

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Phillip Armiger

Case No.: FEC 16-642

TO: Phillip Armiger
6810 Monet Circle
Temple Terrace, FL 33617

David Pogorilich
1534 North Riverhills Drive
Temple Terrace, FL 33617

NOTICE OF HEARING (CONSENT ORDER)

A hearing will be held in this case before the Florida Elections Commission on, **March 13, 2018 at 10:00 am, or as soon thereafter as the parties can be heard**, at the following location: **Augustus B. Turnbull Conference Center, 555 West Pensacola Street, Room 103, Tallahassee, Florida 32301.**

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

This hearing will be conducted pursuant to Section 106.25, Florida Statutes, which governs your participation as follows:

If you are the Respondent, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission. However, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless you request to be heard or the Commission requests that your case be considered separately on the day of the hearing, your case will *not* be individually heard.

If you are the Complainant, you may attend the hearing, but you will *not* be permitted to address the Commission. In addition, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless the Respondent requests to be heard or the Commission requests that the case be considered separately on the day of the hearing, the case will *not* be individually heard.

If you are an Appellant, and you have requested a hearing, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission.

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission on this date. As an Appellant, Respondent or Complainant in one case, you will *not* be permitted to attend the hearings on other confidential cases.

The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

If you require an accommodation due to a disability, contact Donna Ann Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
February 26, 2018

Please refer to the information below for further instructions related to your particular hearing:

If this is a hearing to consider **an appeal from an automatic fine**, the Filing Officer has imposed a fine on you for your failure to file a campaign treasurer's report on the designated due date and, by filing an appeal, you have asked the Commission to consider either (1) that the report was in fact timely filed; or (2) that there were unusual circumstances that excused the failure to file the report timely. You are required to prove your case. If the Commission finds that the report was filed timely or that there were unusual circumstances that excused the failure, it may waive the fine, in whole or in part. The Commission may reduce a fine after considering the factors in Section 106.265, Florida Statutes. If the Commission finds that the report was not timely filed and there were no unusual circumstances, the fine will be upheld.

If this is a hearing to consider a **consent order before a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed and become public. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the case will remain confidential, unless confidentiality has been waived.

If this is a hearing to consider a **consent order after a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the Respondent will be entitled to another hearing to determine if the Respondent committed the violation(s) alleged.

If this is a **probable cause hearing**, the Commission will decide if there is probable cause to believe that the Respondent committed a violation of Florida's election laws. Respondent should be prepared to explain how the staff in its recommendation incorrectly applied the law to the facts of the case. *Respondent may not testify, call others to testify, or introduce any documentary or other evidence at the probable cause hearing.* The Commission will only decide whether Respondent should be *charged* with a violation and, before the Commission determines whether a violation has occurred or a fine should be imposed, Respondent will have an opportunity for another hearing at which evidence may be introduced.

If this is an **informal hearing**, it will be conducted pursuant Sections 120.569 and 120.57(2), Florida Statutes; Chapter 28 and Commission Rule 2B-1.004, Florida Administrative Code. At the hearing, the Commission will decide whether the Respondent committed the violation(s) charged in the Order of Probable Cause. The Respondent will be permitted to testify. However, the Respondent may not call witnesses to testify.

Respondent may argue why the established facts in the Staff Recommendation do not support the violations charged in the Order of Probable Cause. At Respondent's request, the Commission may determine whether Respondent's actions in the case were willful. The Respondent may also address the appropriateness of the recommended fine. If Respondent claims that his limited resources make him unable to pay the statutory fine, *he must provide the Commission with written proof of his financial resources* at the hearing. A financial affidavit form is available from the Commission Clerk.

**THIS FILE CONTAINS INFORMATION
THAT IS CONFIDENTIAL
AND EXEMPT FROM DISCLOSURE
PURSUANT TO
CHAPTER 119, FLORIDA STATUTES**

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Phillip Armiger

Case No.: FEC 16-642

F.O. No.: FOFEC

CONSENT FINAL ORDER

Respondent, Phillip Armiger, and the Florida Elections Commission (Commission) agree that this Consent Order resolves all of the issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order:

FINDINGS OF FACT

1. On October 31, 2016, a complaint was filed with the Commission alleging that Respondent violated Florida's election laws.
2. Respondent has expressed a desire to enter into negotiations directed toward reaching a consent agreement.
3. Respondent and the staff stipulate to the following facts:
 - a. Respondent was a candidate for the Temple Terrace City Council in the 2016 election.
 - b. On September 22, 2016, Respondent filed his original 2016 G2 Report that did not list any contributions or expenditures.
 - c. On October 26, 2016, Respondent filed an amended 2016 G2 Report reflecting three in-kind contributions from himself.

d. Respondent should have listed the three in-kind contributions on his original 2016 G2 Report.

CONCLUSIONS OF LAW

4. The Commission has jurisdiction over the parties to and subject matter of this cause, pursuant to Section 106.26, Florida Statutes.

5. Section 106.25(4)(i)3., Florida Statutes, allows the Commission to approve a consent agreement with a Respondent prior to the Commission finding probable cause that a violation of the election laws occurred. The consent agreement has the same force and effect as a consent agreement reached after the Commission finds probable cause.

6. The Commission staff and Respondent stipulate that staff could prove all the facts in paragraph three above by clear and convincing evidence and to the Commission's ability to impose a civil penalty in the case.

ORDER

7. Respondent and the staff of the Commission have entered into this Consent Order freely and voluntarily.

8. The Respondent shall bear his own attorney's fees and costs that are in any way associated with this case.

9. The Commission will consider this Consent Order at its next available meeting.

10. The Respondent voluntarily waives confidentiality upon approval of the Consent Order by the Commission, the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal this Consent Order.

11. This Consent Order is enforceable under Sections 106.265 and 120.69, Florida Statutes. Respondent expressly waives any venue privileges and agrees that if enforcement of

this Consent Order is necessary, venue shall be in Leon County, Florida, and Respondent shall pay all fees and costs associated with enforcement.

