

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Kyle Gibson

Case No.: FEC 20-641

TO: Kyle Gibson
837 NW 1st Avenue
Ft. Lauderdale, FL 33311

Jeffrey Modarelli, City Clerk
City of Ft. Lauderdale
100 N. Andrews Avenue
Ft. Lauderdale, FL 33301

NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, **May 17, 2023 at 8:30**, or as soon thereafter as the parties can be heard, at the following location: Via Webinar Registration URL:

<https://attendee.gotowebinar.com/register/571953185404345941>

Audio participation:
1-877-309-2074

Attendee – muted:
966-952-589

After registering, you will receive a confirmation email containing information about joining the webinar.

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.

Tim Vaccaro

Executive Director
Florida Elections Commission
May 2, 2023

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.

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

Florida Elections Commission,
Petitioner,

Case No.: FEC 20-641

v.

Kyle Gibson,
Respondent.

_____ /

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on January 24, 2023, in Tallahassee, Florida.

On October 12, 2022, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violation(s):

Count 1:

On or around September 10, 2020, Kyle Gibson violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106, Florida Statutes, on the campaign's 2020 M8 Report.

Count 2:

On or around October 9, 2020, Kyle Gibson violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106, Florida Statutes, on the campaign's 2020 G4 Report.

Count 3:

On or about October 23, 2020, Kyle Gibson violated Section 106.07(7), Florida Statutes, when he failed to notify the filing officer in writing on the prescribed reporting date that he would not be filing the campaign's 2020 G6 Report.

Count 4:

On or around October 30, 2020, Kyle Gibson violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106, Florida Statutes, on the campaign's 2020 G7 Report.

DONE AND ORDERED by the Florida Elections Commission on January 24, 2023.



Tim Vaccaro, J.D., Executive Director
For Nicholas Primrose, Chairman
Florida Elections Commission

Copies furnished to:
Stephanie J. Cunningham, General Counsel
Kyle Gibson, Respondent
Jeffrey Modarelli, Complainant

NOTICE OF RIGHT TO A HEARING

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by consent order where you and Commission staff agree to resolve the violation(s) and agree to the amount of the fine. The consent order is then presented to the Commission for its approval. To discuss a consent order, contact the FEC attorney identified in the Order of Probable Cause.

Second, you may request an informal hearing held before the Commission, if you do not dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to make written or oral arguments to the Commission concerning the legal issues related to the violation(s) and the potential fine. At the request of Respondent, the Commission

will consider and determine willfulness at an informal hearing. Otherwise, live witness testimony is unnecessary.

Third, you may request a formal hearing held before an administrative law judge in the Division of Administrative Hearings (DOAH), if you dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to present evidence relevant to the violation(s) listed in this order, to cross-examine opposing witnesses, to impeach any witness, and to rebut the evidence presented against you.

If you do not elect to resolve the case by consent order or request a formal hearing at the DOAH or an informal hearing before the Commission within 30 days of the date this Order of Probable Cause is filed with the Commission, the case will be sent to the Commission for a formal or informal hearing, depending on whether the facts are in dispute. The date this order was filed appears in the upper right-hand corner of the first page of the order.

To request a hearing, please send a written request to the Commission Clerk, Donna Ann Malphurs. The address of the Commission Clerk is 107 W. Gaines Street, Collins Building, Suite 224, Tallahassee, Florida 32399-1050. The telephone number is (850) 922-4539. The Clerk will provide you with a copy of Chapter 28-106, *Florida Administrative Code*, and other applicable rules upon request. No mediation is available.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Kyle Gibson

Case No.: FEC 20-641

TO: Kyle Gibson
837 NW 1st Avenue
Ft. Lauderdale, FL 33311

Jeffrey Modarelli, City Clerk
City of Ft. Lauderdale
100 N. Andrews Avenue
Ft. Lauderdale, FL 33301

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, **January 24, 2023 at 1:00 p.m., or as soon thereafter as the parties can be heard**, at the following location: Join Zoom Meeting - <https://us06web.zoom.us/j/86542842462?pwd=VjdKeGRjcFAvZko2Y1pTZmo1cU5pdz09>

Meeting ID: 865 4284 2462
Passcode: 5UuWmT

AUDIO PARTICIPATION:

1-301-715-8592
Meeting ID: 865 4284 2462

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.

Tim Vaccaro

Executive Director
Florida Elections Commission
January 9, 2023

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.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Kyle Gibson

Case No.: FEC 20-641

TO: Kyle Gibson
837 NW 1st Avenue
Ft. Lauderdale, FL 33311

Jeffrey Modarelli, City Clerk
City of Ft. Lauderdale
100 N. Andrews Avenue
Ft. Lauderdale, FL 33301

NOTICE OF CANCELLATION OF HEARING
(PROBABLE CAUSE DETERMINATION)

You are hereby notified that **the previously scheduled hearing for December 14, 2022, is cancelled.** It is anticipated that your case will be heard at the next regularly scheduled meeting, which will be scheduled for a date to be determined in either January 2023 or February 2023.

A Notice of Hearing will be mailed to you approximately 14 days prior to the new hearing date.

Tim Vaccaro

Executive Director
Florida Elections Commission
December 13, 2022

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Kyle Gibson

Case No.: FEC 20-641

TO: Kyle Gibson
837 NW 1st Avenue
Ft. Lauderdale, FL 33311

Jeffrey Modarelli, City Clerk
City of Ft. Lauderdale
100 N. Andrews Avenue
Ft. Lauderdale, FL 33301

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, **December 14, 2022 at 10:30 a.m., or as soon thereafter as the parties can be heard**, at the following location: **House Office Building, 402 South Monroe Street, 306 HOB, Mashburn Hall, Tallahassee, Florida 32399.**

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.

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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.

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See further instructions on the reverse side.

Tim Vaccaro

Executive Director
Florida Elections Commission
November 30, 2022

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.

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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.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Kyle Gibson

Case No.: FEC 20-641

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the sworn complaint in this case recommending that there is **probable cause** to charge Respondent with violating **Sections 106.07(7), and 106.19(1)(c), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on September 16, 2022, the following facts and law support this staff recommendation:

1. On December 17, 2020, the Florida Elections Commission (“Commission”) received a sworn complaint from Jeffrey Modarelli (“Complainant”), alleging that Kyle Gibson (“Respondent”) violated Chapter 106, Florida Statutes.
2. Respondent was a 2020 candidate for Fort Lauderdale City Commission, District 2. Respondent’s Statement of Candidate form (“DS-DE 84”) was filed on February 13, 2020. (ROI Exhibit 2)¹
3. By letter dated June 15, 2022, the Executive Director notified Respondent that Commission staff would investigate the following statutory provisions:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a 2020 candidate for Fort Lauderdale City Commission, District 2, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2020 M8
- 2020 G4
- 2020 G6
- 2020 G7

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent, a 2020 candidate for Fort Lauderdale City Commission, District 2, may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, during the following reporting periods:

- 2020 M8
- 2020 G4

¹ The Report of Investigation is referred to herein as “ROI.”

- 2020 G6
- 2020 G7

4. On January 6, 2020, Respondent's filing officer provided Respondent with a weblink to Chapter 106, Florida Statutes, and the *Candidate and Campaign Treasurer Handbook*. (ROI Exhibit 3, page 2) On February 1, 2020, Respondent acknowledged that he had been provided access to read the requirements of Chapter 106, Florida Statutes. (ROI Exhibit 2)

5. Complainant alleged that Respondent violated Florida's election laws by failing to notify the filing officer on the prescribed reporting dates that no reports would be filed or by falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes, during the following reporting periods: 2020 M8, 2020 G4, 2020 G6, and 2020 G7.

6. Respondent's 2020 M8, 2020 G4, 2020 G6, and 2020 G7 reports were due to be filed by September 10, 2020, October 9, 2020, October 23, 2020, and October 30, 2020, respectively; however, Respondent failed to timely file the reports or notify the filing officer that no reports would be filed. (ROI Exhibit 4) Respondent's filing officer sent five letters notifying Respondent that his reports had not been received.

7. A subpoena was issued to Respondent's designated campaign depository to ascertain whether any financial activity occurred during the relevant reporting periods, i.e., August 1, 2020 – August 31, 2020, September 1, 2020 – October 2, 2020, October 3, 2020 – October 16, 2020, and October 17, 2020 – October 29, 2020. (ROI, p. 2, ¶6) Respondent's bank records show reportable financial activity during the 2020 M8, 2020 G4, and 2020 G7 reporting periods but do not show reportable financial activity during the 2020 G6 reporting period. (ROI Exhibit 6)

8. Respondent was given multiple opportunities to respond to Commission staff's investigation but failed to do so. (ROI, p. 2, ¶¶7-8; ROI Exhibit 7)

9. Respondent failed to include information in his 2020 M8, 2020 G4, and 2020 G7 reports in violation of Section 106.19(1)(c), Florida Statutes. Respondent was required to notify the filing officer in writing that he would not be filing the campaign's 2020 G6 Report on the prescribed reporting date but failed to do so. Respondent was not a first-time candidate. (ROI, p.1, ¶1)

10. "Probable Cause" is defined as reasonable grounds of suspicion supported by circumstances sufficiently strong to warrant a cautious person in the belief that the person has committed the offense charged. *Schmitt v. State*, 590 So. 2d 404, 409 (Fla. 1991). Probable cause exists where the facts and circumstances, of which an [investigator] has reasonably trustworthy information, are sufficient in themselves for a reasonable man to reach the conclusion that an offense has been committed. *Department of Highway Safety and Motor Vehicles v. Favino*, 667 So. 2d 305, 309 (Fla. 1st DCA 1995).

11. The facts set forth above show that Respondent was a 2020 candidate for Fort Lauderdale City Commission, District 2. Respondent failed to timely file his 2020 M8, 2020 G4, 2020 G6, and 2020 G7 reports or notify the filing officer that no reports would be filed. Respondent

failed to include information in his 2020 M8, 2020 G4, and 2020 G7 reports in violation of Section 106.19(1)(c), Florida Statutes. Respondent was required to notify the filing officer in writing that he would not be filing the campaign's 2020 G6 Report on the prescribed reporting date but failed to do so.

Based upon these facts and circumstances, I recommend that the Commission find **probable cause** to charge Respondent with violating the following:

Count 1:

On or around September 10, 2020, Kyle Gibson violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106, Florida Statutes, on the campaign's 2020 M8 Report.

Count 2:

On or around October 9, 2020, Kyle Gibson violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106, Florida Statutes, on the campaign's 2020 G4 Report.

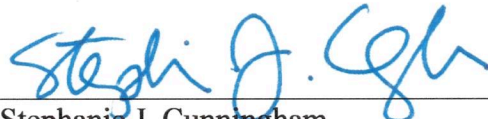
Count 3:

On or about October 23, 2020, Kyle Gibson violated Section 106.07(7), Florida Statutes, when he failed to notify the filing officer in writing on the prescribed reporting date that he would not be filing the campaign's 2020 G6 Report.

Count 4:

On or around October 30, 2020, Kyle Gibson violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106, Florida Statutes, on the campaign's 2020 G7 Report.

Respectfully submitted on October 12, 2022.



Stephanie J. Cunningham
General Counsel

I reviewed this Staff Recommendation this 12th day of October 2022.



Tim Vaccaro
Executive Director

FLORIDA ELECTIONS COMMISSION

Report of Investigation for Sections 106.07(7) and 106.19(1)(c), F.S.

