



City of Hamilton
ELECTION COMPLIANCE AUDIT COMMITTEE

Meeting #: 19-001
Date: May 24, 2019
Time: 1:00 p.m.
Location: Room 192 and 193, City Hall
71 Main Street West

Alicia Davenport, Legislative Coordinator (905) 546-2424 ext. 2729

	Pages
1. CALL TO ORDER	
2. APPOINTMENT OF CHAIR & VICE-CHAIR	
3. DECLARATIONS OF INTEREST	
4. CONSIDERATION OF CLERK'S REPORT RESPECTING CONTRIBUTORS WHO APPEAR TO HAVE CONTRAVENED THE CONTRIBUTION LIMITS UNDER SECTION 88.9 OF THE MUNICIPAL ELECTIONS ACT	
4.1 Contributors who Appear to have Contravened the Contribution Limits under Section 88.9 of the Municipal Elections Act – Venus Llandino (CL19002) (City Wide)	2
4.2 Contributors who Appear to have Contravened the Contribution Limits under Section 88.9 of the Municipal Elections Act – Ralph Pagliuso (CL19003) (City Wide)	5
4.3 Contributors who Appear to have Contravened the Contribution Limits under Section 88.9 of the Municipal Elections Act – Sergio Manchia (CL19004) (City Wide)	8
5. ADJOURNMENT	

4.1



CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
Office of the City Clerk

TO:	Chair and Members of the Election Compliance Audit Committee
COMMITTEE DATE:	May 24, 2019
SUBJECT/REPORT NO:	Contributors who Appear to have Contravened the Contribution Limits under Section 88.9 of the <i>Municipal Elections Act</i> – Venus Llandino (CL19002) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Janet Pilon (905) 546-2424 Ext. 4304
SUBMITTED BY:	Janet Pilon Acting City Clerk Office of the City Clerk
SIGNATURE:	

As per Section 88.34 (1) of the *Municipal Elections Act, 1996* (the 'Act') the Clerk has reviewed the contributions reported on the financial statements submitted by a candidate under section 88.25 to determine whether any contributors appear to have exceeded any of the contribution limits under section 88.9.

As per Section 88.34 (2) of the Act, the Clerk is required to prepare a report identifying each contributor to a candidate for office on a council who appears to have contravened any of the contribution limits under Section 88.9, Maximum contributions to candidates:

- a contributor shall not make contributions exceeding a total of \$1,200 to any one candidate in an election and a contributor shall not make contributions exceeding (Section 88.9 (1))
- a total of \$5,000 to two or more candidates for office on the same council or local board (Section 88.9 (4))

As per Section 88.15 (1) for the purposes of the Act, money, goods and services given to and accepted by a person for his or her election campaign, or given to and accepted by another person who is acting under the direction of the candidate, are contributions.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Contributors who Appear to have Contravened the Contribution Limits under Section 88.9 of the *Municipal Elections Act* - Venus Llandino (CL19002) (City Wide) - Page 2 of 2

As per the Clerk's review, the following contributor appears to have contravened the maximum contribution to any one candidate, as per Section 88.9 (1) of the Act:

CONTRIBUTOR'S LAST NAME	CONTRIBUTOR'S FIRST NAME	AMOUNT RECEIVED	CANDIDATES NAME
Llandino	Venus	1,400.00	Ranas, Elenita

The Clerk as per Section 88.34 (4) of the Act shall forward each report prepared under Section 88.34 (2) to the compliance audit committee.

As per Section 88.34 (8) Within 30 days after receiving the report prepared by the Clerk under subsection (4), the compliance audit committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention.

Reasonable notice of the meetings of the compliance audit committee shall be given to the contributor, the applicable candidate(s) and the public (Section 88.34 (9)).

The compliance audit committee's decision with respect to Section 88.34 (8) and a brief written reason(s) for the decision shall be given to the contributor and to the Clerk (Section 88.34 (11)).

