

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, and William J. Heeney, 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. William J. Heeney is a Republican City Council At-Large candidate in the 2019 Primary Election.
- C. Pursuant to the City’s Campaign Finance Law, candidates and candidate political committees must file campaign finance reports at specified times with the Board disclosing transactions related to a covered City election. Pursuant to Philadelphia Code § 20-1006(4) and Regulation No. 1, Paragraph 1.24, the making of a material misstatement or omission in a required report filed with the Board is a violation of the City’s Campaign Finance Law.
- D. In February of 2019, Board Enforcement Staff received multiple complaints describing potential violations of the City’s Campaign Finance Law by Mr. Heeney. Accordingly, the Executive Director opened an investigation during which Enforcement Staff obtained campaign records and interviewed individuals, including Mr. Heeney.
- E. On November 11, 2018, Mr. Heeney hosted a campaign announcement event at the union hall for Lodge #5 of the Fraternal Order of Police. Mr. Heeney personally paid for invitations to the kick-off event as well as campaign posters that were used at the event. He also personally paid for all of the costs for the event, including the union hall, food, beverages, a dj, and gratuities for servers. All together, Mr. Heeney personally paid \$4,161.44 for the campaign kick-off event. Mr. Heeney also received an in-kind contribution of \$400 from the band that provided entertainment at the event.
- F. Mr. Heeney established Friends of Bill Heeney as his authorized candidate political committee on November 16, 2018. Since his campaign announcement event occurred before he established his candidate political committee, Mr. Heeney paid for the event with his personal funds. Mr. Heeney should have disclosed the transactions described in Paragraph E in the 2018 annual (cycle 7) candidate campaign finance report he filed with the Board on January 30, 2019. However, Mr. Heeney failed to disclose those transactions in that report.
- G. Mr. Heeney fully cooperated with the Board’s investigation. He has amended his 2018 annual campaign finance report with the Board to disclose the in-kind contribution and expenditures described in Paragraph E. A copy of the amended report is attached as Exhibit A.

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

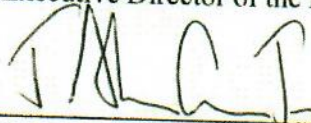
AGREEMENT

The Parties agree that:

1. By making material omissions from the 2018 Cycle 7 campaign finance report that he filed with the Board, William J. Heeney violated Philadelphia Code § 20-1006(4), for which he is liable for a civil monetary penalty of \$1,000. In recognition of his cooperation, Mr. Heeney's penalty is reduced to \$750, 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. Mr. Heeney releases and holds 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 Mr. Heeney with all of the terms of the Agreement, the Board waives any further penalties or fines against him 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, Mr. Heeney 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.

Dated: 3/12/19

By the Executive Director of the Board of Ethics:



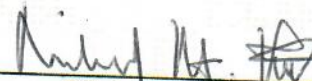
J. Shane Creamer, Jr.
Executive Director

Dated: 3.12.19

By William J. Heeney:



Approved by the Board of Ethics on 3/20/2019:



Michael H. Reed
Chair

EXHIBIT A

Campaign Finance Report

(Note: This report must be clear and legible. It may be typed or printed in blue or black ink.)

Filer Identification Number:	1776715	Report Filed By:	CANDIDATE 1. <input checked="" type="checkbox"/>	COMMITTEE 2. <input type="checkbox"/>	LOBBYIST 3. <input type="checkbox"/>
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Name of Filing Committee, Candidate or Lobbyist:
William J Heeneey

Street Address:
9526-B James Street

City: Philadelphia State: PA Zip Code: 19114

TYPE OF REPORT	6th Tuesday Pre-Primary	1.	2nd Friday Pre-Primary	2.	30 Day Post Primary	3.	Amendment Report?	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>
	6th Tuesday Pre-Election	4.	2nd Friday Pre-Election	5.	30 Day Post Election	6.	Termination Report?	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
	Annual Report	7.	YEAR		2018						

Name of Office Sought by Candidate: City Council Member, City of Philadelphia

DATE OF ELECTION

MO.	DAY	YEAR	District Number:	Office Code:	Party Code:	County Code:
				PH4	REP	51

