

Philadelphia Board of Ethics
Meeting Minutes
September 16, 2026 – 1:00 p.m.
One Parkway Building, 18th Floor
1515 Arch Street

Board Present

Ellen Mattleman Kaplan, Esq., Chair
Wesley R. Payne, IV, Esq., Vice-Chair
James R. Engler, Esq. (Via Zoom)
Judge Idee Fox (Ret.)

Staff Present

J. Shane Creamer, Jr., Esq.
Jordana L. Greenwald, Esq.
Thomas Klemm, Esq.
Michael Gutierrez, Esq.
Richard Barzaga, Esq.
Chioma Azi, Esq.
Dakota Baeringer, Esq.
Julia Sheppard, Esq.
Erin Ambrose, Esq.
Bryan McHale
Hortencia Vasquez
Alexander Kramer

APPROVED BY THE BOARD ON 10/14/26

Chair Kaplan convened the Public Session Meeting at approximately 1:05 p.m. and announced the presence of a quorum. The meeting was conducted with Board members Kaplan, Payne and Fox in person and Board member Engler via Zoom. Board member Diaz did not attend the meeting. Public attendance was available both in-person and via Zoom.

I. Meeting Minutes

By a 4-0 vote, the Board approved the draft minutes of the Public Session Meeting held on July 15, 2026 as presented.

A video recording of the July 15, 2026 meeting can be found at: ethics.pub/071526.

II. Executive Director's Report

Mr. Creamer presented the Executive Director's Report, a copy of which is attached as Attachment A.

During the course of the presentation, Mr. Creamer identified a typographical error in his report. The attached copy of this report corrects this issue.

III. General Counsel's Report

Ms. Greenwald presented the General Counsel's Report, a copy of which is attached as Attachment B.

IV. Fiscal Year 2026 Report

Mr. McHale presented a draft FY26 Fiscal Report for the Board's consideration.

After comments from members of the Board and Staff, Mr. McHale requested a motion for the Board to: a) approve the draft Report as presented; (b) grant authority to Chair Kaplan to approve any subsequent non-substantive edits to the Annual Report made by Board Members or Staff with the caveat that Board approval would be required for any edits the Chair deems to be substantive; and c) upon final completion of the Report, direct Board Staff to notify the required recipients under the Philadelphia Code that the Annual Report has been published and provide a link to the Annual Report website prior to the September 30, 2026, deadline.

After a motion that was duly submitted, the Board voted 4-0 to approve the motion.

V. Policy Supplement to Regulation No. 1 (Campaign Finance) (Interim Application of NSRC v. FEC)

Ms. Greenwald discussed the recent United States Supreme Court decision, *National Senatorial Republican Committee v. Federal Election Commission*, in which the Court found that federal limits on "coordinated party expenditures" – a special class of expenditures by political parties – were unconstitutional.

She presented a draft policy supplement for the Board's consideration. The Policy Supplement contained the recommendations of Board staff for applying the Court's holding to City campaign finance law. She explained that Board staff recommended that the Board provide clear guidance about its interpretation as an interim measure while Board staff works on regulatory amendments. Ms. Greenwald noted the Policy Supplement is not a regulation, but interim guidance for Board staff, the public, and the regulated community.

After Ms. Greenwald's presentation, the Board allowed public comment in response to this presentation. Attendees Alan Butkovitz, Adam Bonin, and Marita Crawford each commented on the policy and raised various concerns. Board members and staff responded to or asked follow-up questions about several comments. Chair Kaplan thanked participants for their comments.

At this time, Ms. Greenwald asked for a motion from the Board to approve the draft Policy Supplement as presented. After a duly submitted motion, the Board voted 4-0 to approve the Policy Supplement.

VI. New Business

No new business was presented.

VII. Questions & Comments

No questions or comments were presented.

VIII. Sunshine Act

Chair Kaplan, pursuant to Sections 708 and 716 of the Pennsylvania Sunshine Act, announced that the Board met via email on July 27 and August 24-27, 2026, to discuss confidential enforcement matters.

Chair Kaplan further announced that the Board would meet in executive session after the current public meeting to address non-public advice, confidential enforcement matters, pending litigation, and personnel matters.

