



Thursday, June 20, 2019

Council Chambers – 4th Floor – City Hall

Members Present: Karen Bieri, Acting Chair
Caroline Lynch
Arvind Singh

Members Absent: Greg Prokopchuk (regrets)
Navreet Vaidwan (regrets)

External Legal Counsel: Kim Mullin, Partner, Wood Bull LLP Barristers & Solicitors

Staff Present: City Clerk's Office, Office of the Chief Administrative Officer:
Peter Fay, City Clerk
Shawnica Hans, Sr. Coordinator, Election/Special Projects
Roger Wilson, Clerk, Lottery Licensing
Sonya Pacheco, Legislative Coordinator

Minutes
Brampton Election Compliance Audit Committee

The meeting was called to order at 7:11 p.m., recessed to deliberate in private at 7:29 p.m., reconvened at 7:41 p.m., recessed again to deliberate in private at 7:48 p.m., reconvened at 8:30 p.m. and adjourned at 8:41 p.m.

Peter Fay, City Clerk, called the meeting order, stated the purpose of the meeting, and described the notice provided to the parties involved.

1. Approval of Agenda

The following motion was considered, voted on, and carried unanimously.

ECA001-2019 That the agenda for the Brampton Election Compliance Audit Committee Meeting of June 20, 2019 be approved, as published and circulated.

Carried

1.1. Election of Chair and Vice-Chair

Peter Fay, City Clerk, facilitated the election process. As only three (3) members were present, the Committee agreed to appoint an Acting Chair for this meeting.

The following motion was considered, voted on, and carried unanimously.

ECA002-2019 That Karen Bieri be appointed Acting Chair for the Brampton Election Compliance Audit Committee Meeting of June 20, 2019.

Carried

2. Declarations of Interest under the Municipal Conflict of Interest Act – nil

3. Consent – nil

4. Delegations/Presentations

4.1. Review and adoption of Compliance Audit Committee Procedures

Karen Bieri, Chair, advised that the procedures were circulated with the meeting agenda.

Minutes
Brampton Election Compliance Audit Committee

The following motion was considered, voted on, and carried unanimously.

ECA003-2019 That the Brampton Election Compliance Audit Committee Procedures, as outlined in the memorandum from Peter Fay, City Clerk, Office of the Chief Administrative Officer, dated June 10, 2019, be approved.

Carried

5. Reports

5.1. 2018 Municipal Election – Clerk’s Review of Campaign Contributions to Third Party Advertisers

Item 5.2 was brought forward and dealt with at this time.

The following motion was considered, voted on, and carried unanimously.

- ECA004-2019
1. That the report from Roger Wilson, Lottery Licensing Clerk, City Clerk’s Office, dated May 27, 2019, to the Brampton Election Compliance Audit Committee Meeting of June 20, 2019, re: **2018 Municipal Election – Clerk’s Review of Campaign Contributions to Third Party Advertisers** be received; and
 2. That the report from Roger Wilson, Lottery Licensing Clerk, City Clerk’s Office, dated May 27, 2019, to the Brampton Election Compliance Audit Committee Meeting of June 20, 2019, re: **2018 Municipal Election – Clerk’s Review of Candidate Campaign Contributions** be received.

Carried

5.2. 2018 Municipal Election – Clerk’s Review of Candidate Campaign Contributions

Dealt with under Item 5.1 – Recommendation ECA004-2019

At this time in the meeting, Karen Bieri, Chair, outlined the process for dealing with the remaining reports (5.3 to 5.9) regarding individual contributors. There was Committee consensus to re-order the agenda and deal with Item 5.8 first.

5.3. 2018 Municipal Election – Clerk’s Review of Campaign Contributions – Bob Peacock

Minutes
Brampton Election Compliance Audit Committee

In response to the Chair's inquiry, no one was present to address the Committee regarding Items 5.3, 5.4, 5.5, 5.6, 5.7 and 5.9.

The Committee unanimously agreed to deliberate in private regarding the above noted items. Committee recessed at 7:48 p.m. and reconvened at 8:30 p.m.