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CITY OF HAMILTON

**NOTICE OF A MEETING of the
ELECTION COMPLIANCE AUDIT COMMITTEE
established under Section 88.37(1) of the *Municipal Elections Act, 1996*
CLERK'S REPORT RESPECTING CONTRIBUTORS WHO APPEAR TO HAVE
CONTRAVENED THE CONTRIBUTION LIMITS UNDER SECTION 88.9:
VENUS LLANDINO**

In accordance with Section 88.34 (8) of the *Municipal Elections Act, 1996*, the Election Compliance Audit Committee within 30 days after receiving Report CL19002, respecting Contributors who Appear to have Contravened the Contribution Limits under Section 88.9 of the *Municipal Elections Act* – Venus Llandino, a report prepared by the Clerk under subsection (4), the compliance audit committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention.

The meeting will take place on Friday, May 24, 2019 at 1:00 p.m. in Rooms 192 & 193 at Hamilton City Hall, 71 Main Street West, Hamilton, Ontario.

The agenda for this meeting will be made public on the City of Hamilton's website no later than Friday, May 17, 2019 at 12:00 p.m. at:

<https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

- The meeting will be conducted in accordance with the *Municipal Elections Act, 1996* and the *Statutory Powers Procedure Act* and the and the Procedure for the Election Compliance Audit Committee at the following link, under Committee Mandate:
<https://www.hamilton.ca/council-committee/council-committee-meetings/election-compliance-audit-committee>
- If Contributor and/or the Candidate (and/or their respective representatives) are not present at meeting, the Committee may proceed in their absence and they are not entitled to any further notice.
- Meetings of the Committee are open to the public and any information including documents which are presented to the Committee will be received and form part of the public record. If there is any information that you do not wish the Committee to receive in a public manner and to form part of the public record, state your concerns at the start of the meeting and the Committee will decide whether or not that information can be received and kept confidentially.
- The Contributor and the Candidate are subject to the requirements of the *Law Society Act* with respect to who may appear on their behalf as a representative.
- The Committee will decide whether to commence a legal proceeding against a contributor for an apparent contravention.

Issued on May 6, 2019 to:

Contributor: Venus Llandino (Via Registered Mail) Candidate: Elenita Ranas (Via Registered Mail)

4.2



CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
Office of the City Clerk

TO:	Chair and Members of the Election Compliance Audit Committee
COMMITTEE DATE:	May 24, 2019
SUBJECT/REPORT NO:	Contributors who Appear to have Contravened the Contribution Limits under Section 88.9 of the <i>Municipal Elections Act</i> – Ralph Pagliuso (CL19003) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Janet Pilon (905) 546-2424 Ext. 4304
SUBMITTED BY:	Janet Pilon Acting City Clerk Office of the City Clerk
SIGNATURE:	

As per Section 88.34 (1) of the *Municipal Elections Act, 1996* (the 'Act') the Clerk has reviewed the contributions reported on the financial statements submitted by a candidate under section 88.25 to determine whether any contributors appear to have exceeded any of the contribution limits under section 88.9.

As per Section 88.34 (2) of the Act, the Clerk is required to prepare a report identifying each contributor to a candidate for office on a council who appears to have contravened any of the contribution limits under Section 88.9, Maximum contributions to candidates:

- a contributor shall not make contributions exceeding a total of \$1,200 to any one candidate in an election and a contributor shall not make contributions exceeding (Section 88.9 (1))
- a total of \$5,000 to two or more candidates for office on the same council or local board (Section 88.9 (4))

As per Section 88.15 (1) for the purposes of the Act, money, goods and services given to and accepted by a person for his or her election campaign, or given to and accepted by another person who is acting under the direction of the candidate, are contributions.

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SUBJECT: Contributors who Appear to have Contravened the Contribution Limits under Section 88.9 of the *Municipal Elections Act* - Ralph Pagliuso (CL19003) (City Wide) - Page 2 of 2

As per the Clerk's review, the following contributor appears to have contravened the maximum contribution to any one candidate, as per Section 88.9 (1) of the Act:

CONTRIBUTOR'S LAST NAME	CONTRIBUTOR'S FIRST NAME	AMOUNT RECEIVED	CANDIDATES NAME
Pagliuso	Ralph	1200.00	Eisenberger, Fred
Pagliuso	Ralph	1000.00	Eisenberger, Fred

The Clerk as per Section 88.34 (4) of the Act shall forward each report prepared under Section 88.34 (2) to the compliance audit committee.

As per Section 88.34 (8) Within 30 days after receiving the report prepared by the Clerk under subsection (4), the compliance audit committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention.