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The Public Session Meeting of the Board was adjourned at approximately 2:20 p.m.

ATTACHMENT A

To Sept. 16, 2026 Public Session Minutes
Sept. 16, 2026 Exec. Dir. Report

**Philadelphia Board of Ethics
Executive Director's Report
September 16, 2026**

A. Enforcement Update – Administrative Adjudication

On September 10, 2026, the Board of Ethics issued its Final Determination in **Executive Director v. Boyer**. This is the final action of the Board in an administrative enforcement proceeding initiated by the Board's Executive Director in October 2025. The Executive Director alleged that Ryan Boyer, who served as a member of the Tax Review Board in 2024, violated the Ethics Code by failing to file his annual Statement of Financial Interest form by the May 1, 2025, deadline. Mr. Boyer did not request a hearing. After considering the evidence in the administrative record, the Board concluded that Mr. Boyer violated Code Section 20-610 and imposed a penalty of \$1000.

B. Lobbying System Update

Over the last week, OIT has been standing up our new Lobbying Disclosure System. Data has been migrated over from PLIS, the Board's prior lobbying application, and the new system is now live. We will be monitoring the status of the system as we head into the Third Quarter filing period to resolve any launch issues as the regulated community engages with the new system. Board compliance staff continues working on updated educational documents and communications for the regulated community to facilitate this transition.

Ordinarily we would have a basic overview of Second Quarter lobbying information to report on. Due to the system transition that information was not possible to collate ahead of the September meeting and will be deferred until a future meeting.

C. Staff Activities

We'd like to welcome Elle Betsker and Katherine Davis to the Board. They are our most recent practicum students from Temple University Beasley School of Law and will be with us through the fall semester working on various projects across investigations, compliance, and regulations.

ATTACHMENT B

To Sept. 11, 2026 Public Session Minutes
Sept. 16, 2026 Gen. Counsel Report



**CITY OF PHILADELPHIA
BOARD OF ETHICS**

SEPTEMBER 2026 GENERAL COUNSEL REPORT

TO: Board Members
FROM: Jordana L. Greenwald, General Counsel
DATE: September 11, 2026

I. Advisory Opinions

We have not issued any formal advisory opinions since the last public meeting.

II. Legal Assistant Hiring

We are conducting screening interviews for candidates in anticipation of full interviews in the coming weeks.

III. Training

General Ethics sessions for 2026 are open for registration at ethics.pub/GETraining. The next sessions will be held on Thursdays, September 17 and October 15 at 1:00 p.m. and Tuesdays, September 22 and October 6 at 11:00 a.m.

a. Training activity 7.11.26 through 9.11.26

Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
12	13	14 General Ethics JS & DB	15	16 General Ethics (Council Staff) CA & TK	17	18
19	20	21 General Ethics (OHR Orientation) JS & TK	22	23 General Ethics JS & CA	24 General Ethics (Police Academy) CA & JS	25
26	27	28 General Ethics JS & DB	29 General Ethics (Public Property) JS & JC	30 General Ethics (Mural Arts) CA & JS	31	1
2	3 General Ethics (DAO CLE) TK & JS	4	5 General Ethics (City Commisioners) JS & TK	6	7	8
9	10	11 General Ethics CA & JS	12 General Ethics (DHS) CA & TK	13	14	15

JG: Jordana Greenwald | TK: Tom Klemm | DB: Dakota Baeringer | JS: Julia Sheppard | CA: Chioma Azi

Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
16	17 General Ethics (Crossing Guards) Recording	18	19 General Ethics (DHS) CA & DB	20 General Ethics TK & JS	21	22
23	24 General Ethics (OPA) CA & TK	25 General Ethics (OHR Orientation) CA & DB	26 General Ethics (Library) JS & CA	27	28	29
30	31	1	2 General Ethics (PPR) CA & DB	3 General Ethics (PPR) CA & DB	4 General Ethics (Police Academy) CA & JS	5
6	7	8 General Ethics (Crossing Guards) Recording General Ethics JS & TK	9 B&C Ethics (Advisory) DB & JS General Ethics (DAO) TK & CA	10 B&C Ethics (Non- Advisory) DB & TK General Ethics (Public Svc. Fellows) CA & JS	11	