Case Number: FEC 20-641

Sections 106.07(7) and 106.19(1)(c), Florida Statutes, failure of a candidate or political committee that did not receive any contributions or make any expenditures during a reporting period to notify timely the filing officer, in writing, that no report is being filed or failure to file a campaign report to reflect financial activity.

Respondent: Kyle Gibson

Respondent's Atty: N/A

Complainant: Jeffery Modarelli, City Clerk,
City of Fort Lauderdale

Complaint Filed: December 17, 2020

Respondent Type: Candidate

I. Preliminary Information:

1. Respondent was a 2020 candidate for Fort Lauderdale City Commission, District 2; he was defeated in the general election held on November 3, 2020. Respondent was not a first-time candidate.

2. An Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) was filed on February 13, 2020. Respondent was appointed as campaign treasurer. To review the DS-DE 9, refer to Exhibit 1.

3. Respondent filed a Statement of Candidate with the City Clerk of Fort Lauderdale (City Clerk) on February 13, 2020, in which Respondent certified he had been provided access to read and understand Chapter 106, F.S. To review the Statement of Candidate, refer to Exhibit 2.

4. On January 6, 2020, the City Clerk sent Respondent an email with the subject "Requirement for running for office." The email referenced, attached, and provided a link to the *Candidate and Campaign Treasurer Handbook* and a list of publications available on the Division of Elections' website. Respondent was advised to become familiar with the Florida Election Code, a copy of which was attached to the email. To review the City Clerk's email, refer to Exhibit 3.

5. The City Clerk sent correspondence to the address provided on the DS-DE 9¹ notifying Respondent that the following campaign reports had not been filed: 2020 M8, 2020 G4, 2020 G6 and 2020 G7. The letters included reference to the filing dates for the reports. To review the failure to file correspondence, refer to Exhibit 4.²

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¹ Some of the correspondence was also sent to a second address listed on Respondent's Candidate Oath.

² Some of the correspondence was returned to the City Clerk undelivered.

II. Alleged Violation of Sections 106.07(7), and 106.19(1)(c), Florida Statutes:

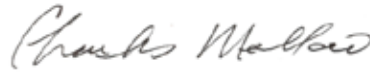
6. I investigated whether Respondent violated these sections of the election laws either by not notifying the filing officer, in writing, that no report would be filed due to not receiving any contributions or making expenditures during the following reporting period(s) or by not filing campaign report(s) to reflect financial activity for the reporting period(s). To review the filing history, refer to Exhibit 5.

Report	Report Cover Period	Due Date	Report or Waiver Required	Exhibit 6 ³
2020 M8	08/01/2020 – 08/31/2020	09/10/2020	Report	6
2020 G4	09/01/2020 – 10/02/2020	10/09/2020	Report	6
2020 G6	10/03/2020 – 10/16/2020	10/23/2020	Waiver	6
2020 G7	10/17/2020 – 10/29/2020	10/30/2020	Report	6

7. Respondent did not respond to the complaint.

8. I attempted to contact Respondent on five occasions for the purpose of providing an opportunity to discuss the allegations made in the complaint. As of the date of this report, neither my telephone calls nor emails have been returned. Therefore, I am unable to ascertain whether he has read Chapter 106, Florida Statutes, and/or the *Candidate and Campaign Treasurer Handbook*. To review the phone log and emails, refer to Exhibit 7.

SIGNATURE OF INVESTIGATOR:



Date: September 16, 2022

³ I subpoenaed campaign account records from the designated campaign depository.

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Kyle Gibson -- FEC 20-641

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	DS-DE 9
Exhibit 2	Statement of Candidate
Exhibit 3	City Clerk Email
Exhibit 4	Failure to File Correspondence
Exhibit 5	Filing History
Exhibit 6	Bank Statements
Exhibit 7	Phone Log and Emails

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR CANDIDATES**

(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

RECEIVED
CITY CLERK

FEB 13 2020

BY: 

NOTE: This form must be on file with the qualifying officer before opening the campaign account.

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

Initial Filing of Form Re-filing to Change: Treasurer/Deputy Depository Office Party

2. Name of Candidate (in this order: First, Middle, Last)

Kyle Chaderwick Gibson

3. Address (include post office box or street, city, state, zip code)

PO Box 590581
Ft Lauderdale FL 33359-0581

4. Telephone

(954) 770-1547

5. E-mail address

KyleKCGibson@gmail.com

6. Office sought (include district, circuit, group number)

Ft Lauderdale City Commission District 2

7. If a candidate for a nonpartisan office, check if applicable:

My intent is to run as a Write-In candidate.

8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a

Write-In No Party Affiliation _____ Party candidate.

9. I have appointed the following person to act as my Campaign Treasurer Deputy Treasurer

10. Name of Treasurer or Deputy Treasurer

Kyle C. Gibson

11. Mailing Address

PO Box 590801

12. Telephone

(954) 770-1547

13. City

Ft Lauderdale

14. County

Broward

15. State

Florida

16. Zip Code

33359-0581

17. E-mail address

KyleKCGibson@gmail.com

18. I have designated the following bank as my Primary Depository Secondary Depository

19. Name of Bank

Centennial Bank

20. Address

2600 E Commercial Blvd

21. City

Ft Lauderdale

22. County

Broward

23. State

Florida

24. Zip Code

33308

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.

25. Date

February 1, 2020

26. Signature of Candidate



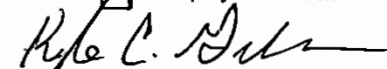
27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)

I, Kyle C. Gibson, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

February 1, 2020

Date



Signature of Campaign Treasurer or Deputy Treasurer

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

RECEIVED
CITY CLERK

FEB 13 2020

BY: 

I, Kyle C. Gibson ,

candidate for the office of Ft Lauderdale City Commission #2 ;

have been provided access to read and understand the requirements of
Chapter 106, Florida Statutes.

x 
Signature of Candidate

February 1, 2020
Date

Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes).

Charles Mellow

From: Jeff Modarelli <JModarelli@fortlauderdale.gov>
Sent: Monday, January 6, 2020 4:05 PM
To: 'kcin2018@gmail.com'
Cc: David Soloman
Subject: Requirement for running for office
Attachments: dsde302 Non partisan Oath.pdf; Form 1_2019i.pdf; FS 106.1435.pdf; General Election 2018.pdf; Polling Locations 2020.pdf; Primary 2018.pdf; Qualifications charter Doc.docx; Sec 7.14.pdf; USAGE AND REMOVAL OF POLITICAL CAMPAIGN ADVERTISEMENTS.pdf; 2019-election-code.pdf; 2020 Qualifying Documents Inventory List rev 10.19 ef.docx; 2020-candidate-campaign-treasurer-handbook.pdf; Appointment of Campaign Treasurer and designation of Campaign Dep..pdf; Broward County Statement of Ethical Campaign Practices.pdf; CANDIDATE OATH Charter.doc; CANDIDATE VOTERS REGISTRATION INFORMATION.pdf; City Code - Temporary Signs.pdf; dsde84-Statement of Candidate.pdf; 19-177.pdf

Good afternoon.

Please see responses below in RED.

I called your office last week and was told to look on the website.

Do you recall whom you spoke with from the City Clerk's who told you to "look on the website"?

Did you ask for specific information?

After looking on the website the information needed was not there so I called back was given the Information over the phone by a separate person.

I believe this person was me as I answered the phone on this call.

Did you request specific information? I do not recall you requesting anything specific. I noted that it is preferred that you come in so we can go over the forms and I can point you to where to locate documents needed so that you are aware these forms change and get updated.

After asking several questions, I was told to make a appointment to get information on qualifying information. Perhaps its just me. But shouldn't information be made readily available to the public?

I noted that it is preferred that you come in so we can go over the forms and I can point you to where to locate documents needed so that you are aware these forms change and get updated. See link below:

[Florida Division of Elections](#) – Most qualifying documents are on this link

I may be wrong and forgive me if so. But it appears this process is vetting process to people interested In running for office. This is the Information I would like to have from your office.

Per you statement above, it appears you are asking for "Qualifying Information".

Qualifying Information can mean a lot of different things.

You specifically asked the date of qualifying which I provided. Tentative June 8, 2020 noon – June 12, 2020 noon. I have attached qualifying documents that will be submitted upon qualifying for office and two portions of our charter that relate to what is on our webpage below:

What are the requirements to run for office?

For the office of Mayor, a qualified candidate must be a resident for a minimum of six months immediately preceding the date of the election. Such candidate must also be a registered voter, at least

21 years of age, and a citizen of the United States. For the office of City Commissioner, a qualified candidate must be a resident of the City of Fort Lauderdale for a minimum of six months immediately preceding the date of the election, and must reside in the district on the day of qualifying. He/she must also be a registered voter, at least 21 years of age, and a citizen of the United States. No candidate is allowed to hold any other public elective office, and cannot be an officer, employee, or serve in any capacity with the City government (except a City Commissioner running for the office of Mayor).

I did see the requirements to run. What is not clear is this. In your city. Can a person file to run prior to the qualifying period.

At the Florida Division of Elections webpage link on our webpage, is a Candidate and Campaign Treasurer Handbook PDF 10/3/2019. I have attached for your convenience.

<https://dos.myflorida.com/elections/forms-publications/publications/>

This publication is a guide that demonstrates how to create a campaign account (in case you are referring to that) and steps leading to qualify and after.

In addition, one should also be familiar with Florida Election Code - 2019 that is also online and attached.

<https://dos.myflorida.com/elections/forms-publications/publications/>

Publications

Below can be found a variety of Division of Elections' publications and reports. Upon request, these documents may be made available in alternate formats.

- > Analysis and Report of Overvotes and Undervotes - 2018 General Election - PDF
 - > Report Data - Excel
- > Candidate and Campaign Treasurer Handbook - PDF (10/3/2019)
- > Candidate Petition Handbook - PDF (7/16/2019)
- > Election Dates and Activities Calendar (12/2019)

- > Election Dates and Activities Calendar (12/2019)
 - > PDF
 - > Excel
- > Electioneering Communications Organization Handbook - PDF (7/23/2019)
- > Federal Qualifying Handbook - PDF (7/29/2019)
- > Florida Election Code - 2019
 - > To search current law, go to [Online Sunshine – Florida Legislature](#)
 - > To obtain a softbound copy, go to [Legistore](#)
- > Florida Voter Guide (1/10/2019)

I would like have the qualifying papers for commissioner or Mayor.

See attached.

Secondly do you have a copy of the turn out for the last city election i.e how many voters in each district how many votes.

See attached.

Also, different research can be done by going to the webpage below and looking at the January 16, 2018 Primary and March 13, 2018 General Elections.

<https://www.browardsoe.org/Election-Information/Election-Results-Copy>

What precincts are in each of the commission districts?

The attached Precinct link provides very helpful information on City of Fort Lauderdale Precincts and is updated by Broward County SOE real time.

<https://www.voterfocus.com/PrecinctFinder/precinctDirectory?county=broward>

In addition, See attached subject to change and update prior to the 2020 Election.

Can I have this Information put together so I can come and pick it up without having to make a appointment to sit with your office or is it the written policy via city charter that one must make a appointment to sit with your office to pick up the same. Please let me know.

An appointment is "preferred" as noted in our conversation. I believe all items you requested have been attached.