12. Payment of the civil penalty by cashier's check, money order, good for at least 120 days, or attorney trust account check is a condition precedent to the Commission's consideration of this Consent Order.

PENALTY

WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent violated Sections 106.19(1)(b) and 106.19(1)(c), Florida Statutes, and imposes a civil penalty in the amount of \$500.

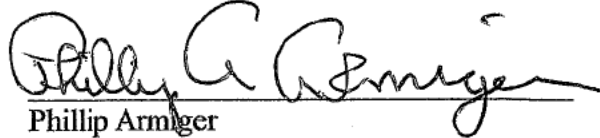
Therefore, it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of \$500, inclusive of fees and costs. The civil penalty shall be paid by cashier's check, money order, good for at least 120 days, or attorney trust account check. The civil penalty should be made payable to the Florida Elections Commission and sent to 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

THIS SPACE INTENTIONALLY LEFT BLANK

Respondent hereby agrees and consents to the terms of this Consent Order on

2-16-, 2018.



Phillip Armiger
6810 Monet Circle
Temple Terrace, Florida 33617

Commission staff hereby agrees and consents to the terms of this Consent Order on

February 30, 2018.



Eric M. Lipman
General Counsel
Florida Elections Commission
107 West Gaines Street
The Collins Building, Suite 224
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held

on _____, in Tallahassee, Florida.

M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Eric M. Lipman, General Counsel
Phillip Armiger, Respondent
David Pogorlich, Complainant

THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK PRINTED ON THE BACK. THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT SIGNATURE LINE. ABSENCE OF THESE FEATURES WILL INDICATE A COPY.

grow financial
federal credit union

OFFICIAL CHECK

49-55
1031

FOR: FEC 16-4642

P.O. BOX 89909
Tampa, FL 33689-0415

00 0052432339

02/16/18

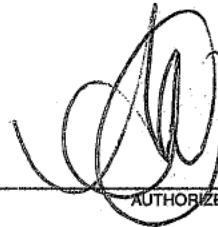
\$500.00

** Five Hundred and 00/100 DOLLARS **

Pay

To The Order Of

FLORIDA ELECTIONS COMMISSIONS
RE: PHILLIP A ARMIGER
OR SUSAN M ARMIGER
6810 MONET CIR
TEMPLE TERRACE FL 33617-2648



AUTHORIZED SIGNATURE

DRAWER: MONEYGRAM PAYMENT SYSTEMS INC., P.O. BOX 9476 MINNEAPOLIS, MN 55480
DRAWEE: BOKF, NA EUFULA, OK

068677 / M 3684074





FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street,
Suite 224 Collins Building
Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539
Fax: (850) 921-0783

February 16, 2017

Phillip Armiger
6810 Monet Circle
Temple Terrace, FL 33617

RE: Case No.: FEC 16-642; Respondent: Phillip Armiger

Dear Mr. Armiger:

On October 31, 2016, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more legally sufficient allegations. The Commission staff will investigate the following alleged violations:

Section 106.07(5), Florida Statutes: Respondent, a 2016 candidate for the Temple Terrace City Council, filed one or more campaign treasurer reports that were either incorrect or incomplete, as alleged in the complaint.

Section 106.19(1)(b), Florida Statutes Respondent, a 2016 candidate for the Temple Terrace City Council, failed to report one or more contributions required to be reported by Chapter 106, Florida Statutes, as alleged in the complaint.

Section 106.19(1)(c), Florida Statutes: Respondent, a 2016 candidate for the Temple Terrace City Council, falsely reported or deliberately failed to include information in one or more campaign reports required by Chapter 106, Florida Statutes, as alleged in the complaint.

You may respond to the allegations above by filing a notarized statement providing any information regarding the facts and circumstances surrounding the allegations. Your response will be included as an attachment to the investigator's report.

When we conclude the investigation, a copy of the Report of Investigation will be mailed to you at the above address. You may file a response to the report within 14 days from the date the report is mailed to you. Based on the results of the investigation, legal staff will make a written recommendation to the Commission on whether there is probable cause to believe you have

violated Chapter 104 or 106, Florida Statutes. A copy of the Staff Recommendation will be mailed to you and you may file a response within 14 days from the date the recommendation is mailed to you. Your timely filed response(s) will be considered by the Commission when determining probable cause.

The Commission will then hold a hearing to determine whether there is probable cause to believe you have violated Chapters 104 or 106, Florida Statutes. You and the complainant will receive a notice of hearing at least 14 days before the hearing. The notice of hearing will indicate the location, date, and time of your hearing. You will have the opportunity to make a brief oral statement to the Commission, but you will not be permitted to testify or call others to testify, or introduce any documentary or other evidence.

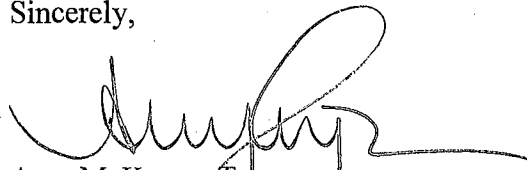
At any time before a probable cause finding, you may notify us in writing that you want to enter into negotiations directed towards reaching a settlement via consent agreement.

The Report of Investigation, Staff Recommendation, and Notice of Hearing will be mailed to the above address as this letter. Therefore, if your address changes, you must notify this office of your new address. Otherwise, you may not receive these important documents. Failure to receive the documents will not delay the probable cause hearing.

Under section 106.25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause. The confidentiality provision does not apply to the person filing the complaint. However, it does apply to you unless you waive confidentiality in writing. The confidentiality provision does not preclude you from seeking legal counsel. However, if you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the Commission staff can discuss this case with him or her.

If you have any questions or need additional information, please contact **Helen Hinson**, the investigator assigned to this case.

Sincerely,



Amy McKeever Toman
Executive Director

AMT/enr



Re: Case No. FEC 16-642 
Florida Elections Commission to: Phillip Armiger
Sent by: Donna Malphurs

01/11/2017 03:29 PM

From: Florida Elections Commission/OAG
To: Phillip Armiger <armigerpa@gmail.com>

Please call me at 850-922-4539. Thank you.

