

BEFORE THE SEATTLE ETHICS AND ELECTIONS COMMISSION

In the matter of) No. 19-2-1010-1
)
EGAN FOR SEATTLE) SETTLEMENT AGREEMENT
)

This settlement is made between Egan for Seattle (the “Committee”) and the Executive Director of the Seattle Ethics and Elections Commission (the “Director”). Upon approval by the Seattle Ethics and Elections Commission (the “Commission”), the following findings, conclusions and agreements shall be binding upon the Committee, the Director, and the Commission (the “Parties”), and their successors, heirs and assigns, and shall constitute the complete agreement between the Parties.

The Committee and the Director agree to the following:

FINDINGS OF FACT

1. On October 7, 2019, the Committee purchased an ad from *the Stranger* promoting Egan Orion’s City Council candidacy.
2. The ad ran in the October 9, 2019 edition of the paper.
3. The Committee paid \$6,300 for the ad.
4. The ‘wrapper’ ad spanned the first and second pages of a false cover of the Endorsements issue of *the Stranger*, mimicking the paper’s actual cover except for the bottom third of the page promoting Orion’s candidacy. Turning the page, there was a full-page ad promoting the candidate.
5. The 1/3 page ad included the campaign logo that took up approximately 50% of the ad and PAID ADVERTISEMENT was printed on the spine of the paper, alongside the ad. (A photo of the first page of the ad is appended and incorporated as part of this agreement.)
6. The sponsor identification was included on the second page full page ad, but was not included on the 1/3 page ad on the first page.
7. The Committee reported the ad expenditure in the October 14, 2019 filing of campaign expenditures.

CONCLUSIONS OF LAW

8. The Seattle Elections Code, SMC 2.04.290.B.4.a, states that sponsor identification stating the name and address of the person who paid for the ad must “[a]ppear on the first page or fold of [a] written communication...”

9. For purposes of this agreement only, the Committee stipulates that it violated SMC 2.04.290 by not including the sponsor identification on the first page of a written communication, but the Committee reserves the right to challenge this conclusion of law should the Commission reject the agreement.

AGREEMENT

10. The Committee acknowledges that it violated the Elections Code when it failed to include the sponsor identification on the outside 1/3 of the ‘wrapper’ advertisement.

11. Within five business days of the approval of this settlement, the Committee agrees to pay the City of Seattle \$1,000 for violating SMC 2.04.290.


12. The Parties agree that this settlement agreement, upon the Commission’s approval, will constitute, insofar as is legally possible, a full and final settlement between the Parties, as to all facts, actions, controversies and matters that have occurred or may have occurred, as described herein, related to the Committee’s failure to include the required sponsor identification on the first page of its October 9 *Stranger* ad, and do forever release, acquit and discharge each party, its present or former officials, employees, agents, representatives, heirs and assigns from all present claims, demands, damages, costs (specifically including attorney’s fees and costs), actions or causes of action arising, during the aforementioned time period, out of all facts, actions, controversies and matters that have occurred, or may have occurred or in any way related to this matter, and the acts or omissions of the Commission, its members, agents or employees in handling the matter filed under Ethics and Elections Commission Case No. 19-2-1010-1 and any events related thereto.

13. The Parties agree that the Commission’s review of this settlement agreement does not preclude the Commission from hearing this case in the event that the Commission rejects this agreement and calls for a hearing, or in the event, that the Committee rejects any Commission modification of this agreement and requests a hearing.


14. The Parties agree that if the Committee breaches this agreement the Commission will be entitled to hold a special meeting or a regular meeting to issue a determination that it has violated the Elections Code. Under the municipal code, the Commission may impose a fine of

up to \$5,000 per violation, and may require costs that do not exceed the amount of any monetary fine.

15. The Parties agree that this settlement incorporates and supersedes any and all other oral and written agreements and assurances of any and all kinds between the parties, and that there are no other written or oral agreements that alter or modify this agreement.



