

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Palm Beach Gardens Needs Term Limits

Case No.: FEC 16-053

TO: Palm Beach Gardens Needs Term Limits
Michael Peragine, Chair
277 Sedona Way
Palm Beach Gardens, FL 33410

Patricia Snider
10500 North Military Trail
Palm Beach Gardens, FL 33410

NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, **March 13, 2018 at 8:30 am, or as soon thereafter as the parties can be heard**, at the following location: **Augustus B. Turnbull Conference Center, 555 West Pensacola Street, Room 103, Tallahassee, Florida 32301.**

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

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

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

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

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

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

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

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

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

FILED

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STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 16-053

v.

**Palm Beach Gardens Needs Term Limits,
Respondent.**

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on November 28, 2017, in Tallahassee, Florida.

On August 29, 2017, 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 about October 13, 2015, Palm Beach Gardens Needs Term Limits violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2015 M9 Report.

Count 2:

On or about November 10, 2015, Palm Beach Gardens Needs Term Limits violated Section 106.07(7), Florida Statutes, when it failed to

notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2015 M10 Report.

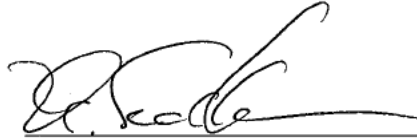
Count 3:

On or about December 10, 2015, Palm Beach Gardens Needs Term Limits violated Section 106.19(1)(c), Florida Statutes, when it deliberately failed to include information required by Chapter 106, Florida Statutes, by failing to disclose the committee's reportable financial activity attributable to its 2015 M11 Report.

Count 4:

On or about January 11, 2016, Palm Beach Gardens Needs Term Limits violated Section 106.19(1)(c), Florida Statutes, when it deliberately failed to include information required by Chapter 106, Florida Statutes, by failing to disclose the committee's reportable financial activity attributable to its 2015 M12 Report.

DONE AND ORDERED by the Florida Elections Commission on November 28, 2017.



M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:

Stephanie J. Cunningham, Assistant General Counsel
Palm Beach Gardens Needs Term Limits, Respondent
Patricia Snider, 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: Palm Beach Gardens Needs Term Limits

Case No.: FEC 16-053

TO: Palm Beach Gardens Needs Term Limits
Michael Peragine, Chair
277 Sedona Way
Palm Beach Gardens, FL 33410

Patricia Snider
10500 North Military Trail
Palm Beach Gardens, FL 33410

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, **November 28, 2017 at 10:00 am, or as soon thereafter as the parties can be heard**, at the following location: **412 Knott Building, Pat Thomas Committee Room, 404 South Monroe Street, 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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See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
November 13, 2017

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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: Palm Beach Gardens Needs
Term Limits**

Case No.: FEC 16-053

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the 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 July 25, 2017, the following facts and law support this staff recommendation:

1. On February 23, 2016, the Florida Elections Commission (“Commission”) received a sworn complaint from Patricia Snider, City Clerk, City of Palm Beach Gardens (“Complainant”), alleging that Palm Beach Gardens Needs Term Limits (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent is a political committee registered with the City of Palm Beach Gardens. (ROI Exhibit 1)¹

3. By letter dated June 14, 2017, 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 may have failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2015 M9
- 2015 M10
- 2015 M11
- 2015 M12

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, when it failed to file a report on the prescribed reporting date for the following reporting periods:

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

- 2015 M9
- 2015 M10
- 2015 M11
- 2015 M12

4. Respondent's 2015 M9 Report was due to be filed by October 13, 2015; however, Respondent failed to timely file the report or notify the filing officer that no report would be filed. By letters dated October 21, 2015, and December 4, 2015, the City Clerk notified Respondent that its 2015 M9 Report had not been received. (ROI Exhibit 3)

5. Respondent's 2015 M10 Report was due to be filed by November 10, 2015; however, Respondent failed to timely file the report or notify the filing officer that no report would be filed. By letters dated December 4, 2015, and December 24, 2015, the City Clerk notified Respondent that its 2015 M10 Report had not been received. (ROI Exhibit 4)

6. Respondent's 2015 M11 Report was due to be filed by December 10, 2015; however, Respondent failed to timely file the report or notify the filing officer that no report would be filed. By letter dated December 24, 2015, the City Clerk notified Respondent that its 2015 M11 Report had not been received. (ROI Exhibit 5, page 1)

7. Respondent's 2015 M12 Report was due to be filed by January 11, 2016; however, Respondent failed to timely file the report or notify the filing officer that no report would be filed. By letter dated January 22, 2016, the City Clerk notified Respondent that its 2015 M12 Report had not been received. (ROI Exhibit 5, page 2)

8. A subpoena was issued to Respondent's designated campaign depository to ascertain whether any financial activity occurred during the relevant reporting periods, i.e., September 1-30, 2015, October 1-31, 2015, November 1-30, 2015, and December 1-31, 2015. Respondent's bank records do not show any reportable financial activity for the 2015 M9 and 2015 M10 reporting periods. (ROI Exhibit 7) Respondent's bank records show one expenditure in the amount of \$15 that was authorized or occurred during the 2015 M11 reporting period but was not disclosed. (ROI Exhibit 8, page 1) Respondent's bank records show one expenditure in the amount of \$15 that was authorized or occurred during the 2015 M12 reporting period but was not disclosed. (ROI Exhibit 8, page 2)

9. Michael Peragine, chairperson and treasurer for Respondent, stated that he thought that the committee had been disbanded. (Attachment A) Respondent's filing officer confirmed that the committee has not been disbanded. (ROI Exhibit 11, page 1) She also stated that Respondent's chairperson will no longer accept certified mail from her office or return her phone calls. (Attachment A)

10. As it appears that Respondent had no financial activity during the 2015 M9 and 2015 M10 reporting periods, Respondent was required to notify the filing officer in writing that it would not be filing its 2015 M9 and 2015 M10 reports on the prescribed reporting dates, but failed to do so. As it appears that Respondent had financial activity during the 2015 M11 and

2015 M12 reporting periods, Respondent deliberately failed to include information in his 2015 M11 and 2015 M12 reports in violation of Section 106.19(1)(c), Florida Statutes.

11. “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).

12. The facts set forth above show that Respondent is a political committee registered with the City of Palm Beach Gardens. Respondent failed to timely file its 2015 M9, 2015 M10, 2015 M11, and 2015 M12 reports or notify the filing officer that no reports would be filed. It appears that Respondent had no reportable financial activity during the 2015 M9 and 2015 M10 reporting periods, and therefore, was required to notify the filing officer in writing that it would not be filing its 2015 M9 and 2015 M10 reports on the prescribed reporting dates, but failed to do so. It appears that Respondent deliberately failed to include information required by Chapter 106, Florida Statutes, by failing to disclose the committee’s reportable financial activity attributable to its 2015 M11 and 2015 M12 reports.

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 about October 13, 2015, Palm Beach Gardens Needs Term Limits violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2015 M9 Report.

Count 2:

On or about November 10, 2015, Palm Beach Gardens Needs Term Limits violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2015 M10 Report.

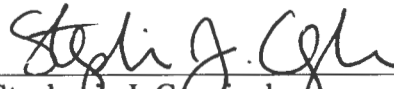
Count 3:

On or about December 10, 2015, Palm Beach Gardens Needs Term Limits violated Section 106.19(1)(c), Florida Statutes, when it deliberately failed to include information required by Chapter 106, Florida Statutes, by failing to disclose the committee’s reportable financial activity attributable to its 2015 M11 Report.