Summary of Receipts and Expenditures from:	MO.	DAY	YEAR	To	MO.	DAY	YEAR	FOR OFFICE USE ONLY
A. Amount Brought Forward From Last Report								
B. Total Monetary Contributions and Receipts (From Schedule I)								
C. Total Funds Available (Sum of Lines A and B)								
D. Total Expenditures (From Schedule III)								
E. Ending Cash Balance (Subtract Line D from Line C)								
F. Value of In-Kind Contributions Received (From Schedule II)								
G. Unpaid Debts and Obligations (From Schedule IV)								

AFFIDAVIT SECTION

PART I - If this is a Committee report, treasurer sign here. If this is a Candidate report, candidate sign here.

I swear (or affirm) that this report, including the attached schedules, on paper or computer diskette, are to the best of my knowledge and belief true, correct and complete.

Sworn to and subscribed before me this

_____ day of _____ 20_____

_____ Signature

My commission expires _____ MO. DAY YEAR

_____ Signature of Person Submitting Report

_____ Printed Name

_____ Area Code _____ Daytime Telephone Number

PART II - If this is a report of a Candidate's Authorized Committee, candidate shall sign here.

I swear (or affirm) that to the best of my knowledge and belief this political committee has not violated any provisions of the Act of June 3, 1937 (P.L. 1333, No 320) as amended.

Sworn to and subscribed before me this

_____ day of _____ 20_____

_____ Signature

My commission expires _____ MO. DAY YEAR

_____ Signature of Candidate

_____ Printed Name

_____ Area Code _____ Daytime Telephone Number

SCHEDULE I
Contributions And Receipts

Detailed Summary Page

Name of Filing Committee or Candidate William J Heeney	Reporting Period From _____ To _____
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1. UNITEMIZED CONTRIBUTIONS AND RECEIPTS - \$50.00 OR LESS PER CONTRIBUTOR	
TOTAL for the Reporting Period (1)	\$ -

2. CONTRIBUTIONS \$50.01 TO \$250.00 (FROM PART A AND PART B)	
Contributions Received from Political Committees (Part A)	\$ -
All Other Contributions (Part B)	\$ -
TOTAL for the Reporting Period (2)	\$ 0

3. CONTRIBUTIONS OVER \$250.00 (FROM PART C AND PART D)	
Contributions Received from Political Committees (Part C)	\$ -
All Other Contributions (Part D)	\$ -
TOTAL for the Reporting Period (3)	\$ 0

4. OTHER RECEIPTS - REFUNDS, INTEREST EARNED, RETURNED CHECKS, ETC. (FROM PART E)	
TOTAL for the Reporting Period (4)	\$ -

TOTAL MONETARY CONTRIBUTIONS AND RECEIPTS DURING THIS REPORTING PERIOD (Add and enter amount totals from Boxes 1, 2, 3 and 4; also enter this amount on Page 1, Report Cover Page, Item B.)	\$ 0
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Part A

Contributions Received From Political Committees

\$50.01 TO \$250.00

Use this Part to itemize only contributions received from political committees with an aggregate value from \$50.01 to \$250.00 in the reporting period.

Name of Filing Committee or Candidate William J Heeney		Reporting Period From _____ To _____	
Full Name of Contributing Committee		MO. DAY YEAR	\$ -
Mailing Address			
City	State	Zip Code (Plus 4)	
Full Name of Contributing Committee		MO. DAY YEAR	\$ -
Mailing Address			
City	State	Zip Code (Plus 4)	
Full Name of Contributing Committee		MO. DAY YEAR	\$ -
Mailing Address			
City	State	Zip Code (Plus 4)	
Full Name of Contributing Committee		MO. DAY YEAR	\$ -
Mailing Address			
City	State	Zip Code (Plus 4)	
Full Name of Contributing Committee		MO. DAY YEAR	\$ -
Mailing Address			
City	State	Zip Code (Plus 4)	
Full Name of Contributing Committee		MO. DAY YEAR	\$ -
Mailing Address			
City	State	Zip Code (Plus 4)	
Full Name of Contributing Committee		MO. DAY YEAR	\$ -
Mailing Address			
City	State	Zip Code (Plus 4)	
Full Name of Contributing Committee		MO. DAY YEAR	\$ -
Mailing Address			
City	State	Zip Code (Plus 4)	
Full Name of Contributing Committee		MO. DAY YEAR	\$ -
Mailing Address			
City	State	Zip Code (Plus 4)	
Full Name of Contributing Committee		MO. DAY YEAR	\$ -
Mailing Address			
City	State	Zip Code (Plus 4)	
Enter Grand Total of Part A on Schedule I, Detailed Summary Page, Section 2.			Part A Total \$ -

