



DECISION June 17, 2019

Municipal Election Compliance Audit Committee

IN THE MATTER OF the City of Burlington Clerk's report dated June 4 2019, Contributions to Candidates for Council; and

WHEREAS, pursuant to Section 88.34(1) of the Municipal Elections Act, 1996, as amended, (the Act), the clerk shall review the contributions reported on the financial statements submitted by a candidate under Section 88.25 of the Act to determine whether any contributor appears to have exceeded any of the contribution limits under Section 88.9; and

WHEREAS, Section 88.9(4) of the Act, states that a contributor shall not make contributions exceeding a total of \$5,000 to two or more candidates for office on the same council or local board; and

WHEREAS, Section 88.34(2) requires the clerk 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; and

WHEREAS, the Clerk's report identified **Joseph Giacomodonato** as a contributor that appeared to have exceeded the total contribution limit of \$5,000 to two or more candidates for the office on the same council or local board in the 2018 Burlington municipal election; and

WHEREAS, pursuant to Section 88.34(8) of the Act states that within 30 days after receiving a report under subsection (4) or (7) the compliance audit committee shall consider it and decide whether to commence legal proceedings against a contributor for an apparent contravention; and

WHEREAS, a meeting of the Compliance Audit Committee was held on June 4, 2019 at 3:00 p.m. at the City of Burlington City Hall to review the Clerk's report.

THEREFORE the decision of the Compliance Audit Committee is as follows:


THE Compliance Audit Committee has decided to commence a legal proceeding against contributor **Joseph Giacomodonato** for the apparent contravention of Section 88.9 of the Act.

The reasons of the Compliance Audit Committee are as follows:

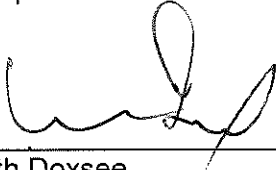
1. The Committee finds that Joseph Giacomodonato contributed \$5,300 to two or more candidates for the office on the same council and therefore exceeded the contribution limit of subsection 88.9(4) of the Act;
2. The Committee finds that notwithstanding Joseph Giacomodonato was given notice of the meeting of the Compliance Audit Committee he did not appear and has provided no

sufficient or satisfactory explanation to the Committee and the Committee was unable to ask questions of the contributor;

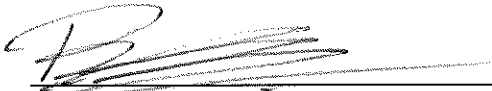
3. The Committee further finds that in accordance with subsection 88.22(1)(r) of the Act, candidates are required to advise contributors that their limits for contribution are \$1,200 to any one candidate and \$5,000 to two or more candidates for office on the same council and in these circumstances the contributor donated to five candidates. We find that the contributor would have been advised of the contribution limits under the Act.



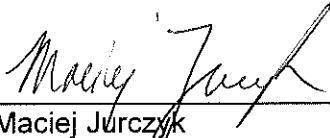
Tazrian Alam
Compliance Audit Committee Member



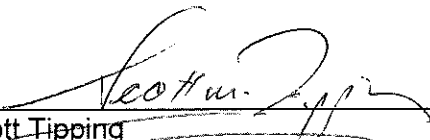
Keith Doxsee
Compliance Audit Committee Member



Brett Stein
Compliance Audit Committee Member



Maciej Jurczyk
Compliance Audit Committee Member



Scott Tipping
Compliance Audit Committee Member