Count 4:

On or about January 11, 2016, Palm Beach Gardens Needs Term Limits violated Section 106.19(1)(c), Florida Statutes, when it deliberately failed to include information required by Chapter 106, Florida Statutes, by failing to disclose the committee's reportable financial activity attributable to its 2015 M12 Report.

Respectfully submitted on August 29, 2017.



Stephanie J. Cunningham
Assistant General Counsel

I reviewed this Staff Recommendation this 29th day of August 2017.



Amy McKeever Toman
Executive Director

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 16-053**

Respondent: Palm Beach Gardens Needs Term Limits

Complainant: Patricia Snider

1. **Date and time:** 07/10/17 @ 2:56 p.m.

Name: Complainant

Phone #: 561-799-4122

Summary: I called and spoke with Complainant regarding whether or not the committee's 2015 M9 through 2015 M12 campaign reports had been filed since her referral was made to our office. Ms. Snider said the reports have not been filed. She added that Respondent's chairman, Michael Peragine, quit accepting any certified mail and has become non-responsive to any of her telephone calls or correspondence. She said that she had records to show all of their attempts to contact him about filing the various campaign reports and that she would forward the correspondence to me.

Memo to File? No

Entered by: KS

2. **Date and time:** 07/12/17 @ 10:16 a.m.

Name: Michael Peragine – Respondent's chairman

Phone #: 561-342-1258

Summary: I called Respondent's chairman for the purpose of reviewing the case with him in that the city clerk notified our office that the political committee has not filed four reports relating to 2015.

Mr. Peragine said that he "knows about it" and added that he thought he had settled "everything" he had with our office and added that he is "frustrated" now that he finds out there are more complaints. I informed him that the political committee had previously settled two cases, FEC 15-310, pertaining to the 2015 M2 report and FEC 15-367, pertaining to the 2015 M4 report. Mr. Peragine was advised that the two previous cases were heard by the members of the Commission at the November 2016 meeting. He was further advised that this referral/complaint was filed in our office on February 2016 but that it appeared that service was not established until April 2017. I read him the address of where correspondence was mailed—277 Sedona Way-PBG, FL—and he confirmed the address. I informed him that it appeared that he had settled everything he had with our office at the time, meaning the two previous cases, but that service had not been established in this case at the time, due to apparent services issues involving the address.

I inquired of him as to whether the political committee had disbanded. He said he thought it had been disbanded and then inquired of me as to whether a fine would still have to be paid regarding this case if the political committee disbanded. I advised him that it was my understanding that it would and that as the chairman, treasurer and registered agent of the political committee, he may would be responsible for paying the fine. It was suggested that he contact the city clerk to determine for sure whether the political committee had

officially disbanded, as it appeared that it has not; he said that he would contact the city clerk within the next week and said that he would put it on his "to do list."

Mr. Peragine was advised that he had settled the two previous cases with our office and if he decided that is what he wanted to do with this case, I could have our staff attorney contact him for settlement negotiations. He said that he wanted to contact the city clerk's office first and that he would let us know for sure within the week.

Memo to File? No

Entered by: KS

3. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

4. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

5. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

6. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

7. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

8. **Date and time:**

Name:

Phone #:

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 16-053

Respondent: Palm Beach Gardens Needs Term Limits

Complainant: Patricia Snider

On February 23, 2016, the Florida Elections Commission ("Commission") received a sworn complaint alleging that Respondent violated Chapter 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statutes:

Section 106.07(7), Florida Statutes, failure of a 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; and

Section 106.19(1)(c), Florida Statutes, prohibiting a person or organization from falsely reporting or deliberately failing to report information required by Chapter 106, Florida Statutes.

I. Preliminary Information:

1. Respondent, Palm Beach Gardens Needs Terms Limits, is a political committee registered with the City of Palm Beach Gardens.

2. Complainant, Patricia Snider, is the municipal clerk for the City of Palm Beach Gardens and she also serves as Respondent's filing officer.

3. On February 9, 2015, the most recent Statement of Organization of Political Committee (DS-DE 5) was filed with the Palm Beach Gardens City Clerk's office. According to its Statement of Organization of Political Committee, the area, scope and jurisdiction of the political committee is, "Preserve Term Limits for PBG City Council members." Michael J. Peragine was named as chairperson, treasurer and registered agent for the political committee. To review the DS-DE 5 form, refer to Exhibit 1.

4. On February 9, 2015, the most recent Appointment of Campaign Treasurer and Designation for Political Committees (DS-DE 6) form was filed with the city clerk's office; Michael J. Peragine was appointed as treasurer. To review the DS-DE 6 form, refer to Exhibit 2.

5. On October 21 and December 4, 2015, Complainant mailed Respondent a certified letter advising Respondent's chairman that the 2015 M9 report had not been filed. The letters were mailed to the address provided on Respondent's DS-DE 6 form (Exhibit 2). To review copies of the two letters pertaining to the 2015 M9 reporting period, refer to Exhibit 3.

6. On December 4 and December 24, 2015, Complainant mailed Respondent a certified letter advising Respondent's chairman that the 2015 M10 report had not been filed. The letters were mailed to the address provided on Respondent's DS-DE 6 form (Exhibit 2). To review copies of the two letters pertaining to the 2015 M10 reporting period, refer to Exhibit 4.

7. On December 24, 2015 and January 22, 2016, Complainant mailed Respondent a certified letter advising Respondent's chairman that the 2015 M11 and 2015 M12 reports, respectively, had not been filed. The letters were mailed to the address provided on Respondent's DS-DE 6 form (Exhibit 2). To review copies of the two letters pertaining to the 2015 M11 and 2015 M12 reporting periods, refer to Exhibit 5.

8. The 2015 Calendar of Reporting Dates reflect that campaign reports and/or notification-of-no-activity was due on October 13, 2015 for the 2015 M9 reporting period; November 10, 2015 for the 2015 M10 reporting period; December 10, 2015 for the 2015 M11 reporting period and January 11, 2016 for the 2015 M12 reporting period. To review a copy of the 2015 Calendar of Reporting Dates, refer to Exhibit 6.

9. The allegations that Respondent failed to report campaign activity, or in the alternative, failed to notify the filing officer that no report would be filed for the 2015 M9, 2015 M10, 2015 M11 and 2015 M12 reporting periods will be discussed in the following paragraphs.

II. Alleged Violation of Section 106.07(7), Florida Statutes:

10. I investigated whether Respondent violated this section of the election laws by failing to timely notify the filing officer, in writing, that no report would be filed due to not receiving any contributions or making any expenditures during the 2015 M9, 2015 M10, 2015 M11 and 2015 M12 reporting periods.

2015 M9 and 2015 M10 reporting periods

11. On June 19, 2017, I subpoenaed Respondent's campaign account records from Seacoast Bank. Review of the records show that there was no financial activity during the 2015 M9 reporting period (09/01 – 09/30/15) and the 2015 M10 reporting period (10/01 – 10/31/15). Based upon Respondent's campaign account records, it appears Respondent was required to file a notification-of-no-activity for the 2015 M9 and M10 reporting periods. To review the monthly bank statements for September and October 2015, refer to Exhibit 7.

2015 M11 and M12 reporting periods

12. Further review of the records reveals that a \$15 service charge was levied against the account during the 2015 M11 reporting period (11/01 – 11/30/15) as well as the 2015 M12 reporting period (12/01 – 12/31/15). A service charge in the amount of \$15 was levied against the account on November 30, 2015, changing the balance in the account from \$35.29 to \$20.29. On December 31, 2015, a service charge in the amount of \$15 was levied against the account lowering the balance in the account from \$20.29 to \$5.29. To review the monthly bank statements for November and December 2015, refer to Exhibit 8.

