

Philadelphia Board of Ethics
Meeting Minutes
July 7, 2011
Board of Ethics
Packard Building
1441 Sansom Street, 2nd Floor
12:00 pm

DRAFT

Present:

Board

Richard Glazer, Esq., Chair
Michael H. Reed, Esq., Vice Chair
Judge Phyllis Beck (Ret.)
Sanjuanita González, Esq.

Staff

J. Shane Creamer, Jr., Esq.
Nedda Massar, Esq.
Evan Meyer, Esq.
Michael Cooke, Esq.
Maya Nayak, Esq.
Elizabeth Baugh
Tina Formica

I. Call to Order

Chair Glazer recognized that a quorum was present and called the meeting to order.

II. Resolution on Lobbying

Chair Glazer said that before this public session meeting the Board met in executive session with the Board's Law Department attorney Mark Zecca who provided advice on the litigation with the Bar Association.

He said that the Board will discuss a Resolution which relates to Regulation No. 9 and Section 20-1200 of the Philadelphia Code. Staff provided a draft Resolution to the Board.

Chair Glazer asked staff to walk the Board through the Resolution, which Ms. Nayak did.

Ms. Nayak informed the Board that changes have been made since the last draft they were given. The draft Resolution declared that the Board will not enforce until the Lobbying Regulation is effective.

Chair Glazer asked staff for a status on the draft Hearing Report, since the final whereas clause in the draft Resolution stated August 17th was the earliest date staff would be able to present a draft Hearing Report to the Board.

Mr. Meyer explained that there are a number of steps that have to be done before the Hearing Report is written. Staff has to go through the public and written comments, which were extensive, read the transcript from the court reporter, go through the draft Regulation to recommend changes and write the Hearing Report. Since staff has been consumed with the recent litigation for the past two weeks it is not possible to have the Hearing Report prepared by the next Board meeting which is scheduled for July 20, 2011.

Chair Glazer said he is aware of the significant amount of work to be done before the Regulation is in place. He suggested moving the operative date from the effective date of the regulation to 30 days after the effective date. He specifically suggested that change with respect to #1 on page 2 by adding “30 days” before “after the effective date.”

Mr. Creamer said that the same change will need to be made in numbers 2 and 4.

Mr. Reed asked Ms. Nayak to re-read the paragraphs with changes for the audience, which she did.

A motion was made to adopt the Resolution as read by staff and modified by the Board. The motion was approved and passed with a 4-0 vote. The adopted Resolution is Attachment 1 to these minutes.

Mr. Creamer asked Chair Glazer to sign the Resolution so copies could be made available for the audience.

III. Questions and Comments

Sophie Bryan said that if the Hearing Report is approved at the August 17th Board meeting and the Regulation is effective 10 days later it will only capture a couple days in September. She suggested that the Board change the reporting to begin after that first quarter.

Mr. Creamer said that the Board might not make the September date, but that they can always issue another Resolution.

Ellen Kaplan said that she hopes the Board will consider writing to City Council regarding the insufficient funding.

Chair Glazer said he recognizes that the \$130,000 the Board had requested was not granted during the budget process.

Ms. Kaplan said the Board should request that City Council insert a funding piece that will allow funding from the lobbying registration to be added to the Board's budget.

The public session of the Board's meeting was adjourned.