

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, Friends of Cindy Bass, and Traci Nickens, the Treasurer of Friends of Cindy Bass, 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 Honorable Cindy Bass is the City Council member representing the 8th Council District in Philadelphia. She was a candidate for City Council in the 8th Council District in the 2019 Democratic Primary Election and the 2019 General Election. Ms. Bass registered and authorized Friends of Cindy Bass as the candidate political committee to receive contributions and make expenditures on behalf of her candidacy. Traci Nickens is the Treasurer of Friends of Cindy Bass.
- C. Pursuant to the City’s Campaign Finance Law, at various points candidate political committees must file with the Board campaign finance reports, which disclose details of their financial transactions for the relevant reporting period. Board Regulation, No. 1, Paragraph 1.23(a)(iii) requires that each purchase made by a campaign credit card be itemized and disclosed as an expenditure.
- D. Pursuant to Philadelphia Code § 20-1006(4) and Regulation No. 1, Paragraph 1.24, the making of a material misstatement or omission in a report filed with the Board is a violation of the City’s Campaign Finance Law.
- E. In November of 2019, Board Enforcement Staff conducted a review of campaign finance filings that revealed potential violations of the City’s Campaign Finance Law by Friends of Cindy Bass. Accordingly, the Executive Director opened an investigation during which Enforcement Staff reviewed bank records and spoke with individuals associated with the Bass campaign.
- F. From January 1, 2019 through October 25, 2019, Friends of Cindy Bass used a credit card held in its name with the Philadelphia Federal Credit Union to make 125 campaign expenditures totaling \$16,636.80. None of the campaign credit card’s expenditures were disclosed in any 2019 campaign finance reports filed by the Bass campaign with the Board. The omitted expenditures are attached to the Agreement as Exhibit A.
- G. Friends of Cindy Bass fully cooperated with the Board’s investigation. It has filed amended 2019 campaign finance reports with the Board in order to disclose the credit card expenditures described in Paragraph F.
- H. The Parties desire to enter into this Agreement in order to resolve the issues described herein.

AGREEMENT

The Parties agree that:

1. By failing to disclose its credit card expenditures in campaign finance reports that it filed with the Board in 2019, Friends of Cindy Bass and Traci Nickens violated Philadelphia Code § 20-1006(4), for which they are jointly and severally liable for a civil monetary penalty of \$2,000, which shall be due within 30 days of the effective date of the Agreement.

Payment shall be made by check or money order made payable to the City of Philadelphia and delivered to the offices of the Board of Ethics.

2. Friends of Cindy Bass and Ms. Nickens 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 Friends of Cindy Bass and Ms. Nickens with the terms of the Agreement, the Board waives any further penalties or fines against them for the conduct 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 City is forced to seek judicial enforcement of this Agreement, and prevails, the Friends of Cindy Bass and Ms. Nickens shall be liable for attorneys' fees and costs reasonably expended in enforcing compliance with the Agreement. Fees for time spent by Board or 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, or his designee, will submit a signed copy of the Agreement to the Board for approval. The Agreement shall become effective upon approval by the Board.
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: 2/6/20



J. Shane Creamer, Jr.
Executive Director

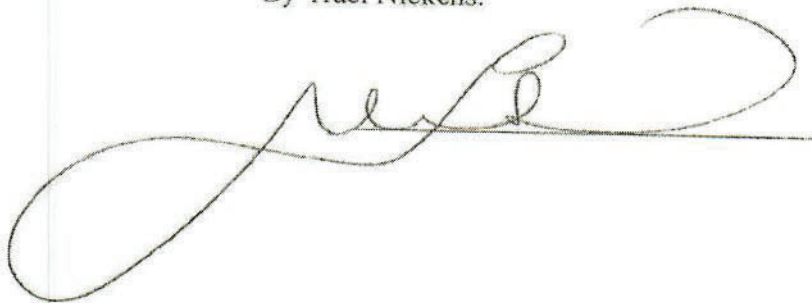
By Friends of Cindy Bass:

Dated: 2.6.20

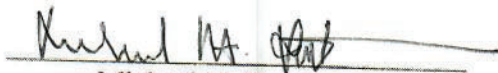


Traci Nickens, Treasurer

By Traci Nickens:



