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.