

To: SPECIAL COUNCIL

Meeting Date: 9/13/2022

Subject: Joint Municipal Election Compliance Audit Committee
Appointments for the 2022-2026 Term of Council

Submitted By: Danielle Manton, City Clerk

Prepared By: Jennifer Shaw, Manager of Council & Committee Services / Deputy
City Clerk

Report No.: 22-058-CRS

File No.: C1101

Wards Affected: All Wards

RECOMMENDATION(S):

THAT Report 22-0058-CRS Joint Municipal Compliance Audit Committee Appointments for the 2022-2026 Term of Council be received;

AND FURTHER THAT Confidential Appendix A to Report 22-058-CRS be received.

EXECUTIVE SUMMARY:

Purpose

To advise Council of the committee representatives that will form the Joint Municipal Compliance Audit Committee (MECAC) in accordance with Section 88.37 of the Municipal Elections Act.

Key Findings

- Municipal Elections Act, 1996, S.O. 1996, c. 32, as amended, (MEA) requires that all municipalities appoint a Municipal Election Compliance Audit Committee.
- A qualified elector who believes on reasonable grounds that a registered third party or candidate has contravened a provision of the MEA relating to election campaign finances, may apply for a compliance audit.
- The Region of Waterloo municipalities have been establishing Joint Municipal Compliance Audit Committees since the 2010 Municipal Election with the City of Guelph added as a participating municipality during the 2018 Municipal Election.

- A total of eight (8) individuals have been selected to form the MECAC for the upcoming new term of Council 2022-2026.

Financial Implications

There are no financial implications at this time; however, costs will be incurred if a request for a compliance audit is received.

STRATEGIC ALIGNMENT:

- ☐ Strategic Action; or
☒ Core Service

Objective(s): WELLBEING - Connect people to services that support individual and community wellbeing

Strategic Action: Not Applicable

Program: Council Support

Core Service: Municipal Election Management

The establishment of a Municipal Election Compliance Audit Committee is an essential component in preparing for the upcoming Municipal Election and fulfills one of the Clerk's responsibilities under the MEA. It aligns with the City's Strategic Plan in fulfillment of the Objective of wellbeing by enabling citizens of Cambridge to become engaged in local government processes designed to ensure accountability and transparency.

BACKGROUND:

In May 2022, Council received a report approving the establishment of a Joint Municipal Election Compliance Audit Committee (MECAC) and Terms of Reference in partnership with the Region of Waterloo, Cities of Kitchener, Waterloo and Guelph and Townships of North Dumfries, Wellesley, Wilmot and Woolwich. The City Clerk was delegated authority to select and appoint Committee members.

Section 88.37 of the Municipal Elections Act, 1996, S.O. 1996, c. 32, as amended, (MEA) requires that a Council or local board shall establish a Municipal Election Compliance Audit Committee (MECAC) before October 1 of an election year.

It was noted that information reports would be forwarded to Council once the members of the committee have been determined.

ANALYSIS:

Clerk's Office staff have met with the Area Clerks within the Region of Waterloo and the City of Guelph and the Joint Municipal Compliance Audit Committee will be composed of a pool of eight (8) members for the 2022-2026 term of Council.

When an application is made to MECAC, the Clerk of the corresponding municipality shall determine the composition and membership of the Committee.

To determine the composition, the MECAC will be composed of not fewer than three (3) and not more than seven (7) members from the MECAC pool. It is at the full discretion of the Clerk of the corresponding municipality to determine the number of members, within this range, that will be required for a MECAC meeting.

EXISTING POLICY / BY-LAW(S):

The requirement for the establishment of a Municipal Compliance Audit Committee is set out in Section 88.37 of the Municipal Elections Act, 1996, S.O. 1996, c.32, as amended. The new MECAC and Terms of Reference were approved on May 17, 2022.

FINANCIAL IMPACT:

Should a compliance audit be received, administrative costs for such items as printing, mail and mileage will be funded from the Election Reserve Budget.

PUBLIC VALUE:**Sustainability:**

The establishment of a Joint Municipal Election Compliance Audit Committee supports sustainability by offering a high degree of operational flexibility and the pooling of resources in a cost-effective manner.

Collaboration:

Collaboration will involve working in partnership with participating municipalities in the Joint Municipal Election Compliance Audit Committee.

Transparency:

To ensure transparency, any meetings of the Joint Municipal Election Compliance Audit Committee will be open to the public. The approved Terms of Reference along with

administrative practices and procedures will be posted publicly on the City's website.

Engagement:

As part of the recruitment process for the Joint Municipal Election Compliance Audit Committee, interested and qualified members of the public have been invited to submit applications for appointment to the Committee.

ADVISORY COMMITTEE INPUT:

Not Applicable.

PUBLIC INPUT:

Posted publicly as part of the report process.

INTERNAL / EXTERNAL CONSULTATION:

Consultations and coordination with participating Area Clerks has taken place. The City's Legal and Finance Divisions will be consulted and involved as necessary.

CONCLUSION:

Based on consultations with Area Clerks of participating municipalities staff are recommending the appointment of the eight (8) selected appointees to the Joint Municipal Compliance Audit Committee for the 2022-2026 term of Council.

REPORT IMPACTS:

Agreement: **No**

By-law: **No**

Budget Amendment: **No**

Policy: **No**

APPROVALS:

This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:

Director

Deputy City Manager

Chief Financial Officer

City Solicitor

City Manager

ATTACHMENTS:

1. 22-058-CRS Confidential Appendix A – Joint Municipal Compliance Audit Committee Appointees