Karen Bieri, Chair, read the following extract of the decision of Committee relating to Item 5.3:

That the Compliance Audit Committee has decided **not to** commence a legal proceeding against contributor Bob Peacock for the apparent contravention of Section 88.9 of the *Municipal Elections Act, 1996*, as amended, in the total contribution made to the campaign of John Sanderson, candidate for the office of Regional Councillor, Wards 3 and 4, in the 2018 Brampton Municipal Election.

Brief written reason provided by the Compliance Audit Committee:

Based on the information provided, Bob Peacock has breached the Act.

In light of the minimal amount of the over contribution, the committee exercised its discretion and has decided not to commence legal proceedings.

See page 9 for the full decision of Committee

5.4. **2018 Municipal Election – Clerk's Review of Campaign Contributions – Doug Munro**

See Item 5.3

Karen Bieri, Chair, read the following extract of the decision of Committee relating to Item 5.4:

That the Compliance Audit Committee has decided **not to** commence a legal proceeding against contributor Doug Munro for the apparent contravention of Section 88.9 of the *Municipal Elections Act, 1996*, as amended, in the total contribution made to the campaign of John Sanderson, candidate for the office of Regional Councillor, Wards 3 and 4, in the 2018 Brampton Municipal Election.

Brief written reason provided by the Compliance Audit Committee:

Based on the information provided, Doug Munro has breached the Act.

Minutes
Brampton Election Compliance Audit Committee

In light of the minimal amount of the over contribution, the committee exercised its discretion and has decided not to commence legal proceedings.

See page 11 for the full decision of Committee

5.5. 2018 Municipal Election – Clerk’s Review of Campaign Contributions – Judith Strachan

See Item 5.3

Karen Bieri, Chair, read the following extract of the decision of Committee relating to Item 5.5:

That the Compliance Audit Committee has decided **not to** commence a legal proceeding against contributor Judith Strachan for the apparent contravention of Section 88.9 of the *Municipal Elections Act, 1996*, as amended, in the total contribution made to the campaign of John Sanderson, candidate for the office of Regional Councillor, Wards 3 and 4, in the 2018 Brampton Municipal Election.

Brief written reason provided by the Compliance Audit Committee:

Based on the information provided, Judith Strachan has breached the Act.

In light of the minimal amount of the over contribution, the committee exercised its discretion and has decided not to commence legal proceedings.

See page 13 for the full decision of Committee

5.6. 2018 Municipal Election – Clerk’s Review of Campaign Contributions – Bryan Dawson

See Item 5.3

Karen Bieri, Chair, read the following extract of the decision of Committee relating to Item 5.6:

That the Compliance Audit Committee has decided **not to** commence a legal proceeding against contributor Bryan Dawson for the apparent contravention of Section 88.9 of the *Municipal Elections Act, 1996*, as amended, in the total contribution made to the campaign of John Sanderson, candidate for the office of Regional Councillor, Wards 3 and 4, in the 2018 Brampton Municipal Election.

Minutes
Brampton Election Compliance Audit Committee

Brief written reason provided by the Compliance Audit Committee:

Based on the information provided, Bryan Dawson has breached the Act.

In light of the minimal amount of the over contribution, the committee exercised its discretion and has decided not to commence legal proceedings.

See page 15 for the full decision of Committee

5.7. 2018 Municipal Election – Clerk’s Review of Campaign Contributions – Jaswinder Sandhu

See Item 5.3

Item 5.9 was brought forward and dealt with at this time.

Shawnica Hans, Senior Coordinator, Election/Special Projects, City Clerk’s Office, responded to questions from Committee regarding the provision of notice of this meeting to candidates and contributors.

The following motion was considered, voted on, and carried unanimously.

ECA005-2019 That the following matters be **deferred** to the Brampton Election Compliance Audit Committee Meeting of June 27, 2019 to provide a further opportunity for the parties involved to attend:

- **2018 Municipal Election – Clerk’s Review of Campaign Contributions – Jaswinder Sandhu**
- **2018 Municipal Election – Clerk’s Review of Campaign Contributions – Joginder Singh**

Carried

Peter Fay, City Clerk, advised that the City Clerk’s Office will endeavour to contact the parties involved in Items 5.7 and 5.9, to advise that these matters have been deferred to the next meeting.