13. Based upon the campaign account records, it appears Respondent was not

required to notify their filing officer in writing that no reports would be filed for the 2015 M11 and 2015 M12 reporting periods; rather, it appears Respondent was required to disclose these transactions by filing a 2015 M11 report and a 2015 M12 report.

14. According to records from Complainant's office, notification-of-no-activity was filed for the first eight reporting periods of 2015, beginning with the 2015 M1 reporting period through the 2015 M8 reporting period. To review a print-out from Complainant's office, refer to Exhibit 9.

15. Respondent's chairman did not offer a response to the complaint.

16. Record was found to indicate that Respondent has previously violated this section of the election laws. Refer to paragraph 22 for additional information.

III. Alleged Violation of Section 106.19(1)(c), Florida Statutes:

17. I investigated whether Respondent violated this section of the election laws by failing to report campaign activity during the 2015 M9, 2015 M10, 2015 M11 and 2015 M12 reporting periods.

18. To review the circumstances regarding the 2015 M9 and 2015 M10 reporting periods, refer to paragraph 11.

19. To review the circumstances regarding the 2015 M11 and 2015 M12 reporting periods refer to paragraphs 12 and 13.

20. In a telephone interview on June 10, 2017, Complainant stated that the last action taken by Respondent was the filing of a notification-of-no-activity for the 2015 M8 reporting period.

21. No record was found to indicate that Respondent has previously violated this section of the election laws.

IV. FEC History:

22. As per paragraph 16, Respondent has previously violated the election laws. In FEC 15-310, Respondent was found to have violated Section 106.07(7), Florida Statutes on one occasion relative to the 2015 M2 reporting period. Additionally, in FEC 15-367, Respondent was found to have violated Section 106.07(7), Florida Statutes on one occasion relative to the 2015 M4 reporting period. Further, Respondent has had a number of automatic-fine cases presented to the members of the Florida Elections Commission. To review information relative to FEC 15-310 and FEC 15-367, refer to Exhibit 10.

Conclusion:

23. In a telephone interview on July 12, 2017, Respondent's chairman acknowledged knowing about the case and said that he thought he had "finalized" everything with the Commission staff. Mr. Peragine was advised that two previous cases involving Respondent had

settled in November 2016. When asked, Mr. Peragine said he believed that the political committee had disbanded and added that he would contact the city clerk within the next week to inquire of her what he needs to do going forward.

24. In an e-mail dated July 24, 2017, Complainant stated that Respondent's chairman has not contacted her and that the political committee has not disbanded. According to Complainant, the last contact Mr. Peragine has had with her office was on September 10, 2015, when he delivered a waiver-of-report for the 2015 M8 reporting period. To review Complainant's e-mail, refer to Exhibit 11.

Respectfully submitted on July 25, 2017.



Keith Smith
Investigation Specialist

Current address of Respondent

Palm Beach Gardens Needs Term Limits
277 Sedona Way
Palm Beach Gardens, Florida 33418-1718

Current address of Complainant

Patricia Snider
10500 North Military Trail
Palm Beach Gardens, Florida 33410

Name and Address of Filing Officer:

Patricia Snider, City Clerk
City of Palm Beach Gardens
10500 North Military Trail
Palm Beach Gardens, Florida 33410

Chair of Committee

Michael Peragine, Chairman
Palm Beach Gardens Needs Term Limits
277 Sedona Way
Palm Beach Gardens, Florida 33418-1718

Copy furnished to: David Flagg, Investigations Manager

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Palm Beach Gardens Needs Term Limits -- FEC 16-053

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	DS-DE 5 form
Exhibit 2	DS-DE 6 form
Exhibit 3	Ltrs from Complainant re: M9 reporting period
Exhibit 4	Ltrs from Complainant re: M10 reporting period
Exhibit 5	Ltrs from Complainant re: M11 & M12 reporting periods
Exhibit 6	Calendar of Reporting Dates
Exhibit 7	Monthly bank statements for September/October 2015
Exhibit 8	Monthly bank statements for November/December 2015
Exhibit 9	Print-out from Complainant's office
Exhibit 10	Info re: FEC 15-310 & FEC 15-367
Exhibit 11	E-mail to/from Complainant

STATEMENT OF ORGANIZATION OF POLITICAL COMMITTEE (PLEASE TYPE)		OFFICE USE ONLY
1. Full Name of Committee Palm Beach Gardens Needs Term Limits		Telephone 561-7342-1258
Mailing Address (include city, state and zip code) 277 Sedona Way PBG, FL 33418		
Street Address (include city, state and zip code) 277 Sedona Way PBG, FL 33418		
2. Affiliated or Connected Organizations (includes other committees of continuous existence and political committees)		
Name of Affiliated or Connected Organization	Mailing Address	Relationship
N/A	N/A	N/A
3. Area, Scope and Jurisdiction of the Committee Preserve Term Limits For PBG City Council members		
4. Nature of Organization or Organization's Special Interest (e.g., medical, legal, education, etc.) Term Limits		
5. Identify by Name, Address and Position, the Custodian of Books and Accounts (include treasurer's name)		
Full Name	Mailing Address	Committee Title or Position
Michael J. Perotti	277 Sedona Way PBG, FL 33418	Chairperson + Treasurer + Registered Agent

6. List by Name, Address and Position, Other Principal Officers, Including Officers and Members of the Finance Committee, if Any (include chairman's name)

Full Name	Mailing Address	Committee Title or Position
See Attached		

7. List by Name, Address, Office Sought and Party Affiliation Each Candidate or Other Individual that this Committee is Supporting (if none, please indicate)

Full Name	Mailing Address	Office Sought	Party
None	None	None	None

8. List Any Issues this Committee is Supporting: Term Limits for City Council members
List Any Issues this Committee is Opposing: None

9. If this Committee is Supporting the Entire Ticket of a Party, Give Name of Party
 N/A

10. In the Event of Dissolution, What Disposition will be Made of Residual Funds?
 Donate to a 501(c)(3)

11. List all Banks, Safety Deposit Boxes, or Other Depositories Used for Committee Funds

Name of Bank or Depository & Account Number	Mailing Address
Seacoast National Bank	3001 PGA Blvd. PBG, FL 33410

12. List all Reports Required to be Filed by this Committee with Federal Officials and the Names, Addresses and Positions of Such Officials, if Any

Report Title	Dates Required to be Filed	Name & Position of Official	Mailing Address
Form 8871	Annually (April)	IRS	Odgers, UT 84201
Form 990	Suppor...	IRS	Odgers, UT 84201

STATE OF Florida COUNTY Palm Beach

I, Michael J. Peragine certify that the information in this Statement of Organization is complete, true and correct.

X [Signature] Signature of Chairman of Political Committee 02/09/15 Date

EXHIBIT 1 (202)

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR
POLITICAL COMMITTEES**
(Sections 108.011(1) and 108.021(1), F.S.)