Jeff

Our WEBPAGE:

Florida Division of Elections

- [Florida Division of Elections](#)

Broward County Supervisor of Elections

- [Broward County Supervisor of Elections](#) - For voter registration, absentee ballots, how to vote, etc.
- [Election results](#) are available on the Broward County Supervisor of Elections' website

UNDERGROUNDING BALLOT QUESTION

Las Olas Isles Underground Utility Line Facilities Project

Results:

- 195 (89.86%) - Yes, I am in favor of the proposed underground utility line facilities project in Las Olas Isles
- 22 (10.14%) - No, I am not in favor of the proposed underground utility line facilities project in Las Olas Isles

NEXT MUNICIPAL GENERAL ELECTION - TUESDAY, NOVEMBER 3, 2020

To obtain Fort Lauderdale municipal election information, call 954-828-5006 to schedule an appointment.

Frequently Asked Questions

What role does the City Clerk's Office play in municipal elections?

The City Clerk serves as the qualifying officer for candidates for the offices of mayor-commissioner and commissioner. Qualification documents and all campaign financial reports are filed with the City Clerk. The City Clerk's Office works in cooperation with the Broward County Supervisor of Elections on other election matters.

What offices are elected in the City of Fort Lauderdale?

The Mayor and four City Commissioners are the elected officials of the City of Fort Lauderdale. The Mayor is elected at-large and the City Commissioners are elected from each of the four districts. The four-year terms run concurrently, and all are up for election at the same time.

How can I register to vote?

To [register to vote](#), you must be a US citizen and 18 years of age or older. For more information, contact [Broward County Supervisor of Elections](#), Outreach Services, at 954-357-7050.


What are the requirements to run for office?

For the office of Mayor, a qualified candidate must be a resident for a minimum of six months immediately preceding the date of the election. Such candidate must also be a registered voter, at least 21 years of age, and a citizen of the United States. For the office of City Commissioner, a qualified candidate must be a resident of the City of Fort Lauderdale for a minimum of six months immediately preceding the date of the election, and must reside in the district on the day of qualifying. He/she must also be a registered voter, at least 21 years of age, and a citizen of the United States. No candidate is allowed to hold any other public elective office, and cannot be an officer, employee, or serve in any capacity with the City government (except a City Commissioner running for the office of Mayor).

Are parties of candidates mentioned in elections?

No. All City elections are conducted on a nonpartisan basis; that is, references to party affiliation are not permitted on any campaign literature and do not appear on the ballot.

NEW Campaign Financing Ordinance

On June 18, 2019, the City Commission adopted an ordinance amending Chapter 12 of the City of Fort Lauderdale Code of Ordinances [Campaign Financing Ordinance](#) 

From: KC Gibson <kcin2018@gmail.com>

Date: January 6, 2020 at 9:10:12 AM EST

To: David Soloman <DSoloman@fortlauderdale.gov>

Subject: [-EXTERNAL-] Requirement for running for office

I called your office last week and was told to look on the website. After looking on the website the information needed was not there so I called back was given the Information over the phone by a separate person. After asking several questions, I was told to make a appointment to get information on qualifying information. Perhaps its just me. But shouldn't information be made readily available to the public? I may be wrong and forgive me if so. But it appears this process is vetting process to people interested In running for office. This is the Information I would like to have from your office. I did see the requirements to run. What is not clear is this. In your city. Can a person file to run prior to the qualifying period. I would like have the qualifying papers for commissioner or Mayor. Secondly do you have a copy of the turn out for the last city election i.e how many voters in each district how many votes. What precincts are in each of the commission districts? Can I have this Information put together so I can come and pick it up without having to make a appointment to sit with your office or is it the written policy via city charter that one must make a appointment to sit with your office to pick up the same. Please let me know.



September 16 , 2020

Kyle KC Gibson
PO Box 590581
Fort Lauderdale, FL 33359

Pursuant to Florida Statutes (F.S.), 106.07- Reports; certification and filing, this letter serves as notification that your M-8 Report due on September 10, 2020 has not been filed to date (as of September 16, 2020). See F.S. 106.07 below:

(2)(a)1. All reports required of a candidate by this section shall be filed with the officer before whom the candidate is required by law to qualify. All candidates who file with the Department of State shall file their reports pursuant to s. 106.0705. Except as provided in s. 106.0705, reports shall be filed not later than 5 p.m. of the day designated; however, any report postmarked by the United States Postal Service no later than midnight of the day designated is deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service is deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date.

(b) Upon determining that a report is late, the filing officer shall immediately notify the candidate or chair of the political committee as to the failure to file a report by the designated due date and that a fine is being assessed for each late day. The fine is \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each special primary election, special election, primary election, and general election, the fine is \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. For reports required under s. 106.141(8), the fine is \$50 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. Upon receipt of the report, the filing officer shall determine the amount of the fine which is due and shall notify the candidate or chair or registered agent of the political committee.

Please provide to the City Clerk's Office in person or per mail below:

City of Fort Lauderdale
City Clerk's Office
ATTEN: Jeffrey Modarelli
100 N. Andrews Avenue
Fort Lauderdale, FL 33301

City Clerk's Office

100 North Andrews Avenue, Fort Lauderdale, Florida 33301

Telephone (954) 828-5002

www.fortlauderdale.gov

Please me know if you have any questions.

Sincerely,

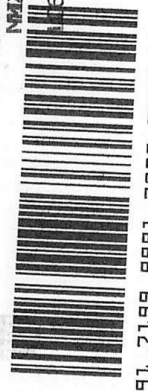
A handwritten signature in black ink, appearing to read 'J. Modarelli', written in a cursive style.

Jeffrey A. Modarelli
City Clerk, City of Fort Lauderdale

IF THE INCLOSURE TOP OF ENVELOPE IS TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL

T LAUDERD
ce
MS Avenue, Fort Laude



91 7199 9991 7039 3743 4633

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SEP 20 2020 09:12:51



U.S. POSTAGE PITNEY BOWES
ZIP 33301 \$ 005.75⁰
02 4M
0000360673 SEP 16 2020

9/18

<input type="checkbox"/>	ATTEMPTED NOT KNOWN	<input type="checkbox"/>	REFUSED
<input type="checkbox"/>	INSUFFICIENT ADDRESS	<input checked="" type="checkbox"/>	UNCLAIMED
<input type="checkbox"/>	NO SUCH NUMBER	<input type="checkbox"/>	NO SUCH STREET
<input type="checkbox"/>	NO MAIL RECEIPTABLE	<input type="checkbox"/>	DECEASED
<input type="checkbox"/>	TEMPORARILY AWAY	<input type="checkbox"/>	BOX CLOSED
<input type="checkbox"/>	M.I.N.O. - UNABLE TO FORWARD	<input type="checkbox"/>	ILLEGIBLE
<input type="checkbox"/>	UNDELIVERABLE AS ADDRESSED	<input type="checkbox"/>	VACANT





September 16 , 2020

Kyle KC Gibson
837 NW 1 Avenue
Fort Lauderdale, FL 33311

Pursuant to Florida Statutes (F.S.), 106.07- Reports; certification and filing, this letter serves as notification that your M-8 Report due on September 10, 2020 has not been filed to date (as of September 16, 2020). See F.S. 106.07 below:

(2)(a)1. All reports required of a candidate by this section shall be filed with the officer before whom the candidate is required by law to qualify. All candidates who file with the Department of State shall file their reports pursuant to s. 106.0705. Except as provided in s. 106.0705, reports shall be filed not later than 5 p.m. of the day designated; however, any report postmarked by the United States Postal Service no later than midnight of the day designated is deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service is deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date.

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Please provide to the City Clerk's Office in person or per mail below:

City of Fort Lauderdale
City Clerk's Office
ATTEN: Jeffrey Modarelli
100 N. Andrews Avenue
Fort Lauderdale, FL 33301

City Clerk's Office

100 North Andrews Avenue, Fort Lauderdale, Florida 33301
Telephone (954) 828-5002
www.fortlauderdale.gov

Please me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Modarelli', written in a cursive style.

Jeffrey A. Modarelli
City Clerk, City of Fort Lauderdale



October 19 , 2020

Kyle KC Gibson
PO Box 590581
Fort Lauderdale, FL 33359

Pursuant to Florida Statutes (F.S.), 106.07- Reports; certification and filing, this letter serves as notification that your G-4 Report due on October 9, 2020 has not been filed to date (as of October 19, 2020). See F.S. 106.07 below:

(2)(a)1. All reports required of a candidate by this section shall be filed with the officer before whom the candidate is required by law to qualify. All candidates who file with the Department of State shall file their reports pursuant to s. 106.0705. Except as provided in s. 106.0705, reports shall be filed not later than 5 p.m. of the day designated; however, any report postmarked by the United States Postal Service no later than midnight of the day designated is deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service is deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date.

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Please provide to the City Clerk's Office in person or per mail below:

City of Fort Lauderdale
City Clerk's Office
ATTEN: Jeffrey Modarelli
100 N. Andrews Avenue
Fort Lauderdale, FL 33301

City Clerk's Office

100 North Andrews Avenue, Fort Lauderdale, Florida 33301
Telephone (954) 828-5002
www.fortlauderdale.gov

Please me know if you have any questions.

Sincerely,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, likely representing the name Jeffrey A. Modarelli.

Jeffrey A. Modarelli
City Clerk, City of Fort Lauderdale



November 3 , 2020

Kyle KC Gibson
PO Box 590581
Fort Lauderdale, FL 33359

Pursuant to Florida Statutes (F.S.), 106.07- Reports; certification and filing, this letter serves as notification that your G-6 and G-7 Reports due on October 23, 2020 and October 30, 2020 have not been filed to date (as of November 2, 2020). See F.S. 106.07 below:

(2)(a)1. All reports required of a candidate by this section shall be filed with the officer before whom the candidate is required by law to qualify. All candidates who file with the Department of State shall file their reports pursuant to s. 106.0705. Except as provided in s. 106.0705, reports shall be filed not later than 5 p.m. of the day designated; however, any report postmarked by the United States Postal Service no later than midnight of the day designated is deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service is deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date.

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City Clerk's Office
ATTEN: Jeffrey Modarelli
100 N. Andrews Avenue

City Clerk's Office
100 North Andrews Avenue, Fort Lauderdale, Florida 33301
Telephone (954) 828-5002
www.fortlauderdale.gov

Fort Lauderdale, FL 33301

Please me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Modarelli', written in a cursive style.

Jeffrey A. Modarelli
City Clerk, City of Fort Lauderdale



November 3 , 2020

Kyle KC Gibson
837 NW 1 Avenue
Fort Lauderdale, FL 33311

Pursuant to Florida Statutes (F.S.), 106.07- Reports; certification and filing, this letter serves as notification that your G-6 and G-7 Reports due on October 23, 2020 and October 30, 2020 have not been filed to date (as of November 2, 2020). See F.S. 106.07 below:

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Please provide to the City Clerk's Office in person or per mail below:

City of Fort Lauderdale
City Clerk's Office
ATTEN: Jeffrey Modarelli
100 N. Andrews Avenue
Fort Lauderdale, FL 33301

City Clerk's Office

100 North Andrews Avenue, Fort Lauderdale, Florida 33301
Telephone (954) 828-5002
www.fortlauderdale.gov

Please me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'JAM', written in a cursive style.

