

Staff Report to Council

Legislative Services

FILE: 09-4200-02/22

REPORT DATE: March 01, 2022

MEETING DATE:

March 08, 2022

TO: Mayor and Council

FROM: Kate Barchard, Corporate Officer

SUBJECT: Appointment of Chief Election Officer and Deputy Chief Election Officer

CHIEF ADMINISTRATIVE OFFICER REVIEW/APPROVAL:



RECOMMENDATION(S):

THAT Council:

- A. Pursuant to section 58 of the *Local Government Act* [appointment of election officials]:
 - 1. Appoint Kate Barchard, Corporate Officer, as the Chief Election Officer to conduct the 2022 general local and school elections with power to appoint other election officials as required for the administration and conduct of the elections; AND
 - 2. Appoint Tanya Barr, Deputy Corporate Officer, as the Deputy Chief Election Officer for the 2022 general local and school elections; OR
- B. Other.

PURPOSE

To provide Council with a preliminary report regarding election planning and to seek approval of the appointment of the Chief Election Officer and Deputy Chief Election Officer.

☐ Information Report

☒ Decision Report

☐ Direction Report

DISCUSSION

2022 General Local Election

The next general local (or civic) election will be held on **Saturday, October 15, 2022**, in accordance with section 52 of the *Local Government Act* [general local elections every 4 years]. It is time to begin preparations to ensure a smooth and successful process.

Here is a quick look at some of the key dates for this election cycle:

Event	Date
Election Period The period beginning January 1 of an election year until 29 days before General Voting Day.	January 1 – September 16
Pre-Campaign Period At the beginning of this period election advertising rules come into force and continue through General Voting Day.	July 18 – September 16
Nomination Period The period for candidates to submit their nominations to local election officials.	August 30 – September 9
Declaration of Candidates - after 4:00 pm	September 9
Campaign period The period that begins on the 28th day before General Voting Day and ends at the close of voting on General Voting Day.	September 17 – October 15
Election Signs According to the City's Sign Bylaw, election signs may be erected at the beginning of the Campaign Period and must be taken down five days after general voting day.	September 17 – October 20
Advance Voting Opportunities An advanced voting opportunity must be offered on October 5 as per legislation. There will also be 2-3 other advanced voting opportunities as well as special voting and mail-in voting options for citizens who cannot or prefer not to attend on general voting day.	First 2 weeks of October
General Voting Day 8AM-8PM. Preliminary results announced shortly after the close of the polls.	October 15
Declaration of Official Results	by October 19
Inaugural Meeting Will include official Council photos, swearing in ceremony, first council meeting, and reception	November 1
Council Orientation Includes a series of workshops on key topics and a tour of key facilities and locations throughout the community	November 2 – November 30

Chief Election Officer and Deputy Chief Election Officer:

As per section 58 of the *Local Government Act* [appointment of election officials], Council must appoint a chief election officer (CEO) and a deputy chief election officer (DCEO) to administer the upcoming election.

The duties of the CEO are outlined in section 59 of the *Local Government Act*:

Chief election officer duties and powers

59 (1) *In addition to all other duties established by this Part and the Local Elections Campaign Financing Act, the chief election officer must do the following:*

- (a) ensure that a sufficient number of ballots are prepared for an election by voting;*
- (b) ensure that each voting place
 - (i) is supplied with sufficient numbers of ballots, ballot boxes and voting books, and*
 - (ii) has an area that may be used as a voting compartment;**
- (c) take all reasonable precautions to ensure that a person does not vote more than once in an election;*
- (d) do all other things necessary for the conduct of an election in accordance with this Part, the Local Elections Campaign Financing Act and any bylaws and regulations under this Part or that Act.*

(2) *In addition to all other powers given by this Part, the chief election officer may do one or more of the following:*

- (a) exercise any power conferred on a presiding election official in relation to the election proceedings for which the presiding election official is responsible;*
- (b) as an exception to the restrictions on where an elector may vote when municipal voting divisions are established, authorize an election official to vote at the voting place at which the official is working;*
- (c) take solemn declarations where these are required under this Part or the Local Elections Campaign Financing Act;*
- (d) delegate to other election officials the chief election officer's duties and powers under this Part or the Local Elections Campaign Financing Act, subject to any restrictions or conditions specified by the chief election officer;*
- (e) apply to the minister for an order under section 167 [ministerial orders in special circumstances] of this Act or section 99 [ministerial orders in special circumstances] of the Local Elections Campaign Financing Act.*

It is common practice amongst smaller municipalities to appoint the Corporate Officer and the Deputy Corporate Officer to these roles, respectively. This is the approach that Pitt Meadows has taken in the past. Staff are recommending this same approach for the 2022 election cycle.