Donna Ann Malphurs
Agency Clerk
850-922-4539

Phillip Armiger

Dear Erin Riley, I am sending this email in hope...

01/10/2017 05:03:09 PM

From: Phillip Armiger <armigerpa@gmail.com>
To: fec@myfloridalegal.com
Date: 01/10/2017 05:03 PM
Subject: Case No. FEC 16-642

Dear Erin Riley,

I am sending this email in hopes that you may have some information regarding a complaint filed against me on October 31, 2016. The Case No. is FEC 16-642. I am concerned that there is an issue or has the case been reviewed yet. Any information would be greatly appreciated. Thank you, Phillip A. Armiger. armigerpa@gmail.com
(813) 376-5141

Florida Elections Commission
107 W. Gaines Street
Suite 224 Collins Building
Tallahassee, FL 32399-1050

RECEIVED

2016 NOV 16 P 1:49

STATE OF FLORIDA
ELECTIONS COMMISSION

November 11, 2016

RE: Case No.: FEC 16-642; Respondent Phillip Arbinger (Last name misspelled s/b Armiger)

Dear Erin Riley:

In response to a complaint filed against me by David Pogorilich regarding a failure to disclose expenditures from my campaign account I submit the following:

Mr. Pogorilich submitted in his complaint, copies of my Treasurer's Report Summary dated from; 08/26/2016 to 10/14/2016 but failed to include my amended report for cover period 09/03/2016 to 09/16/2016, filed with the City Clerks Office on 10/26/2016. (see attached)

As this was my first experience in seeking a Political Office, I did my best to understand and follow all laws and rules pertaining to my candidacy. I accepted no contributions from any source other than myself. I believed I could finance the cost of my campaign with personal funds. I did not attempt to misrepresent, deceive or fail to follow any Florida State Election Laws as I understand them. As I researched the State of Florida web site regarding my ability to amend reports, I was directed to the following statute that I believed satisfied my inquiry:

106.07 Reports; certification and filing.- (2)(a) Second paragraph- Reports other than daily reports must contain information on all previously unreported contributions received and expenditures made as of the preceding Friday, except that the report filed on the Friday immediately preceding the election must contain information on all previously unreported contributions received and expenditures made as of the day preceding that designated due date; daily reports must contain information on all previously unreported contributions received as of the preceding day. All such reports are open to public inspection.

If any document was incomplete or failed to show proper or incorrect information, it was my honest mistake.

I am hopeful I have provided you enough information with my response. Should I need to be contacted via email or phone call please feel free to do so.

Thank you,



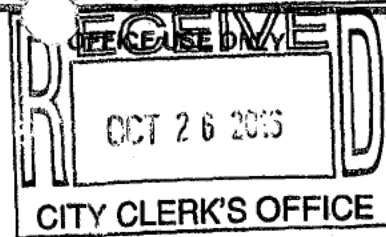
Phillip A. Armiger

(813) 376-5145

armigerpa@gmail.com

CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Phillip Armiger
 Name
 (2) GOBLO Monet Cte.
 Address (number and street)
Temple Terrace, Fl 33617
 City, State, Zip Code



CHECK IF ADDRESS HAS CHANGED

(3) ID Number: _____

(4) Check appropriate box(es):

Candidate (office sought): City Council

Political Committee

CHECK IF PC HAS DISBANDED

Committee of Continuous Existence

CHECK IF CCE HAS DISBANDED

Party Executive Committee

Electioneering Communication

CHECK IF NO OTHER ELECTIONEERING COMMUNICATION REPORTS WILL BE FILED

(5) REPORT IDENTIFIERS

Cover Period: From 09/03/2016 To 09/16/2016 Report Type 2016 B2

Original Amendment Special Election Report Independent Expenditure Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks \$ Ø
 Loans \$ Ø
 Total Monetary \$ Ø
 In-Kind \$ 544.63

(7) EXPENDITURES THIS REPORT

Monetary Expenditures \$ Ø
 Transfers to Office Account \$ Ø
 Total Monetary \$ Ø

(8) Other Distributions \$ Ø

(9) TOTAL Monetary Contributions To Date
 \$ 700.00

(10) TOTAL Monetary Expenditures To Date
 \$ 34.70

(11) CERTIFICATION

It is a first degree misdemeanor for any person to falsify a public record (ss. 839.13, F.S.)

I certify that I have examined this report and it is true, correct, and complete.

I certify that I have examined this report and it is true, correct, and complete.

(Type name) Susan Armiger
 Individual (only for electioneering commun) Treasurer Deputy Treasurer

(Type name) Phillip Armiger
 Candidate Chairperson (only for PC, PTY & electioneering commun organization)

[Signature]
 Signature

[Signature]
 Signature

(1) Name Phillip Armiger

(2) D. Number _____

(3) Cover Period 09/03/2016 through 09/16/2016 (4) Page 2 of 3

(5) Date	(7) Full Name (Last, Suffix, First, Middle)	(8) Contributor Type Occupation		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
(6) Sequence Number	Street Address & City, State, Zip Code	Type	Occupation	Type	Description	Amendment	Amount
09/06/2016 01	Armiger Phillip, Anthony 6810 Monet Cir. Temple Terrace, FL 33617	0	Retired	INK	SIGNS	ADD	256.80
09/12/2016 02	Armiger Phillip, Anthony 6810 Monet Cir. Temple Terrace, FL 33617	0	Retired	INK	500 Postcards	ADD	138.03
09/15/2016 03	Armiger Phillip, Anthony 6810 Monet Cir. Temple Terrace, FL 33617	0	Retired	INK	12 T-shirts	ADD	149.80
/ /							
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CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name Phillip Aron