Part B

All Other Contributions

\$50.01 TO \$250.00

Use this Part to itemize all other contributions with an aggregate value from \$50.01 to \$250.00 in the reporting period.

(Exclude contributions from political committees reported in Part A.)

Name of Filing Committee or Candidate William J Heeney			Reporting Period From _____ To _____		
Full Name of Contributor			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State	Zip Code (Plus 4)		
Full Name of Contributor			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State	Zip Code (Plus 4)		
Full Name of Contributor			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State	Zip Code (Plus 4)		
Full Name of Contributor			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State	Zip Code (Plus 4)		
Full Name of Contributor			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State	Zip Code (Plus 4)		
Full Name of Contributor			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State	Zip Code (Plus 4)		
Full Name of Contributor			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State	Zip Code (Plus 4)		
Enter Grand Total of Part B on Schedule I, Detailed Summary Page, Section 2.			Part B Total		
\$ -					

Part C

Contributions Received From Political Committees

OVER \$250.00

Use this Part to itemize only contributions received from political committees with an aggregate value over \$250.00 in the reporting period.

Name of Filing Committee or Candidate William J Heeney			Reporting Period From _____ To _____		
Full Name of Contributing Committee			MO.	DAY	YEAR
\$ -					
Mailing Address					
City	State	Zip Code (Plus 4)			
Full Name of Contributing Committee			MO.	DAY	YEAR
\$ -					
Mailing Address					
City	State	Zip Code (Plus 4)			
Full Name of Contributing Committee			MO.	DAY	YEAR
\$ -					
Mailing Address					
City	State	Zip Code (Plus 4)			
Full Name of Contributing Committee			MO.	DAY	YEAR
\$ -					
Mailing Address					
City	State	Zip Code (Plus 4)			
Full Name of Contributing Committee			MO.	DAY	YEAR
\$ -					
Mailing Address					
City	State	Zip Code (Plus 4)			
Full Name of Contributing Committee			MO.	DAY	YEAR
\$ -					
Mailing Address					
City	State	Zip Code (Plus 4)			
Full Name of Contributing Committee			MO.	DAY	YEAR
\$ -					
Mailing Address					
City	State	Zip Code (Plus 4)			
Enter Grand Total of Part C on Schedule I, Detailed Summary Page, Section 3.					Part C Total
					\$ -

Part D

All Other Contributions

OVER \$250.00

Use this Part to itemize all other contributions with an aggregate value of over \$250.00 in the reporting period.

(Exclude contributions from political committees reported in Part C.)

Name of Filing Committee or Candidate William J Heeney			Reporting Period From _____ To _____		
Full Name of Contributor			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State	Zip Code (Plus 4)		
Employer Name			Occupation		
Employer Mailing Address/Principal Place of Business					
Full Name of Contributor			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State	Zip Code (Plus 4)		
Employer Name			Occupation		
Employer Mailing Address/Principal Place of Business					
Full Name of Contributor			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State	Zip Code (Plus 4)		
Employer Name			Occupation		
Employer Mailing Address/Principal Place of Business					
Full Name of Contributor			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State	Zip Code (Plus 4)		
Employer Name			Occupation		
Employer Mailing Address/Principal Place of Business					
Full Name of Contributor			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State	Zip Code (Plus 4)		
Employer Name			Occupation		
Employer Mailing Address/Principal Place of Business					
Enter Grand Total of Part D on Schedule I, Detailed Summary Page, Section 3.					Part D Total
					\$ -

Part E Other Receipts

REFUNDS, INTEREST INCOME, RETURNED CHECKS, ETC.