JG: Jordana Greenwald | TK: Tom Klemm | DB: Dakota Baeringer | JS: Julia Sheppard | CA: Chioma Azi

Training Activity 7.11.26 through 9.11.26
2,140 people @ 28 sessions

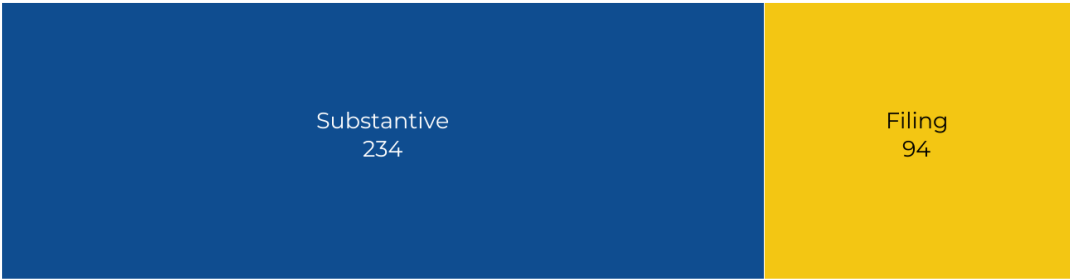
General Ethics 2,017	Continuing Legal Ed. 73
	Board & Comm'n 50

