

REPORT

REQUEST FOR COUNCIL DECISION

DATE: December 29, 2017
FROM: Mark Roberts, Chief Administrative Officer and
Tina Penney, Corporate Officer
SUBJECT: Local Government and School Board Elections – October 20, 2018

FILE: 09-4200-01/18

RECOMMENDATION: THAT Council:

- A. Appoint the Manager of Administration Services (Corporate Officer) as the 2018 Local Government Elections Chief Elections Officer pursuant to Section 58(1) of the *Local Government Act* and further appoint the Deputy Clerk as the 2018 Local Government Elections Deputy Chief Elections Officer to administer and conduct the 2018 general local elections.; AND
- B. Grant first and second readings to Council Procedure Bylaw Amendment Bylaw No. 2786, 2018 that reflects required legislative changes to the date of the Inaugural Council meeting (November 6, 2018 for the ensuing election); OR
- C. Other.

CHIEF ADMINISTRATIVE OFFICER COMMENT/RECOMMENDATION:



BACKGROUND:

Appointment of Chief Election Officer and Deputy:

It is a requirement of the Local Government Act to appoint a Chief Election Officer (CEO) and a Deputy Chief Election Officer (D/CEO) for each general local election.

Section 58(1) of the Local Government Act states: "...for the purposes of conducting an election, the local government must appoint a chief election officer and a deputy chief election officer".

It is typical of local governments to appoint their Corporate Officer and Deputy to these positions and this has been the past practice in this City. Alternatively, some local governments will contract out this responsibility.

Council Procedure Proposed Changes:

Coupled with this report on the election is a change to the Council Procedure Bylaw in order to comply with updated legislation regarding local government elections. Instead of a three year cycle, it has changed to a four year cycle. Instead of the local government elections being held on the third Saturday in November, legislation now states local elections be held the third Saturday in October. These changes affect the holding of the Inaugural meeting of City Council following an election with legislation stating in Section 124(1)(g) "A Council must by bylaw, establish the general procedures to be followed by

council....establish the first regular council meeting date....as a day in the first 10 days of November following a general local election” Accordingly, staff is bringing forward the Council Procedure Bylaw amendment suggesting that Council establish the Inaugural Council meeting as the first Tuesday in November following a general local election.

KEY ISSUE(S)/CONCEPT(S): To provide Council with the necessary information to consider the appointment of the Chief Election Officer and the Deputy, and also to consider the recommended bylaw amendment, the following is provided:

Appointment of Chief Election Officer and Deputy:

The City’s Corporate Officer, Tina Penney, has extensive experience in administering local government elections. Her experience includes Chief Election Officer for:

- City of Port Moody (1990 and 1993)
- Cities of Merritt and New Westminster (1996)
- City of White Rock (2002 and 2005)
- District of Mission (2014)

Ms. Penney has also been the Chief Election Officer for:

- Lake Babine First Nation in 1997 (provincial-wide referendum and general election)
- Metis Nation BC in 2012 (Province-wide election)
- Metis Nation BC in 2013 (By-election)

The City’s Deputy Clerk, Karen Elrick, served as an Assistant Election Official during the 2014 City of Pitt Meadows local government election. As well Ms. Elrick worked in the City’s legislative services during the 2014 election and thereby will have the needed continuity for our City operations.

It is anticipated that this combined experience and continuity will serve the City well in dealing with the demands in applying the Elections legislation and administering the City’s 2018 local election.

Key dates in relation to the local government election are as follows;

Local Government Election Event	DATE
Election Period Begins	January 1, 2018
Appointment of Chief Election Officer and Deputy	January 9, 2018
Candidate Nomination Packages Available	Mid- July 2018
Last day to adopt any bylaws related to the Election including assent voting	July 9, 2018
Nomination Period Begins - 9:00 a.m.	Sept. 4, 2018
Nomination Period Ends - 4:00 p.m.	Sept. 14, 2018
Declaration of Candidates	Sept 14, 2018
Declaration of Election by Voting	Sept 24, 2018
Election Period Ends and Campaign Period Begins	Sept 22, 2018
Mail ballot packages available	Oct 3, 2018
Advance Voting days (8 am to 8 pm)	Oct 10, 2018

	Oct 12, 2018
General Voting Day (8 am to 8pm) Preliminary results announced	Oct. 20, 2018
Declaration of official election results – 4:00 p.m.	Oct 24, 2018
Inaugural Meeting of Council – Candidates take Oath of Office	Nov 6, 2018
New Council Orientation Begins	Nov 12, 2018
Last day for all Candidates to file campaign financing disclosure statements	Jan 18, 2019

RELEVANT POLICY:Appointment of Chief Election Officer and Deputy

There is no City Policy regarding the Local Government Elections. Instead, this is regulated under the Local Government Act which states:

58(1) For the purposes of conducting an election, the local government must appoint a chief election officer and a deputy chief election officer.

The Chief Election Officer's duties and powers are also identified in the Act as follows:

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.