Use this Part to report refunds received, interest earned, returned checks and prior expenditures that were returned to the filer.

Name of Filing Committee or Candidate William J Heeney			Reporting Period From _____ To _____		
Full Name			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State		Zip Code (Plus 4)	
Receipt Description					
Full Name			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State		Zip Code (Plus 4)	
Receipt Description					
Full Name			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State		Zip Code (Plus 4)	
Receipt Description					
Full Name			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State		Zip Code (Plus 4)	
Receipt Description					
Full Name			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State		Zip Code (Plus 4)	
Receipt Description					
Full Name			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State		Zip Code (Plus 4)	
Receipt Description					
Enter Grand Total of Part E on Schedule I, Detailed Summary Page, Section 4.					Part E Total
					\$ -

SCHEDULE II

In-Kind Contributions And Valuable Things Received

USE THIS SCHEDULE TO REPORT ALL IN-KIND CONTRIBUTIONS OF VALUABLE THINGS
DURING THE REPORTING PERIOD.

Detailed Summary Page

Name of Filing Committee or Candidate William J Heeney	Reporting Period From _____ To _____
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1. UNITEMIZED IN-KIND CONTRIBUTIONS RECEIVED - VALUE OF \$50.00 OR LESS PER CONTRIBUTOR

TOTAL for the Reporting Period (1)	\$ -
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2. IN-KIND CONTRIBUTIONS RECEIVED - VALUE OF \$50.01 TO \$250.00 (FROM PART F)

TOTAL for the Reporting Period (2)	\$ -
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3. IN-KIND CONTRIBUTION RECEIVED - VALUE OVER \$250 (FROM PART G)

TOTAL for the Reporting Period (3)	\$ 400.00
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TOTAL VALUE OF IN-KIND CONTRIBUTIONS DURING THIS REPORTING PERIOD (Add and enter amount totals from Boxes 1, 2 and 3; also enter this amount on Page 1, Report Cover Page, Item F.	\$ 400.00
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SCHEDULE II

Part F

In-kind Contributions Received

VALUE OF \$50.01 TO \$250.00

Name of Filing Committee or Candidate William J Heeneey			Reporting Period From _____ To _____		
Full Name of Contributor			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State	Zip Code (Plus 4)		
Description of Contribution					
Full Name of Contributor			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State	Zip Code (Plus 4)		
Description of Contribution					
Full Name of Contributor			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State	Zip Code (Plus 4)		
Description of Contribution					
Full Name of Contributor			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State	Zip Code (Plus 4)		
Description of Contribution					
Full Name of Contributor			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State	Zip Code (Plus 4)		
Description of Contribution					
Full Name of Contributor			MO.	DAY	YEAR
\$ -					
Mailing Address					
City		State	Zip Code (Plus 4)		
Description of Contribution					
Enter Grand Total of Part F on Schedule II, In-Kind Contributions Detailed Summary Page, Section 2.					Part F Total
					\$ -

SCHEDULE II

Part G

In-kind Contributions Received

VALUE OVER \$250.00

Name of Filing Committee or Candidate			Reporting Period		
William J Heeneey			From _____ To _____		
Full Name of Contributor			MO.	DAY	YEAR
Ballina			11	11	2018
			\$ 400.00		
Mailing Address					
7163 Hegerman Street					
City		State	Zip Code (Plus 4)		
Philadelphia		PA	19135		
Employer of Contributor			Occupation		
Employer Mailing Address/Principal Place of Business			Description of Contribution		
			Band		
Full Name of Contributor			MO.	DAY	YEAR
			\$ -		
Mailing Address					
City		State	Zip Code (Plus 4)		
Employer of Contributor			Occupation		
Employer Mailing Address/Principal Place of Business			Description of Contribution		
Full Name of Contributor			MO.	DAY	YEAR
			\$ -		
Mailing Address					
City		State	Zip Code (Plus 4)		
Employer of Contributor			Occupation		
Employer Mailing Address/Principal Place of Business			Description of Contribution		
Full Name of Contributor			MO.	DAY	YEAR
			\$ -		
Mailing Address					
City		State	Zip Code (Plus 4)		
Employer of Contributor			Occupation		
Employer Mailing Address/Principal Place of Business			Description of Contribution		
Full Name of Contributor			MO.	DAY	YEAR
			\$ -		
Mailing Address					
City		State	Zip Code (Plus 4)		
Employer of Contributor			Occupation		
Employer Mailing Address/Principal Place of Business			Description of Contribution		
Full Name of Contributor			MO.	DAY	YEAR
			\$ -		
Mailing Address					
City		State	Zip Code (Plus 4)		
Employer of Contributor			Occupation		
Employer Mailing Address/Principal Place of Business			Description of Contribution		

