



NOMINATING PANEL REPORT

Appointment of Members to the 2014 Compliance Audit Committee

Date:	July 2, 2014
To:	City Council
From:	Chair, Nominating Panel for the 2014 Compliance Audit Committee
Wards:	All

SUMMARY

The Nominating Panel for the 2014 Compliance Audit Committee is recommending appointment of 3 members and 2 alternate members to the 2014 Compliance Audit Committee.

RECOMMENDATIONS

The Nominating Panel for the 2014 Compliance Audit Committee recommends that:

1. City Council appoint the following individuals to the Compliance Audit Committee for a term of office coincident with the term of Council that takes office following the 2014 regular municipal election:
 - John Hollins, as Chair;
 - Teja Rachamalla; and
 - James Ayres.
2. City Council appoint the following individuals to the Compliance Audit Committee as alternate members in the order listed, such appointments to be effective only in the event that any vacancies on the Committee occur:
 1. Sudabeh Mashkuri; and
 2. Mark Gannage.

Financial Impact

There are no financial implications arising from this report.

DECISION HISTORY

City Council on February 19 and 20, 2014 established a Nominating Panel composed of Councillors Paula Fletcher, John Parker and Michael Thompson to consider and make recommendations to City Council on public appointments to the Compliance Audit Committee for the 2014 election. City Council also directed the Nominating Panel to submit its list of recommended candidates as a public report:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.CC48.5>

The Nominating Panel for the 2014 Compliance Audit Committee met on June 19 and 26, 2014 to select, interview and recommend candidates for appointment to the 2014 Compliance Audit Committee:

<http://app.toronto.ca/tmmis/decisionBodyProfile.do?function=doPrepare&decisionBodyId=1101#Meeting-2014.CN2>

ISSUE BACKGROUND

Under s. 81.1 of the Municipal Elections Act, City Council is required to appoint a Compliance Audit Committee for the 2014 election before October 1, 2014. The Act prohibits the appointment of any candidates, current Members of Council or City staff to the committee.

Under terms of reference adopted by City Council under 2009.EX.37.3, the Compliance Audit Committee is composed of three people to be drawn from groups of stakeholders with the following skills and expertise:

- a. accounting and audit – accountants or auditors with experience in preparing or auditing the financial statements of municipal candidates;
- b. academic – college or university professors with expertise in political science or local government administration;
- c. legal; and
- d. other individuals with knowledge of the campaign financing rules of the Municipal Elections Act, 1996.

The City requires any person recommended for appointment to agree in writing that he or she will not advise, prepare or audit the election financial statements of any candidate for office on City Council or become a candidate in the municipal election and any by-elections during the term of City Council that corresponds to the term of the committee.

COMMENTS

Recruitment Process

In 2010, City Council directed that the recruitment for the Compliance Audit Committee be brought under the Public Appointments Policy.

The City Clerk placed an advertisement in the Toronto Sun, and conducted targeted outreach to relevant professions. Information was widely disseminated using social media and the City's website, and the opportunity was posted on Maytree Foundation's DiverseCity onBoard page.

The 26 applications received were screened by staff from the Public Appointments Secretariat and Elections and Registry Services. The Nominating Panel selected and interviewed 11 candidates. The confidential qualifications and diversity information considered by the Nominating Panel is on file with the City Clerk.

Time Sensitive

The Municipal Elections Act requires City Council to appoint a Compliance Audit Committee for the 2014 election before October 1, 2014. As there are only two meetings of City Council scheduled for the remainder of the term, it is important that this recruitment be completed in a timely manner.

SIGNATURE

Councillor John Parker
Chair, Nominating Panel for the 2014 Compliance Audit Committee

ATTACHMENT

Biographical Information for the Recommended Candidates

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John Hollins

John Hollins has worked as an elections administrator for the past 40 years. He was a member of the City of Toronto's 2010-2014 Compliance Audit Committee and was previously employed as the Chief Electoral Officer at Elections Ontario and the Director of Elections at the Cities of Toronto and North York. Mr. Hollins is knowledgeable in various elections legislation, including the *Municipal Elections Act* and the *Election Act*.

Teja Rachamalla

Teja Rachamalla is a litigation lawyer and former family physician. She has served as legal counsel on various public commissions reviewing the actions of governments and government officials such as the Air India Inquiry. Ms. Rachamalla has financial management experience which she has acquired from participating on committees and task forces, including the Toronto Network for Human Rights Watch Canada.

James Ayres

James Ayres is a certified specialist in municipal and environmental law, with three decades of public and private sector experience. He has provided advice and assistance to municipal clerks, candidates, and other parties regarding all aspects of the *Municipal Elections Act*, including campaign financing provisions, rules, and issues, and has represented candidates in proceedings before the Compliance Audit Committee.

Sudabeh Mashkuri

Sudabeh Mashkuri is a lawyer and independent arbitrator, social justice advocate, and legal educator. Previously, she worked as a Member/Adjudicator at the Immigration and Refugee Board of Canada, the Manager of Legal Services/Senior Legal Counsel at the Ontario Human Rights Legal Support Centre, and a Policy Counsel at Legal Aid Ontario. Ms. Mashkuri is knowledgeable in administrative law, public law, and regulatory environments and has administered and participated in various committees.

Mark Gannage

Mark Gannage is a litigation lawyer, certified adjudicator, and author. He was recently appointed to the 2014-2018 Joint Compliance Audit Committee for York Region and was a member of the 2010-2014 Compliance Audit Committees in Vaughan and York Region. Mr. Gannage is knowledgeable in municipal election campaign financing rules and issues, the *Municipal Elections Act*, and financial management and accounting.