

SETTLEMENT AGREEMENT

This Settlement Agreement (“Agreement”) is made and entered into between the Board of Ethics of the City of Philadelphia and Renee Tartaglione. The Ethics Board and Tartaglione are referred to jointly as “the Parties.”

RECITALS

- A. The Board of Ethics of the City of Philadelphia is a five-member, independent board established by ordinance, approved by Philadelphia voters in May 2006, and installed on November 27, 2006. Pursuant to section 4-1100 of the Home Rule Charter, the Board is charged with, among other things, enforcing the City’s Public Integrity Laws, including the restrictions on political activity and the handling of political contributions by City officers and employees found in Section 10-107 of the Philadelphia Home Rule Charter (the “Charter”).
- B. The City Commissioners’ office is responsible for administering all elections that occur in Philadelphia in a fair and impartial manner. The office receives election documents and campaign finance reports, trains election officials to manage polling stations, certifies the official returns and maintains voter registration records.
- C. At all times relevant to this Agreement, until her retirement on November 16, 2010, Renee Tartaglione was a Deputy City Commissioner and one of Philadelphia’s top election officials. Tartaglione was first employed by the City Commissioners in 1984.
- D. As an appointed officer of the City, Deputy City Commissioner Tartaglione was subject to the restrictions on political activity in section 10-107 of the Charter.
- E. Subsection 10-107(3) of the Charter generally prohibits City officers and employees from collecting or receiving any contribution for any political purpose.
- F. Subsection 10-107(4) of the Charter generally prohibits appointed officers and employees of the City from engaging in political activity, which includes taking an active part in the management or affairs of any political part or in any political campaign.
- G. Violations of section 10-107 of the Charter are subject to section 10-109 and subsection 10-107(6) of the Charter.

- H. In August 2009, pursuant to its mandate and in response to a confidential complaint, the Ethics Board's Executive Director commenced an investigation into potential violations of section 10-107 of the Charter committed by Tartaglione.
- I. Tartaglione took part in the affairs of the 2008 campaign of a candidate for State Representative by personally placing seven orders with Kennedy Printing for campaign materials. In total, Tartaglione ordered 4,500 campaign posters, 20,000 palm cards, and 64,000 bullet ballots that promoted the candidate. She also ordered 2,000 bullet ballots with the candidate's opponent's name but the wrong ballot button number for the opponent.
- J. The candidate's campaign and the 19th Democratic ward distributed the campaign posters, palm cards, and the 64,000 bullet ballots that promoted the candidate on and about the day of the April 2008 primary election in order to promote the candidate. The candidate paid for four of the orders. Tartaglione paid for the other three orders with a check drawn on her personal checking account.
- K. In 2009, Tartaglione took part in the affairs of the campaigns of 32 challenger candidates for Judge of Election and Machine Inspector in the 7th ward by placing an order with Kennedy Printing on May 14, 2009 for 5,100 bullet ballots promoting those candidates. The bullet ballots were distributed in the 7th ward on the day of the May 2009 primary. Tartaglione paid for the sample ballots with a check drawn on her business checking account.
- L. In 2009, Tartaglione took part in the affairs of the 19th Democratic ward by:
- i. Placing an order with Kennedy Printing on May 15, 2009 for 6,000 copies of the "Official 19th Ward Democratic Ballot." On the day of the May 2009 primary election, the 19th ward paid workers to distribute the "Official 19th Ward Democratic Ballot." Tartaglione paid for the "Official 19th Ward Democratic Ballot" with a check drawn on her business checking account;
 - ii. Organizing and running an October 27, 2009 meeting of the 19th ward, the purpose of which was to tell committee people about their assignments for the upcoming election; and
 - iii. Arranging and attending a November 2, 2009 meeting of the 19th ward, the purpose of which was to distribute campaign literature to committee people.

- M. During each election cycle in 2007, 2008, and 2009, as detailed below, Tartaglione collected contributions from the Democratic Campaign Committee, a PAC controlled by the Democratic City Committee. The contributions were used to fund election-day “street money” for the 19th and 62nd Democratic wards.
- i. In May 2007, Tartaglione collected a check for \$5,700 for the 19th Democratic ward and a check for \$7,800 for the 62nd Democratic ward.
 - ii. In November 2007, Tartaglione collected a check for \$3,800 for the 19th Democratic ward and a check for \$5,200 for the 62nd Democratic ward.
 - iii. In April 2008, Tartaglione collected a check for \$2,850 for the 19th Democratic ward and a check for \$3,900 for the 62nd Democratic ward.
 - iv. In October 2008, Tartaglione collected a check for \$3,800 for the 19th Democratic ward and a check for \$5,200 for the 62nd Democratic ward. Tartaglione personally cashed the October 2008 contribution checks.
 - v. In May 2009, Tartaglione collected a check for \$3,800 for the 19th Democratic ward and a check for \$5,600 for the 62nd Democratic ward. Tartaglione personally cashed the May 2009 contribution checks.
 - vi. In October 2009, Tartaglione collected a check for \$3,800 for the 19th Democratic ward and a check for \$5,200 for the 62nd Democratic ward. Tartaglione personally cashed the October 2009 contribution checks.
- N. On November 12, 2010, pursuant to Ethics Board Regulation No. 2, the Board’s Executive Director notified Tartaglione that he had found probable cause to believe that she had committed multiple violations of Home Rule Charter subsections 10-107(3) and (4). He further informed her that he had requested authorization from the Board to file a judicial enforcement action and provided her with the allegations he submitted to the Board. The Executive Director also informed Tartaglione that she could appear at the Board’s next public meeting to address the Board regarding the allegations contained in the notice.
- O. In response to the notice served on her pursuant to Regulation No. 2, Tartaglione retired from her position as Deputy City Commissioner on November 16th, 2010 and initiated settlement discussions with the Ethics Board.