5.8. 2018 Municipal Election – Clerk’s Review of Campaign Contributions – Mary Horgan

In response to the Chair’s inquiry, Mario Russo, representative for Mary Horgan and candidate for the office of Regional Councillor, Wards 1 and 5, in the 2018 Brampton Municipal Election, was present to address the Committee regarding the campaign contributions of Mary Horgan.

Minutes
Brampton Election Compliance Audit Committee

Mr. Russo outlined the circumstances regarding the total contribution made by Ms. Horgan to his campaign, responded to questions from Committee, and outlined privacy concerns as it relates to providing personal addresses for contributors.

There were no other speakers on this matter.

The Committee unanimously agreed to deliberate in private. Committee recessed at 7:29 p.m. and reconvened at 7:41 p.m.

Karen Bieri, Chair, read the following extract of the decision of Committee relating to Item 5.8:

That the Compliance Audit Committee has decided **not to** commence a legal proceeding against contributor Mary Horgan for the apparent contravention of Section 88.9 of the *Municipal Elections Act, 1996*, as amended, in the total contribution made to the campaign of Mario Russo, candidate for the office of Regional Councillor, Wards 1 and 5, in the 2018 Brampton Municipal Election.

Brief written reason provided by the Compliance Audit Committee:

Based on material provided, the Committee is satisfied the contributions were made by two separate people.

In response to a question from Mr. Russo, Kim Mullin, Partner, Wood Bull LLP Barristers & Solicitors, advised that the Committee's decision is final, and a copy of the decision will be provided to all parties involved.

See page 17 for the full decision of Committee

5.9. 2018 Municipal Election – Clerk's Review of Campaign Contributions – Joginder Singh

See Items 5.3 and 5.7 – **Recommendation ECA005-2019**

At this time in the meeting, for procedural purposes, the following motion was considered, voted on, and carried unanimously.

ECA006-2019 That the decisions of the Brampton Election Compliance Audit Committee at its meeting held on June 20, 2019, relating to the following items on the agenda, be confirmed:

5.3. 2018 Municipal Election – Clerk's Review of Campaign Contributions – Bob Peacock

Minutes
Brampton Election Compliance Audit Committee

- 5.4. **2018 Municipal Election – Clerk’s Review of Campaign Contributions – Doug Munro**
- 5.5. **2018 Municipal Election – Clerk’s Review of Campaign Contributions – Judith Strachan**
- 5.6. **2018 Municipal Election – Clerk’s Review of Campaign Contributions – Bryan Dawson**
- 5.8. **2018 Municipal Election – Clerk’s Review of Campaign Contributions – Mary Horgan**

Carried

6. **Other/New Business – nil**

7. **Question Period – nil**

8. **Public Question Period – nil**

9. **Closed Session – nil**

10. **Adjournment**

The following motion was considered.

ECA007-2019 That the Brampton Election Compliance Audit Committee do now adjourn to meet again on Thursday, June 27, 2019 at 7:00 p.m. or at the call of the Chair.

Carried

Karen Bieri, Acting Chair

Caroline Lynch, Committee Member

Arvind Singh, Committee Member

Meeting Date and Time: Thursday, June 20, 2019, 7:00 pm

Meeting Location: Council Chambers, Brampton City Hall

Item No. 5.3 – 2018 Municipal Election – Clerk’s Review of Campaign Contributions – Bob Peacock

IN THE MATTER OF the City of Brampton Clerk’s Report dated May 27, 2019 – 2018 Municipal Election – Clerk’s Review of Campaign Contributions – Bob Peacock;

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

WHEREAS, Section 88.9(1) of the MEA states that a contributor shall not make contributions exceeding a total of \$1,200 to any one candidate in an election;

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;

WHEREAS, the Clerk’s Report identified Bob Peacock as a contributor that appeared to have exceeded the total contribution limit to the election campaign of John Sanderson, candidate for the office of Regional Councillor, Wards 3 and 4, in the 2018 Brampton Municipal Election;

WHEREAS, pursuant to Section 88.34(8) of the MEA states that within 30 days after receiving a report under Subsection (4), the Compliance Audit Committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention;

WHEREAS, a meeting of the Compliance Audit Committee was held on Thursday, June 20, 2019 at 7 pm at Brampton City Hall to review the Clerk’s report;

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

THAT the Compliance Audit Committee has decided **not to** commence a legal proceeding against contributor Bob Peacock for the apparent contravention of Section 88.9 of the *Municipal Elections Act, 1996*, as amended, in the total contribution made to the campaign of John Sanderson, candidate for the office of Regional Councillor, Wards 3 and 4, in the 2018 Brampton Municipal Election.