(2) Number _____

(3) Cover Period 09/03/2016 through 09/16/2016

(4) Page 3 of 3

(5) Date	(7) Full Name (Last, Suffix, First, Middle)	(6) Purpose (add office sought if contribution to a candidate)	(8) Expenditure Type	(10) Amendment	(11) Amount
(6) Sequence Number	(7) Street Address & City, State, Zip Code	(6) Purpose (add office sought if contribution to a candidate)	(8) Expenditure Type	(10) Amendment	(11) Amount
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Response to complaint filed by David Pogorilich
Phillip Armiger
to:
fec
11/11/2016 09:42 PM
Hide Details
From: Phillip Armiger <armigerpa@gmail.com>
To: fec@myfloridalegal.com

Dear Erin Riley,

In response to the complaint filed against me by David Pogorilich alleging that I failed to disclose expenditures relating to my campaign account, I submit the following:

Mr. Pogorilich submitted copies of my TRS dated 08/26/16 to 10/14/16 but failed to include my amended report for cover period 09/03/16 to 09/16/16. (see attached)

As this was my first experience in seeking Political Office, I did my best to understand and follow the instructions regarding the Election Law's and Rules pertaining to my campaign. I did not solicit any funds nor did I except any funds or in kind from any source. I believed I could pay all cost myself, which I did.

Once I realized that I do have to show what I purchase on my reports. I researched the State website and found that I can file an amended report showing my mistake. This report was excepted by the City Clerks Office with no complaints or recommendations. If this was incorrect, it was an honest mistake and nothing more.

My attached documents will show the amended forms. The following State Law I was directed to on the website and believed to meet my inquiry is:

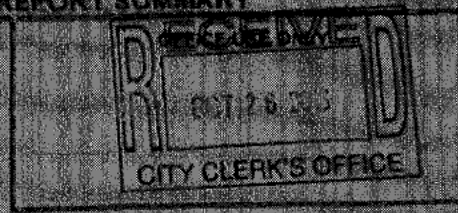
106.07 Reports; certification and filing.- (2)(a) Second paragraph; Reports other than daily reports must contain information on all previously unreported contributions received and expenditures made as of the preceding Friday, except that the report filed on the Friday immediately preceding the election must contain information on all previously unreported contributions received and expenditures made as of the day preceding that designed due date; daily reports must contain information on all previously unreported contributions received as of the preceding day. All such reports are open to public inspection.

I am hopeful I have provided you enough information with my response. Should I need to be contacted, please do so.

Thank you,
Phillip A. Armiger
armigerpa@gmail.com
(813) 376-5141

CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Phillip Armiger
Name
(2) 6810 Mont Cir
Address (number and street)
Engle Terrace #1 33617
City, State, Zip Code



CHECK IF ADDRESS HAS CHANGED

(3) ID Number: _____

(4) Check appropriate box(es):
 Candidate (office sought) City Council
 Political Committee
 Committee of Continuous Existence
 Party Executive Committee
 Electioneering Communication

CHECK IF PC HAS DISBANDED
 CHECK IF CCE HAS DISBANDED
 CHECK IF NO OTHER ELECTIONEERING COMMUNICATION REPORTS WILL BE FILED

(5) REPORT IDENTIFIERS

Cover Period: From 09/03/2016 To 09/16/2016 Report Type 2016 EA
 Original Amendment Special Election Report Independent Expenditure Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks \$ 0
 Loans \$ 0
 Total Monetary \$ 0
 In-Kind \$544.63

(7) EXPENDITURES THIS REPORT

Monetary Expenditures \$ 0
 Transfers to Office Account \$ 0
 Total Monetary \$ 0

(8) Other Distributions \$ 0

(9) TOTAL Monetary Contributions To Date
 \$ 100.00

(10) TOTAL Monetary Expenditures To Date
 \$ 34.70

(11) CERTIFICATION

It is a first degree misdemeanor for any person to falsify a public record (ss. 830.13, F.S.)

I certify that I have examined this report and it is true, correct, and complete.

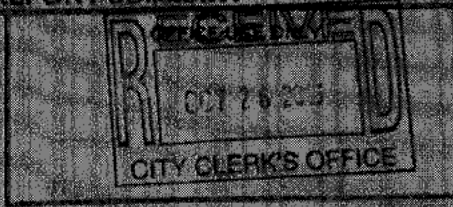
(Type name) Susan Armiger
 Individual (only for electioneering communication) Treasurer Deputy Treasurer
[Signature]
 Signature

I certify that I have examined this report and it is true, correct, and complete.

(Type name) Phillip Armiger
 Candidate Chairperson (only for PC, PTY, & electioneering communication)
[Signature]
 Signature

CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Phillip Armiger
Name
(2) 6810 Macalester
Address (number and street)
Druid Terrace, St. Paul, MN 55117
City, State, Zip Code



CHECK IF ADDRESS HAS CHANGED (3) ID Number: _____

(4) Check appropriate box(es):
 Candidate (office sought): City Council
 Political Committee CHECK IF PC HAS DISBANDED
 Committee of Continuous Existence CHECK IF CCE HAS DISBANDED
 Party Executive Committee CHECK IF NO OTHER ELECTIONEERING COMMUNICATION REPORTS WILL BE FILED
 Electioneering Communication

(5) REPORT IDENTIFIERS

Cover Period: From 09/03/2016 To 09/16/2016 Report Type: 2016 E2
 Original Amendment Special Election Report Independent Expenditure Report

(6) CONTRIBUTIONS THIS REPORT
 Cash & Checks \$ 0
 Loans \$ 0
 Total Monetary \$ 0
 In-Kind \$ 544.63

(7) EXPENDITURES THIS REPORT
 Monetary Expenditures \$ 0
 Transfers to Office Account \$ 0
 Total Monetary \$ 0

(8) Other Distributions \$ 0

(9) TOTAL Monetary Contributions To Date
 \$ 700.00

(10) TOTAL Monetary Expenditures To Date
 \$ 34.70

(11) CERTIFICATION

It is a first degree misdemeanor for any person to falsify a public record (ss. 839.13 F.S.)