Egan for Seattle
By: EGAN ORION
Date: October 22, 2019



Wayne Barnett, Executive Director
Date: October 22, 2019

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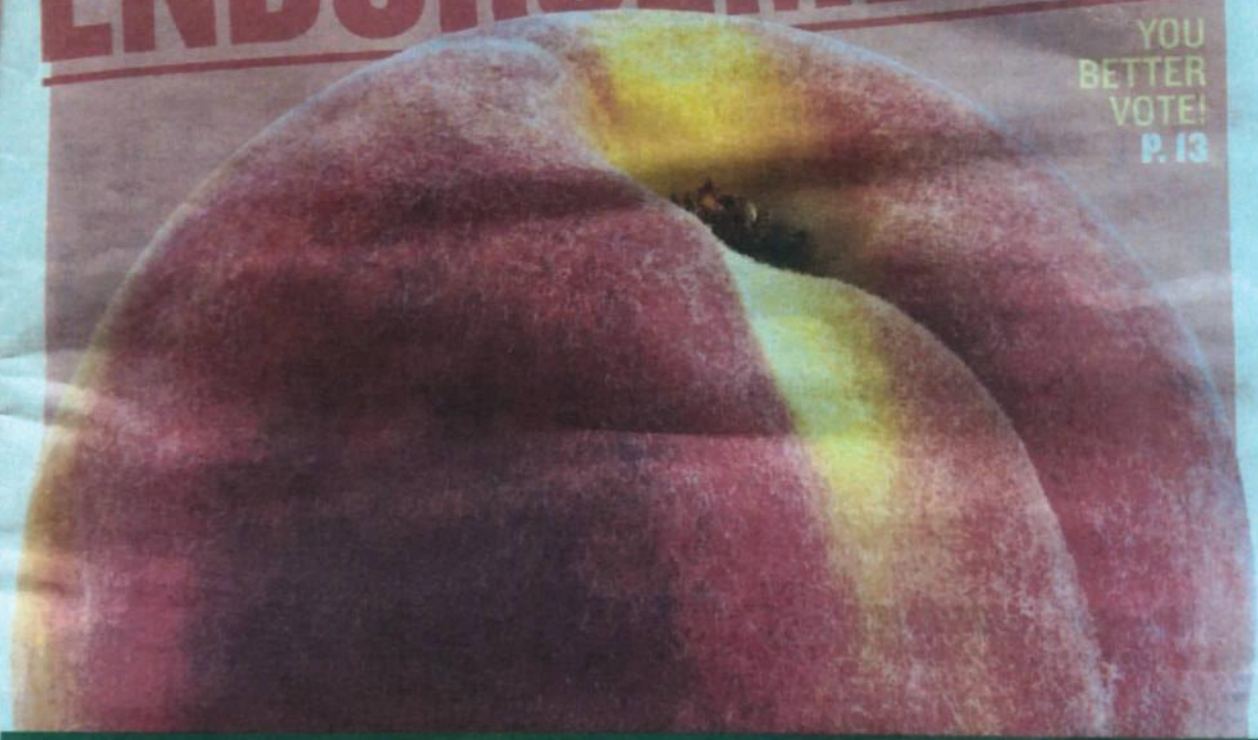
OCT
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the Stranger

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ENDORSEMENTS

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P. 13



PAID ADVERTISEMENT

EGAN ORION

FOR CITY COUNCIL D3

YOUR ACCESSIBLE &
ACCOUNTABLE VOICE FOR:

- ✓ SHELTER AS A HUMAN RIGHT
- ✓ MORE HOUSING DENSITY IN EVERY NEIGHBORHOOD
- ✓ A MORE TRANSIT, BIKE, AND WALKING-CENTRIC CITY
- ✓ BUILD COALITIONS TO PASS A GREEN NEW DEAL
- ✓ DELIVER ON THE SEATTLE PROMISE FOR OPPORTUNITY FOR EVERY CHILD

