



MEMO / NOTE DE SERVICE

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TO: Finance and Economic Development Committee

DESTINATAIRE : Comité des finances et du développement économique

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DATE: August 25, 2022

25 août 2022

FILE NUMBER: ACS2022-OCC-GEN-0025

**SUBJECT: 2022-2026 Election Compliance Audit Committee Appointment of
Members and Update on Compliance Audit Process**

**OBJET : Nomination des membres du Comité de vérification de conformité des
élections de 2022-2026 et mise à jour sur le processus de vérification de
conformité**

PURPOSE

This memo provides an update to Council identifying the appointed Members of the 2022-2026 Election Compliance Audit Committee (ECAC) and advises Council on the next steps following the recruitment of ECAC members.

EXECUTIVE SUMMARY

On March 23, 2022, City Council approved the staff report entitled “Update on the 2022 Municipal Elections and Amendments to Election-related By-laws and Policies” ([ACS2022-OCC-GEN-0003](#)). Council adopted the report’s recommendation to approve the establishment of a five-member 2022-2026 Election Compliance Audit Committee (the “Committee”), including delegation of the authority to appoint the members of the Committee to the City Clerk, the Auditor General and the Integrity Commissioner (the “Selection Panel”). Council further approved Terms of Reference for the Committee.

The Selection Panel has appointed the following members to the 2022-2026 Municipal Election Compliance Audit Committee:

1. Nahie Bassett
2. Catherine Bergeron
3. Timothy Cullen
4. Imad Eldahr
5. Michael McGoldrick

BACKGROUND

On March 23, 2022, City Council approved the staff report entitled “Update on the 2022 Municipal Elections and Amendments to Election-related By-laws and Policies” ([ACS2022-OCC-GEN-0003](#)). Council adopted the report’s recommendation to approve the establishment of a five-member 2022-2026 Election Compliance Audit Committee (the “Committee”) by October 1, 2022, as prescribed by Section 88.37 of the *Municipal Elections Act, 1996* (the “MEA”). With respect to Committee member appointments, Council approved:

- The Terms of Reference for the Committee;
- Delegating the authority to appoint the members of the Committee to the City Clerk, the Auditor General and the Integrity Commissioner (the “Selection Panel”); and,
- Exempting the Committee from Section 2.6 of the [Appointment Policy](#) (which would require that that a public member only serve on one committee, board, task force, commission, or authority at a time).

DISCUSSION

In July 2022, the Selection Panel conducted a recruitment process to fill the five positions on the Committee, with the period for applications closing on August 8, 2022.

During the recruitment period, staff implemented a communications strategy which included updating ottawa.ca web content and releasing a public service announcement. The Citizen and Le Droit circulated print advertisements. The County of Carleton Law Association circulated an advertisement in its newsletter. Staff posted recruitment information to the City's social media accounts, including LinkedIn, Twitter and Facebook.

Recruitment information was also distributed to relevant professional groups including the Chartered Professional Accountants of Ontario (including the Ottawa chapter), the Law Society of Ontario, the Association of Municipal Managers, Clerks and Treasurers of Ontario, as well as to local post-secondary institutions.

In consultation with Gender and Race Equity, Inclusion, Indigenous Relations and Social Development Services, staff outreached to professional affinity groups and shared recruitment information with their Ottawa-based memberships, including the Women's Law Association of Ontario, the Indigenous Bar Association, Canadian Association of Black Lawyers, and the Canadian Association of Lawyers with Disabilities.

The Selection Panel then reviewed the 38 applications received, and conducted eight interviews to assess the applicants' qualifications, including the following:

- A thorough understanding of municipal campaign finance rules and accounting principles under the *Municipal Elections Act, 1996*;
- Practical experience in administering elections, with a specific focus on municipal election financing;
- Previous experience on committees or tribunals;
- Ability to collaborate in discharging the Committee's mandate; and,
- Bilingualism.

Additionally, the Selection Panel considered any information disclosed by the applicants on how their lived experience and perspectives strengthened their application with respect to advancing equity, diversity and inclusion as Members of the Committee.

