



# Palm Beach County Commission on Ethics

**Commissioners**  
Edward Rodgers, Chair  
Manuel Farach, Vice Chair  
Robin N. Fiore  
Ronald E. Harbison  
Bruce E. Reinhart

**Executive Director**  
Alan S. Johnson

In Re: Priscilla A. Taylor

C10-007

## Public Report and Final Order of Dismissal with Issuance of a Letter of Instruction

COMPLAINANT, Alan S Johnson, Executive Director of the Commission on Ethics, filed the above-referenced COMPLAINT on January 11, 2011, alleging a possible ethics violation involving RESPONDENT Priscilla A. Taylor, a Palm Beach County Commissioner.

The COMPLAINT alleges that on September 25, 2010, RESPONDENT, Priscilla Taylor, knowingly accepted a gift in excess of one hundred dollars (\$100.00) from a principal or employer of a lobbyist.

Pursuant to Chapter 2, Article V, Division 8, Section 2-258(a)<sup>1</sup> of the Palm Beach County Code, the Commission on Ethics is empowered to enforce the county code of ethics. Knowingly accepting any gift with a value of greater than one hundred dollars (\$100.00) from any person or business entity that the recipient knows is a lobbyist or any principal or employer of a lobbyist is prohibited pursuant to Article XIII, sec. 2-444(a)<sup>2</sup> of the Palm Beach County Code.

<sup>1</sup> Article V, Division 8, section 2-258. Powers and duties. (a) The commission on ethics shall be authorized to exercise such powers and shall be required to perform such duties as are hereinafter provided. The commission on ethics shall be empowered to review, interpret, render advisory opinions and enforce the;

- (1) County Code of Ethics;
- (2) County Post-Employment Ordinance, and
- (3) County Lobbyist Registration Ordinance.

<sup>2</sup> Article XIII, sec.2-444. Gift Law.

On January 10, 2011, the COMPLAINT was determined by staff to be LEGALLY SUFFICIENT. The matter was investigated and presented to the Commission on Ethics on February 3, 2011 with a recommendation that although there may be probable cause to believe there was a code of ethics violation, the facts and circumstances warrant a dismissal with a letter of instruction to the Respondent. At that time, the Commission conducted a hearing. The Commission reviewed and considered the investigative report, documentary submissions, recommendation of staff, written response of the RESPONDENT as well as oral statements of the RESPONDENT and ADVOCATE. The Commission also reviewed Art. V., sec. 2-260.3 of the Commission on Ethics ordinance.<sup>3</sup> At the conclusion of the hearing the Commission on Ethics determined that although there was probable cause to believe that a violation had occurred, the alleged violation was inadvertent and unintentional. The commission based this determination on the following factors:

- 1- RESPONDENT did receive a gift of a ticket to the Delray Beach Annual Chamber Gala from Florida Power and Light (FPL).
- 2- FPL is a company that does retain staff who function as registered lobbyists with Palm Beach County.
- 3- The ticket value was \$150.00 which is in excess of the \$100.00 limit imposed by sec. 2-244(a)
- 4- RESPONDENT received the prohibited gift from a long time personal friend who had only recently obtained employment with FPL, not as a lobbyist.
- 5- Although FPL is the employer of registered lobbyists, no significant issue involving FPL lobbyists has come before the county since RESPONDENT became a county commissioner on July 19, 2009.

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(a) No county commissioner or employee, or any other person or business entity on his or her behalf, shall knowingly solicit or accept directly or indirectly, any gift with a value of greater than one hundred dollars (\$100.00) from any person or business entity that the recipient knows is a lobbyist or any principal or employer of a lobbyist.

<sup>3</sup> Sec. 2-260.3. Dismissal of Complaints

Notwithstanding any other provisions of this division, the commission on ethics may, at its discretion: (a) dismiss any complaint at any stage of disposition should it determine that the public interest would not be served by proceeding further, or (b) dismiss any complaint at any stage of disposition and issue a letter of instruction to the respondent when it appears that the alleged violation was inadvertent, unintentional or insubstantial. In the event the commission on ethics dismisses a complaint as provided in this subsection, the commission on ethics shall issue a public report stating with particularity its reasons for the dismissal.