Jeffrey A. Modarelli
City Clerk, City of Fort Lauderdale

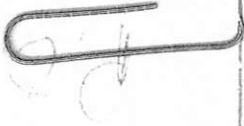


CITY OF

FORT LAUDERDALE

91 7199 9991 7039 3743 4763

PO Box 590581



CERTIFIED MAIL

MIAMI FL 330

NOV 10 2020 PM 4 L



91 7199 9991 7039 3743 4763

115

Kyle Gibson

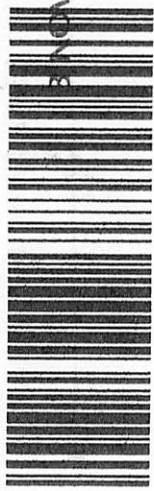
RETURN TO SENDER

- ATTEMPTED NOT KNOWN
- INSUFFICIENT ADDRESS
- NO SUCH NUMBER
- NO MAIL RECEIPTABLE
- TEMPORARILY AWAY
- MLNA - UNABLE TO FORWARD
- UNDELIVERABLE AS ADDRESSED
- REFUSED
- UNCLAIMED
- NO SUCH STREET
- DECEASED
- BOX CLOSED
- ILLEGIBLE
- VACANT

CERTIFIED MAIL

MIAMI FL 330

NOV 10 2020 PM 1 L



91 7199 9991 7039 3743 4992



CITY OF

FORT LAUDERDALE

91 7199 9991 7039 3743 4992

817 NW 1st Ave

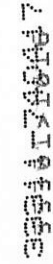
Kyle KC Gibson
817 NW 1st Avenue

Fort Lauderdale, FL 33301

331 FE 1 0011/10/20

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

96548384



BC: 33301101600 *2006-03775-03-41



0000360673 NOV 03 2020








0000360673 NOV 03 2020


CUSTOMER SERVICE

Campaign Treasurer Reports for 2020 Election**Campaign Treasurer Reports for 2020 Election****Mayor****Kenneth D. Cooper - Qualified**

- [Termination Report 10-30-20 to 02-01-21](#) 
- [G7 Report 10-17-20 to 10-30-20](#) 
- [G6 Report 10-03-20 to 10-16-20](#) 
- [G4 Report 09-01-20 to 10-02-20](#) 
- [M8 Report 08-01-20 to 08-31-20](#) 
- [M7 Report 07-01-20 to 07-31-20 Amended](#) 
- [M7 Report 07-01-20 to 07-31-20](#) 
- [M6 Report 06-01-20 to 06-30-20 Amended](#) 
- [M6 Report 06-01-20 to 06-30-20](#) 
- [Appointment of Campaign Treasurer](#) 
- [Appointment of Campaign Treasurer](#) 

Dean J. Trantalis - Qualified

- [Termination Report 11-01-20 to 01-29-21](#) 
- [G7 Report 10-17-20 to 10-29-20 Amended](#) 
- [G7 Report 10-17-20 to 10-29-20](#) 
- [G6 Report 10-03-20 to 10-16-20 Amended 2](#) 
- [G6 Report 10-03-20 to 10-16-20 Amended](#) 
- [G6 Report 10-03-20 to 10-16-20](#) 
- [G4 Report 09-01-20 to 10-02-20 Amended](#) 
- [G4 Report 09-01-20 to 10-02-20](#) 
- [M8 Report 08-01-20 to 08-31-20](#) 
- [M7 Report 07-01-20 to 07-31-20 Amended](#) 
- [M7 Report 07-01-20 to 07-31-20](#) 
- [M6 Report 06-01-20 to 06-30-20](#) 
- [M5 Report 05-01-20 to 05-31-20](#) 
- [M4 Report 04-01-20 to 04-30-20](#) 
- [M3 Report 03-01-20 to 03-31-20](#) 
- [M2 Report 02-01-20 to 02-29-20 Amended](#) 
- [M2 Report 02-01-20 to 02-29-20](#) 
- [M1 Report 01-01-20 to 01-31-20 Amended](#) 
- [M1 Report 01-01-20 to 01-31-20](#) 

- [M12 Report 12-01-19 to 12-31-19 Amended](#) 
- [M12 Report 12-01-19 to 12-31-19](#) 
- [M11 Report 11-01-19 to 11-30-19](#) 
- [M10 Report 10-01-19 to 10-31-19 Amended](#) 
- [M10 Report 10-01-19 to 10-31-19](#) 
- [M9 Report 09-01-19 to 09-30-19 Amended](#) 
- [M9 Report 09-01-19 to 09-30-19](#) 
- [M8 Report 08-01-19 to 08-31-19](#) 
- [Appointment of Campaign Treasurer](#) 
- [Appointment of Campaign Treasurer](#) 







City Commissioner District I

Heather Moraitis - Qualified - Unopposed

- [Termination Report 06-01-20 to 09-10-20](#) 
- [M5 Report 05-01-20 to 05-31-20](#) 
- [M4 Report 04-01-20 to 04-30-20](#) 
- [M3 Report 03-01-20 to 03-31-20](#) 
- [M2 Report 02-01-20 to 02-29-20](#) 
- [M1 Report 01-01-20 to 01-31-20](#) 
- [M12 Report 12-01-19 to 12-31-19](#) 
- [M11 Report 11-01-19 to 11-30-19](#) 
- [M10 Report 10-01-19 to 10-31-19](#) 
- [M9 Report 09-01-19 to 09-30-19](#) 
- [M8 Report 08-01-19 to 08-31-19](#) 
- [M7 Report 07-01-19 to 07-31-19](#) 
- [Appointment of Campaign Treasurer](#) 

City Commissioner District II

Kyle C. Gibson - Qualified

- [M7 Report 07-01-20 to 07-31-20](#) 
- [M5 Report 05-01-20 to 05-31-20](#) 
- [M4 Report 04-01-20 to 04-30-20 Amended](#) 
- [M4 Report 04-01-20 to 04-30-20](#) 
- [M3 Report 03-01-20 to 03-31-20](#) 
- [M2 Report 02-01-20 to 02-29-20](#) 
- [Appointment of Campaign Treasurer](#) 


Steven Glassman - Qualified

- [Termination Report 10-30-20 to 02-01-21](#) 

- [G7 Report 10-17-20 to 10-29-20 Amended](#) 
- [G7 Report 10-17-20 to 10-29-20](#) 
- [G6 Report 10-03-20 to 10-16-20 Amended](#) 
- [G6 Report 10-03-20 to 10-16-20](#) 
- [G4 Report 09-01-20 to 10-02-20 Amended 2](#) 
- [G4 Report 09-01-20 to 10-02-20 Amended](#) 
- [G4 Report 09-01-20 to 10-02-20](#) 
- [M8 Report 08-01-20 to 08-31-20 Amended 2](#) 
- [M8 Report 08-01-20 to 08-31-20 Amended](#) 
- [M8 Report 08-01-20 to 08-31-20](#) 
- [M7 Report 07-01-20 to 07-31-20 Amended](#) 
- [M7 Report 07-01-20 to 07-31-20](#) 
- [M6 Report 06-01-20 to 06-30-20 Amended](#) 
- [M6 Report 06-01-20 to 06-30-20](#) 
- [M5 Report 05-01-20 to 05-31-20 Amended](#) 
- [M5 Report 05-01-20 to 05-31-20](#) 
- [M4 Report 04-01-20 to 04-30-20 Amended](#) 
- [M4 Report 04-01-20 to 04-30-20](#) 
- [M3 Report 03-01-20 to 03-31-20 Amended](#) 
- [M3 Report 03-01-20 to 03-31-20](#) 
- [M2 Report 02-01-20 to 02-29-20 Amended](#) 
- [M2 Report 02-01-20 to 02-29-20](#) 
- [M1 Report 01-01-20 to 01-31-20 Amended](#) 
- [M1 Report 01-01-20 to 01-31-20](#) 
- [M12 Report 12-01-19 to 12-31-19 Amended](#) 
- [M12 Report 12-01-19 to 12-31-19](#) 
- [M11 Report 11-01-19 to 11-30-19 Amended](#) 
- [M11 Report 11-01-19 to 11-30-19](#) 
- [M10 Report 10-01-19 to 10-31-19 Amended](#) 
- [M10 Report 10-01-19 to 10-31-19](#) 
- [M9 Report 09-01-19 to 09-30-19 Amended](#) 
- [M9 Report 09-01-19 to 09-30-19](#) 
- [M8 Report 08-01-19 to 08-31-19](#) 
- [M7 Report 07-01-19 to 07-31-19](#) 
- [M6 Report 06-01-19 to 06-30-19](#) 
- [Appointment of Campaign Treasurer](#) 

City Commissioner District III

Robert McKinzie - Qualified - Unopposed

- [Termination Report 06-01-20 to-09-10-20](#) 



KYLE C GIBSON
 FT LAUDERDALE CITY COMMISSIONER #2
 CAMPAIGN ACCOOUNT
 PO BOX 590581
 FORT LAUDERDALE FL 33359

08/11/20

CYCLE-011

*** CHECKING *** 0220 OPPORTUNITY 100
 ACCOUNT NUMBER
 PREVIOUS STATEMENT BALANCE AS OF 07/11/20 122.62
 PLUS 1 DEPOSITS AND OTHER CREDITS 143.10
 LESS 4 CHECKS AND OTHER DEBITS 169.51
 CURRENT STATEMENT BALANCE AS OF 08/11/20 96.21
 NUMBER OF DAYS IN THIS STATEMENT PERIOD 31

CHECKING ACCOUNT TRANSACTIONS

DATE	DESCRIPTION	DEBITS	CREDITS
07/14	AC-STRIPE -TRANSFER		143.10
07/17	POS DEBIT 3021 07/17 14:42 MINUTEMAN PRE FORT LAUDERDA FL	115.56	
07/20	NON-CENTENNIAL BANK ATM FEE 1 AT 2.00	2.00	
07/20	Oppportunity 100 s/c	9.95	
07/20	WTHDRL DDA 3021 07/18 22:22 1026 NE 15TH FT LAUDERDALE FL	42.00	

BALANCE BY DATE

DATE	BALANCE	DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
07/11	122.62	07/14	265.72	07/17	150.16	07/20	96.21

```

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:                                     : TOTAL FOR : TOTAL :
:                                     : THIS PERIOD : YEAR-TO-DATE :
-----
: TOTAL OVERDRAFT FEES : .00 : .00 :
-----
: TOTAL RETURNED ITEM FEES : .00 : .00 :
-----

```



KYLE C GIBSON
 FT LAUDERDALE CITY COMMISSIONER #2
 CAMPAIGN ACCOOUNT
 PO BOX 590581
 FORT LAUDERDALE FL 33359

09/11/20

CYCLE-011

Privacy Notice- Federal law requires us to tell you how we collect, share, and protect your personal information. Our privacy policy has not changed and you may review our policy and practices with respect to your personal information at my100bank.com/resources/privacy-policy or we will mail you a free copy upon request if you call us at 888-372-9788.