02-09-15 11:31 RCVD

CHECK APPROPRIATE BOX:

OFFICE USE ONLY

Original Appointment of Treasurer Reappointment of Treasurer Deputy Treasurer

1. Committee or Organization Palm Beach Gardens Needs Term ^{Limits} ✓		2. Telephone (561) 342-1258	
3. Name of Treasurer or Deputy Treasurer Michael J. Peracino		4. Email (optional)	
5. Telephone (optional) (561) 342-1258		6. Mailing Address 277 Sedona Way PBG FL 33418	
7. Street Address 277 Sedona Way PBG FL 33418			
8. The following bank has been designated as the <input checked="" type="checkbox"/> Primary Depository <input type="checkbox"/> Secondary Depository			
9. Name of Bank Seacoast National		10. Street Address 3001 PGA Blvd.	
11. City Palm Beach Gardens		12. State FL	13. Zip Code 33410
14. Signature of Chairman X <i>Michael J. Peracino</i>		15. Name of Chairman (Print or Type) Michael J. Peracino	
Campaign Treasurer's Acceptance of Appointment			
I, <u>Michael J. Peracino</u> , do hereby accept the appointment as <small>(Please Print or Type)</small>			
treasurer or deputy treasurer for <u>Palm Beach Gardens Needs Term Limits</u> <small>(Committee or Organization)</small>			
UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.			
Date 02/09/15		Signature of Campaign Treasurer or Deputy Treasurer X <i>Michael J. Peracino</i>	



CITY OF PALM BEACH GARDENS

10500 N. MILITARY TRAIL • PALM BEACH GARDENS • FLORIDA 33410-4698

COPY

October 21, 2015

Palm Beach Gardens Needs Term Limits
277 Sedona Way
Palm Beach Gardens FL 33418
Attn: Mr. Michael Peragine, Chairman

Sent via: Certified/Return Receipt

Dear Mr. Peragine:

In accordance with the reporting requirements set forth at Chapter 106, *F.S.*, the Campaign Treasurer's Report for the reporting period covering September 1, 2015 to September 30, 2015 (M9) was required to be submitted to my office no later than 5:00 p.m. on October 13, 2015.

Since this report has not been submitted, a fine must be assessed for your failure to timely file the report in accordance with Section 106.07, *F.S.*

Subsection 106.07(8)(a) states in pertinent part, "[a]ny political committee failing to file a report on the designate due date is subject to a fine as provided in paragraph (b) for each late day." Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due.

Upon receipt of your report, the fine amount will be determined and you will be notified accordingly. Payment of the subject fine must be made by check or money order made payable to the City of Palm Beach Gardens.

- 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. (*Sections 106.07, 106.0705 and 106.141, F.S.*)

Please contact my office if you have any questions.

Sincerely,

Patricia Snider, CMC, City Clerk

EXHIBIT

3 (102)



CITY OF PALM BEACH GARDENS

10500 N. MILITARY TRAIL • PALM BEACH GARDENS • FLORIDA 33410-4698

December 4, 2015 – 2nd Notice

~~October 21, 2015~~

COPY

Palm Beach Gardens Needs Term Limits

277 Sedona Way

Palm Beach Gardens FL 33418

Attn: Mr. Michael Peragine, Chairman

Sent via: Certified/Return Receipt

Dear Mr. Peragine:

In accordance with the reporting requirements set forth at Chapter 106, *F.S.*, the Campaign Treasurer's Report for the reporting period covering September 1, 2015 to September 30, 2015 (M9) was required to be submitted to my office no later than 5:00 p.m. on October 13, 2015.

Since this report has not been submitted, a fine must be assessed for your failure to timely file the report in accordance with Section 106.07, *F.S.*

Subsection 106.07(8)(a) states in pertinent part, "[a]ny political committee failing to file a report on the designate due date is subject to a fine as provided in paragraph (b) for each late day." Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due.

Upon receipt of your report, the fine amount will be determined and you will be notified accordingly. Payment of the subject fine must be made by check or money order made payable to the City of Palm Beach Gardens.

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Please contact my office if you have any questions.

Sincerely,

Patricia Snider, CMC, City Clerk

EXHIBIT

3 (2 of 2)



CITY OF PALM BEACH GARDENS

10500 N. MILITARY TRAIL • PALM BEACH GARDENS • FLORIDA 33410-4698

COPY

December 4, 2015

Palm Beach Gardens Needs Term Limits
277 Sedona Way
Palm Beach Gardens FL 33418
Attn: Mr. Michael Peragine, Chairman

Sent via: Certified/Return Receipt

Dear Mr. Peragine:

In accordance with the reporting requirements set forth at Chapter 106, *F.S.*, the Campaign Treasurer's Report for the reporting period covering October 1, 2015 to October 31, 2015 **(M10)** was required to be submitted to my office no later than 5:00 p.m. on November 10, 2015.

Since this report has not been submitted, a fine must be assessed for your failure to timely file the report in accordance with Section 106.07, *F.S.*

Subsection 106.07(8)(a) states in pertinent part, "[a]ny political committee failing to file a report on the designate due date is subject to a fine as provided in paragraph (b) for each late day." Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due.

Upon receipt of your report, the fine amount will be determined and you will be notified accordingly. Payment of the subject fine must be made by check or money order made payable to the City of Palm Beach Gardens.

- 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. (*Sections 106.07, 106.0705 and 106.141, F.S.*)

Please contact my office if you have any questions.

Sincerely,

Patricia Snider, CMC, City Clerk

EXHIBIT

4 (102)



CITY OF PALM BEACH GARDENS

10500 N. MILITARY TRAIL • PALM BEACH GARDENS • FLORIDA 33410-4698

December 24, 2015 – Second Notice

December 4, 2015

COPY

Palm Beach Gardens Needs Term Limits
277 Sedona Way
Palm Beach Gardens FL 33418
Attn: Mr. Michael Peragine, Chairman

Sent via: Certified/Return Receipt

Dear Mr. Peragine:

In accordance with the reporting requirements set forth at Chapter 106, *F.S.*, the Campaign Treasurer's Report for the reporting period covering October 1, 2015 to October 31, 2015 (M10) was required to be submitted to my office no later than 5:00 p.m. on November 10, 2015.

Since this report has not been submitted, a fine must be assessed for your failure to timely file the report in accordance with Section 106.07, *F.S.*

Subsection 106.07(8)(a) states in pertinent part, "[a]ny political committee failing to file a report on the designate due date is subject to a fine as provided in paragraph (b) for each late day." Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due.

Upon receipt of your report, the fine amount will be determined and you will be notified accordingly. Payment of the subject fine must be made by check or money order made payable to the City of Palm Beach Gardens.

- 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. (*Sections 106.07, 106.0705 and 106.141, F.S.*)

Please contact my office if you have any questions.

Sincerely,

Patricia Snider, CMC, City Clerk

EXHIBIT

4 (2 of 2)



CITY OF PALM BEACH GARDENS

10500 N. MILITARY TRAIL • PALM BEACH GARDENS • FLORIDA 33410-4698

COPY

December 24, 2015

Palm Beach Gardens Needs Term Limits
277 Sedona Way
Palm Beach Gardens FL 33418
Attn: Mr. Michael Peragine, Chairman

Sent via: Certified/Return Receipt

Dear Mr. Peragine:

In accordance with the reporting requirements set forth at Chapter 106, *F.S.*, the Campaign Treasurer's Report for the reporting period covering November 1, 2015 to November 30, 2015 (M11) was required to be submitted to my office no later than 5:00 p.m. on December 10, 2015.

Since this report has not been submitted, a fine must be assessed for your failure to timely file the report in accordance with Section 106.07, *F.S.*

Subsection 106.07(8)(a) states in pertinent part, "[a]ny political committee failing to file a report on the designate due date is subject to a fine as provided in paragraph (b) for each late day." Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due.

Upon receipt of your report, the fine amount will be determined and you will be notified accordingly. Payment of the subject fine must be made by check or money order made payable to the City of Palm Beach Gardens.

- 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. (*Sections 106.07, 106.0705 and 106.141, F.S.*)

Please contact my office if you have any questions.