IV. Informal Guidance

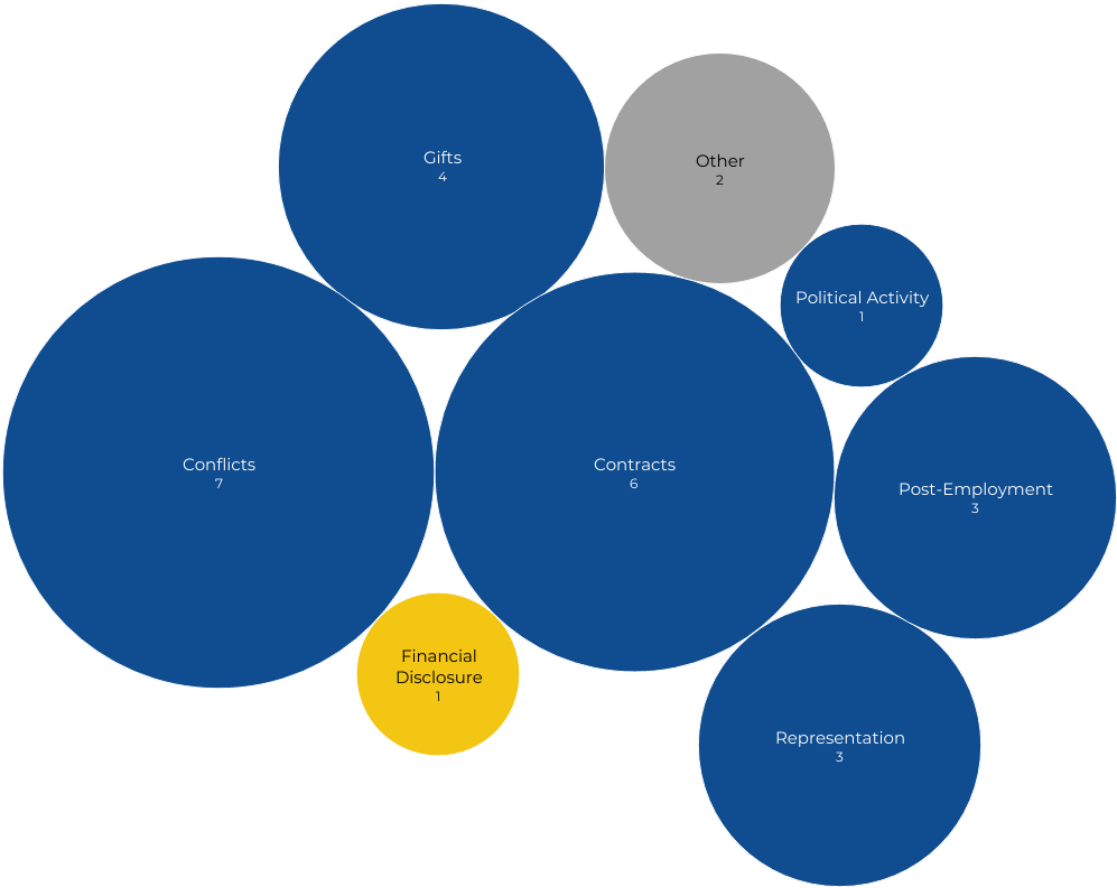
Total Requests Resolved July-Aug 2026

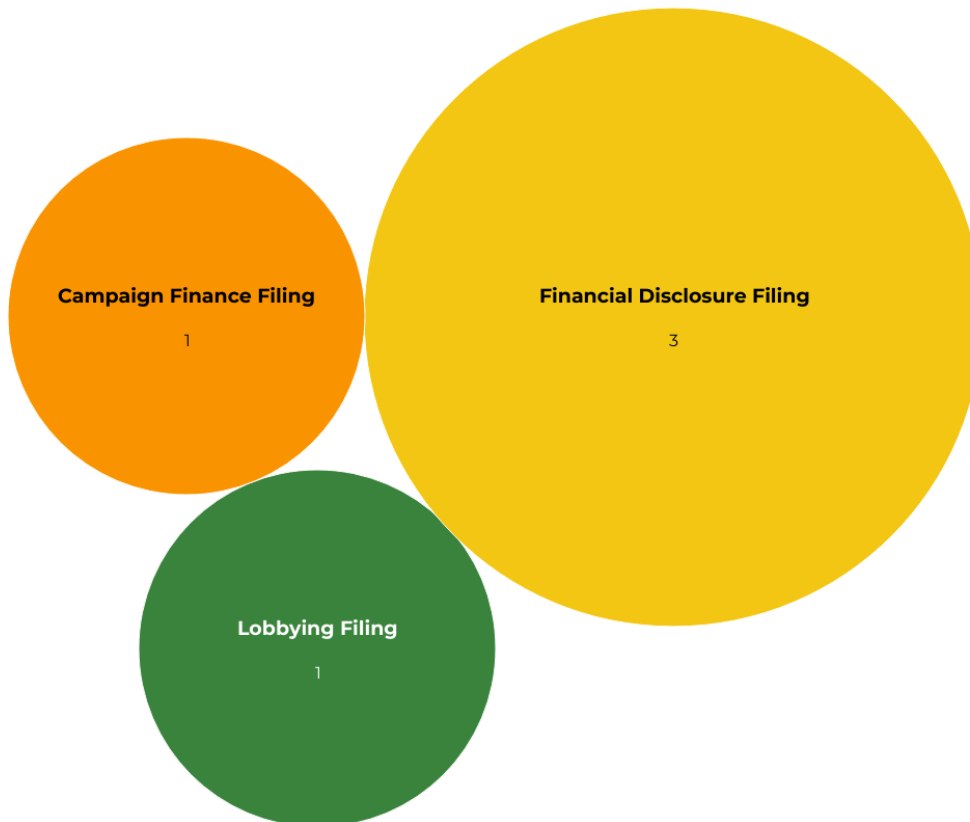


Total Requests Resolved 2026 YTD



Topics Covered: Substantive
July-Aug 2026





Question of Note:

May a nonprofit founded by a City employee have a contract with the City?

Sometimes, yes. Generally, an unpaid officer or member of a nonprofit does not have a financial interest in the nonprofit and, therefore, would not have a financial interest in a contract with the nonprofit. If, however, the employee is providing significant funding to a nonprofit with limited funding streams, the employee may have a financial interest in a contract with the nonprofit. For example, where a City employee starts a nonprofit and covers initial costs out of their own pocket to get the effort off the ground, the employee has a financial interest in finding another source of funding for the nonprofit. In that situation, funds flowing from the City to a nonprofit via a contract may mean that the City employee no longer needs to contribute as much to the nonprofit. Ultimately, the answer depends on the employee's financial relationship to the organization, which may change over time.