



City of Hamilton

ELECTION COMPLIANCE AUDIT COMMITTEE ADDENDUM

Meeting #: 23-003
Date: November 23, 2023
Time: 10:00 a.m.
Location: Room 264, 2nd Floor, City Hall (hybrid) (RM)
71 Main Street West

Carrie McIntosh, Legislative Coordinator (905) 546-2424 ext. 2729

Pages

7. ITEMS FOR DISCUSSION

7.2 CONSIDERATION OF CLERK'S REPORTS

b. Contributors who Appear to have Contravened the Contribution Limits under Section 88.9 of the Municipal Elections Act – Sergio Manchia (FCS23072(a)) (City Wide)

*a. Sergio Manchia - Written Submission from Contributor

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**Written Statement to
Hamilton Election Compliance Audit Committee**

From: Sergio Manchia

RE: Committee Meeting November 23, 2023 – Sergio Manchia (FCS23072(a))

Dear Committee,

I am unable to attend at the November 23, 2023 committee meeting, as I am out of the country for a previously scheduled commitment. Please accept my regrets.

I do, however, wish to address the statement in report FCS23072(a), submitted by the Clerk, alleging that I had made an "additional contribution" of \$450.00 during the "Supplementary Reporting Period", which increased my overall alleged contributions towards candidates for the 2022 election from \$5,300.00 to \$5,750.00.

The facts surrounding the \$450.00 payment are as follows:

1. The payment was made in response to an invitation to a welcome dinner for the new Mayor. The payment was made on May 2, 2023, over 6 months after the end of the election.
2. My general understanding has always been that the campaign period for a candidates ends at the end of the calendar year for the election – and my legal counsel has now confirmed to me that this is generally the case under section 88.23(1)2. of the Municipal Election Act.
3. I have only very recently been advised, after receiving a copy of report FCS23072(a) on November 8, 2023, that Mayor Andrea Horwath filed a "Notice of Extension of Campaign Period – Form 6" to extend her campaign period to June 30, 2023, in accordance with paragraph 4 of subsection 88.24(1) of the Municipal Election Act.
4. I was never informed of this campaign period extension by any person involved in the event or collection of my payment. The fact that my payment could be considered a contribution towards the 2022 election limit is a genuine surprise to me. I was under the impression that it would not count towards the 2022 election cycle, and had no reason to believe otherwise.

For the reasons set out above, including my lack of knowledge of the circumstances relating to my 2023 payment, I do not believe that it would be fair or reasonable include the \$450.00 payment in the consideration of my total 2022 campaign contributions.

Sincerely,



Sergio Manchia