Sincerely,


Patricia Snider, CMC, City Clerk

EXHIBIT 5 (102)



CITY OF PALM BEACH GARDENS

10500 N. MILITARY TRAIL • PALM BEACH GARDENS • FLORIDA 33410-4698

COPY

January 22, 2016

Palm Beach Gardens Needs Term Limits
277 Sedona Way
Palm Beach Gardens FL 33418
Attn: Mr. Michael Peragine, Chairman

Sent via: Certified/Return Receipt

Dear Mr. Peragine:

In accordance with the reporting requirements set forth at Chapter 106, *F.S.*, the Campaign Treasurer's Report for the reporting period covering December 1, 2015 to December 31, 2015 (M12) was required to be submitted to my office no later than 5:00 p.m. on January 11, 2016.

Since this report has not been submitted, a fine must be assessed for your failure to timely file the report in accordance with Section 106.07, *F.S.*

Subsection 106.07(8)(a) states in pertinent part, "[a]ny political committee failing to file a report on the designate due date is subject to a fine as provided in paragraph (b) for each late day." Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due.

Upon receipt of your report, the fine amount will be determined and you will be notified accordingly. Payment of the subject fine must be made by check or money order made payable to the City of Palm Beach Gardens.

- 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. (*Sections 106.07, 106.0705 and 106.141, F.S.*)

Please contact my office if you have any questions.

Sincerely,

Patricia Snider, CMC, City Clerk

EXHIBIT 5 (202)

2015 Calendar of Reporting Dates

Candidates, Political Committees and
Electioneering Communications Organizations
registered with the Division of Elections

<u>Cover Period</u>	<u>Report Code</u>	<u>Due Date</u>
12/01/14 – 12/31/14	2014 M12	01/12/15
01/01/15 – 01/ 31/15	2015 M1	02/10/15
02/01/15 – 02/28/15	2015 M2	03/10/15
03/01/15 – 03/31/15	2015 M3	04/10/15
04/01/15 – 04/30/15	2015 M4	05/11/15
05/01/15 – 05/31/15	2015 M5	06/10/15
06/01/15 – 06/ 30/15	2015 M6	07/10/15
01/01/2014 – 12/31/14	2015 MUC*	06/30/15
07/01/15 – 07/31/15	2015 M7	08/10/15
08/01/15 – 08/31/15	2015 M8	09/10/15
09/01/15 – 09/30/15	2015 M9	10/13/15
10/01/15 – 10/31/15	2015 M10	11/10/15
11/01/15 – 11/ 30/15	2015 M11	12/10/15
12/01/15 – 12/31/15	2015 M12	1/11/16

* If not reported as individual contributions when received, a political committee must report contributions that comprise multiple uniform contributions from the same person aggregating no more than \$250 per calendar year, collected by an organization that is the affiliated sponsor of the political committee. The report must list the name, address, and occupation of the person making the contribution; however, the occupation need not be listed if the aggregate contribution from the person is \$100 or less.

EXHIBIT 6

Statement of Account

statement: August 31, 2015
This statement: September 30, 2015
Total days in statement period: 30

Page 1 of 1

PALM BEACH GARDENS NEEDS TERM LIMITS
CAMPAIGN ACCOUNT
JAMES D' LOUGHY TREASURER
2925 PGA BLVD SUITE 204
PALM BEACH GARDENS FL 33410-2909

Direct inquiries to:
Customer Service Center
800 706-9991

Seacoast National Bank
3001 Pga Boulevard
Palm Beach Gardens FL 33410

Summary of Account Balance

Account	Number	Ending Balance
Free Business Checking		\$35.29

Free Business Checking

Account number

Date	Description	Additions	Subtractions	Balance
08-31	Beginning balance			\$35.29
09-30	Ending totals	.00	.00	\$35.29

** No activity this statement period **

EXHIBIT

7 (102)

Statement of Account

statement: September 30, 2015
This statement: October 31, 2015
Total days in statement period: 31

Page 1 of 1

PALM BEACH GARDENS NEEDS TERM LIMITS
CAMPAIGN ACCOUNT
JAMES D'LOUGHY TREASURER
2925 PGA BLVD SUITE 204
PALM BEACH GARDENS FL 33410-2909

Direct inquiries to:
Customer Service Center
800 706-9991

Seacoast National Bank
3001 Pga Boulevard
Palm Beach Gardens FL 33410

0

Summary of Account Balance

Account	Number	Ending Balance
Free Business Checking		\$35.29

Free Business Checking

Account number

Date	Description	Additions	Subtractions	Balance
09-30	Beginning balance			\$35.29
10-31	Ending totals	.00	.00	\$35.29

** No activity this statement period **

EXHIBIT

7 (262)

Statement of Account

statement: October 31, 2015
This statement: November 30, 2015
Total days in statement period: 30

Page 1 of 1

PALM BEACH GARDENS NEEDS TERM LIMITS
CAMPAIGN ACCOUNT
JAMES D'LOUGHY TREASURER
2925 PGA BLVD SUITE 204
PALM BEACH GARDENS FL 33410-2909

Direct inquiries to:
Customer Service Center
800 706-9991

Seacoast National Bank
3001 Pga Boulevard
Palm Beach Gardens FL 33410

0

Summary of Account Balance

Account	Number	Ending Balance
Free Business Checking		\$20.29

Free Business Checking

Account number

Date	Description	Additions	Subtractions	Balance
10-31	Beginning balance			\$35.29
11-30	#Service Charge		-15.00	20.29
	DORMANT CHARGE			
11-30	Ending totals	.00	- 15.00	\$20.29

EXHIBIT

8 (1 of 2)

Statement of Account

statement: November 30, 2015

This statement: December 31, 2015

Total days in statement period: 31

Page 1 of 1

PALM BEACH GARDENS NEEDS TERM LIMITS
CAMPAIGN ACCOUNT
JAMES D'LOUGHY TREASURER
2925 PGA BLVD SUITE 204
PALM BEACH GARDENS FL 33410-2909

Direct inquiries to:
Customer Service Center
800 706-9991

Seacoast National Bank
3001 Pga Boulevard
Palm Beach Gardens FL 33410

0

Summary of Account Balance

Account	Number	Ending Balance
Free Business Checking		\$5.29

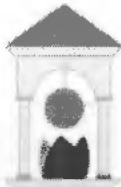
Free Business Checking

Account number

Date	Description	Additions	Subtractions	Balance
11-30	Beginning balance			\$20.29
12-31	#Service Charge		-15.00	5.29
	DORMANT CHARGE			
12-31	Ending totals	.00	- 15.00	\$5.29

EXHIBIT

8 (202)



Search bar

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Home Browse

> City Clerk > Election Info for Web > 2015 > 2015 Treasurer Reports > Treasurer Reports - Political Committee - Palm Beach Gardens Needs Term Limits

Treasurer Reports - Political Committee - Palm Beach Gardens Needs Term Limits

Entry Properties

Path

\\City Clerk\Election Info for Web\2015\2015 Treasurer Reports\Treasurer Reports - Political Committee - Palm Beach Gardens Needs Term Limits

Creation date

3/1/2016 7:43:12 AM

Last modified

3/1/2016 7:43:37 AM

Metadata

No metadata assigned

Name

- Elections 020915 - PAC Campaign Treasurers Report Summary *M1*
- Elections 041315 - PAC Campaign Treasurers Report Worksheet *M2*
- Elections 041315 - PAC Campaign Treasurers Report Worksheet *M3*
- Elections 071015 - PAC Campaign Treasurers Report Worksheet *M4*
- Elections 071015 - PAC Campaign Treasurers Report Worksheet *M4-Add.*
- Elections 071015 - PAC Campaign Treasurers Report Worksheet *M5*
- Elections 071015 - PAC Campaign Treasurers Report Worksheet *M5-Add.*
- Elections 071015 - PAC Campaign Treasurers Report Worksheet *M6*
- Elections 071015 - PAC Campaign Treasurers Report Worksheet *M6-Add.*
- Elections 091015 - PAC Campaign Treasurers Report Worksheet *M7*
- Elections 091015 - PAC Campaign Treasurers Report Worksheet *M8*

Page 1 of 1

11 Entries

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No Activity

EXHIBIT

9

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

v.