I certify that I have examined this report and it is true, correct, and complete.
 (Type name) Susan Armiger
 Individual only for electioneering communication Treasurer Deputy Treasurer
[Signature]
 Signature

I certify that I have examined this report and it is true, correct, and complete.
 (Type name) Phillip Armiger
 Candidate Chairperson of a PC, PTA, or Miscellaneous common organization
[Signature]
 Signature

STATE OF FLORIDA

FLORIDA ELECTIONS COMMISSION

107 West Gaines Street, Suite 224, Tallahassee, Florida 32399-1050

Telephone Number: (850) 922-4539

www.fec.state.fl.us

CONFIDENTIAL COMPLAINT FORM

The Commission's records and proceedings in a case are confidential until the Commission rules on probable cause. A copy of the complaint will be provided to the person against whom the complaint is brought.

1. PERSON BRINGING COMPLAINT:

Name: David Pogorilich Work Phone: (813) 2771701
Address: 1534 N Riverhills Dr Home Phone: (813) 9853545
City: Temple Terrace County: Hillsborough State: FL Zip Code: 33617

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

A person can be an individual, political committee, committee of continuous existence, political party, electioneering communication organization, club, corporation, partnership, company, association, or any other type of organization. (If you intend to name more than one individual or entity, please file multiple complaints.)

Name of individual or entity: Phil Arbinger
Address: Phone: ()
City: Temple Terrace County: Hillsborough State: FL Zip Code: 33617

If individual is a candidate, list the office or position sought: Temple Terrace City Council

Have you filed this complaint with the State Attorney's Office? (check one) [] Yes [X] No

3. ALLEGED VIOLATION(S):

Please list the provisions of The Florida Election Code that you believe the person named above may have violated. The Commission has jurisdiction only to investigation the following provisions: Chapter 104, Chapter 106, and Section 105.071, Florida Statutes. Also, please include:

- The facts and actions that you believe support the violations you allege,
The names and telephone numbers of persons you believe may be witnesses to the facts,
A copy or picture of the political advertisements you mention in your statement,
A copy of the documents you mention in your statement, and
Other evidence that supports your allegations.

Campaign Summary and Detailed Reports improperly filled out (DS-DE 12 and DS-DE 13).


Claims only \$34.70 spent on campaign with no detail on the expenditures, yet yard signs, flyers and t-shirts are seen throughout the city. If an-kind donation is responsible, none has been listed (see attached)

Additional materials attached (check one)? Yes No

4. OATH

STATE OF FLORIDA
COUNTY OF _____

I swear or affirm, that the above information is true and correct to the best of my knowledge.

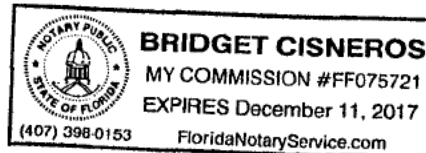


Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 27th day of
October 2016



Signature of Officer Authorized to Administer Oaths or Notary public.

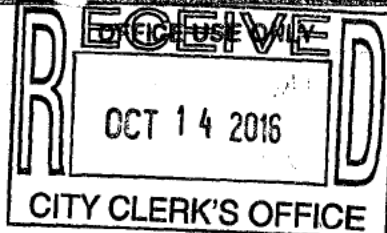


(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known Or Produced Identification _____
Type of Identification Produced _____

Any person who files a complaint while knowing that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775.082 and 775.083, Florida Statutes.

FLORIDA DEPARTMENT OF STATE DIVISION OF ELECTIONS
CAMPAIGN TREASURER'S REPORT SUMMARY



(1) Phillip Armiger
 Name
 (2) 6810 Monet Cir.
 Address (number and street)
Tempe Terrace, FL 33617
 City, State, Zip Code

CHECK IF ADDRESS HAS CHANGED

(3) ID Number: _____

(4) Check appropriate box(es):

Candidate (office sought): City Council

Political Committee

CHECK IF PC HAS DISBANDED

Committee of Continuous Existence

CHECK IF CCE HAS DISBANDED

Party Executive Committee

Electioneering Communication

CHECK IF NO OTHER ELECTIONEERING COMMUNICATION REPORTS WILL BE FILED

(5) REPORT IDENTIFIERS

Cover Period: From 10 '08 '2016 To 10 '14 '2016 Report Type 2016 C5

Original Amendment Special Election Report Independent Expenditure Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks \$ 0

Loans \$ 0

Total Monetary \$ 0

In-Kind \$ 0

(7) EXPENDITURES THIS REPORT

Monetary Expenditures \$ 0

Transfers to Office Account \$ 0

Total Monetary \$ 0

(8) Other Distributions \$ 0

(9) TOTAL Monetary Contributions To Date
 \$ 100.00

(10) TOTAL Monetary Expenditures To Date
 \$ 34.70

(11) CERTIFICATION

It is a first degree misdemeanor for any person to falsify a public record (ss. 839.13, F.S.)

I certify that I have examined this report and it is true, correct, and complete.

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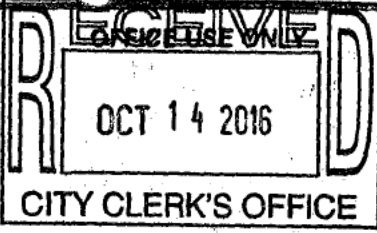
(Type name) Susan Armiger
 Individual (only for electioneering commun) Treasurer Deputy Treasurer

(Type name) Phillip Armiger
 Candidate Chairperson (only for PC, PTY & electioneering commun organization)

Signature

Signature

STATE DIVISION OF ELECTIONS
CAMPAIGN TREASURER'S REPORT SUMMARY



(1) Phillip Armiger
 Name
 (2) 6810 Monet Cir.
 Address (number and street)
Temple Terrace, FL 33617
 City, State, Zip Code

CHECK IF ADDRESS HAS CHANGED (3) ID Number: _____

(4) Check appropriate box(es):
 Candidate (office sought): City Council
 Political Committee CHECK IF PC HAS DISBANDED
 Committee of Continuous Existence CHECK IF CCE HAS DISBANDED
 Party Executive Committee CHECK IF NO OTHER ELECTIONEERING COMMUNICATION REPORTS WILL BE FILED
 Electioneering Communication