Council Procedure Proposed Change:

The proposed change to the procedure bylaw emanate legislative updates for the timing of elections and hence the need to change the procedure bylaw to align with the timing of the Inaugural meeting following a local general election. It is also noted that any change to the Council Procedure Bylaw requires, by legislation, that notification be provided in two consecutive publications of the local newspaper.

STRATEGIC ALIGNMENT: Corporate Excellence –Be open, transparent & accountable in all our activities; ensure we are properly structured and resourced to meet the community's needs.

DESIRED OUTCOME: That Council appoint the 2018 Chief Election Officer and Deputy pursuant to the Local Government Act. Further, that the Procedure Bylaw be amended to reflect changes to the Act in regards to the Inaugural meeting date.

RESPONSE OPTIONS:

Appointment of Chief Election Officer and Deputy:

Appoint different personnel from the City or contract out this legislative responsibility. Should it be Council's will to identify different personnel within the City to take on this responsibility or to consider contracting out this responsibility, there is still time available to do so. In this case it would be recommended that Council provide such direction and staff can research and report back with viable possibilities including costs.

Council Procedure Bylaw Amendment:

The recommended amendment regarding the change in timing to the Inaugural meeting of a Council following a general local election reflects provincial changes to the legislation and is within keeping of the City's past practice of holding the Inaugural meeting on the usual Tuesday meeting dates. However, Council has the option of establishing the Inaugural meeting date any date within the boundaries of the legislation which states: "the first regular council meeting must be held as soon as reasonably possible after a quorum has taken office.... as a day in the first 10 days of November following a general local election". Therefore Council has the option of holding the first Council meeting after a general local election within this 10 day time period.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: The responsibility is within staff's usual business.

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FINANCIAL: A budget of \$50,000 is allocated for the 2018 general local election. The following table provides a high-level breakdown of the budget:

No.	Item	Budget	Comments
1	Legal advertising, notifications and supplementary communications, including digital (goal: to increase voter turnout)	15,500	Legal notices per legislation; registered voters, voting cards; and costs for additional communications
2	List of Registered Electors, Provincial Election and reference manuals	1,000	The City uses the Provincial Voters list and obtains manuals and forms
3	Voter Equipment/Technology - maintenance, supplies and rentals	5,000	Of the City's two machines, one is beyond repair. Rentals will augment for the 2018 election
4	Ballots and supplies	7,000	Ballots with book-binding provide the best security for ballot accounting at the end of the election. Other supplies are obviously needed for election purposes
5.	Voting places, facilities and preparations	3,000	Cost to appropriately prepare and dismantle voting places for advance and election day
6.	Legal advice	2,000	Legal advice is dependent upon issues that may arise while implementing legislation vis-à-vis potential challenges
7.	Election staff wages	14,500.	This includes two advance polls (13 to 14 hour days); election day Saturday (14 to 16 hour day); mandatory training and preparation work
8.	Contingency/Miscellaneous	2,000.	unforeseen eventuality
TOTAL		50,000	

IMPLEMENTATION/COMMUNICATION: The local government election implementation will begin immediately with strict adherence to the *Local Government Act*, the *Local Government Campaign Financing Act* and the City's Bylaws. While there are some communications (public notifications) prescribed by legislation, the City is intending to go beyond these prescribed notifications and work with the Communications division to increase the profile of the local election and voter participation.

KATZIE FIRST NATION CONSIDERATIONS: none identified.

OTHER: none identified.

Submitted by: Tina Penney, Corporate Officer

Approved by: Mark Roberts, CAO

ATTACHMENT(S):

- A. Council Procedure Bylaw Amendment Bylaw No. 2786, 2018

**CITY OF PITT MEADOWS
COUNCIL PROCEDURE BYLAW
AMENDMENT BYLAW NO. 2786, 2018.**

A Bylaw to amend a section of
Council Procedure Amendment Bylaw No.2690, 2015.

WHEREAS, it is deemed expedient to amend City of Pitt Meadows Council Procedure Amendment Bylaw No. 2690, 2015;

AND WHEREAS, the *Community Charter*, prescribes that Council is to establish the first regular council meeting following a general local election as a day in the first 10 days of November following a general local election;

NOW THEREFORE, the Council of the City of Pitt Meadows in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the **City of Pitt Meadows Council Procedure Bylaw Amendment Bylaw No. 2786, 2018"**.
2. *Part 2 – "Council Meetings"; Section 4(1) "Following a general local election, the first Council meeting must be held on the first Tuesday in December in the year of the election" is hereby deleted and replaced with the following:*

4.(1) "Following a general local election, the first Council meeting must be held on the first Tuesday in November in the year of the election."
3. City of Pitt Meadows Council Procedure Bylaw No. 2690, 2015 and amendments thereto, is hereby amended accordingly.

READ a FIRST and SECOND time the ___ day of _____, 20__.

Notice published in the local newspaper this _____ day of _____,
20____ and repeated a second time on the _____ day of _____,
20____.

READ A THIRD time the ___ day of _____, 20__

ADOPTED the ___ day of _____, 20__.

Mayor

Corporate Officer