*** CHECKING *** 0220 OPPORTUNITY 100
 ACCOUNT NUMBER
 PREVIOUS STATEMENT BALANCE AS OF 08/11/20 96.21
 PLUS 1 DEPOSITS AND OTHER CREDITS 18.82
 LESS 1 CHECKS AND OTHER DEBITS 9.95
 CURRENT STATEMENT BALANCE AS OF 09/11/20 105.08
 NUMBER OF DAYS IN THIS STATEMENT PERIOD 31

CHECKING ACCOUNT TRANSACTIONS

DATE	DESCRIPTION	DEBITS	CREDITS
08/19	AC-STRIPE -TRANSFER		18.82
08/20	SERVICE CHARGE	9.95	

BALANCE BY DATE

DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
08/11	96.21	08/19	115.03	08/20	105.08

```

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:                                     : TOTAL FOR : TOTAL      :
:                                     : THIS PERIOD : YEAR-TO-DATE :
-----
: TOTAL OVERDRAFT FEES              :           .00 :           .00 :
-----
: TOTAL RETURNED ITEM FEES          :           .00 :           .00 :
-----

```



KYLE C GIBSON
 FT LAUDERDALE CITY COMMISSIONER #2
 CAMPAIGN ACCOOUNT
 PO BOX 590581
 FORT LAUDERDALE FL 33359

10/11/20

CYCLE-011

*** CHECKING *** 0220 OPPORTUNITY 100
 ACCOUNT NUMBER
 PREVIOUS STATEMENT BALANCE AS OF 09/11/20 105.08
 PLUS 0 DEPOSITS AND OTHER CREDITS00
 LESS 2 CHECKS AND OTHER DEBITS 21.10
 CURRENT STATEMENT BALANCE AS OF 10/11/20 83.98
 NUMBER OF DAYS IN THIS STATEMENT PERIOD 30

CHECKING ACCOUNT TRANSACTIONS

DATE	DESCRIPTION	DEBITS	CREDITS
09/21	SERVICE CHARGE	9.95	
09/28	CKCD DEBIT 3021 09/25 00:00 SUBWAY 32723 FORT LAUDERD FL	11.15	

BALANCE BY DATE

DATE	BALANCE	DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
09/11	105.08	09/21	95.13	09/28	83.98		

```

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:                                     : TOTAL FOR : TOTAL :
:                                     : THIS PERIOD : YEAR-TO-DATE :
-----
: TOTAL OVERDRAFT FEES : .00 : .00 :
-----
: TOTAL RETURNED ITEM FEES : .00 : .00 :
-----

```



KYLE C GIBSON
 FT LAUDERDALE CITY COMMISSIONER #2
 CAMPAIGN ACCOOUNT
 PO BOX 590581
 FORT LAUDERDALE FL 33359

11/11/20

CYCLE-011

Attention Bill Pay users:

Effective 12/14/2020 – In order to ensure funds are available for your scheduled Bill Pay payments your account will be debited on the processing date as opposed to the due date. This will result in your account being debited up to two business days prior to the due date. See enclosed Schedule of Fees for optional services and their fees.

*** CHECKING *** 0220 OPPORTUNITY 100
 ACCOUNT NUMBER
 PREVIOUS STATEMENT BALANCE AS OF 10/11/20 83.98
 PLUS 0 DEPOSITS AND OTHER CREDITS00
 LESS 1 CHECKS AND OTHER DEBITS 12.95
 CURRENT STATEMENT BALANCE AS OF 11/11/20 71.03
 NUMBER OF DAYS IN THIS STATEMENT PERIOD 31

CHECKING ACCOUNT TRANSACTIONS

DATE	DESCRIPTION	DEBITS	CREDITS
10/20	SERVICE CHARGE	12.95	

BALANCE BY DATE

DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
10/11	83.98	10/20	71.03		

 : : TOTAL FOR : TOTAL :
 : : THIS PERIOD : YEAR-TO-DATE :

 : TOTAL OVERDRAFT FEES : .00 : .00 :

 : TOTAL RETURNED ITEM FEES : .00 : .00 :

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 20-641**

Respondent: Kyle Gibson

Complainant: Jeffrey Modarelli

1. **Date and time:** 07/12/2022; 10:56 a.m.
Name: David R. Soloman – City Clerk for Ft. Lauderdale
Phone #: (954) 828-5006
Summary: Mr. Soloman called regarding the affidavit he received. He wanted to let me know that he was not the City Clerk at the time Respondent qualified. I asked him if he had access to the records requested in the affidavit, which he affirmed he did. He said he would try to provide the information requested by the deadline (07-13-22), but asked if he could provide it by the end of the week, which I agreed with.
Entered by: CM
2. **Date and time:** 08/26/2022; 03:41 p.m.
Name: Kyle Gibson
Phone #: (850) 322-8815
Summary: I phoned Respondent, automated voice message stated, “Please leave message for Kyle Gibson.” I indicated who I was, and that I was with the Florida Elections Commission and calling for Kyle Gibson. I stated I was calling in reference to FEC 20-305, 20-641, 21-023, 21-056, 21-487 and 22-072 and to call me back at his earliest convenience at (850) 922-4539. Follow-up email was sent to KyleKCGibson@gmail.com.
Entered by: CM
3. **Date and time:** 08/30/2022; 10:40 a.m.
Name: Kyle Gibson
Phone #: (850) 322-8815
Summary: I phoned Respondent, automated voice message stated, “Please leave message for Kyle Gibson.” I indicated who I was, and that I was with the Florida Elections Commission and calling for Kyle Gibson. I stated I was calling in reference to FEC 20-305, 20-641, 21-023, 21-056, 21-487 and 22-072 and to call me back at his earliest convenience at (850) 922-4539.
Entered by: CM
4. **Date and time:** 09/15/2022; 02:33 p.m.
Name: Kyle Gibson
Phone #: (954) 770-1547
Summary: I phoned Respondent, automated voice message stated, “Please leave message for (954) 770-1547” I indicated who I was, and that I was with the Florida Elections Commission and calling for Kyle Gibson. I stated I was calling in reference to FEC 20-305 and 20-641 and to call me back at his earliest convenience at (850) 922-4539.
Entered by: CM
5. **Date and time:**

Name:
Phone #:
Summary:
Entered by:

6. **Date and time:**

Name:
Phone #:
Summary:
Entered by:

RESPONDENT INTERVIEW MEMO

- **20-641** – Please explain the reason why you failed to notify the filing officer on the prescribed reporting dates that no **2020 M8, 2020 G4, 2020 G6 and 2020 G7** reports would be filed on those dates because the campaign had not received funds, made contributions, or expended reportable funds during the reporting periods or failure to file a campaign report to reflect financial activity.
- Have you ever run for public office? If so, please name each office you ran for and state what year each election occurred.
- Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name each such candidate, the office each ran for, and state what year each election occurred.
- Have you ever held the office of chairperson, treasurer, or other similar position for a political committee or electioneering communications organization? If so, please name each committee, state the office you held for each, and state when you held each office.
- Have you ever prepared or signed a campaign treasurer's report? If so, please state the name of the candidate or committee whose report you prepared or signed.
- What action have you taken to determine your responsibilities under Florida's election laws?
- Do you possess a copy of Chapter 106, Florida Statutes? If so, when did you first obtain it? Have you read it?
- Do you possess a copy of the [*Candidate and Campaign Treasurer OR Political Committee OR Electioneering Communications Organization*] *Handbook*? If so, when did you first obtain it? Have you read it?
- *If a section of Chapter 104 is listed in the LS letter, ask:* Do you possess a copy of Chapter 104, Florida Statutes? If so, when did you first obtain it? Have you read it?
- Did you receive any other materials from your filing officer? If so, please describe them.
- Do you have anything else to add for the Commission's consideration regarding the charges specified in the letter of legal sufficiency in this case?

8/30/22, 9:01 AM

Mail - Charles Mellow - Outlook

FEC 20-305, FEC 20-641, FEC 21-023, FEC 21-056, FEC 21-487 and FEC 22-072

Charles Mellow <Charles.Mellow@myfloridalegal.com>

Fri 8/26/2022 3:54 PM

To: KyleKCGibson@gmail.com <KyleKCGibson@gmail.com>

Mr. Gibson,

My name is Charles Mellow with the Florida Elections Commission. I have tried to reach you at (850) 322-8815.

Please contact me at (850) 922-4539 at your earliest convenience or email me a specific day and time to call you to discuss case numbers FEC 20-305, FEC 20-641, FEC 21-023, FEC 21-056, FEC 21-487 and FEC 22-072.

Thank you,

Charles Mellow - Investigator
Florida Elections Commission - Office of the Attorney General
Collins Building - Room 212
107 W. Gaines Street
Tallahassee, FL 32399
Phone: (850) 922-4539
Charles.Mellow@myfloridalegal.com



9/7/22, 8:38 AM

Mail - Charles Mellow - Outlook

FEC 20-305, FEC 20-641, FEC 21-023, FEC 21-056, FEC 21-487 and FEC 22-072

Charles Mellow <Charles.Mellow@myfloridalegal.com>

Wed 9/7/2022 8:37 AM

To: kcin2018@gmail.com <kcin2018@gmail.com>

Mr. Gibson,

My name is Charles Mellow with the Florida Elections Commission. I have tried to reach you at (850) 322-8815.

Please contact me at (850) 922-4539 at your earliest convenience or email me a specific day and time to call you to discuss case numbers FEC 20-305, FEC 20-641, FEC 21-023, FEC 21-056, FEC 21-487 and FEC 22-072.

Thank you,

Charles Mellow - Investigator
Florida Elections Commission - Office of the Attorney General
Collins Building - Room 212
107 W. Gaines Street
Tallahassee, FL 32399
Phone: (850) 922-4539
Charles.Mellow@myfloridalegal.com



Please note: Florida has a very broad public records law. Written communications to or from me regarding state business constitute public records and are available to the public and media upon request **unless** the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 20-641**

Respondent: Kyle Gibson

Complainant: Jeffrey Modarelli

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Entered by: CM
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Phone #: (954) 770-1547
Summary: I phoned Respondent, automated voice message stated, “Please leave message for (954) 770-1547” I indicated who I was, and that I was with the Florida Elections Commission and calling for Kyle Gibson. I stated I was calling in reference to FEC 20-305 and 20-641 and to call me back at his earliest convenience at (850) 922-4539.
Entered by: CM
5. **Date and time:**

Name:
Phone #:
Summary:
Entered by:

6. **Date and time:**

Name:
Phone #:
Summary:
Entered by:

RESPONDENT INTERVIEW MEMO

- **20-641** – Please explain the reason why you failed to notify the filing officer on the prescribed reporting dates that no **2020 M8, 2020 G4, 2020 G6 and 2020 G7** reports would be filed on those dates because the campaign had not received funds, made contributions, or expended reportable funds during the reporting periods or failure to file a campaign report to reflect financial activity.
- Have you ever run for public office? If so, please name each office you ran for and state what year each election occurred.
- Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name each such candidate, the office each ran for, and state what year each election occurred.
- Have you ever held the office of chairperson, treasurer, or other similar position for a political committee or electioneering communications organization? If so, please name each committee, state the office you held for each, and state when you held each office.
- Have you ever prepared or signed a campaign treasurer's report? If so, please state the name of the candidate or committee whose report you prepared or signed.
- What action have you taken to determine your responsibilities under Florida's election laws?
- Do you possess a copy of Chapter 106, Florida Statutes? If so, when did you first obtain it? Have you read it?
- Do you possess a copy of the [*Candidate and Campaign Treasurer OR Political Committee OR Electioneering Communications Organization*] Handbook? If so, when did you first obtain it? Have you read it?
- *If a section of Chapter 104 is listed in the LS letter, ask:* Do you possess a copy of Chapter 104, Florida Statutes? If so, when did you first obtain it? Have you read it?
- Did you receive any other materials from your filing officer? If so, please describe them.
- Do you have anything else to add for the Commission's consideration regarding the charges specified in the letter of legal sufficiency in this case?



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-6596

Telephone: (850) 922-4539 · Facsimile: (850) 921-0783

FEC@myfloridalegal.com · www.fec.state.fl.us



June 15, 2022

Kyle Gibson
837 NW 1st Avenue
Fort Lauderdale, FL 33311

RE: Case No.: FEC 20-641; Respondent: Kyle Gibson

Dear Mr. Gibson:

On December 17, 2020, 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(7), Florida Statutes: As alleged in the complaint, Respondent, a 2020 candidate for Fort Lauderdale City Commission, District 2, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2020 M8
- 2020 G4
- 2020 G6
- 2020 G7

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent, a 2020 candidate for Fort Lauderdale City Commission, District 2, may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, funds during the following reporting periods:

- 2020 M8
- 2020 G4
- 2020 G6
- 2020 G7

When we conclude the investigation, a copy of the Report of Investigation (ROI) will be mailed to you at the above address. Based on the results of the investigation, a staff attorney will prepare and present a written Staff Recommendation (SR) to the Commission as to whether there is probable cause to charge you, the Respondent, with violating Chapters 104 or 106, Florida Statutes. You will have an opportunity to respond to both the ROI and the SR. The Commission will then hold one or more hearings to determine whether the alleged violations occurred and, if

Kyle Gibson
June 15, 2022
Page 2
FEC 20-641

so, the amount of the fine to be imposed upon you. Notice will be mailed to you and the Complainant at least 14 days before any hearing at which your case is to be considered.