(5) REPORT IDENTIFIERS

Cover Period: From 10/01/2016 To 10/07/2016 Report Type 2016 G4
 Original Amendment Special Election Report Independent Expenditure Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks \$ 0
 Loans \$ 0
 Total Monetary \$ 0
 In-Kind \$ 0

(7) EXPENDITURES THIS REPORT

Monetary Expenditures \$ 0
 Transfers to Office Account \$ 0
 Total Monetary \$ 0

(8) Other Distributions \$ 0

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(10) TOTAL Monetary Expenditures To Date
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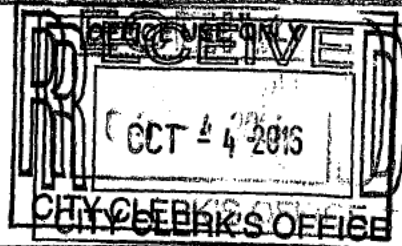
(Type name) Susan Armiger
 Individual (only for electioneering commun) Treasurer Deputy Treasurer
X [Signature]
 Signature

I certify that I have examined this report and it is true, correct, and complete.

(Type name) Phillip Armiger
 Candidate Chairperson (only for PC, PTY & electioneering Commun organization)
X [Signature]
 Signature

FLORIDA DEPARTMENT OF STATE DIVISION OF ELECTIONS
CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Phillip Armiger
 Name
 (2) 6810 Monet Cir
 Address (number and street)
Temple Terrace, FL 33617
 City, State, Zip Code



CHECK IF ADDRESS HAS CHANGED

(3) ID Number: _____

(4) Check appropriate box(es):

- Candidate (office sought): City Council
- Political Committee CHECK IF PC HAS DISBANDED
- Committee of Continuous Existence CHECK IF CCE HAS DISBANDED
- Party Executive Committee
- Electioneering Communication CHECK IF NO OTHER ELECTIONEERING COMMUNICATION REPORTS WILL BE FILED

(5) REPORT IDENTIFIERS

Cover Period: From 09/17/2016 To 09/30/16 Report Type 2016G3

Original Amendment Special Election Report Independent Expenditure Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks \$ 0

Loans \$ 0

Total Monetary \$ 0

In-Kind \$ 0

(7) EXPENDITURES THIS REPORT

Monetary Expenditures \$ 0

Transfers to Office Account \$ 0

Total Monetary \$ 0

(8) Other Distributions \$ 0

(9) TOTAL Monetary Contributions To Date
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(10) TOTAL Monetary Expenditures To Date
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(Type name) Susan Armiger
 Individual (only for electioneering commu) Treasurer Deputy Treasurer

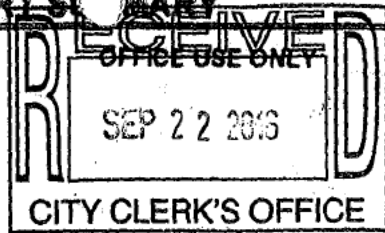
Signature [Signature]

I certify that I have examined this report and it is true, correct, and complete.

(Type name) Phillip Armiger
 Candidate Chairperson (only for PC, PTY & electioneering commun organization)

Signature [Signature]

DEPARTMENT OF STATE DIVISION OF ELECTIONS
CAMPAIGN TREASURER'S REPORT SUMMARY



(1) Phillip Armiger
 Name
 (2) 6810 Monet Cir
 Address (number and street)
Temple Terrace, FL 33617
 City, State, Zip Code

(3) ID Number: _____

(4) Check appropriate box(es):
 Candidate (office sought): City Council
 Political Committee CHECK IF PC HAS DISBANDED
 Committee of Continuous Existence CHECK IF CCE HAS DISBANDED
 Party Executive Committee CHECK IF NO OTHER ELECTIONEERING COMMUNICATION REPORTS WILL BE FILED
 Electioneering Communication

(5) REPORT IDENTIFIERS

Cover Period: From 09/03/2016 To 09/16/2016 Report Type 2016G2
 Original Amendment Special Election Report Independent Expenditure Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks \$ 0
 Loans \$ 0
 Total Monetary \$ 0
 In-Kind \$ 0

(7) EXPENDITURES THIS REPORT

Monetary Expenditures \$ 0
 Transfers to Office Account \$ 0
 Total Monetary \$ 0

(8) Other Distributions \$ 0

(9) TOTAL Monetary Contributions To Date
 \$ 100.00

(10) TOTAL Monetary Expenditures To Date
 \$ 34.70

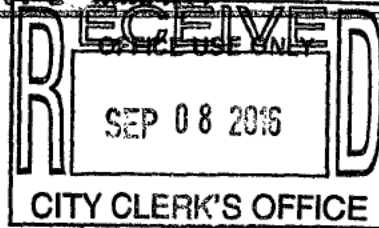
(11) CERTIFICATION

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 (Type name) Susan Armiger
 Individual (only for electioneering commun) Treasurer Deputy Treasurer
X
 Signature

I certify that I have examined this report and it is true, correct, and complete.
 (Type name) Phillip Armiger
 Candidate Chairperson (only for PC, PTY & electioneering commun organization)
X
 Signature

FLORIDA DEPARTMENT OF STATE DIVISION OF ELECTIONS
 CAMPAIGN TREASURER'S REPORT SUMMARY



(1) Phillip Armiger
 Name
 (2) 6810 Monet Cir.
 Address (number and street)
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 City, State, Zip Code

CHECK IF ADDRESS HAS CHANGED

(3) ID Number: _____

(4) Check appropriate box(es):
 Candidate (office sought): City Council
 Political Committee CHECK IF PC HAS DISBANDED
 Committee of Continuous Existence CHECK IF CCE HAS DISBANDED
 Party Executive Committee
 Electioneering Communication CHECK IF NO OTHER ELECTIONEERING COMMUNICATION REPORTS WILL BE FILED

(5) REPORT IDENTIFIERS

Cover Period: From 08/26/2016 To 09/02/2016 Report Type 201661
 Original Amendment Special Election Report Independent Expenditure Report

(6) CONTRIBUTIONS THIS REPORT
 Cash & Checks \$ 100.00
 Loans \$ 0
 Total Monetary \$ 100.00
 In-Kind \$ 0

(7) EXPENDITURES THIS REPORT
 Monetary Expenditures \$ 34.70
 Transfers to Office Account \$ 0
 Total Monetary \$ 34.70

(8) Other Distributions \$ 0

(9) TOTAL Monetary Contributions To Date \$ 100.00

(10) TOTAL Monetary Expenditures To Date \$ 34.70

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I certify that I have examined this report and it is true, correct, and complete.