Enter Grand Total of Part G on Schedule II, In-Kind Contributions Detailed Summary Page, Section 3.

Part G Total
\$ 400.00

SCHEDULE III

Statement Of Expenditures

Name of Filing Committee or Candidate William J Heeney			Reporting Period From _____ To _____			
To Whom Paid Friends of Bill Heeney			MO. 12	DAY 31	YEAR 2018	\$ 10,000.00
Mailing Address 1341 N. Delaware Ave Suite 206						
City Philadelphia	State PA	Zip Code (Plus 4) 19125				
Description of Expenditure Loan to Campaign						
To Whom Paid FOP			MO. 11	DAY 11	YEAR 2018	\$ 2,950.44
Mailing Address 116300 Caroline Road						
City Philadelphia	State PA	Zip Code (Plus 4) 19154				
Description of Expenditure Hall, Food & Gratuities						
To Whom Paid BKRJ Business Supplies			MO. 10	DAY 16	YEAR 2018	\$ 309.00
Mailing Address 21 Haddock Drive						
City Sewell	State NJ	Zip Code (Plus 4) 08080				
Description of Expenditure Printing						
To Whom Paid BKRJ Business Supplies			MO. 10	DAY 25	YEAR 2018	\$ 702.00
Mailing Address 21 Haddock Drive						
City Sewell	State NJ	Zip Code (Plus 4) 08080				
Description of Expenditure Printing						
To Whom Paid Edward Hepworth			MO. 11	DAY 11	YEAR 2018	\$ 200.00
Mailing Address 2300 E. Firth Street						
City Philadelphia	State PA	Zip Code (Plus 4) 19125				
Description of Expenditure DJ						
To Whom Paid			MO.	DAY	YEAR	\$ -
Mailing Address						
City	State	Zip Code (Plus 4)				
Description of Expenditure						

Enter Grand Total of Expenditures on Page 1, Report Cover Page, Item D.

Schedule III Total

\$ 14,161.44

SCHEDULE IV

Statement Of Unpaid Debts

Use this Section to itemize all unpaid debts and obligations which are outstanding at the end of the reporting period.

Name of Filing Committee or Candidate William J Heeney					Reporting Period From _____ To _____			
Name of Creditor							Outstanding Balance of Debt \$ -	
Mailing Address					Date Debt Incurred	MO.	DAY	YEAR
City			State	Zip Code (Plus 4)				
Description of Debt								
Name of Creditor							Outstanding Balance of Debt \$ -	
Mailing Address					Date Debt Incurred	MO.	DAY	YEAR
City			State	Zip Code (Plus 4)				
Description of Debt								
Name of Creditor							Outstanding Balance of Debt \$ -	
Mailing Address					Date Debt Incurred	MO.	DAY	YEAR
City			State	Zip Code (Plus 4)				
Description of Debt								
Name of Creditor							Outstanding Balance of Debt \$ -	
Mailing Address					Date Debt Incurred	MO.	DAY	YEAR
City			State	Zip Code (Plus 4)				
Description of Debt								
Name of Creditor							Outstanding Balance of Debt \$ -	
Mailing Address					Date Debt Incurred	MO.	DAY	YEAR
City			State	Zip Code (Plus 4)				
Description of Debt								
Enter Grand Total of Unpaid Debts on Page 1, Report Cover Page, Item G.							Schedule IV Total \$ -	