Pursuant to Section 106.25(4)(i)3., Florida Statutes, the Commission may enter into a consent agreement with a Respondent to settle a complaint prior to a finding of probable cause. If you are interested in entering negotiations directed towards reaching a consent agreement to resolve this matter, please contact the Commission and request to speak with the attorney assigned to this case.

Please note that all documents related to this matter will be mailed to the above address unless you notify us of a new address.

Pursuant to Section 106.25, Florida Statutes, complaints, investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 or 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause, unless the Respondent files a written waiver of confidentiality with the Commission. The confidentiality provision does not apply to the Complainant or the Respondent.

Should 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.

For additional information, please refer to the "Frequently Asked Questions" section of the Commission's website.

If you have additional questions, please contact **Chuck Mellow**, the investigator assigned to this case, by phone at (850) 922-4539 or by email at Charles.Mellow@myfloridalegal.com.

Sincerely,

A handwritten signature in blue ink that reads "Tim Vaccaro". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Tim Vaccaro
Executive Director

TV/mw

COMPLAINT # 2

REC'D: FL ELECTIONS COM
17 DEC '20 AM 8:23

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 it is brought.

1. PERSON BRINGING COMPLAINT:

Name: Jeffrey Modarelli Work Phone: (954) 828-5006
Address: 100 N. Andrews Ave Home Phone: ()
City: Fort Lauderdale County: Broward State: FL Zip Code: 33301

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

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

Name of individual or entity: Kyle Gibson
Address: 837 NW 1 Ave Phone: (954) 770-1547
City: Fort Lauderdale County: Broward State: FL Zip Code: 33311

If individual is a candidate, list the office or position sought: District II - City of Fort Lauderdale - City Commissioner

Have you filed this complaint with the State Attorney's Office? (check one) Yes No
Are you alleging a violation of Section 104.271(2), F.S.? (check one) Yes No
Are you alleging a violation of Section 104.2715, F.S.? (check one) Yes No

3. ALLEGED VIOLATION(S):

Please attach a **concise** narrative statement in which you list the provisions of the Florida Election Code that you believe the person named above may have violated. The Commission has jurisdiction only to investigate provisions of Chapter 104 and Chapter 106, Florida Statutes. Please include the following items as part of your attached statement:

- The facts and actions that you believe support the violations you allege;
- The names/telephone numbers of persons whom you believe may be witnesses to the facts;
- A copy or picture of any political advertisement(s) you mention in your statement;
- A copy of each document you mention in your statement;
- An explanation of why you believe information you reference from websites is relevant; and
- Any other evidence supporting your allegations.

SEE REVERSE SIDE OF DOCUMENT FOR ADDITIONAL INFORMATION

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.

4. **OATH:**

STATE OF FLORIDA
COUNTY OF Broward

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 04 day of
December, 20 20

Signature of Officer Authorized to Administer Oaths or Notary Public



David R. Soloman
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG933295
Expires 3/14/2024

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

Personally Known Or Produced Identification

Type of Identification Produced _____

5. **IMPROPERLY COMPLETED COMPLAINT FORMS MAY BE RETURNED:**

- You **MUST** submit this completed complaint form in order to file a complaint.
- You **MUST** complete **ALL FOUR** of the above sections of this form. **DO NOT** leave any blanks.
- You **MUST** submit the **ORIGINAL** complaint form. Copied/faxed/emailed forms are returned.
- Each complaint can only be filed against **ONE PERSON** or **ENTITY**. If you wish to file against multiple parties, you **MUST** submit a complaint form for each party you wish to file against.
- **DO NOT** submit multiple complaint forms with one set of attachments applying to multiple complaints. You **MUST** attach copies of attachments to each complaint to which they apply.
- **MAKE SURE** the alleged violation(s) of Chapters 104 or 106 occurred within the last 2 years.
- **MAKE SURE** your complaint is sworn and there is no defect to the notarization in Section 4.



December 4, 2020

Ms. Donna Malphurs, Agency Clerk
Florida Elections Commission
107 West Gaines Street
Suite 224, Collins Building
Tallahassee, FL 32399-1050

RE: Late and Failure to File

Dear Ms. Malphurs:

Pursuant to F.S. 106.07(8)(d), this letter serves as notification that City of Fort Lauderdale District II Commissioner candidate Kyle C. Gibson or Kyle "KC" Gibson has failed to file all reports beginning with M-6, with the exception of M-7. In addition, Mr. Gibson has not returned my calls, emails or received certified mail notification since I last spoke to him (in person at City Hall, Fort Lauderdale) on August 12, 2020.

Provided as attached is the history.

If you have any questions or require additional information, please do not hesitate to contact me at (954) 828-5006.

Sincerely,

Jeffrey A. Modarelli
City Clerk, City of Fort Lauderdale

Enclosures: Exhibit 1: Original Memo, Complaint and Backup dated August 17, 2020
Exhibit 2: Original Compliant Certified USPS receipt
Exhibit 3: Certified Mail Letter send to Mr. Gibson M-8, G-4, G6 and 7 Late

City Clerk's Office

100 North Andrews Avenue, Fort Lauderdale, Florida 33301
Telephone (954) 828-5002
www.fortlauderdale.gov

Complaint # 2 - EXHIBIT 1
December 4, 2020
Letter



CITY OF
FORT LAUDERDALE



August 17, 2020

Ms. Donna Malphurs, Agency Clerk
107 West Gaines Street
Suite 224, Collins Building
Tallahassee, FL 32399-1050

RE: Late and Failure to File

Dear Ms. Malphurs:

Pursuant to F.S. 106.07(8)(d), this letter serves as notification that City of Fort Lauderdale District II Commissioner candidate Kyle C. Gibson or Kyle "KC" Gibson has repeatedly filed late/failed to file after notice. Mr. Gibson has failed to file either M-6 Report or Waiver of Report after repeated notification, including a verbal reminder when he filed his M-7 Report late. He also has not amended his M-5 report after being notified. Attached are various notifications, including the FEC Form 1 requested by your office.

If you have any questions or require additional information, please do not hesitate to contact me at (954) 828-5006.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Modarelli".

Jeffrey A. Modarelli
City Clerk, City of Fort Lauderdale

Enclosures: FEC Form 1

Exhibit 1: Email and Attachment -- Notification of incomplete M-5 Report (Letter also sent Certified mail to home address)

Exhibit 2: Notification Letter of Incomplete Report M-5 sent Certified Mail to address listed on DS-DE 9 Form

Exhibit 3: Notification Letter of late Report M-6 sent Certified Mail to address listed on DS-DE 9 Form

Exhibit 4: Notification Letter of late Report M-6 sent Certified Mail to home address

*Exhibit 5: Late DS-DE 14 Report (2 days late)

*Certified letter with fine to be assessed and notification to Mr. Gibson will be forthcoming.

City Clerk's Office

100 North Andrews Avenue, Fort Lauderdale, Florida 33301

Telephone (954) 828-5002

www.fortlauderdale.gov

COMPLAINT

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 it is brought.

1. PERSON BRINGING COMPLAINT:

Name: Jeffrey Modarelli - City Clerk, Fort Lauderdale Work Phone: (954) 828-5006
Address: 100 N Andrews Ave. Home Phone: ()
City: Fort Lauderdale County: Broward State: FL Zip Code: 33301

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

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

Name of individual or entity: Kyle "KC" Gibson
Address: 837 NW 1st Avenue Phone: (954) 770-1547
City: Fort Lauderdale County: Broward State: FL Zip Code: 33311

If individual is a candidate, list the office or position sought: Fort Lauderdale City Commissioner - District II

Have you filed this complaint with the State Attorney's Office? (check one) Yes No
Are you alleging a violation of Section 104.271(2), F.S.? (check one) Yes No
Are you alleging a violation of Section 104.2715, F.S.? (check one) Yes No

3. ALLEGED VIOLATION(S):

Please attach a **concise** narrative statement in which you list the provisions of the Florida Election Code that you believe the person named above may have violated. The Commission has jurisdiction only to investigate provisions of Chapter 104 and Chapter 106, Florida Statutes. Please include the following items as part of your attached statement:

- The facts and actions that you believe support the violations you allege;
- The names/telephone numbers of persons whom you believe may be witnesses to the facts;
- A copy or picture of any political advertisement(s) you mention in your statement;
- A copy of each document you mention in your statement;
- An explanation of why you believe information you reference from websites is relevant; and
- Any other evidence supporting your allegations.

SEE REVERSE SIDE OF DOCUMENT FOR ADDITIONAL INFORMATION

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.

4. **OATH:**

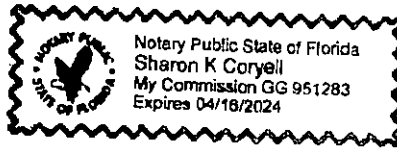
STATE OF FLORIDA
COUNTY OF Broward

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

[Signature]
Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 17th day of
August, 2020

[Signature]
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 _____

5. **IMPROPERLY COMPLETED COMPLAINT FORMS MAY BE RETURNED:**

- You **MUST submit this** completed complaint form in order to file a complaint.
- You **MUST** complete **ALL FOUR** of the above sections of this form. **DO NOT** leave any blanks.
- You **MUST** submit the **ORIGINAL** complaint form. Copied/faxed/emailed forms are returned.
- Each complaint can only be filed against **ONE PERSON** or **ENTITY**. If you wish to file against multiple parties, you **MUST** submit a complaint form **for each party** you wish to file against.
- **DO NOT** submit multiple complaint forms with one set of attachments applying to multiple complaints. You **MUST** attach **copies** of attachments **to each complaint** to which they apply.
- **MAKE SURE** the alleged violation(s) of **Chapters 104 or 106** occurred within the last **2 years**.
- **MAKE SURE** your complaint is **sworn** and there is **no defect** to the **notarization** in Section 4.

Jeff Modarelli

From: Jeff Modarelli
Sent: Monday, June 29, 2020 11:33 AM
To: kylekcgibson@gmail.com
Subject: Letter
Attachments: DOC062920.pdf

Good morning Mr. Gibson.

The attached letter will be sent via certified mail today.

I wanted to provided to you asap, via email right away so you had more time.

Call me if you have any questions.

Jeff

Jeffrey A. Modarelli
City Clerk
City of Fort Lauderdale
100 N. Andrews Ave.
Fort Lauderdale, FL 33301
954-828-5006
jmodarelli@fortlauderdale.gov



June 29, 2020

Kyle KC Gibson
837 NW 1 Avenue
Fort Lauderdale, FL 33311

It has been brought to my attention that your M-5 Report is incomplete. Pursuant to Florida Statutes (F.S.), 106.07- Reports; certification and filing, this letter serves as notification that your M-5 (see attached), DSDE-12 form filed on June 10, 2020 lists an expenditure, \$60.22. To date, our Office has not received a DSDE-14 (see attached) reporting the itemized expenditure(s). See F.S. 106.07 below:

(b)1. Any report that is deemed to be incomplete by the officer with whom the candidate qualifies must be accepted on a conditional basis. The campaign treasurer shall be notified by certified mail or by another method using a common carrier that provides a proof of delivery of the notice as to why the report is incomplete and within 7 days after receipt of such notice must file an addendum to the report providing all information necessary to complete the report in compliance with this section. Failure to file a complete report after such notice constitutes a violation of this chapter.