Following the interviews, the Selection Panel assessed the candidates and appointed the following five members, four of whom are bilingual.

1. Nahie Bassett

Nahie Bassett is bilingual, completed a Master's in Business Administration and is completing her Chartered Professional Accountant designation. She worked for the federal government for over 22 years, including several senior financial management positions.

Outside of work, Ms. Bassett participated as a board member for a local credit union, including chairing its Audit Committee, and serving on its Nominating and Governance Committee. She served as a volunteer at the Perley Rideau Veteran Health Center for eight years. She is currently the treasurer of Soldiers Helping Soldiers, a non-profit volunteer organization that assists homeless veterans.

2. Catherine Bergeron

Catherine Bergeron worked for over 30 years with the City of Ottawa until she retired in 2017. Ms. Bergeron became involved in the administration of municipal elections early in her career and her lengthy experience includes 10 years managing the Elections Office at the City of Ottawa.

Ms. Bergeron has extensive knowledge of municipal election legislation and campaign financing rules. In her capacity as the Manager of Elections, Ms. Bergeron was responsible for the preparation, administration and management of municipal elections and by-elections.

Following her retirement, Ms. Bergeron served as a Member of the Election Compliance Audit Committee during the 2018-2022 Term of Council.

3. Timothy Cullen

Timothy Cullen is a lawyer and partner at McMillan LLP in Ottawa. A major focus of his legal practice is compliance with Canada's political and integrity laws, including federal, provincial, territorial and municipal election laws.

As a commercial and regulatory litigator, Mr. Cullen also has extensive experience with judicial and quasi-judicial proceedings. He has been appointed to sit as an Arbitrator in sport disciplinary proceedings.

Mr. Cullen is bilingual and has prior experience serving on boards and committees. He is presently a member of the Board, and Board Secretary, at the Ottawa Food Bank, and serves on the Canadian Bar Association's Law of Lobbying and Ethics Committee.

4. Imad Eldahr

Imad Eldahr is a professional accountant with a CPA/CMA designation with over 17 years of experience in both the public and private sector. As such, he has a thorough understanding of financial laws and standards applicable such as International Financial Reporting Standards, Public Sector Accounting Standards, *Municipal Election Act, 1996* and the policies related to campaign finance rules.

For the last 13 years, he has held various managerial roles with the federal government that specializes in accounting operations. During this time, his responsibilities have included analyzing various financial statements to determine compliance with accounting standards, government policies and legal compliances.

Mr. Eldahr migrated to Canada from Lebanon, and is trilingual (English, French and Arabic).

5. Michael McGoldrick

Michael McGoldrick is fluently bilingual and a qualified solicitor in both the United Kingdom and Ontario. He is currently working as a lawyer auditor at Bottomline Technologies Inc. Mr. McGoldrick has experience auditing elections at the federal level, particularly third party advertising and fundraising, as well as conducting professional insurance litigation investigations.

Mr. McGoldrick is currently a member of the Ottawa Community Housing Corporation's Finance & Audit Committee, whose objective is to conduct diligent reviews of the OCHC's financial management by providing a different perspective on roles traditionally held by professional accountants.

UPDATE ON COMPLIANCE AUDIT PROCESS

Staff will finalize the form for applications for compliance audits, and will make it available online, as well as in hard copy at the Elections Office. The form will be available in advance of the earliest date an application for a compliance audit can be made to the City Clerk (Monday, April 3, 2023).

Finally, staff will develop training on procedural fairness and on the Committee's *Rules of Procedure*. Staff will deliver this training to Committee members by mid-March 2023, to ensure the Committee receives training as close as possible to – but in advance of – when they may be required to hold their first meeting.

CONCLUSION

As required by Section 88.37 of the *Municipal Elections Act, 1996*, the 2022-2026 Election Compliance Audit Committee has been established before the October 1, 2022 legislated deadline.

CC: Michele Rochette, Manager, Municipal Elections and French Language Services,
Office of the City Clerk

David White, City Solicitor, Innovative Client Services