



**STAFF REPORT
ACTION REQUIRED
with Confidential Attachment**

Appointment of Members to the Compliance Audit Committee

Date:	July 22, 2010
To:	Executive Committee
From:	City Manager
Wards:	All
Reason for Confidential Information:	This report deals with personal matters about identifiable persons.
Reference Number:	

SUMMARY

This report recommends the appointment of persons to comprise the Compliance Audit Committee for the 2010 – 2014 term of City Council.

RECOMMENDATIONS

The City Manager recommends that the recommendations in the report (May 31, 2010) from the City Clerk, entitled "Appointment of Members to the Compliance Audit Committee", be replaced by the following:

1. City Council appoint to the Compliance Audit Committee the persons listed in Confidential Attachment 1 to this report from the City Manager for a term of office coincident with the term of Council that takes office following the 2010 regular municipal election;
2. City Council authorize the City Clerk to make the appointees' names public once they have been appointed by City Council and the appointees have been notified;
3. City Council appoint to the Compliance Audit Committee the persons listed as alternate members in Confidential Attachment 1 to this report from the City

- Manager in the order listed, such appointments to be effective in the event that any vacancies on the Committee occur;
4. City Council direct that the alternates' names remain confidential until their appointment to the Compliance Audit Committee becomes effective and the appointee(s) has/have been notified;
 5. City Council direct that Confidential Attachment 1 to this report from the City Manager and Confidential Attachments 1 and 2 to the report (May 31, 2010) from the City Clerk, entitled "Appointment of Members to the Compliance Audit Committee", remain confidential in their entirety as they contain personal information about identifiable individuals; and
 6. City Council request the City Manager to incorporate the recruitment and selection process for members of the Compliance Audit Committee into the Public Appointments Policy for future terms so that the Civic Appointments Committee recommends membership to Council for approval.

Financial Impact

The financial impact is set out in the report from the City Clerk dated May 31, 2010.

DECISION HISTORY

The appointment of persons to the Compliance Audit Committee for the 2010 – 2014 term of City Council was considered by the Executive Committee at its meeting held on June 14, 2010 as Item EX45.14. It was the Committee's decision at that time to defer consideration of the City Clerk's report to the Committee's next meeting to be held on August 16, 2010, and to request that the City Manager review the composition of the Committee to ensure continuity.

<http://www.toronto.ca/legdocs/mmis/2010/ex/bgrd/backgroundfile-30877.pdf>

ISSUE BACKGROUND

City Council is required by the *Municipal Elections Act, 1996* (MEA) to appoint a Compliance Audit Committee by October 1st of an election year for the following term of Council.

COMMENTS

Composition of the Committee

The Executive Committee deferred consideration of appointments to the Compliance Audit Committee to provide an opportunity to ensure that sufficient continuity of membership on the Committee would be available to allow the knowledge and experience gained by current members of the Committee to be available to incoming members.

Upon further consideration of the Committee's composition, it is recommended that the persons identified in Confidential Attachment 1 to this report be appointed to the

Committee to ensure greater continuity in the knowledge and experience that can be brought to bear on matters considered by the Committee.

Appointments Process for the Committee

The Terms of Reference and selection process followed in the selection of the recommended appointees to the Compliance Audit Committee were based on the past practice for Compliance Audit Committees established during previous Council terms and were approved by City Council at its meeting held on December 2, 2009. Those Committees were established as ad hoc bodies to address specific election financing complaints. More recently, the MEA has been amended to require that all outgoing Ontario municipal councils appoint a compliance audit committee to address election financing complaints received after an election and that the term of the Committee is coincident with that of Council.

It is recommended that the recruitment and selection process be consistent with other Council-appointed City bodies that have City-wide impact. The mandate, required qualifications and appointments process should be governed by Council's Public Appointments Policy, with appointments recommended to City Council by the Civic Appointments Committee. Staff are updating and revising the Policy and plan to report to the Executive Committee early in the new term of Council on a strategy for public appointments and on detailed provisions concerning appointments to all of the City's agencies, boards, commissions and corporations, as well as other City-wide bodies appointed by Council including appointments to the Compliance Audit Committee.

Staff of the City Clerk's Office were consulted during preparation of this report.

CONTACT

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SIGNATURE

Joseph P. Pennachetti, City Manager

ATTACHMENTS

Confidential Attachment 1 – Recommended Appointees to the Compliance Audit Committee