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STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: ForBoca.org, Inc.

Case No.: FEC 17-172

F.O. No.: FOFEC 18-057W

CONSENT FINAL ORDER

Respondent, ForBoca.org, Inc., 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 April 24, 2017, a complaint was filed with the Commission alleging that Respondent violated Florida's election laws.
2. Respondent has expressed a desire to enter into negotiations directed toward reaching a consent agreement.
3. Respondent and the staff stipulate to the following facts:
 - a. Respondent is registered as a Florida not-for-profit corporation. Among the purposes of the corporation is to facilitate the discussion of public policy issues relating to the quality of life in Boca Raton and to inform and educate the public regarding these policy issues.
 - b. As prescribed by Section 106.03(1)(a), Florida Statutes, Respondent was required to register as a political committee if, among other activities, it accepted contributions for the purpose of making contributions to any candidate, political committee, affiliated party committee, or political party. Respondent did

not register as a political committee.

c. Respondent was aware of the requirement pursuant to Chapter 106, Florida Statutes, to file campaign reports that included all its financial transactions, if it were a political committee as defined by law. However, Respondent did not file campaign reports.

CONCLUSIONS OF LAW

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

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

6. The Commission staff and Respondent stipulate that the Commission could impose a civil penalty in the case upon proof that Respondent was a political committee.

ORDER

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

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

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

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

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

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

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

PENALTY

WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent violated Section 106.03(1)(a), Florida Statutes, on 1 occasion, Section 106.19(1)(b), Florida Statutes, on 1 occasion, and Section 106.19(1)(c), Florida Statutes, on 1 occasion, and imposes a civil penalty in the amount of \$3,000.

Therefore, it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of \$3,000, inclusive of fees and costs. The civil penalty shall be paid by cashier's check, money order, good for at least 120 days, or attorney trust account check. The civil penalty should be made payable to the Florida Elections Commission and sent to 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

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Respondent hereby agrees and consents to the terms of this Consent Order on _____, 2017.

**Mark
Herron**

Digitally signed by Mark Herron
DN: cn=Mark Herron, o=Messer
Caparello, ou,
email=mherron@lawfla.com,
c=US
Date: 2018.01.30 13:53:47 -05'00'

Mark Herron, Esq.
Messer Caparello, P.A.
P.O. Box 15579
Tallahassee, FL 32317



Michael Mullaugh, Chair, for
ForBoca.org, Inc.
2618 Centennial Place
Tallahassee, FL 32308

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

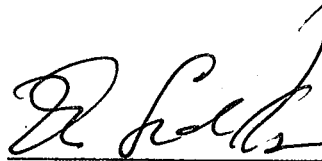
February 19, 2018, 2018[§]



Cole H. Kekelis
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

March 13, 2018, in Tallahassee, Florida.



M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:

Cole H. Kekelis, Assistant General Counsel
Mark Herron, Esq., Attorney for Respondent
Alfred Zucaro, Jr., Complainant

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES MICROPRINTED ENDORSEMENT LINES AND ARTIFICIAL WATERMARKS. HOLD AT AN ANGLE TO VIEW.



ISSUED BY WHITNEY BANK
FAIRWAYS BFC

CASHIER'S CHECK

Teller: 7123
Branch: 471

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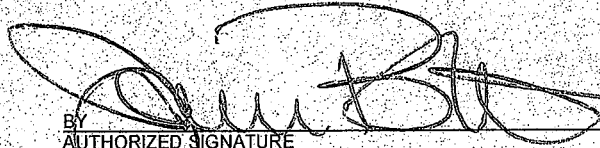
February 19, 2018

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PAY TO THE ORDER OF FLORIDA ELECTIONS COMMISSION

\$ 3,000.00

Three Thousand Dollars and 00/100


BY _____
AUTHORIZED SIGNATURE



HANCOCK BANK
ADDRESS