- 6- The Response received by RESPONDENT acknowledges that she could have, and should have done more to ensure that the gift was not prohibited.
- 7- The RESPONDENT has taken significant, concrete steps, by establishing staff procedures which require better screening of all invitations prior to acceptance, to ensure future compliance with the code of ethics.
- 8- The gift at issue is \$150.00, and a permissible gift would have been \$100.00. The Commission finds that the facts and circumstances of this case indicate that the alleged violation was insignificant within the meaning of sec. 2-260.3.
- 9- The RESPONDENT has voluntarily returned the prohibited portion of the gift to the donor.
- 10- Further, based on the written response submitted by RESPONDENT, the nature of the facts and circumstances surrounding the alleged violation and the steps taken by the RESPONDENT to eliminate potential violations in the future, the Commission finds that the alleged violation was inadvertent and unintentional.

Therefore it is:

**ORDERED AND ADJUDGED THAT** the COMPLAINT against RESPONDENT Priscilla A. Taylor is hereby DISMISSED and a LETTER OF INSTRUCTION is to be issued in this case.

**DONE AND ORDERED** by the Palm Beach County Commission on Ethics in public session on March 3, 2011.

Palm Beach County Commission on Ethics,

By:

  
Edward Rodgers, Chair



# Palm Beach County Commission on Ethics

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## LETTER OF INSTRUCTION

The Executive Director of the Commission on Ethics filed the above-captioned complaint against Priscilla A. Taylor for violating Art. XIII, Sec 2-444(a)(gift law) of the Palm Beach County Code of Ethics. The complaint alleges that Respondent, while a Palm Beach County Commissioner, accepted a prohibited gift from the principal or employer of a lobbyist.

### Facts

Respondent is and has been a county commissioner since July 19, 2009. She is a reporting individual as defined by § 112.3145(1)(a) required to submit a quarterly gift disclosure form (form 9) listing any and all gifts in excess of one hundred dollars (\$100.00) subject to specific statutory exclusions.

On December 21, 2010, Respondent signed a quarterly gift disclosure form listing a gift from Ethel Isaacs, Florida Power and Light (FPL) valued in the amount of one hundred and fifty dollars (\$150.00). The gift comprised a ticket to the Delray Beach Chamber of Commerce Gala event held on September 25, 2010. A review of county paid lobbyist registration records, maintained by the Palm Beach County Administrator's Office through the Office of Legislative Affairs, established that FPL employs registered lobbyists who lobby Palm Beach County.

### Holding

Art. XIII, Sec 2-444(a) states as follows:

*No county commissioner or employee, or any other person or business entity on his or her behalf, shall knowingly solicit or accept directly or indirectly, any gift with a value of greater than one hundred dollars (\$100.00) from any person or business entity that the recipient knows is a lobbyist or any principal or employer of a lobbyist.*


Respondent did accept a prohibited gift from the employer of a lobbyist in excess of one hundred dollars (\$100.00). However, the Commission on Ethics has reviewed the facts and circumstances surrounding this alleged violation and has determined the actions of the Respondent were unintentional and inadvertent. Although FPL is the employer of registered lobbyists, the COE is unaware of any significant FPL issues coming before the county commission during the time Respondent has served as a commissioner. In addition, the COE acknowledges the candid response submitted by the Respondent,

including her acknowledgment that she could have, and should have done more to ensure that the gift was not prohibited, as well as steps subsequently taken by the Respondent establishing staff procedures, including better screening of invitations prior to acceptance, to ensure future compliance with the code of ethics. Lastly, the COE is mindful of the fact, that Respondent in no way attempted to hide the acceptance of this gift and the premises therein as she fully complied with state gift reporting requirements, and that she has voluntarily returned the prohibited portion of the gift to the donor.

In light of the facts and circumstances known to the Commission on Ethics, the matter is disposed of by way of dismissal with this Letter of Instruction. Respondent is now advised that the filing of Ethics Complaint C10-007, along with this Letter of Instruction is to serve as notice of the consequences of not following gift law requirements under the Code of Ethics. While the Commission on Ethics finds that any alleged violation was inadvertent and unintentional, Respondent is therefore instructed to be more diligent in the future about investigating the source of any gift and to conform her activities to this Letter of Instruction and to the requirements of sec. 2-444(a) to avoid any future enforcement action.

This letter of instruction is issued by the Palm Beach County Commission on Ethics in public session on March 3, 2011.

Palm Beach County Commission on Ethics,

By:   
Edward Rodgers, Chair