

# **Municipal Election Compliance Audit Committee Meeting Agenda**

**Consolidated as of May 10, 2019**

**Wednesday, May 15, 2019 – 6:30 p.m.  
Council Chambers, Guelph City Hall, 1 Carden Street**

Please turn off or place on non-audible all electronic devices during the meeting.

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**Changes to the original agenda have been highlighted.**

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## **Call to Order – City Clerk**

Disclosure of Pecuniary Interest and General Nature Thereof

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## **Election of Chair and Vice Chair**

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### **CS-2019-63      City Clerk/Returning Officer's Report/Review of Contributions – (Staff Memo)**

#### **Recommendation:**

That the City Clerk/Returning Officer's Report and review of contributions dated May 15, 2019, be received.

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### **Application requesting a compliance audit under Section 88.33 of the Municipal Elections Act**

1. Notice of Meeting dated April 18, 2019.
2. Application submitted by David Gibson with respect to the financial statement filed by Stacy Cooper.
3. Responding materials and Letter of Direction for Agent submitted by Stacy Cooper.

#### **Correspondence:**

**Bill Mullin**

## **Adjournment**

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# Memo



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Date May 15, 2019  
To **Municipal Election Compliance Audit Committee**  
From Stephen O'Brien, City Clerk/Returning Officer  
Service Area Corporate Services  
Department City Clerk's Office  
**Subject Update City Clerk/Returning Officer's Report -  
Review of Third Party Contributions**

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In accordance with Section 88.36 (1) and (2) of the Municipal Elections Act, as soon as possible following the day that is 30 days after the filing date, the Clerk/Returning Officer is required to review the contributions reported on the financial statements submitted by registered third parties under section 88.29 to determine whether any contributor appears to have exceeded any of the contribution limits under section 88.13, and provide a report to the Municipal Election Compliance Audit Committee which identifies each contributor to a registered third party who appears to have contravened any of the contribution limits under Section 88.13.

The City Clerk's Office conducted an examination of all contributors listed on Schedule 1 of the submitted registered third party financial statements to determine whether any contributors exceeded the maximum contribution limits. The two registered third parties did not list any contributors on Schedule 1. As such, no contributors were identified as exceeding contribution limits.

As no contributors were identified, the third party financial filings were not included as part of the auditing services provided by KPMG and were not noted in the KPMG Report on Specified Auditing Procedures. However, this memo will serve as the report required under section 88.36 (1) and (2) and finds that no registered third party contributors exceeded contribution limits as set out in 88.13 of the MEA.

A handwritten signature in blue ink, appearing to read "Stephen O'Brien", with a long horizontal flourish extending to the right.

**Stephen O'Brien**  
City Clerk/Returning Officer  
Corporate Services  
519-822-1260 extension 5644  
[stephen.obrien@guelph.ca](mailto:stephen.obrien@guelph.ca)

**From:** Bill Mullin

**Subject:** Municipal Election Compliance Audit Committee Meeting May 15

RE: Applicant Request for a Compliance Audit of Stacy Cooper's Campaign Financial Records 2018

Dear Members of the Compliance Audit Committee:

I have been actively following Municipal and School Board politics for the last twenty years in Guelph. In my opinion, some of the best Councillors and School Board Trustees are those individuals that have a long history of volunteering in the community prior to seeking elected office. I am sure that any publisher of a local magazine such as *Neighbours of Clair & Gordon*, would also seek these same qualities when looking for community members to profile in their publications.

While I am not an expert in the Municipal Elections Act, it would appear to me that this September 2018 article **DOES NOT** meet the definition of political advertising outlined in the Elections Ontario CFO Handbook for Candidates. It profiles a family that has been active in the community. The type of people I want representing me in elected office.

My concern about this compliance audit request is that it discourages the type of candidate that we need on City Council from seeking elected office. If the Audit Committee believes an unpaid article that does not promote the election of a candidate, is political advertising, then they should direct the City of Guelph to provide this information to potential candidates prior to the election. We cannot expect every new candidate for City Council to be an expert in Municipal Election law.

Best Regards,

Bill Mullin  
Ward 6 Resident & Eligible Voter