AGREEMENT

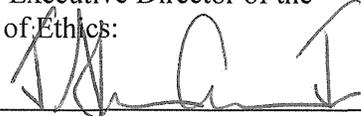
The parties agree that:

1. Deputy City Commissioner Tartaglione violated subsection 10-107(4) of the Philadelphia Home Rule Charter by taking part in the affairs of the campaign of a candidate for State Representative in 2008. Tartaglione will pay a civil penalty of \$300 for this violation of the Home Rule Charter.
2. Deputy City Commissioner Tartaglione violated subsection 10-107(4) of the Philadelphia Home Rule Charter by taking part in the affairs of the campaigns of 32 challenger candidates for Judge of Election and Machine Inspector in the 7th ward in 2009. Tartaglione will pay a civil penalty of \$300 for this violation of the Home Rule Charter.
3. Deputy City Commissioner Tartaglione violated subsection 10-107(4) of the Philadelphia Home Rule Charter by taking part in the affairs of the 19th Democratic ward in 2009. Tartaglione will pay a civil penalty of \$300 for this violation of the Home Rule Charter.
4. Deputy City Commissioner Tartaglione violated subsection 10-107(3) of the Philadelphia Home Rule Charter by collecting political contributions from the Democratic Campaign Committee in May 2007. Tartaglione will pay a civil penalty of \$300 for this violation of the Home Rule Charter.
5. Deputy City Commissioner Tartaglione violated subsection 10-107(3) of the Philadelphia Home Rule Charter by collecting political contributions from the Democratic Campaign Committee in November 2007. Tartaglione will pay a civil penalty of \$300 for this violation of the Home Rule Charter.
6. Deputy City Commissioner Tartaglione violated subsection 10-107(3) of the Philadelphia Home Rule Charter by collecting political contributions from the Democratic Campaign Committee in April 2008. Tartaglione will pay a civil penalty of \$300 for this violation of the Home Rule Charter.
7. Deputy City Commissioner Tartaglione violated subsection 10-107(3) of the Philadelphia Home Rule Charter by collecting political contributions from the Democratic Campaign Committee in October 2008. Tartaglione will pay a civil penalty of \$300 for this violation of the Home Rule Charter.
8. Deputy City Commissioner Tartaglione violated subsection 10-107(3) of the Philadelphia Home Rule Charter by collecting political contributions from the Democratic Campaign Committee in May 2009. Tartaglione will pay a civil penalty of \$300 for this violation of the Home Rule Charter.

9. Deputy City Commissioner Tartaglione violated subsection 10-107(3) of the Philadelphia Home Rule Charter by collecting political contributions from the Democratic Campaign Committee in October 2009. Tartaglione will pay a civil penalty of \$300 for this violation of the Home Rule Charter.
10. Tartaglione owes the City of Philadelphia \$2,700 in aggregate civil penalties which shall be paid through the Ethics Board within 14 days of the approval of the Agreement by the Board.
11. Tartaglione will neither seek nor hold City office or employment for one year from the date of approval of this Agreement by the Board.
12. In consideration of the above and in exchange for Tartaglione's prompt, voluntary retirement and her compliance with all of the terms of the Agreement, the Board waives any further penalties or fines against Tartaglione for the violations described in the Agreement.
13. The Parties will not make any public statements that are inconsistent with the terms of the Agreement.
14. If the Ethics Board is forced to seek judicial enforcement of the Agreement, Tartaglione shall be liable for attorneys' fees and costs reasonably expended in enforcing compliance with this Agreement. Fees for time spent by Ethics Board staff attorneys shall be calculated based upon standard and customary billing rates in Philadelphia for attorneys with similar experience.
15. The Agreement contains the entire agreement between the Parties.
16. The parties will submit a signed copy of the Agreement to the Board for approval.
17. The Agreement shall become effective upon approval by the Board.

Dated: 12/3/10

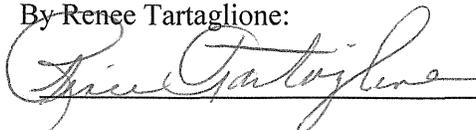
By the Executive Director of the
Board of Ethics:



J. Shane Creamer, Jr., Esquire

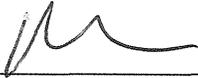
Dated: _____

By Renee Tartaglione:



Approved by the Board of Ethics:

Dated: 12/3/2010



Richard Glazer, Esquire
Chair

Dated: _____

S. Mary Scullion

Dated: _____

Rev. Damone Jones