Approved by the Board of Ethics on 2/20/2020



Michael H. Reed
Chair

EXHIBIT A

Post Date	Transaction Date	Description	Amount
1/2/2019	1/1/2019	JDWEBSOLUTIONS.COM JDWEBSOLUTION VA	10.00
1/7/2019	1/6/2019	AMZN Mktp US*MB37U34L1 Amzn.com/bill WA	13.77
1/7/2019	1/6/2019	AT&T*BILL PAYMENT 800-331-0500 TX	206.38
1/9/2019	1/8/2019	MAILCHIMP *MONTHLY MAILCHIMP.COM GA	32.40
1/22/2019	1/19/2019	LATE FEE - PAYMENT DUE ON 01/19	39.00
2/4/2019	2/1/2019	JDWEBSOLUTIONS.COM JDWEBSOLUTION VA	10.00
2/7/2019	2/6/2019	WAWA 8069 00080697 PHILADELPHIA PA	2.25
2/7/2019	2/6/2019	WAWA 8069 00080697 PHILADELPHIA PA	7.96
2/7/2019	2/6/2019	WINE AND SPIRITS 5138 PHILADELPHIA PA	51.80
2/7/2019	2/6/2019	AT&T*BILL PAYMENT 800-331-0500 TX	306.37
2/8/2019	2/6/2019	ACME #0114 PHILADELPHIA PA	55.53
2/11/2019	2/8/2019	MAILCHIMP *MONTHLY MAILCHIMP.COM GA	32.40
2/12/2019	2/10/2019	STAPLES 00102509 CHESTNUT HILL PA	4.84
2/12/2019	2/11/2019	PMN INQ DN SUBSCRIPTIO 800-222-2765 PA	182.65
2/22/2019		INTEREST CHARGE ON PURCHASES	92.21
3/18/2019	3/15/2019	STAPLES 00102509 CHESTNUT HILL PA	138.00
3/18/2019	3/15/2019	STAPLES 00102509 CHESTNUT HILL PA	3.65
3/22/2019		INTEREST CHARGE ON PURCHASES	93.20
3/25/2019	3/23/2019	VERIZON WRLS D5018-01 PHILADELPHIA PA	131.24
3/26/2019	3/25/2019	JDWEBSOLUTIONS.COM JDWEBSOLUTION VA	10.00
3/26/2019	3/25/2019	INSTACART HTTPSINSTACAR CA	24.99
4/1/2019	3/31/2019	AMAZON.COM*MW4H45BA0 A AMZN.COM/BILL WA	20.78
4/1/2019	3/31/2019	AMAZON.COM*MW2YV45I2 A AMZN.COM/BILL WA	18.76
4/2/2019	4/1/2019	JDWEBSOLUTIONS.COM JDWEBSOLUTION VA	10.00
4/4/2019	4/3/2019	CKO *www.istockphoto.co 866-4786251 WA	35.64
4/5/2019	4/3/2019	BREAKFAST BOUTIQUE MT PHILADELPHIA PA	30.92
4/8/2019	4/6/2019	AT&T*BILL PAYMENT 800-331-0500 TX	467.33
4/8/2019	4/5/2019	AMAZON.COM*MW75U27Z0 A AMZN.COM/BILL WA	1,695.95
4/10/2019	4/8/2019	SUNOCO 0807932900 PHILADELPHIA PA	39.30
4/11/2019	4/9/2019	BREAKFAST BOUTIQUE MT PHILADELPHIA PA	68.16
4/12/2019	4/11/2019	USA*MINUTE KEY, INC. BOULDER PA	4.24
4/12/2019	4/11/2019	USA*MINUTE KEY, INC. BOULDER PA	3.18
4/15/2019	4/15/2019	VZWRSS*IVR VE 800-922-0204 FL	462.50

4/16/2019	4/12/2019	BLACKBIRD PIZZERIA PHILADELPHIA PA	7.29
4/16/2019	4/15/2019	4IMPRINT 877-4467746 WI	777.28
4/18/2019	4/17/2019	4IMPRINT 877-4467746 WI	594.80
4/19/2019	4/17/2019	SUNOCO 0364128904 PHILADELPHIA PA	40.00
4/19/2019	4/19/2019	LATE FEE - PAYMENT DUE ON 04/19	39.00
4/23/2019		INTEREST CHARGE ON PURCHASES	159.81
4/24/2019	4/22/2019	SUNOCO 0807932900 PHILADELPHIA PA	41.08
4/24/2019	4/23/2019	VZWRLLS*PRPAY AUTOPAY 888-294-6804 FL	65.00
5/1/2019	4/29/2019	BREAKFAST BOUTIQUE MT PHILADELPHIA PA	43.18
5/2/2019	5/1/2019	JDWEBSOLUTIONS.COM JDWEBSOLUTION VA	10.00
5/6/2019	5/3/2019	SUNOCO 0458741600 PHILADELPHIA PA	25.16
5/6/2019	5/4/2019	PHILADELPHIA PK AUTH W 888-5913636 PA	210.50
5/7/2019	5/6/2019	AT&T*BILL PAYMENT 800-331-0500 TX	231.02
5/7/2019	5/6/2019	VERIZON*ONETIMEPAY VERIZON.COM FL	323.00
5/8/2019	5/6/2019	BREAKFAST BOUTIQUE MT PHILADELPHIA PA	38.86
5/10/2019	5/8/2019	SUNOCO 0807932900 PHILADELPHIA PA	44.27
5/10/2019	5/9/2019	PMN INQ DN SUBSCRIPTIO 800-222-2765 PA	182.65
5/13/2019	5/10/2019	BREAKFAST BOUTIQUE MT PHILADELPHIA PA	16.20
5/13/2019	5/10/2019	CITY VIEW PIZZA PHILADELPHIA PA	99.10
5/20/2019	5/18/2019	STAPLES 00115428 PHILADELPHIA PA	57.86
5/20/2019	5/19/2019	LATE FEE - PAYMENT DUE ON 05/19	39.00
5/22/2019	5/20/2019	SUNOCO 0364128904 PHILADELPHIA PA	47.09
5/23/2019	5/21/2019	WESTHOUSE HOTEL NEW YORK NY	1,993.68
5/23/2019		INTEREST CHARGE ON PURCHASES	189.82
5/24/2019	5/22/2019	SUNOCO 0368305901 RIDGEFIELD NJ	34.69
5/24/2019	5/23/2019	VZWRLLS*PRPAY AUTOPAY 888-294-6804 FL	65.00
5/24/2019	5/24/2019	#55 OCEAN PRIME NYC NEW YORK NY	123.80
5/28/2019	5/25/2019	WESTHOUSE HOTEL NEW YORK NY	348.00
6/3/2019	6/1/2019	JDWEBSOLUTIONS.COM JDWEBSOLUTION VA	10.00
6/7/2019	6/6/2019	AT&T*BILL PAYMENT 800-331-0500 TX	231.02
6/10/2019	6/8/2019	SUNOCO 0807932900 PHILADELPHIA PA	20.04
6/13/2019	6/12/2019	CHESTNUT GRILL & SIDEW PHILADELPHIA PA	122.06
6/19/2019	6/19/2019	LATE FEE - PAYMENT DUE ON 06/19	39.00
6/21/2019		INTEREST CHARGE ON PURCHASES	100.31