Brief written reason provided by the Compliance Audit Committee:

Based on the information provided, Bob Peacock has breached the Act.

In light of the minimal amount of the over contribution, the committee exercised its discretion and has decided not to commence legal proceedings.

Karen Bieri

Compliance Audit Committee Member

Caroline Lynch

Compliance Audit Committee Member

Arvind Singh

Compliance Audit Committee Member

Meeting Date and Time: Thursday, June 20, 2019, 7:00 pm

Meeting Location: Council Chambers, Brampton City Hall

Item No. 5.4 – 2018 Municipal Election – Clerk’s Review of Campaign Contributions – Doug Munro

IN THE MATTER OF the City of Brampton Clerk’s Report dated May 27, 2019 – 2018 Municipal Election – Clerk’s Review of Campaign Contributions – Doug Munro;

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

WHEREAS, Section 88.9(1) of the MEA states that a contributor shall not make contributions exceeding a total of \$1,200 to any one candidate in an election;

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;

WHEREAS, the Clerk’s Report identified Doug Munro as a contributor that appeared to have exceeded the total contribution limit to the election campaign of John Sanderson, candidate for the office of Regional Councillor, Wards 3 and 4, in the 2018 Brampton Municipal Election;

WHEREAS, pursuant to Section 88.34(8) of the MEA states that within 30 days after receiving a report under Subsection (4), the Compliance Audit Committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention;

WHEREAS, a meeting of the Compliance Audit Committee was held on Thursday, June 20, 2019 at 7 pm at Brampton City Hall to review the Clerk’s report;

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

THAT the Compliance Audit Committee has decided **not to** commence a legal proceeding against contributor Doug Munro for the apparent contravention of Section 88.9 of the *Municipal Elections Act, 1996*, as amended, in the total contribution made to the campaign of John Sanderson, candidate for the office of Regional Councillor, Wards 3 and 4, in the 2018 Brampton Municipal Election.

Brief written reason provided by the Compliance Audit Committee:

Based on the information provided, Doug Munro has breached the Act.

In light of the minimal amount of the over contribution, the committee exercised its discretion and has decided not to commence legal proceedings.

Karen Bieri
Compliance Audit Committee Member

Caroline Lynch
Compliance Audit Committee Member

Arvind Singh
Compliance Audit Committee Member

Meeting Date and Time: Thursday, June 20, 2019, 7:00 pm

Meeting Location: Council Chambers, Brampton City Hall

Item No. 5.5 – 2018 Municipal Election – Clerk’s Review of Campaign Contributions – Judith Strachan

IN THE MATTER OF the City of Brampton Clerk’s Report dated May 27, 2019 – 2018 Municipal Election – Clerk’s Review of Campaign Contributions – Judith Strachan;

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

WHEREAS, Section 88.9(1) of the MEA states that a contributor shall not make contributions exceeding a total of \$1,200 to any one candidate in an election;

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;

WHEREAS, the Clerk’s Report identified Judith Strachan as a contributor that appeared to have exceeded the total contribution limit to the election campaign of John Sanderson, candidate for the office of Regional Councillor, Wards 3 and 4, in the 2018 Brampton Municipal Election;

WHEREAS, pursuant to Section 88.34(8) of the MEA states that within 30 days after receiving a report under Subsection (4), the Compliance Audit Committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention;

WHEREAS, a meeting of the Compliance Audit Committee was held on Thursday, June 20, 2019 at 7 pm at Brampton City Hall to review the Clerk’s report;

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

THAT the Compliance Audit Committee has decided **not to** commence a legal proceeding against contributor Judith Strachan for the apparent contravention of Section 88.9 of the *Municipal Elections Act, 1996*, as amended, in the total contribution made to the campaign of John Sanderson, candidate for the office of Regional Councillor, Wards 3 and 4, in the 2018 Brampton Municipal Election.

