and Joseph Matthews release and hold harmless the Board and its staff from any potential claims, liabilities, and causes of action arising from the Board's investigation, enforcement, and settlement of the matters described in the Agreement.
3. In consideration of the above and in exchange for the compliance of the Local 692 Sprinklerfitters PAC and Joseph Matthews with all of the terms of the Agreement, the Board waives any further penalties or fines against them for the violations described in the Agreement.
4. The Parties will not make any public statements that are inconsistent with the terms of the Agreement.
5. If the Ethics Board is forced to seek judicial enforcement of the Agreement, and prevails, the Local 692 Sprinklerfitters PAC and Joseph Matthews shall be liable for attorneys' fees and costs reasonably expended in enforcing compliance with the Agreement. Fees for time spent by City attorneys shall be calculated based upon standard and customary billing rates in Philadelphia for attorneys with similar experience.
6. The Agreement contains the entire agreement between the Parties.
7. The Executive Director will submit a signed copy of the Agreement to the Board for approval. The Agreement shall become effective upon approval by the Board. The effective date of the Agreement shall be the date the Board approves the Agreement.
8. If the Board rejects the proposed Agreement, presentation to and consideration of the Agreement by the Board shall not preclude the Board or its staff from participating in, considering, or resolving an administrative adjudication of the matters described in the Agreement. If the Board rejects the proposed Agreement, nothing in the proposed Agreement shall be considered an admission by either party and, except for this paragraph, nothing in the Agreement shall be effective.

By the Executive Director of the Board of Ethics:

Dated: 2/22/17

  
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J. Shane Creamer, Jr.  
Executive Director

By The Local 692 Sprinklerfitters PAC:

Dated: 02/14/17

  
\_\_\_\_\_  
Joseph Matthews, Treasurer

By Joseph Matthews:

Dated: 02/14/17

  
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Approved by the Board of Ethics:

Dated: 3/15/2017

  
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Michael H. Reed  
Chair