

# Municipal Election Compliance Audit Committee

## Report

7th Meeting of the Municipal Election Compliance Audit Committee

March 5, 2021

Virtual Meeting - during the COVID-19 Emergency

City Hall is open to the public, with reduced capacity and physical distancing requirements.

Attendance                      PRESENT: A. Wright (Chair), D. Ross, C. Scrimgeour and C. Saunders (Secretary); it being noted that A. Wright, D. Ross and C. Scrimgeour participated remotely.

ALSO PRESENT: M. Butlin, P. Cheng, S. Corman, L. McCardle, W. Molson, Auditor, J. Raycroft and M. Schulthess; it being noted all but J. Raycroft participated remotely.

The meeting was called to order at 1:00 PM. The meeting was held remotely by Zoom and in Committee Room #5, Second Floor of City Hall.

### 1. Call to Order

#### 1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

### 2. Consent

#### 2.1 6th Report of the 2018 Municipal Election Compliance Audit Committee

That the 6th Report of the 2018 Municipal Election Compliance Audit Committee, from the meeting held on October 23, 2020, as amended, BE APPROVED. CARRIED

### 3. Items for Discussion

#### 3.1 Auditor's Report - Compliance Audit of Mayoral Candidate Paul Cheng for the 2018 City of London Municipal Election

That pursuant to section 88.33 (5.1) of the *Municipal Elections Act, 1996*, the 2018 Municipal Election Compliance Audit Committee (Committee) rise and go In Closed Session, for the purpose of deliberating with respect to the Auditor's Report - Compliance Audit of Mayoral Candidate Paul Cheng for the 2018 City of London Municipal Election. CARRIED

The Committee rises and goes In Closed Session at 2:07 PM.

The Committee, In Closed Session, rises at 2:19 PM and reconvenes into public session.

That the following actions be taken with respect to the Auditor's Report regarding 2018 Mayoral Candidate Paul Cheng:

a) the Auditor's Report of William Molson, CPA, CA, dated February 17, 2021 entitled "Municipal Election Compliance Audit of the Campaign Finances of Candidate Paul Cheng" appended to the staff report dated March 5, 2021 as Appendix "A", BE RECEIVED;

b) the City Clerk BE DIRECTED to prepare a decision of the 2018 Municipal Election Compliance Audit Committee (Committee) pursuant to section 88.33 (17) of the *Municipal Elections Act, 1996* with respect to the Committee's consideration of the Auditor's Report submitted by William

Molson, that outlines the reasons for the Committee's decision that the public interest and a municipal purpose will be served by commencing legal proceedings against the Candidate for the apparent contraventions identified in the Auditor's Report;

c) pursuant to section 88.37 (6) of the *Municipal Elections Act, 1996*, the City Clerk BE DIRECTED AND AUTHORIZED to implement the Committee's decision by, in consultation with the City Solicitor's Office, appointing an independent external prosecutor to represent the Committee in this matter;

it being noted that the Committee received a verbal overview of the Auditor's Report from William Molson, Auditor, the verbal submission from the Applicant, Lincoln McCardle and the verbal submission from the Candidate, Paul Cheng, with respect to this matter; it being further noted that the Committee received the document entitled "Protecting Ontario Elections Act", dated February 25, 2021. CARRIED

**4. Deferred Matters/Additional Business**

None.

**5. Adjournment**

That the meeting of the 2019 Municipal Election Compliance Audit Committee BE ADJOURNED. CARRIED

The meeting adjourned at 2:26 PM.