Please provide to the City Clerk's Office in person or per mail below:

Please send to:
City Clerk's Office
ATTEN: Jeffrey Modarelli
100 N Andrews Avenue
Fort Lauderdale, FL 33301

Please me know if you have any questions.

Sincerely,

Jeffrey A. Modarelli
City Clerk, City of Fort Lauderdale City Clerk's Office

100 North Andrews Avenue, Fort Lauderdale, Florida 33301
Telephone (954) 828-5002
www.fortlauderdale.gov

CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name _____

(2) I.D. Number _____

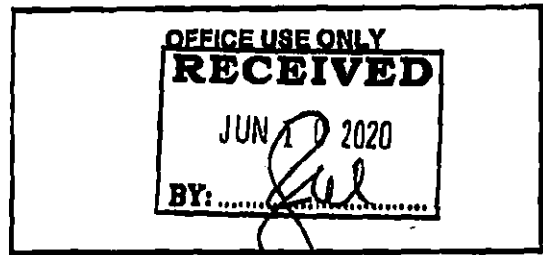
(3) Cover Period ____/____/____ through ____/____/____

(4) Page _____ of _____

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Purpose (add office sought if contribution to a candidate)	(9) Expenditure Type	(10) Amendment	(11) Amount
(6) Sequence Number					
/ /					
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CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Kyle C. Gibson
 Name
 (2) PO Box 590581
 Address (number and street)
Ft Lauderdale Fl 33359
 City, State, Zip Code



Check here if address has changed

(3) ID Number: _____

(4) Check appropriate box(es):

- Candidate Office Sought: Ft Lauderdale city Commission District 2
- Political Committee (PC)
- Electioneering Communications Org. (ECO)
- Party Executive Committee (PTY)
- Independent Expenditure (IE) (also covers an individual making electioneering communications)
- Check here if PC or ECO has disbanded
- Check here if PTY has disbanded
- Check here if no other IE or EC reports will be filed

(5) Report Identifiers

Cover Period: From 5 / 1 / 2020 To 5 / 31 / 2020 Report Type: M-5

Original Amendment Special Election Report

(6) Contributions This Report

Cash & Checks \$ _____ , _____ , 861. 00

Loans \$ _____ , _____ , _____

Total Monetary \$ _____ , _____ , _____

In-Kind \$ _____ , _____ , _____

(7) Expenditures This Report

Monetary Expenditures \$ _____ , _____ , 60. 22

Transfers to Office Account \$ _____ , _____ , _____

Total Monetary \$ _____ , _____ , 60. 22

(8) Other Distributions

\$ _____ , _____ , _____

(9) TOTAL Monetary Contributions To Date

\$ _____ , 1 , 447 . 78

(10) TOTAL Monetary Expenditures To Date

\$ _____ , _____ , 593 . 78

(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) Kyle C. Gibson
 Individual (only for IE or electioneering comm.) Treasurer Deputy Treasurer

X *[Signature]*
 Signature

(Type name) Kyle C. Gibson
 Candidate Chairperson (only for PC and PTY)

X *[Signature]*
 Signature

CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS

(1) Name Kyle C. Gibson (2) I.D. Number _____

(3) Cover Period 5 / 1 / 2020 through 5 / 1 / 2020 (4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor Type Occupation		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
(6) Sequence Number		Type	Occupation	Type	Description		Amount
5 / 14 / 2020	Gibson, Kyle PO Box 590581 Ft Lauderdale, Fl 33359	S		Cash			210.00
5 / 26 / 2020	Gibson, Joan 837 NW 1st Ave Ft Lauderdale, Fl 33311	I	Retired	CHE			\$250.00
5 / 27 / 2020	Gibson, Kyle 837 NW 1st Avenue Ft Lauderdale, Fl 33311	I	Retired	Che			\$250.00
5 / 28 / 2020	Gibson, Kyle PO Box 590581 Ft Lauderdale, Fl 33359	S		cash			
5 / 18 / 2020	Gibson, kyle PO Box 590581 Ft Lauderdale, fl 33359	S		cash			120.00



July 17, 2020

Kyle KC Gibson
PO Box 590581
Fort Lauderdale, FL 33359-0581

It has been brought to my attention that your M-5 Report is incomplete. Pursuant to Florida Statutes (F.S.), 106.07- Reports; certification and filing, this letter serves as notification that your M-5 (see attached), DSDE-12 form filed on June 10, 2020 lists an expenditure, \$60.22. To date, our Office has not received a DSDE-14 (see attached) reporting the itemized expenditure(s). See F.S. 106.07 below:

(b)1. Any report that is deemed to be incomplete by the officer with whom the candidate qualifies must be accepted on a conditional basis. The campaign treasurer shall be notified by certified mail or by another method using a common carrier that provides a proof of delivery of the notice as to why the report is incomplete and within 7 days after receipt of such notice must file an addendum to the report providing all information necessary to complete the report in compliance with this section. Failure to file a complete report after such notice constitutes a violation of this chapter.

Please provide to the City Clerk's Office in person or per mail below:

Please send to:
City Clerk's Office
ATTEN: Jeffrey Modarelli
100 N Andrews Avenue
Fort Lauderdale, FL 33301

Please me know if you have any questions.

Sincerely,

Jeffrey A. Modarelli
City Clerk, City of Fort Lauderdale **City Clerk's Office**
100 North Andrews Avenue, Fort Lauderdale, Florida 33301
Telephone (954) 828-5002
www.fortlauderdale.gov



July 17 , 2020

Kyle KC Gibson
PO Box 590581
Fort Lauderdale, FL 33359-0581

Pursuant to Florida Statutes (F.S.), 106.07- Reports; certification and filing, this letter serves as notification that your M-6 Report due on July 10, 2020 has not been filed to date(as of July 17, 2020). See F.S. 106.07 below:

(2)(a)1. All reports required of a candidate by this section shall be filed with the officer before whom the candidate is required by law to qualify. All candidates who file with the Department of State shall file their reports pursuant to s. 106.0705. Except as provided in s. 106.0705, reports shall be filed not later than 5 p.m. of the day designated; however, any report postmarked by the United States Postal Service no later than midnight of the day designated is deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service is deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date.

(b) Upon determining that a report is late, the filing officer shall immediately notify the candidate or chair of the political committee as to the failure to file a report by the designated due date and that a fine is being assessed for each late day. The fine is \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each special primary election, special election, primary election, and general election, the fine is \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. For reports required under s. 106.141(8), the fine is \$50 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. Upon receipt of the report, the filing officer shall determine the amount of the fine which is due and shall notify the candidate or chair or registered agent of the political committee.

Please provide to the City Clerk's Office in person or per mail below:

City of Fort Lauderdale
City Clerk's Office
ATTEN: Jeffrey Modarelli
100 N. Andrews Avenue
Fort Lauderdale, FL 33301

City Clerk's Office
100 North Andrews Avenue, Fort Lauderdale, Florida 33301
Telephone (954) 828-5002
www.fortlauderdale.gov

Please me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Modarelli', written in a cursive style.

Jeffrey A. Modarelli
City Clerk, City of Fort Lauderdale



**CITY OF
FORT LAUDERDALE**



July 17 , 2020

Kyle KC Gibson
837 NW 1 Avenue
Fort Lauderdale, FL 33311

Pursuant to Florida Statutes (F.S.), 106.07- Reports; certification and filing, this letter serves as notification that your M-6 Report due on July 10, 2020 has not been filed to date(as of July 17, 2020). See F.S. 106.07 below:

(2)(a)1. All reports required of a candidate by this section shall be filed with the officer before whom the candidate is required by law to qualify. All candidates who file with the Department of State shall file their reports pursuant to s. 106.0705. Except as provided in s. 106.0705, reports shall be filed not later than 5 p.m. of the day designated; however, any report postmarked by the United States Postal Service no later than midnight of the day designated is deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service is deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date.

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Please provide to the City Clerk's Office in person or per mail below:
City of Fort Lauderdale
City Clerk's Office
ATTEN: Jeffrey Modarelli
100 N. Andrews Avenue
Fort Lauderdale, FL 33301

City Clerk's Office
100 North Andrews Avenue, Fort Lauderdale, Florida 33301
Telephone (954) 828-5002
www.fortlauderdale.gov

Please me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Modarelli', written in a cursive style.

Jeffrey A. Modarelli
City Clerk, City of Fort Lauderdale

CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Ryle C. Gibson
Name
(2) P.O. Box 590581
Address (number and street)
FT. Lauderdale FL 33359
City, State, Zip Code

OFFICE USE ONLY
CITY CLERK

AUG 12 2020
BY: [Signature]
(3) ID Number: _____

Check here if address has changed

(4) Check appropriate box(es):
 Candidate Office Sought: FT-Lauderdale City Comm # 2
 Political Committee (PC)
 Electioneering Communications Org. (ECO) Check here if PC or ECO has disbanded
 Party Executive Committee (PTY) Check here if PTY has disbanded
 Independent Expenditure (IE) (also covers an individual making electioneering communications) Check here if no other IE or EC reports will be filed

(5) Report Identifiers

Cover Period: From 07/01/2020 To 07/31/2020 Report Type: M-7
 Original Amendment Special Election Report

(6) Contributions This Report

Cash & Checks \$ _____ , _____ , 202.00
 Loans \$ _____ , _____ , _____ . 0
 Total Monetary \$ _____ , _____ , _____ . 0
 In-Kind \$ _____ , _____ , _____ . 0

(7) Expenditures This Report

Monetary Expenditures \$ _____ , _____ , 176.29
 Transfers to Office Account \$ _____ , _____ , _____ .
 Total Monetary \$ _____ , _____ , 176.29

(8) Other Distributions
 \$ _____ , _____ , _____ . 0

(9) TOTAL Monetary Contributions To Date
 \$ _____ , _____ , 649.78

(10) TOTAL Monetary Expenditures To Date
 \$ _____ , _____ , 770.07

(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) Ryle C. Gibson
 Individual (only for IE or electioneering comm.) Treasurer Deputy Treasurer

X [Signature]
Signature

(Type name) Ryle C. Gibson
 Candidate Chairperson (only for PC and PTY)

X [Signature]
Signature

CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name Kyle C. Gibson (2) I.D. Number _____
 (3) Cover Period 07/01/2020 through 07/1/2020 (4) Page 1 of _____

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Purpose (add office sought if contribution to a candidate)	(9) Expenditure Type	(10) Amendment	(11) Amount
07/06/20	Publix Supermarket 201 SW 2nd St Ft. Lauderdale	Snacks & Drinks for Volunteers	CHE		21.52
7/6/20	US Post office 1900 W Oakland Pk Blvd Ft. Lauderdale 33310	Postage	CHE		53.00
7/7/20	McDonalds 300 E Sunrise Blvd Ft. Lauderdale	Food for Volunteers	CHE		8.45
7/7/20	Speedway 621 W Broward Blvd Ft. Lauderdale FL 33312	Gas	CHE		30.00
7/8/20	Walgreens 1 W Sunrise Blvd Ft. Lauderdale FL 33311	Drinks pens campaign supplies, Paper	CHE		63.32
///					
///					
///					

CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS

(1) Name Ryle C. Gibson (2) I.D. Number _____

(3) Cover Period 07 / 01 / 2020 through 07 / 1 / 2020 (4) Page 1 of 2

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor Type Occupation	(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
7, 6, 20	Mitchell Bridget 312 Spruce St Boonville MO 65233	CAS Pastor	I			20.20
7, 6, 20	Brook - mullow manich 8585 Annemore Tallahassee FL 32312	CAS Educator specialist	I			20.20
7, 6, 20	Gibson Tamara 837 New 14 Ave Ft. Lauderdale 33311	CAS Nurse	I			20.20
7, 6, 20	Gibson Joan 837 New 14 Ave Ft. Lauderdale FL 33311	CAS Retired	I			20.20
7, 6, 20	Gibson Gease 1019 E Paul Ruskell Tallahassee FL 32301 33311	CAS Retired	I			20.20
7, 6, 20	Gibson Blantina 1019 E Paul Ruskell Tallahassee FL 32301	CAS Retired	I			20.20
7, 6, 20	Cooper Stephen PO Box 28956 Aachen N.C. Raxellie 2 Mill N.C.	CAS Co. Struct- construction	I			20.20

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name Ryle C Gibson (2) I.D. Number _____

(3) Cover Period 7 / 1 / 20 through 7 / 31 / 20 (4) Page 2 of 3

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor Type Occupation		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
(6) Sequence Number		Type	Occupation	Type	Description	Amendment	Amount
7, 6, 20	McFadden Robert Plant city FL	CAS	CAS	I			20.20
7, 6, 20	McFadden Emory plant city FL	CAS		I			20.20
7, 6, 20	McFadden Halldie Tampa FL	CAS		I			20.20
1 1							
1 1							
1 1							
1 1							

Tracking Number: 9171999991703937434572

Remove X

Status

Your item was delivered at 8:25 am on August 27, 2020 in TALLAHASSEE, FL 32314.

 **Delivered**

August 27, 2020 at 8:25 am
Delivered
TALLAHASSEE, FL 32314

Get Updates 



Delivered

Text & Email Updates



Return Receipt Electronic



Tracking History



Product Information



See Less 

*Complaint # 2 -
EXHIBIT 2*



CITY OF
FORT LAUDERDALE

Complaint #2 -
EXHIBIT 3



November 3 , 2020

Kyle KC Gibson
PO Box 590581
Fort Lauderdale, FL 33359

Pursuant to Florida Statutes (F.S.), 106.07- Reports; certification and filing, this letter serves as notification that your G-6 and G-7 Reports due on October 23, 2020 and October 30, 2020 have not been filed to date (as of November 2, 2020). See F.S. 106.07 below:

(2)(a)1. All reports required of a candidate by this section shall be filed with the officer before whom the candidate is required by law to qualify. All candidates who file with the Department of State shall file their reports pursuant to s. 106.0705. Except as provided in s. 106.0705, reports shall be filed not later than 5 p.m. of the day designated; however, any report postmarked by the United States Postal Service no later than midnight of the day designated is deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service is deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date.

(b) Upon determining that a report is late, the filing officer shall immediately notify the candidate or chair of the political committee as to the failure to file a report by the designated due date and that a fine is being assessed for each late day. The fine is \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each special primary election, special election, primary election, and general election, the fine is \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. For reports required under s. 106.141(8), the fine is \$50 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. Upon receipt of the report, the filing officer shall determine the amount of the fine which is due and shall notify the candidate or chair or registered agent of the political committee.

Please provide to the City Clerk's Office in person or per mail below:
City of Fort Lauderdale
City Clerk's Office
ATTEN: Jeffrey Modarelli
100 N. Andrews Avenue

City Clerk's Office
100 North Andrews Avenue, Fort Lauderdale, Florida 33301
Telephone (954) 828-5002
www.fortlauderdale.gov

Fort Lauderdale, FL 33301

Please me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Modarelli', written in a cursive style.

Jeffrey A. Modarelli
City Clerk, City of Fort Lauderdale



November 3 , 2020

Kyle KC Gibson
837 NW 1 Avenue
Fort Lauderdale, FL 33311

Pursuant to Florida Statutes (F.S.), 106.07- Reports; certification and filing, this letter serves as notification that your G-6 and G-7 Reports due on October 23, 2020 and October 30, 2020 have not been filed to date (as of November 2, 2020). See F.S. 106.07 below:

(2)(a)1. All reports required of a candidate by this section shall be filed with the officer before whom the candidate is required by law to qualify. All candidates who file with the Department of State shall file their reports pursuant to s. 106.0705. Except as provided in s. 106.0705, reports shall be filed not later than 5 p.m. of the day designated; however, any report postmarked by the United States Postal Service no later than midnight of the day designated is deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service is deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date.

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Please provide to the City Clerk's Office in person or per mail below:

City of Fort Lauderdale
City Clerk's Office
ATTEN: Jeffrey Modarelli
100 N. Andrews Avenue
Fort Lauderdale, FL 33301

City Clerk's Office

100 North Andrews Avenue, Fort Lauderdale, Florida 33301

Telephone (954) 828-5002

www.fortlauderdale.gov

Please me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'JAM', written in a cursive style.

Jeffrey A. Modarelli
City Clerk, City of Fort Lauderdale



September 16 , 2020

Kyle KC Gibson
PO Box 590581
Fort Lauderdale, FL 33359

Pursuant to Florida Statutes (F.S.), 106.07- Reports; certification and filing, this letter serves as notification that your M-8 Report due on September 10, 2020 has not been filed to date (as of September 16, 2020). See F.S. 106.07 below:

(2)(a)1. All reports required of a candidate by this section shall be filed with the officer before whom the candidate is required by law to qualify. All candidates who file with the Department of State shall file their reports pursuant to s. 106.0705. Except as provided in s. 106.0705, reports shall be filed not later than 5 p.m. of the day designated; however, any report postmarked by the United States Postal Service no later than midnight of the day designated is deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service is deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date.

(b) Upon determining that a report is late, the filing officer shall immediately notify the candidate or chair of the political committee as to the failure to file a report by the designated due date and that a fine is being assessed for each late day. The fine is \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each special primary election, special election, primary election, and general election, the fine is \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. For reports required under s. 106.141(8), the fine is \$50 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. Upon receipt of the report, the filing officer shall determine the amount of the fine which is due and shall notify the candidate or chair or registered agent of the political committee.

Please provide to the City Clerk's Office in person or per mail below:

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City Clerk's Office
ATTEN: Jeffrey Modarelli
100 N. Andrews Avenue
Fort Lauderdale, FL 33301

City Clerk's Office

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Telephone (954) 828-5002
www.fortlauderdale.gov

Please me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'JAM', written in a cursive style.

Jeffrey A. Modarelli
City Clerk, City of Fort Lauderdale



September 16 , 2020

Kyle KC Gibson
837 NW 1 Avenue
Fort Lauderdale, FL 33311

Pursuant to Florida Statutes (F.S.), 106.07- Reports; certification and filing, this letter serves as notification that your M-8 Report due on September 10, 2020 has not been filed to date (as of September 16, 2020). See F.S. 106.07 below:

(2)(a)1. All reports required of a candidate by this section shall be filed with the officer before whom the candidate is required by law to qualify. All candidates who file with the Department of State shall file their reports pursuant to s. 106.0705. Except as provided in s. 106.0705, reports shall be filed not later than 5 p.m. of the day designated; however, any report postmarked by the United States Postal Service no later than midnight of the day designated is deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service is deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date.

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City Clerk's Office
ATTEN: Jeffrey Modarelli
100 N. Andrews Avenue
Fort Lauderdale, FL 33301

City Clerk's Office

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Telephone (954) 828-5002
www.fortlauderdale.gov

Please me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Modarelli', written in a cursive style.

Jeffrey A. Modarelli
City Clerk, City of Fort Lauderdale



October 19 , 2020

Kyle KC Gibson
PO Box 590581
Fort Lauderdale, FL 33359

Pursuant to Florida Statutes (F.S.), 106.07- Reports; certification and filing, this letter serves as notification that your G-4 Report due on October 9, 2020 has not been filed to date (as of October 19, 2020). See F.S. 106.07 below:

(2)(a)1. All reports required of a candidate by this section shall be filed with the officer before whom the candidate is required by law to qualify. All candidates who file with the Department of State shall file their reports pursuant to s. 106.0705. Except as provided in s. 106.0705, reports shall be filed not later than 5 p.m. of the day designated; however, any report postmarked by the United States Postal Service no later than midnight of the day designated is deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service is deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date.

(b) Upon determining that a report is late, the filing officer shall immediately notify the candidate or chair of the political committee as to the failure to file a report by the designated due date and that a fine is being assessed for each late day. The fine is \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each special primary election, special election, primary election, and general election, the fine is \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. For reports required under s. 106.141(8), the fine is \$50 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. Upon receipt of the report, the filing officer shall determine the amount of the fine which is due and shall notify the candidate or chair or registered agent of the political committee.

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City of Fort Lauderdale
City Clerk's Office
ATTEN: Jeffrey Modarelli
100 N. Andrews Avenue
Fort Lauderdale, FL 33301

City Clerk's Office

100 North Andrews Avenue, Fort Lauderdale, Florida 33301
Telephone (954) 828-5002
www.fortlauderdale.gov

Please me know if you have any questions.

Sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and curves, positioned to the right of the word "Sincerely,".

Jeffrey A. Modarelli
City Clerk, City of Fort Lauderdale



September 16 , 2020

Kyle KC Gibson
PO Box 590581
Fort Lauderdale, FL 33359

Pursuant to Florida Statutes (F.S.), 106.07- Reports; certification and filing, this letter serves as notification that your M-8 Report due on September 10, 2020 has not been filed to date (as of September 16, 2020). See F.S. 106.07 below:

(2)(a)1. All reports required of a candidate by this section shall be filed with the officer before whom the candidate is required by law to qualify. All candidates who file with the Department of State shall file their reports pursuant to s. 106.0705. Except as provided in s. 106.0705, reports shall be filed not later than 5 p.m. of the day designated; however, any report postmarked by the United States Postal Service no later than midnight of the day designated is deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service is deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date.

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City Clerk's Office
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Fort Lauderdale, FL 33301

City Clerk's Office

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www.fortlauderdale.gov

Please me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'JAM', written in a cursive style.

Jeffrey A. Modarelli
City Clerk, City of Fort Lauderdale



September 16 , 2020

Kyle KC Gibson
837 NW 1 Avenue
Fort Lauderdale, FL 33311

Pursuant to Florida Statutes (F.S.), 106.07- Reports; certification and filing, this letter serves as notification that your M-8 Report due on September 10, 2020 has not been filed to date (as of September 16, 2020). See F.S. 106.07 below:

(2)(a)1. All reports required of a candidate by this section shall be filed with the officer before whom the candidate is required by law to qualify. All candidates who file with the Department of State shall file their reports pursuant to s. 106.0705. Except as provided in s. 106.0705, reports shall be filed not later than 5 p.m. of the day designated; however, any report postmarked by the United States Postal Service no later than midnight of the day designated is deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service is deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date.

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Please me know if you have any questions.

Sincerely,

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Jeffrey A. Modarelli
City Clerk, City of Fort Lauderdale

City of Fort Lauderdale
100 N. Andrews Avenue
Fort Lauderdale, FL 33301

Clerk

CERTIFIED MAIL



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STATE OF FLORIDA
ELECTIONS COMMISSION

FEC

Ms. Donna Malphurs, Agency Clerk
Florida Elections Commission
107 West Gaines Street
Suite 224, Collins Bldg.
Tallahassee, FL 32399-1050