Brief written reason provided by the Compliance Audit Committee:

Based on the information provided, Judith Strachan has breached the Act.

In light of the minimal amount of the over contribution, the committee exercised its discretion and has decided not to commence legal proceedings.

Karen Bieri

Compliance Audit Committee Member

Caroline Lynch

Compliance Audit Committee Member

Arvind Singh

Compliance Audit Committee Member

Meeting Date and Time: Thursday, June 20, 2019, 7:00 pm

Meeting Location: Council Chambers, Brampton City Hall

Item No. 5.6 – 2018 Municipal Election – Clerk’s Review of Campaign Contributions – Bryan Dawson

IN THE MATTER OF the City of Brampton Clerk’s Report dated May 27, 2019 – 2018 Municipal Election – Clerk’s Review of Campaign Contributions – Bryan Dawson;

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

WHEREAS, Section 88.9(1) of the MEA states that a contributor shall not make contributions exceeding a total of \$1,200 to any one candidate in an election;

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;

WHEREAS, the Clerk’s Report identified Bryan Dawson as a contributor that appeared to have exceeded the total contribution limit to the election campaign of John Sanderson, candidate for the office of Regional Councillor, Wards 3 and 4, in the 2018 Brampton Municipal Election;

WHEREAS, pursuant to Section 88.34(8) of the MEA states that within 30 days after receiving a report under Subsection (4), the Compliance Audit Committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention;

WHEREAS, a meeting of the Compliance Audit Committee was held on Thursday, June 20, 2019 at 7 pm at Brampton City Hall to review the Clerk’s report;

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

THAT the Compliance Audit Committee has decided **not to** commence a legal proceeding against contributor Bryan Dawson for the apparent contravention of Section 88.9 of the *Municipal Elections Act, 1996*, as amended, in the total contribution made to the campaign of John Sanderson, candidate for the office of Regional Councillor, Wards 3 and 4, in the 2018 Brampton Municipal Election.

Brief written reason provided by the Compliance Audit Committee:

Based on the information provided, Bryan Dawson has breached the Act.

In light of the minimal amount of the over contribution, the committee exercised its discretion and has decided not to commence legal proceedings.

Karen Bieri

Compliance Audit Committee Member

Caroline Lynch

Compliance Audit Committee Member

Arvind Singh

Compliance Audit Committee Member

Meeting Date and Time: Thursday, June 20, 2019, 7:00 pm

Meeting Location: Council Chambers, Brampton City Hall

Item No. 5.8 – 2018 Municipal Election – Clerk’s Review of Campaign Contributions – Mary Horgan

IN THE MATTER OF the City of Brampton Clerk’s Report dated May 27, 2019 – 2018 Municipal Election – Clerk’s Review of Campaign Contributions – Mary Horgan;

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

WHEREAS, Section 88.9(1) of the MEA states that a contributor shall not make contributions exceeding a total of \$1,200 to any one candidate in an election;

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;

WHEREAS, the Clerk’s Report identified Mary Horgan as a contributor that appeared to have exceeded the total contribution limit to the election campaign of Mario Russo, candidate for the office of Regional Councillor, Wards 1 and 5, in the 2018 Brampton Municipal Election;

WHEREAS, pursuant to Section 88.34(8) of the MEA states that within 30 days after receiving a report under Subsection (4), the Compliance Audit Committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention;

WHEREAS, a meeting of the Compliance Audit Committee was held on Thursday, June 20, 2019 at 7 pm at Brampton City Hall to review the Clerk’s report;

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

THAT the Compliance Audit Committee has decided **not to** commence a legal proceeding against contributor Mary Horgan for the apparent contravention of Section 88.9 of the *Municipal Elections Act, 1996*, as amended, in the total contribution made to the campaign of Mario Russo, candidate for the office of Regional Councillor, Wards 1 and 5, in the 2018 Brampton Municipal Election.

Brief written reason provided by the Compliance Audit Committee:

Based on material provided, the Committee is satisfied the contributions were made by two separate people.

Karen Bieri
Compliance Audit Committee Member

Caroline Lynch
Compliance Audit Committee Member

Arvind Singh
Compliance Audit Committee Member