I certify that I have examined this report and it is true, correct, and complete.

(Type name) Susan Armiger
 Individual (only for electioneering commun) Treasurer Deputy Treasurer

(Type name) Phillip Armiger
 Candidate Chairperson (only for PC, PTY & electioneering commun organization)

[Signature]
 Signature

[Signature]
 Signature

(1) Name Phillip Armiger

(2) ID Number _____

(3) Cover Period 08/06 2016 through 09/02 2016 (4) Page 2 of 3

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor		(9)	(10)	(11)	(12)
		Type	Occupation	Contribution Type	In-kind Description	Amendment	Amount
09/01/2016	Armiger, Phillip, Anthony 6810 Monet Cir. Tempe Terrace Fl 33617	I		CHE			75.00
09/01/2016	Armiger, Phillip, Anthony 6810 Monet Cir. Tempe Terrace Fl 33617	I		CHE			25.00
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File a Complaint

You can download a copy of the Commission's complaint form at the bottom of this webpage. Pursuant to Rule 2B-1.0025(4), Florida Administrative Code, your complaint must meet the following criteria in order to be considered legally sufficient.

- a. The complaint alleges a violation of Chapter 104 or 106, Florida Statutes;
- b. The complaint was made under oath in the presence of a notary public or other person authorized by law to administer oaths;
- c. The complaint contains the original signature of the complainant;
- d. The complaint contains specific facts upon which the complainant bases the allegation of a violation of law; and
- e. The complaint alleges a violation that occurred within two years of the date the complaint is filed with the Commission.

When completed, mail the complaint with your original signature to: The Florida Elections Commission 107 West Gaines Street Suite 224, Collins Building Tallahassee, FL 32399-1050.

The Commission will not accept faxed complaints because an original signature is required.

Filing More Than One Complaint

If you file more than one complaint against the same person, the Commission is barred from investigating the second complaint if it is based upon facts or allegations that were raised or could have been raised in the first complaint. See Section 106.25(2), Florida Statutes, and Rule 2B-1.0025(6), Florida Administrative Code.

Confidentiality & Complaints

Every sworn complaint filed with the Commission is exempt from the Public Records Law. Confidentiality provisions do not bind the person who filed the complaint. However, confidentiality provisions do bind the person named in the complaint, unless he or she files a written waiver with the Commission Clerk. See Section 106.25(7), Florida Statutes.

Within five working days of receiving the complaint, the Commission will mail a copy of the complaint to the person named in the complaint. The respondent shall have 14 days after receipt of the complaint to file an initial response, and a determination of legal sufficiency of the complaint may not be made during that time period. If the complaint is determined to be legally sufficient, the respondent shall be notified of such finding by letter. See Section 106.25(2), Florida Statutes.

[Download Confidential Complaint form](#)

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 URL: <http://www.tbo.com/news/election-forum-hears-from-six-city-council-candidates-in-temple-terrace-20161002/>

Election forum hears from six city council candidates in Temple Terrace

By Tribune staff

Published: October 2, 2016

TEMPLE TERRACE – Candidates for City Council offered varied ideas for Downtown Temple Terrace and called for budget control and lower taxes in a forum before residents this week.

Six candidates vying for two open seats on the council Nov. 8 spoke before a large crowd Tuesday at the Temple Terrace Golf & Country Club. The two who draw the most votes win the seats.

Here is a summary of their main points:

Phillip Armiger, 62, retired Temple Terrace firefighter:

Armiger objected to the proposal by Eriksson Technologies to pay \$250,000 for the corner lot in the Downtown Temple Terrace project, saying the city shouldn't allow someone to "dictate to us what they're going to pay us, what corner they're going to be on."

He would like the building placed in the center of the property instead of being the anchor for the development.

Armiger criticized former Mayor Joe Affronti for the tie--breaking vote in 2009 that turned the property over to developer Vlass Temple Terrace in exchange for developing it according to the city's vision. The land stretches along the east side of 56th Street from Bullard Parkway to the Hillsborough River. Vlass and the city parted ways and the city had to pay \$1.6 million to get the property back.

"We have to have new people in with new ideas and a new direction."

Frank Chillura, 48, businessman, past council member and current mayor:

Chillura said the \$250,000 offer from Eriksson is too low, and he wants the company to prove it has the finances to build a \$21.7 million building, as it proposed.

He said the council and the citizens should be able to hear every reasonable proposal for the redevelopment area. Because of initial criticism of Florida Hospital's plan to build an emergency department on the corner lot, the company withdrew its proposal before the City Council could hear the details.

He said Lowe's showed interest at one point, but the council did not want "a big box."

Chillura said taxes "are out of control, the highest millage rate in the region," adding that it discourages people and businesses from moving to the city

Wael Odeh, 56, professional engineer

He said the city should develop a "technology village" around the Eriksson project so that the city can pool the resources in the area, like the University of South Florida, Florida College, Moffitt Cancer Center and other institutions, to create high-paying jobs.

Odeh, who told the crowd that he has overseen multi-billion engineering projects, said he has the needed experience to deal with the city's infrastructure improvements. He said the city must strive to have strong neighborhoods, smart growth and economic development.

The city should move cautiously toward annexing adjacent territory, he said, sharing a view voiced by other candidates. He noted that past annexations burdened the city with stormwater problems.