**Agency Case No.: FEC 15-310
F.O. No.: FOFEC <#>**

**Palm Beach Gardens Needs Term Limits,
Respondent.**

CONSENT ORDER

Respondent, Palm Beach Gardens Needs Term Limits, and the Florida Elections Commission (Commission) agree that this Consent Order resolves all of the issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order.

FINDINGS OF FACT

1. On September 29, 2015, the staff of the Commission issued a Staff Recommendation, recommending to the Commission that there was probable cause to believe that Respondent violated Chapter 106, Florida Statutes.
2. On August 17, 2016, the Commission entered an Order of Probable Cause finding that there was probable cause to charge the Respondent with the following violation:

Count 1:

On or about March 10, 2015, Palm Beach Gardens Needs Term Limits violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2015 M2 Report.

EXHIBIT

10 (1 of 2)

3. Respondent expressed a desire to enter into negotiations directed toward reaching a consent agreement.

4. Respondent and staff stipulate to the following facts:

- A. Respondent is a political committee registered with the City of Palm Beach Gardens.
- B. Respondent failed to notify the filing officer on the prescribed reporting date that no report would be filed because it had not received funds, made contributions, or expended reportable funds during the following reporting period: 2015 M2.
- C. Respondent notified the filing officer after the prescribed reporting date.

CONCLUSIONS OF LAW

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

6. The Commission staff and the Respondent stipulate that although the violations charged in the Order of Probable Cause may not have been knowingly committed all elements of the violations can be proven by clear and convincing evidence.

ORDER

7. Respondent and the staff of the Commission have entered into this Consent Order voluntarily and upon advice of counsel.

8. Respondent shall bear its own attorney's fees and costs that are in anyway associated with this case.

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

10. Respondent voluntarily waives the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal the Consent Order.

11. This Consent Order is enforceable under Sections 106.265 and 120.69, Florida

EXHIBIT 10 (2 of 3)

Statutes. Respondent expressly waives any venue privileges and agrees that if enforcement of this Consent Order is necessary, venue shall be in Leon County, Florida, and Respondent shall be responsible for all fees and costs associated with enforcement.

12. If the Commission does not receive the signed Consent Order and the penalty by November 16, 2016, the staff withdraws this offer of settlement and will proceed with the case.

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

PENALTY

WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent has violated Section 106.07(7), Florida Statutes, and imposes a fine of \$50.

Therefore it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of \$50, inclusive of fees and costs. The civil penalty shall be paid cashier's check or money order, good for at least 120 days, or attorney trust account check. The civil penalty shall be payable to the Florida Elections Commission, 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

Respondent hereby agrees and consents to the terms of this Consent Order on _____, 2016.

Michael Peragine, Chair
Palm Beach Gardens Needs Term Limits
277 Sedona Way
Palm Beach Gardens, FL 33418

EXHIBIT

10 (3&8)

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

_____, 2016.

Stephanie J. Cunningham
Assistant General Counsel
Florida Elections Commission
107 West Gaines Street
The Collins Building, Suite 224
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held on
November 16 & 17, 2016 in Tallahassee, Florida.

M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Stephanie J. Cunningham, Assistant General Counsel
Palm Beach Gardens Needs Term Limits, Respondent
City of Palm Beach Gardens Clerk, Complainant

EXHIBIT 10 (4 of 8)

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

v.

**Agency Case No.: FEC 15-367
F.O. No.: FOFEC <#>**

**Palm Beach Gardens Needs Term Limits,
Respondent.**

CONSENT ORDER

Respondent, Palm Beach Gardens Needs Term Limits, and the Florida Elections Commission (Commission) agree that this Consent Order resolves all of the issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order.

FINDINGS OF FACT

1. On September 30, 2015, the staff of the Commission issued a Staff Recommendation, recommending to the Commission that there was probable cause to believe that Respondent violated Chapter 106, Florida Statutes.

2. On August 17, 2016, the Commission entered an Order of Probable Cause finding that there was probable cause to charge the Respondent with the following violation:

Count 1:

On or about May 11, 2015, Palm Beach Gardens Needs Term Limits violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2015 M4 Report.

EXHIBIT 10 (5&8)

3. Respondent expressed a desire to enter into negotiations directed toward reaching a consent agreement.

4. Respondent and staff stipulate to the following facts:

- A. Respondent is a political committee registered with the City of Palm Beach Gardens.
- B. Respondent failed to notify the filing officer on the prescribed reporting date that no report would be filed because it had not received funds, made contributions, or expended reportable funds during the following reporting period: 2015 M4.
- C. Respondent notified the filing officer after the prescribed reporting date.

CONCLUSIONS OF LAW

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

6. The Commission staff and the Respondent stipulate that although the violations charged in the Order of Probable Cause may not have been knowingly committed all elements of the violations can be proven by clear and convincing evidence.

ORDER

7. Respondent and the staff of the Commission have entered into this Consent Order voluntarily and upon advice of counsel.

8. Respondent shall bear its own attorney's fees and costs that are in anyway associated with this case.

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

10. Respondent voluntarily waives the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal the Consent Order.

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

EXHIBIT 10 (603)

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

12. If the Commission does not receive the signed Consent Order and the penalty by November 16, 2016, the staff withdraws this offer of settlement and will proceed with the case.

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

PENALTY

WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent has violated Section 106.07(7), Florida Statutes, and imposes a fine of \$50.

Therefore it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of \$50, inclusive of fees and costs. The civil penalty shall be paid cashier's check or money order, good for at least 120 days, or attorney trust account check. The civil penalty shall be payable to the Florida Elections Commission, 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

Respondent hereby agrees and consents to the terms of this Consent Order on _____, 2016.

Michael Peragine, Chair
Palm Beach Gardens Needs Term Limits
277 Sedona Way
Palm Beach Gardens, FL 33418

EXHIBIT 10 (708)

Commission staff hereby agrees and consents to the terms of this Consent Order on _____, 2016.

Stephanie J. Cunningham
Assistant General Counsel
Florida Elections Commission
107 West Gaines Street
The Collins Building, Suite 224
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held on November 16 & 17, 2016 in Tallahassee, Florida.

M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Stephanie J. Cunningham, Assistant General Counsel
Palm Beach Gardens Needs Term Limits, Respondent
City of Palm Beach Gardens Clerk, Complainant

EXHIBIT 10 (803)



RE: Michael Peragine - PBG Needs Term Limits

Patty Snider

to:

Keith Smith

07/24/2017 04:45 PM

Hide Details

From: Patty Snider <psnider@pbgfl.com>

To: Keith Smith <Keith.Smith@myfloridalegal.com>

Good afternoon Mr. Smith,

In response to your email below, I offer the following:

- Mr. Peragine has not contacted my office since July 12th.
- The Political Committee has not disbanded.
- The last contact Mr. Peragine has had with my office was on September 10, 2015 @ 4:56 p.m. when he delivered a Waiver of Report DS-DE 87 for the 2015 M8.

