The meeting was called to order at 9:08 a.m. by Chair Regina Foley, who thanked the Board for being available for a Special Board of Governors Meeting.

Chancellor Rudy Garcia also thanked the Board for being available on short notice and just one day before a regularly-scheduled board meeting. Chancellor Garcia noted that two members of the Board, Nikki Johnson-Huston and Melanie Taylor, have recused themselves from the meeting in light of their employment with the City of Philadelphia and the discussion that would ensue involving possible action against the City of Philadelphia. Chancellor Garcia invited other members of the Board to consider whether they have a conflict of interest and whether recusal would also be appropriate. Danielle Banks and Kathleen Wilkinson also recused themselves.

Chancellor Garcia provided background for the purpose of the special meeting. He explained that the Association had formed a task force to evaluate the proposed regulations to implement Philadelphia’s Lobbying Ordinance. He also explained that, initially, the task force was co-chaired by Larry Beaser and Pedro Ramos, but that Mr. Ramos has since stepped down due to a recent appointment to a governmental position. Mr. Beaser is now chair of the task force.

Chancellor Garcia described Philadelphia’s Lobbying Ordinance as being overbroad, in that its definition of “lobbying” could include a wide range of activities that lawyers regularly engage in when practicing law. The Lobbying Ordinance also requires registration, a $500 fee and quarterly reports disclosing contacts made during that quarter, which disclosures could violate rules of professional conduct.

Chancellor Garcia noted that the Association has been working hard to address these issues and to delay implementation of the proposed regulations, including submission of detailed letters to the Board of Ethics, testifying before the Board of Ethics, approaching City Council before it adjourned for summer recess, and meeting with the City Solicitor and the City’s Chief Integrity Officer.

It was agreed that further discussion about this matter would take place in executive session and that such discussion should be considered attorney-client privileged and work product protected.

Following executive session, a motion was made and seconded, as follows:

Resolved, that the Board of Governors authorizes the Chancellor, on behalf of the Philadelphia Bar Association, (1) to take such action as is necessary, including but not limited to legal action in courts of law, to prevent the implementation of Philadelphia’s Lobbying Ordinance, as currently interpreted by the Proposed Regulations of the Board of Ethics; and (2) to take such other actions as are necessary, in the judgment of the
Chancellor, to protect the interests of Association members and the public with respect to implementation of the Lobbying Ordinance and the Proposed Regulations.

After consideration by the Board, the motion was unanimously approved.

There being no further business, the meeting was adjourned at 9:39 a.m.

Respectfully submitted,
Sophia Lee
Secretary

Board of Governors
Attendance
June 29, 2011

Present:

Rudy Garcia
John Savoth
Kathleen Wilkinson
Sophia Lee
Jacqueline Segal
Joseph Prim
Wesley Payne
Regina Foley
Brandi Brice
Larry Beaser
Jeffrey Campolongo
Sean Sullivan
Kimberly Ruch-Alegant

Absent:

William Fedullo
Richard Harris
Michael Shaffer
Pedro Ramos
Scott Sigman
H. Marc Tepper
Scott Reid

Recused:

Danielle Banks
Nikki Johnson-Huston

Stacy Tees
Brian Chacker
John Encarnacion
Gina Rubel
Carolyn Chopko
Thomas Fitzpatrick
Julia Swain
Ourania Papademetriou
Cheryl Gaston
David Prewitt
Marc Zucker
Scott Cooper
Richard Seidel
Sandra Jeskie
Judith Stein
George Nagle
Hon. A. Michael Snyder
Melanie Taylor