Andy Ross, 52, consultant, retired law enforcement officer:

He suggested that the city sell off the riverfront residential properties in the Downtown Temple Terrace acreage before worrying about commercial development on the northern portion.

"The developers will be lined up to buy that," he said.

"Immediately, that's money that would come into the city in terms of property sales, impact fees, the ongoing tax revenue."

He said the city needs to "get a handle on our millage rate," avoid imposing new taxes and fees and keep the cost of doing business in the city low.

Gil Schisler, 62, retired chief financial officer:

He said while Eriksson may not be the ideal anchor for the redevelopment area, the city needs to move ahead with the project.

He said other developers are interested in locating there, but "they don't want to be the first."

Schisler said the "budget is insane," and he can get it under control.

He also stressed the need to retain police and other city employees, and pay them properly "so they don't have to go to food banks to survive."

Duane Zolnoski, 57, retired telecommunications director

Eriksson's offer of \$250,000 "does not move the city forward," he said.

He suggested that the city seek proposals from not just the region but throughout the country.

It would be less expensive, he said, if the city floated a 25-year bond issue to pay the \$24 million debt it owes on the purchase and improvements to the Downtown Temple Terrace property.

He said that the city hires too many consultants. It could save money, too, by hiring a city attorney rather than having a private firm on retainer.

The only unopposed candidate appearing was former city manager Kim Leinbach, who will become mayor after Nov. 8.

Leinbach stressed the need “to negotiate very hard” with Eriksson, keep the lid on taxes and make the city more inviting to businesses and new residents.

Contact Philip Morgan at pmorgan@tampabay.com

Tampa Bay Times

WINNER OF 12 PULITZER PRIZES

Temple Terrace candidates talk development, taxes

Philip Morgan, Times Staff Writer

Thursday, September 29, 2016 10:44pm

TEMPLE TERRACE — Candidates for City Council offered varied ideas for Downtown Temple Terrace and called for budget control and lower taxes in a forum before residents this week.

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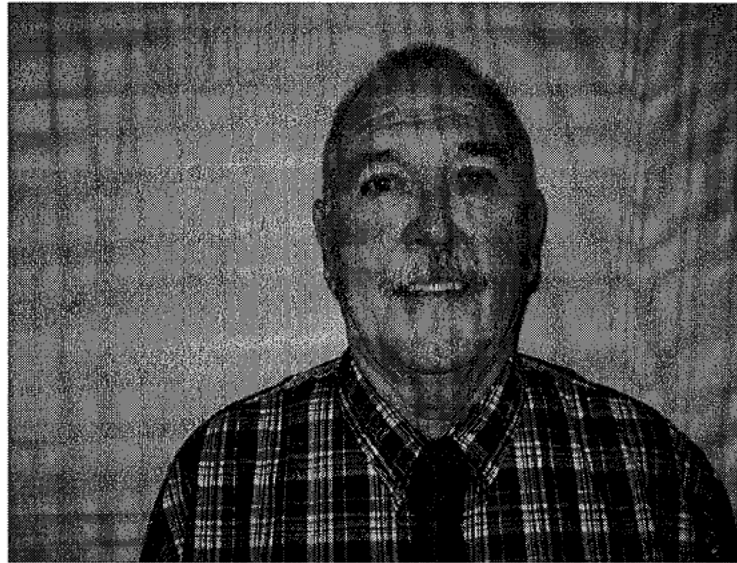
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Temple Terrace candidates talk development, taxes 09/29/16

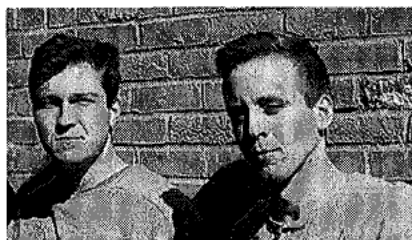
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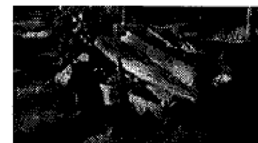
TAP FOR MORE




1.  **Hurricane Irma cleanup not fast enough, some Hillsborough commissioners say**

19 MINUTES AGO | Blogs | *Steve Contorno*

TAMPA -- Some Hillsborough County commissioners on Wednesday criticized the speed of debris pick up after Hurricane Irma and said residents aren't being told how long it will take.




2.  **Plant City slammed for okaying armored police vehicle, not body cameras**

22 MINUTES AGO | Crime | *By Daniel Figueroa IV, Times Correspondent*

PLANT CITY — Police in Plant City found the funds to buy a \$335,000 armored security vehicle but they don't think it's worth their money to equip officers with body cameras.




3.  **System in Caribbean strengthens into Tropical Depression 16, could become Tropical Storm Nate by afternoon**

24 MINUTES AGO | Hurricanes | *By Samantha Putterman, Times Staff Writer*

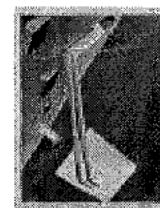
The low pressure system in the Caribbean has strengthened into Tropical Depression 16 and could become Tropical Storm Nate in the coming days as it enters the warm waters of the Gulf of Mexico.



4.  **Fall Art Preview: Tampa Bay museums explore political tensions, celebrate local art**

24 MINUTES AGO | Visual Arts | *By Maggie Duffy, Times Staff Writer*

As we look at what's to come for Tampa Bay's art institutions, it's easy to reflect on the role art plays in our community.



5.  **Lightning Strikes! podcast: Previewing the 2017-18 season**

52 MINUTES AGO | Blogs | *Joe Smith*

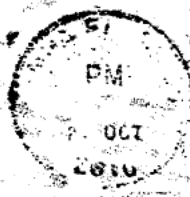
Joe Smith and Tom Jones preview the Lightning season heading into Friday's opener against the Panthers in the latest episode of our Lightning Strikes! podcast.



More



David A. Pogorlick
 1534 N Riverhills Dr
 Temple Terrace FL 33617-3864



2016 OCT 31 P 12:00

Florida Elections Commission
 107 West Gaines Street
 Suite 224
 Collins Building
 Tallahassee FL 32399-1050