Please let me know if you need any additional information.

Thank you,



Patricia Snider, CMC

City Clerk

office: (561) 799-4122 | site: www.pbgfl.com

address: 10500 N. Military Trail | Palm Beach Gardens, FL 33410

From: Keith Smith [mailto:Keith.Smith@myfloridalegal.com]

Sent: Monday, July 24, 2017 8:30 AM

To: Patty Snider <psnider@pbgfl.com>

Subject: Michael Peragine - PBG Needs Term Limits

Ms. Snider:

I spoke with Michael Peragine back on July 12th and he claimed that he was going to contact your office within the "next week" as he was under the impression that the political committee had disbanded.

Has Mr. Peragine contacted you/your office since July 12th? If so, when and what all was discussed?

EXHIBIT 11 (142)

Has the political committee disbanded? If so, when?

If Mr. Peragine has not contacted you/your office since July 12th, to your recollection, when was your last contact with him?

Thank you for your assistance in this matter.

Keith Smith

Investigator - Florida Elections Commission
107 West Gaines Street - Suite 224
Tallahassee, FL 32399-1050
(850) 922-4539 (phone)
(850) 921-0783 (fax)

CITY OF PALM BEACH GARDENS E-MAIL DISCLAIMER: PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from local officials regarding city business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

EXHIBIT 11 (2&2)



FLORIDA ELECTIONS COMMISSION

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

Telephone: (850) 922-4539

Fax: (850) 921-0783

www.fec.state.fl.us; fec@myfloridalegal.com

June 14, 2017

Michael Peragine, Chair
Palm Beach Gardens Needs
Term Limits
277 Sedona Way
Palm Beach Gardens, FL 33410

RE: Case No.: FEC 16-053; Respondent: Palm Beach Gardens Needs Term Limits

Dear Mr. Peragine:

On February 23, 2016, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more **legally sufficient allegations**. The Commission staff will investigate the following alleged violations:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent may have failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the following reporting period:

- 2015 M9
- 2015 M10
- 2015 M11
- 2015 M12

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, when it failed to file a report on the prescribed reporting date for the following reporting period:

- 2015 M9
- 2015 M10

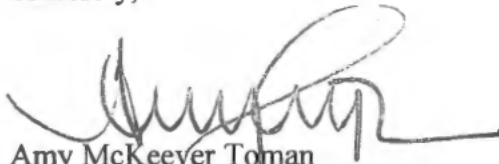
- 2015 M11
- 2015 M12

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 make a written recommendation (Staff Recommendation or SR) to the Commission as to whether there is probable cause to charge 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 so, the amount of the fine to be imposed. You and the complainant will receive notice at least 14 days before any hearing at which your case is to be considered.

Please note that all documents related to this matter will be mailed to the above address unless you **notify us of a new address**. Also, please remember that complaints, Commission 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.

For additional information, please refer to the "Frequently Asked Questions" section of the Commission's website (www.fec.state.fl.us). If you have additional questions, please contact **Cedric Oliver**, the investigator assigned to this case.

Sincerely,



Amy McKeever Toman
Executive Director

AMT/enr

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

107 West Gaines Street, Suite 224, Tallahassee, Florida 32399-1050
Telephone Number: (850) 922-4539
www.fec.state.fl.us

RECEIVED

2016 FEB 23 P 3 08

CONFIDENTIAL COMPLAINT FORM

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

1. PERSON BRINGING COMPLAINT:

Name: Patricia Snider Work Phone: (561) 799-4122
Address: 10500 North Military Trail Home Phone: ()
City: Palm Beach Gardens County: Palm Beach State: FL Zip Code: 33410

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

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

Name of individual or entity: Michael J. Peragine - Palm Beach Gardens Needs Term Limits
Address: 277 Sedona Way Phone: (561) 342-1258
City: Palm Beach Gardens County: Palm Beach State: FL Zip Code: 33410

If individual is a candidate, list the office or position sought:

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

3. ALLEGED VIOLATION(S):

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

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

In accordance with Chapter 106, I am providing the Florida Elections Commission with notification that Mr. Michael J. Peragine has failed to file a Campaign Treasurer Report after notice. The M9 covering 9/1/15 to 9/30/15 was due to my office on 10/13/15, the M10 covering 10/1/15 to 10/31/15 was due to my office on 11/10/15, the M11 covering 11/1/15 to 11/30/15 was due to my office on 12/10/15 and the M12 covering 12/1/15 to 12/31/15 was due to my office on 1/11/16. Copies of M9, M10, M11 and M12 notification letters to Mr. Peragine are attached. As of this writing, February 19, 2016, no reports have been received.

Additional materials attached (check one)? Yes No

4. OATH

STATE OF FLORIDA
COUNTY OF Palm Beach

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

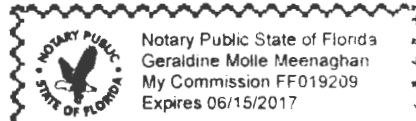


Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 19th day of
February, 2016



Signature of Officer Authorized to Administer Oaths or Notary public.



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

Personally known Or Produced Identification _____
Type of Identification Produced _____

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



CITY OF PALM BEACH GARDENS

10500 N. MILITARY TRAIL • PALM BEACH GARDENS • FLORIDA 33410-4698

COPY

October 21, 2015

Palm Beach Gardens Needs Term Limits
277 Sedona Way
Palm Beach Gardens FL 33418
Attn: Mr. Michael Peragine, Chairman

Sent via: Certified/Return Receipt

Dear Mr. Peragine:

In accordance with the reporting requirements set forth at Chapter 106, *F.S.*, the Campaign Treasurer's Report for the reporting period covering September 1, 2015 to September 30, 2015 (M9) was required to be submitted to my office no later than 5:00 p.m. on October 13, 2015.

Since this report has not been submitted, a fine must be assessed for your failure to timely file the report in accordance with Section 106.07, *F.S.*

Subsection 106.07(8)(a) states in pertinent part, "[a]ny political committee failing to file a report on the designate due date is subject to a fine as provided in paragraph (b) for each late day." Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due.

Upon receipt of your report, the fine amount will be determined and you will be notified accordingly. Payment of the subject fine must be made by check or money order made payable to the City of Palm Beach Gardens.

- 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. (*Sections 106.07, 106.0705 and 106.141, F.S.*)

Please contact my office if you have any questions.

Sincerely,

Patricia Snider, CMC, City Clerk



CITY OF PALM BEACH GARDENS

10500 N. MILITARY TRAIL • PALM BEACH GARDENS • FLORIDA 33410-4698

December 4, 2015 – 2nd Notice

~~October 21, 2015~~

COPY

Palm Beach Gardens Needs Term Limits
277 Sedona Way
Palm Beach Gardens FL 33418
Attn: Mr. Michael Peragine, Chairman

Sent via: Certified/Return Receipt

Dear Mr. Peragine:

In accordance with the reporting requirements set forth at Chapter 106, *F.S.*, the Campaign Treasurer's Report for the reporting period covering September 1, 2015 to September 30, 2015 (~~M9~~) was required to be submitted to my office no later than 5:00 p.m. on October 13, 2015.

Since this report has not been submitted, a fine must be assessed for your failure to timely file the report in accordance with Section 106.07, *F.S.*

Subsection 106.07(8)(a) states in pertinent part, "[a]ny political committee failing to file a report on the designate due date is subject to a fine as provided in paragraph (b) for each late day." Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due.

Upon receipt of your report, the fine amount will be determined and you will be notified accordingly. Payment of the subject fine must be made by check or money order made payable to the City of Palm Beach Gardens.

