

SETTLEMENT AGREEMENT

WHEREAS, this Settlement Agreement ("Agreement") is entered into by and between the New York State Commission on Public Integrity ("Commission") and City of Utica; and

WHEREAS, the Commission is the State agency responsible for enforcing Article I-A of the New York State Legislative Law, as amended ("Lobbying Act"); and

WHEREAS, as a registered client in 2009 City of Utica is therefore required to comply with the reporting requirements set forth in the Lobbying Act; and

WHEREAS, it is clearly established that City of Utica failed to file report(s) for the year 2009, specifically a July/December Client Semi-Annual Report, as required by §1-j of the Lobbying Act; and

WHEREAS, in lieu of appearing for an adjudicatory hearing that could result in the assessment of a civil penalty, the parties to this Agreement have agreed to resolve their dispute in a manner that avoids further administrative litigation;

NOW THEREFORE, in consideration of the mutual covenants made herein, as the final settlement of the violation set forth herein, the parties agree that:

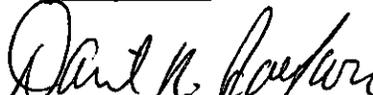
- I. City of Utica admits that it violated § 1-j of the Lobbying Act as set forth herein and agrees to pay to the Commission the amount of \$500 in settlement of said violation within 15 days of the execution of this Agreement. If full payment is not received within 15 days of the execution of this Agreement, this Agreement shall become null and void in its entirety.
- II. City of Utica further agrees to submit the accurately completed 2009 July/December Client Semi-Annual Report within 15 days of your execution of this Agreement. If the outstanding report is not received within 15 days of your execution of this Agreement, this Agreement shall become null and void in its entirety.
- III. Notwithstanding the provisions of this Agreement, City of Utica understands and acknowledges that the Commission may investigate other knowing and willful violations, if any, by City of Utica, of the Lobbying Act.
- IV. City of Utica hereby waives (its, their, his, her) right to cure, as provided in §1-o(c)(iii) of the Lobbying Act and may not assert such right at any future time.
- V. Any amendment or modification to this Agreement shall be in writing and signed by both parties.

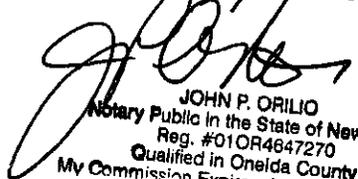
Dated: 4-14-11



 New York State
 Commission on Public Integrity

ACCEPTED AND AGREED TO
THIS 23 DAY OF FEB, 2011

City of Utica 
 By: _____
 Name: DAVID B. BICEFARO
 Title: MAYOR - CITY OF UTICA


 JOHN P. ORILIO
 Notary Public in the State of New York
 Reg. #01OR4647270
 Qualified in Oneida County
 My Commission Expires January 31, 2014