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STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

STATE OF FLORIDA
ELECTIONS COMMISSION

In Re: Michael Pizzi

Case No.: FEC 10-270
F.O. No.: FOFEC 11-066W

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CONSENT FINAL ORDER

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

FINDINGS OF FACT

1. On October 1, 2010, a complaint was filed with the Commission alleging violations of Florida's election laws.
2. On October 8, 2010, the Executive Director notified the Respondent that staff would investigate the following provisions of law:

Section 106.07(5), Florida Statutes: The complaint alleges that Michael Pizzi, Mayor of the Town of Miami Lakes, certified campaign treasurer reports in his 2008 mayoral election as true, correct, and complete when they were not. These campaign treasurer reports include: the report covering the period of October 1, 2008 through January 5, 2009 (identified as a "termination" report and received on January 5, 2009); the report covering the period of September 17, 2008 through October 2, 2008 (identified as "G2" report and received on October 3, 2008); and the report amendment covering the period of September 25, 2008 through September 29, 2008 (identified as an "amended G2" report and received in January 5, 2009).

Section 106.19(1)(c), Florida Statutes: The complaint alleges that Michael Pizzi, Mayor of the Town of Miami Lakes, falsely reported or deliberately failed to include information as required by §106.07(5), Florida Statutes on the following campaign treasurer reports: the report covering the period of October 1, 2008 through January 5, 2009 (identified as a "termination" report and received on January 5, 2009); the report covering the period of September 17, 2008 through October 2, 2008 (identified as "G2" report and received on October 3, 2008); and the report

amendment covering the period of September 25, 2008 through September 29, 2008 (identified as an "amended G2" report and received in January 5, 2009).

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

4. The Respondent and the staff stipulate to the following facts:

a. The Respondent, Michael Pizzi, was a candidate for mayor of Miami Lakes, Florida in the 2008 elections.

b. During his campaign, Respondent filed periodic reports of contributions received and expenditures made during his campaign.

c. Respondent certified his 2008 G2 report, 2008 amended G2 report, and Termination Report as being true, correct, and complete when they were incomplete.

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

7. The Commission staff and the Respondent stipulate to the Commission's ability to find that Respondent committed three violations of Section 106.07(5), Florida Statutes, and impose a penalty for the violations.

ORDER

8. The Respondent and the staff of the Commission have entered into this Consent

Order voluntarily and upon advice of counsel.

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

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

11. The 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.

12. This Consent Order is enforceable under Sections 106.265 and 120.69, Florida Statutes. The 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.

13. If the Commission does not receive the signed Consent Order within 10 days of the date Respondent or his attorney received this order, the staff withdraws this offer of settlement and will proceed with the case.

14. Payment of the civil penalty is a condition precedent to the Commission's consideration of the Consent Order.

PENALTY

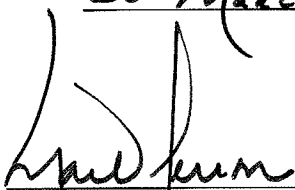
WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent has violated Section 106.07(5), Florida Statutes, on three occasions and imposes a fine of \$1000 for the violations.

Therefore it is

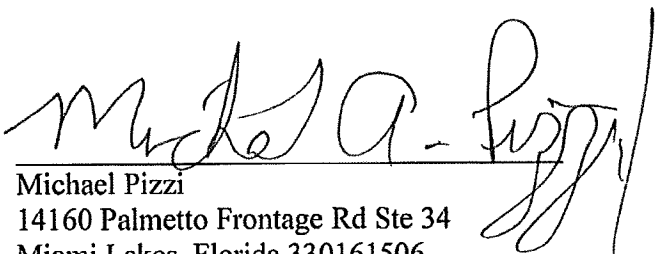
ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of \$1000, inclusive of fees and costs. The civil penalty shall be paid to the Florida Elections Commission, 107 W. Gaines Street, Collins Building, Suite 224, Tallahassee, Florida,

32399-1050.

30 March, 2010.



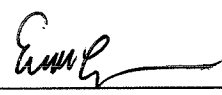
Mark Herron
PO Box 15579
Tallahassee, Florida 32317



Michael Pizzi
14160 Palmetto Frontage Rd Ste 34
Miami Lakes, Florida 330161506

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

April 18, 2010. 



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

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

on May 10, 2011, in Tallahassee, Florida.



Jose Luis Rodriguez, Vice Chair
Florida Elections Commission

MAY 18, 2011

Date

Copies furnished to:

Mark Herron, Attorney for Respondent
Eric M. Lipman, General Counsel