

## **AMENDMENT TO SETTLEMENT AGREEMENT**

This Amendment to Settlement Agreement (“Amendment”) is made and entered into between the Board of Ethics of the City of Philadelphia Verna Tyner and Otis Hightower, jointly referred to as “the Parties.” It amends the September 21, 2011 Settlement Agreement entered into by Tyner, Tyner for Council, and Hightower. A copy of the September 21, 2011 is attached hereto as Exhibit A.

### **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 campaign finance law which is found at Chapter 20-1000 of the Philadelphia Code.
- B. Verna Tyner was a candidate for City office in 2011. While she was a candidate, her authorized candidate committee was Tyner for Council. Otis Hightower was the treasurer of the committee. Tyner terminated the committee in August of 2011.
- C. On September 21, 2011, the Board entered into a settlement agreement with Tyner, Tyner for Council, and Hightower resolving violation of the City’s campaign finance law for failing to file required campaign finance reports.
- D. As part of the agreement, Tyner agreed to pay an aggregate civil penalty of \$1,500 on the following schedule:
  - 1. \$500 by October 31, 2011;
  - 2. \$500 by February 29, 2012; and
  - 3. \$500 by June 30, 2012.
- E. Tyner made her first payment of \$500 as required by the agreement. However, over the past year, due to the illness of a family member and accompanying bills, Tyner suffered a significant decrease in household income.
- F. At the end of February of 2012, Tyner contacted Board staff and asked if the payment schedule could be adjusted to make it easier for her to pay off the remaining \$1,000 she owed.

**AGREEMENT**

The Parties agree that:

1. Verna Tyner shall make payment of \$1,000, the unpaid portion of the civil penalty, on the following schedule:
  - 1.1. \$200 by June 15, 2012;
  - 1.2. \$200 by August 15, 2012;
  - 1.3. \$250 by October 31, 2012; and
  - 1.4. \$350 by December 31, 2012.
2. Payment shall be made by check made out to the City of Philadelphia and delivered to the offices of the Board.
3. All terms of the September 21, 2011 settlement agreement, other than the payment schedule, shall remain unaltered and in full force and effect.
4. The Parties will submit a signed copy of the Amendment to the Board for approval.
5. The Amendment shall become effective upon approval by the Board. The effective date of the Amendment shall be the date the Board approves the Amendment.

By the Executive Director of the Board of Ethics:



J. Shane Creamer, Jr., Esquire

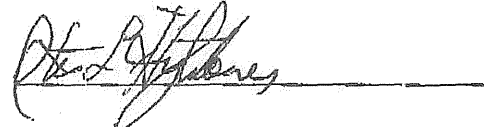
Dated: 5/9/12

By Verna Tyner:



Dated: 5/8/12


By Otis Hightower:



Dated: 5/7/12

Approved by the Board of Ethics:

Dated: 5/16/2012

  
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Richard Glazer, Esquire  
Chair