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Please contact my office if you have any questions.

Sincerely,

Patricia Snider, CMC, City Clerk



CITY OF PALM BEACH GARDENS

10500 N. MILITARY TRAIL • PALM BEACH GARDENS • FLORIDA 33410-4698

COPY

December 4, 2015

Palm Beach Gardens Needs Term Limits
277 Sedona Way
Palm Beach Gardens FL 33418
Attn: Mr. Michael Peragine, Chairman

Sent via: Certified/Return Receipt

Dear Mr. Peragine:

In accordance with the reporting requirements set forth at Chapter 106, *F.S.*, the Campaign Treasurer's Report for the reporting period covering October 1, 2015 to October 31, 2015 (M10) was required to be submitted to my office no later than 5:00 p.m. on November 10, 2015.

Since this report has not been submitted, a fine must be assessed for your failure to timely file the report in accordance with Section 106.07, *F.S.*

Subsection 106.07(8)(a) states in pertinent part, "[a]ny political committee failing to file a report on the designate due date is subject to a fine as provided in paragraph (b) for each late day." Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due.

Upon receipt of your report, the fine amount will be determined and you will be notified accordingly. Payment of the subject fine must be made by check or money order made payable to the City of Palm Beach Gardens.

- 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. (*Sections 106.07, 106.0705 and 106.141, F.S.*)

Please contact my office if you have any questions.

Sincerely,

Patricia Snider, CMC, City Clerk



CITY OF PALM BEACH GARDENS

10500 N. MILITARY TRAIL • PALM BEACH GARDENS • FLORIDA 33410-4698

December 24, 2015 – Second Notice

~~December 4, 2015~~

COPY

Palm Beach Gardens Needs Term Limits
277 Sedona Way
Palm Beach Gardens FL 33418
Attn: Mr. Michael Peragine, Chairman

Sent via: Certified/Return Receipt

Dear Mr. Peragine:

In accordance with the reporting requirements set forth at Chapter 106, *F.S.*, the Campaign Treasurer's Report for the reporting period covering October 1, 2015 to October 31, 2015 (M10) was required to be submitted to my office no later than 5:00 p.m. on November 10, 2015.

Since this report has not been submitted, a fine must be assessed for your failure to timely file the report in accordance with Section 106.07, *F.S.*

Subsection 106.07(8)(a) states in pertinent part, "[a]ny political committee failing to file a report on the designate due date is subject to a fine as provided in paragraph (b) for each late day." Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due.

Upon receipt of your report, the fine amount will be determined and you will be notified accordingly. Payment of the subject fine must be made by check or money order made payable to the City of Palm Beach Gardens.

- 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. (*Sections 106.07, 106.0705 and 106.141, F.S.*)

Please contact my office if you have any questions.

Sincerely,

Patricia Snider, CMC, City Clerk



CITY OF PALM BEACH GARDENS

10500 N. MILITARY TRAIL • PALM BEACH GARDENS • FLORIDA 33410-4698

COPY

December 24, 2015

Palm Beach Gardens Needs Term Limits
277 Sedona Way
Palm Beach Gardens FL 33418
Attn: Mr. Michael Peragine, Chairman

Sent via: Certified/Return Receipt

Dear Mr. Peragine:

In accordance with the reporting requirements set forth at Chapter 106, *F.S.*, the Campaign Treasurer's Report for the reporting period covering November 1, 2015 to November 30, 2015 (M11) was required to be submitted to my office no later than 5:00 p.m. on December 10, 2015.

Since this report has not been submitted, a fine must be assessed for your failure to timely file the report in accordance with Section 106.07, *F.S.*

Subsection 106.07(8)(a) states in pertinent part, "[a]ny political committee failing to file a report on the designate due date is subject to a fine as provided in paragraph (b) for each late day." Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due.

Upon receipt of your report, the fine amount will be determined and you will be notified accordingly. Payment of the subject fine must be made by check or money order made payable to the City of Palm Beach Gardens.

- 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. (*Sections 106.07, 106.0705 and 106.141, F.S.*)

Please contact my office if you have any questions.

Sincerely,

Patricia Snider, CMC, City Clerk



CITY OF PALM BEACH GARDENS

10500 N. MILITARY TRAIL • PALM BEACH GARDENS • FLORIDA 33410-4698

COPY

January 22, 2016

Palm Beach Gardens Needs Term Limits
277 Sedona Way
Palm Beach Gardens FL 33418
Attn: Mr. Michael Peragine, Chairman

Sent via: Certified/Return Receipt

Dear Mr. Peragine:

In accordance with the reporting requirements set forth at Chapter 106, *F.S.*, the Campaign Treasurer's Report for the reporting period covering December 1, 2015 to December 31, 2015 (M12) was required to be submitted to my office no later than 5:00 p.m. on January 11, 2016.

Since this report has not been submitted, a fine must be assessed for your failure to timely file the report in accordance with Section 106.07, *F.S.*

Subsection 106.07(8)(a) states in pertinent part, "[a]ny political committee failing to file a report on the designate due date is subject to a fine as provided in paragraph (b) for each late day." Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due.

Upon receipt of your report, the fine amount will be determined and you will be notified accordingly. Payment of the subject fine must be made by check or money order made payable to the City of Palm Beach Gardens.

- 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. (*Sections 106.07, 106.0705 and 106.141, F.S.*)

Please contact my office if you have any questions.

Sincerely,

Patricia Snider, CMC, City Clerk

FedEx
TRK# 0215 8099 2156 3180

TUE - 23 FEB 10:30A
PRIORITY OVERNIGHT

32399
FL-US
TLH

STATE OF FLORIDA
ELECTIONS

FEB 23 10:30 AM '08

RT 863 1 10:30 A
FZ 3180 02.23

XH TLHA



FID 272059 22FEB16 PBIA 539C1/97D7/481B

FedEx Package
Express US Airbill

FedEx Tracking Number 8099 2156 3180

1 From [Redacted]
Date 2/22/16
Sender's Name Patricia Snider Phone 561 799-4122
Company CITY OF PALM BEACH GARDENS
Address 10500 N MILITARY TRL
City PALM BEACH GARDENS State FL ZIP 33410-4628

2 Your Internal Billing Reference

3 To Recipient's Name DONNA MALPHURS Phone 850 722-4539
Company FLORIDA ELECTIONS COMMISSION
Address 107 WEST GAINES STREET Suite 224
City Tallahassee State FL ZIP 32399-1050

Hold Weekday FedEx location address REQUIRED. NOT available for FedEx First Overnight.
Hold Saturday FedEx location address REQUIRED. Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations.



8099 2156 3180

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Next Business Day
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 FedEx Priority Overnight
 FedEx Standard Overnight
2 or 3 Business Days
 FedEx 2Day A.M.
 FedEx 2Day
 FedEx Express Saver

5 Packaging *Declare value limit \$500.
 FedEx Envelope FedEx Pak* FedEx Box FedEx Tube Other

6 Special Handling and Delivery Signature Options Fees may apply. See the FedEx Service Guide.
 Saturday Delivery
 No Signature Required
 Direct Signature
 Indirect Signature
Does this shipment contain dangerous goods?
 No Yes Yes Dry Ice Cargo Aircraft Only

7 Payment Bill to:
Sender's Account No. or Credit Card No. below. Obtain recip. Acct. No.
 Sender's Account No. Recipient Third Party Credit Card Cash/Check
Total Packages Total Weight Credit Card Auth.

*Our liability is limited to US\$100 unless you declare a higher value. See the current FedEx Service Guide for details.
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FE