Although relatively new to their roles, Kate Barchard (Corporate Officer) and Tanya Barr (Deputy Corporate Officer) are well positioned to assume the roles of CEO and DCEO:

- They have recently completed the LGMA 2022 Election Course taught by the LGMA Elections Advisory Committee, comprised of experienced Chief Election Officers in BC, whose support they will have throughout the year;
- They are members of the Lower Mainland Election Planning Group, comprised of 90+ local government employees working together to ensure the successful administration of all lower mainland local and school elections;
- The City has purchased the 2022 LGMA Elections Manual which is a step-by-step project manual tool for the administration of the election;
- The CAO has ensured adequate funds to provide election consulting services as required;
- Lidstone & Co. are experts in the area of local and school elections and can advise as required;
- The Ministry of Municipal Affairs and Elections BC both offer robust support to municipalities throughout the election year.

Alternative Solution:

Another option is to hire an election consultant to act as the CEO. This provides two main benefits: you can hire someone who has run multiple elections and benefit from their knowledge and experience; and it reduces the workload on staff who are often already working at full capacity. The downside to this approach is that a consultant will never know your municipality, your facilities, your culture, and your current council's wishes to the same extent as the Corporate Officer. It is also substantially more expensive to hire a consultant to act as the CEO, adding an additional \$15,000 - \$20,000 to your election budget. For these reasons, most municipalities appoint current staff, and most often the Corporate Officer and Deputy Corporate Officer. A stipend is typically offered to these two positions to acknowledge the additional work required throughout the year. In 2018, the City of Pitt Meadows provided a \$1,400 stipend to the CEO and a \$1,250 stipend to the DCEO. Staff pay rates for the 2022 election will be determined in the coming weeks.

Next Steps:

Staff have already taken preliminary steps in the election planning process, including:

- booking the South Bonson Community Centre, Recreation Centre, and Heritage Hall for General Voting Day;

- establishing an Election Workplan which outlines the key milestones and timelines associated with the election process; and
- beginning conversations with School District 42 regarding the administration of the school trustee election.

Next steps will include:

- Informing Elections BC of the City's CEO/DCEO appointments;
- Reviewing the Election Bylaw for required changes;
- Securing a contract for the rental of vote tabulators;
- Preparing forms and documentation including nomination packages, election staff training manuals, and council orientation binders;
- Considering and preparing for unique aspects of the 2022 election including pandemic-related impacts such as an anticipated increase of mail-in voting requests, and the potential need for COVID-19 safety plans at voting places.

RELEVANT LEGISLATION

- ***Local Government Act, Part 3 [Electors and Elections]*** – establishes regulations for the administration of local elections and by-elections
- ***Community Charter, Part 5 [Municipal Government and Procedures]*** – establishes council member terms of office, oaths of office, and inaugural council meetings
- ***Local Elections Campaign Financing Act*** – establishes the campaign financing rules that candidates, their financial agents, and elector organizations must follow to ensure accountability and transparency throughout the election process
- ***General Election and Other Voting Bylaw No. 2386*** – establishes procedures for the conduct of local government elections in Pitt Meadows
- ***Sign Bylaw No. 2719, 2015*** - regulates the erection and installation of election signs (see section 7.3)
- ***Council Procedure Bylaw No. 2834, 2019*** – establishes the date of each inaugural meeting as the first Tuesday in November in the year of an election.
- ***Oath of Office Bylaw No. 2907, 2021*** – establishes the oath of office for Pitt Meadows council members

COUNCIL STRATEGIC PLAN ALIGNMENT

- ☒ Principled Governance
 ☐ Balanced Economic Prosperity
 ☒ Corporate Excellence
☐ Community Spirit & Wellbeing
 ☐ Transportation & Infrastructure Initiatives

FINANCIAL IMPLICATIONS

☐ None ☒ Budget Previously Approved ☐ Referral to Business Planning

The election budget, previously approved by Council, is set at \$100,000 and will be funded through the election reserve. This includes administration of the election, council orientation, and strategic planning with the new Council.

PUBLIC PARTICIPATION

☒ Inform ☐ Consult ☐ Involve ☐ Collaborate ☐ Empower

KATZIE FIRST NATION CONSIDERATIONS

Referral ☐ Yes ☒ No

SIGN-OFFS

Written by:

Kate Barchard,
Corporate Officer

Reviewed by:

Mark Roberts,
Chief Administrative Officer

ATTACHMENT(S):

None.