6/24/2019	6/21/2019	CITY VIEW PIZZA	PHILADELPHIA PA	76.46
6/24/2019	6/21/2019	WALGREENS #15336	PHILADELPHIA PA	5.95
6/24/2019	6/22/2019	WM SUPERCENTER #3564	WILLOW GROVE PA	94.34
6/24/2019	6/23/2019	VZWRSLSS*PRPAY AUTOPAY	888-294-6804 FL	65.00
6/27/2019	6/26/2019	COSTCO TRAVEL	425-657-1900 WA	2,262.85
7/1/2019	6/28/2019	MAILCHIMP *MONTHLY MAILCHIMP.COM	GA	32.40
7/2/2019	7/1/2019	JDWEBSOLUTIONS.COM	JDWEBSOLUTION VA	10.00
7/8/2019	7/5/2019	FIVE BELOW	166 WYNCOTE PA	91.91
7/8/2019	7/6/2019	AT&T*BILL PAYMENT	800-331-0500 TX	231.02
7/8/2019	7/5/2019	BREAKFAST BOUTIQUE	MT PHILADELPHIA PA	83.66
7/9/2019	7/9/2019	AMZN Mktp US*MH5L670A0	Amzn.com/bill WA	50.87
7/10/2019	7/9/2019	ROTHE FLORISTS	PHILADELPHIA PA	54.00
7/15/2019	7/13/2019	AMZN Mktp US*MH5007SR1	Amzn.com/bill WA	18.01
7/16/2019	7/13/2019	TST* INDEPENDENCE BEER	PHILADELPHIA PA	109.62
7/16/2019	7/14/2019	HILTON PHILADELPHIA CI	PHILADELPHIA PA	10.00
7/18/2019	7/16/2019	SUNOCO 0807932900	PHILADELPHIA PA	43.90
7/18/2019	7/17/2019	LUCIDCHART.COM/CHARGE	WWW.GOLUCID.C UT	71.40
7/19/2019	7/19/2019	LATE FEE - PAYMENT DUE	ON 07/19	39.00
7/23/2019		INTEREST CHARGE ON PURCHASES		95.92
7/24/2019	7/23/2019	VZWRSLSS*PRPAY AUTOPAY	888-294-6804 FL	65.00
7/30/2019	7/29/2019	AMZN Mktp US	Amzn.com/bill WA	(50.87)
8/2/2019	7/31/2019	SUNOCO 0807932900	PHILADELPHIA PA	41.25
8/2/2019	8/1/2019	JDWEBSOLUTIONS.COM	JDWEBSOLUTION VA	10.00
8/5/2019	8/2/2019	JAKES PIZZA	PHILADELPHIA PA	81.17
8/7/2019	8/6/2019	MAILCHIMP *MONTHLY MAILCHIMP.COM	GA	32.40
8/7/2019	8/6/2019	AT&T*BILL PAYMENT	800-331-0500 TX	231.69
8/8/2019	8/7/2019	PHILADELPHIA INQUIRER	800-222-2765 PA	182.65
8/12/2019	8/9/2019	SUNOCO 0807932900	PHILADELPHIA PA	40.30
8/12/2019	8/8/2019	PARKING 05941-MAIN&LEV	215-569-8400 PA	4.00
8/12/2019	8/9/2019	USPS PO 4165580140	PHILADELPHIA PA	18.00
8/13/2019	8/12/2019	AMAZON.COM*MO8DG8CO2 A	AMZN.COM/BILL WA	12.60
8/16/2019	8/15/2019	USA*MINUTE KEY, INC.	BOULDER PA	8.48
8/19/2019	8/17/2019	SUNOCO 0807932900	PHILADELPHIA PA	38.32
8/19/2019	8/17/2019	STAPLES	00102509 CHESTNUT HILL PA	85.23