Reasonable notice of the meetings of the compliance audit committee shall be given to the contributor, the applicable candidate(s) and the public (Section 88.34 (9)).

The compliance audit committee's decision with respect to Section 88.34 (8) and a brief written reason(s) for the decision shall be given to the contributor and to the Clerk (Section 88.34 (11)).

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CITY OF HAMILTON

**NOTICE OF A MEETING of the
ELECTION COMPLIANCE AUDIT COMMITTEE
established under Section 88.37(1) of the *Municipal Elections Act, 1996*
CLERK'S REPORT RESPECTING CONTRIBUTORS WHO APPEAR TO HAVE
CONTRAVENED THE CONTRIBUTION LIMITS UNDER SECTION 88.9:
RALPH PAGLIUSO**

In accordance with Section 88.34 (8) of the *Municipal Elections Act, 1996*, the Election Compliance Audit Committee within 30 days after receiving Report CL19003, respecting Contributors who Appear to have Contravened the Contribution Limits under Section 88.9 of the *Municipal Elections Act* – Ralph Pagliuso, a report prepared by the Clerk under subsection (4), the compliance audit committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention.

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- The Committee will decide whether to commence a legal proceeding against a contributor for an apparent contravention.

Issued on May 6, 2019 to:

Contributor: Ralph Pagliuso (Via Registered Mail) Candidate: Fred Eisenberger (Via Registered Mail)

4.3



CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
Office of the City Clerk

TO:	Chair and Members of the Election Compliance Audit Committee
COMMITTEE DATE:	May 24, 2019
SUBJECT/REPORT NO:	Contributors who Appear to have Contravened the Contribution Limits under Section 88.9 of the <i>Municipal Elections Act</i> – Sergio Manchia (CL19004) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Janet Pilon (905) 546-2424 Ext. 4304
SUBMITTED BY:	Janet Pilon Acting City Clerk Office of the City Clerk
SIGNATURE:	

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SUBJECT: Contributors who Appear to have Contravened the Contribution Limits under Section 88.9 of the *Municipal Elections Act* – Sergio Manchia (CL19004) (City Wide) - Page 2 of 2

As per the Clerk's review, the following contributor appears to have contravened the maximum contribution to any one candidate, as per Section 88.9 (4) of the Act:

CONTRIBUTOR'S LAST NAME	CONTRIBUTOR'S FIRST NAME	AMOUNT RECEIVED	CANDIDATES NAME
Manchia	Sergio	250.00	Adams, Eve
Manchia	Sergio	500.00	Collins, Chad
Manchia	Sergio	250.00	Danko, John-Paul
Manchia	Sergio	500.00	Eisenberger, Fred
Manchia	Sergio	600.00	Eisenberger, Fred
Manchia	Sergio	500.00	Farr, Jason
Manchia	Sergio	250.00	Farr, Laura
Manchia	Sergio	500.00	Ferguson, Lloyd
Manchia	Sergio	500.00	Jackson, Tom
Manchia	Sergio	500.00	Merulla, Sam
Manchia	Sergio	500.00	Pearson, Maria
Manchia	Sergio	500.00	Whitehead, Terry

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CLERK'S REPORT RESPECTING CONTRIBUTORS WHO APPEAR TO HAVE
CONTRAVENED THE CONTRIBUTION LIMITS UNDER SECTION 88.9:
SERGIO MANCHIA**

In accordance with Section 88.34 (8) of the *Municipal Elections Act, 1996*, the Election Compliance Audit Committee within 30 days after receiving Report CL19004, respecting Contributors who Appear to have Contravened the Contribution Limits under Section 88.9 of the *Municipal Elections Act* – Sergio Manchia, a report prepared by the Clerk under subsection (4), the compliance audit committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention.

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- The Contributor and the Candidate are subject to the requirements of the *Law Society Act* with respect to who may appear on their behalf as a representative.

- The Committee will decide whether to commence a legal proceeding against a contributor for an apparent contravention.

Issued on May 6, 2019 to:

Contributor: Sergio Manchia (Via Registered Mail) Candidates: Eve Adams; Chad Collins; John-Paul Danko; Fred Eisenberger; Jason Farr; Laura Farr; Lloyd Ferguson; Tom Jackson; Sam Merulla; Maria Pearson and Terry Whitehead (Via Registered Mail)