

REVIEW OF CITY OF VAUGHAN'S ELECTION PROCESS AND PROCEDURES

(Referred from the Committee of the Whole (Working Session) meeting of February 14, 2006)

Committee of the Whole (Working Session), at its meeting of February 14, 2006, recommended the following:

That this matter be referred to the Committee of the Whole (Working Session) meeting of February 28, 2006.

(Referred from the Council meeting of December 12, 2005)

Council, at its meeting of December 12, 2005, adopted the following:

That this matter be referred to a future Committee of the Whole (Working Session) meeting.

Report of the City Clerk and Returning Officer dated November 29, 2005.

Recommendation

The City Clerk and Returning Officer recommends that this report be received.

Economic Impact

There is no economic impact.

Purpose

To respond to a Council directive requesting a report on election process and procedures (Attachment No. 1).

Background - Analysis and Options

Council has requested a report addressing the election process and procedures. The matters requested to be addressed are set out below:

1) Re-alignment of Ward Boundaries

Council at its meeting held on June 27, 2005 enacted a by-law to re-divide the current 5 wards. The new wards will come into effect following the November 13, 2006 municipal election. Candidates registering to run in this election will do so in respect of the re-divided wards. Further, Council had earlier directed that this re-division be considered an interim measure and that a ward review be undertaken prior to the 2009 municipal election.

2) Consideration of City-wide or Geographic Specific Constituencies for Regional Councillors

As part of the recent ward review, Council considered the matter of regional wards and directed staff to determine if Regional Council would support regional wards. To date the Region has not responded.

3) A Comprehensive Review of the Election Sign by-law Encompassing size, Locations and Timing, Fines. etc.

Staff will be reporting on these issues at the November 29, 2005 Committee of the Whole (Working Session).

4) Election Budget Needs

The cost of the 2003 municipal election was approximately \$410,000. It is anticipated that the 2006 municipal election will cost approximately \$475,000. This does not include the cost of leasing new vote tabulating equipment which would be in the neighbourhood of \$150,000. Council recently directed that an RFP be issued for vote tabulating equipment.

Elections are funded from a reserve. The Finance Department, in consultation with the City Clerk, allocates an amount each year for this purpose. Currently, there are sufficient funds to cover the costs of next year's election and leasing vote tabulating equipment. It is also advisable to build a surplus in the reserve in the event of a by-election of which we have had two in the last few years. This avoids having to fund a by-election from taxation in any given year. The Municipal Elections Act, MEA, provides that the municipality shall pay the costs incurred by the Clerk in conducting an election.

5) Election Day Transmission of Results

Since 1991, Optech IV C central count optical scan vote tabulators have been used to tabulate election results. The results have been transmitted electronically to viewing screens in the Council chambers, press area and main foyer adjacent to the Council chambers. It has been noted that some of the screens should have been on raised platforms so as to provide a better view. Should vote tabulating equipment be located in each voting location for the next election (Council recently directed an RFP be issued for same), it is anticipated that election results will still be shown on viewing screens. However, the method of transmission from vote tabulators to the screens will need to be reviewed.

6) Use of Other Electronic Vote Counting Equipment

This was the subject of a report to Council recently and direction was given by Council on November 14th, 2005 to proceed with an RFP to lease optical scan vote tabulating equipment for use in each voting location.

7) Other Means of Voting, i.e., Mail-in Ballots, E-Voting, Etc.

The above-noted report dealt with alternative voting methods which were not recommended. The most cost-effective secure method of conducting an election for a municipality the size of Vaughan continues to be optical scan vote tabulating equipment.

8) Revision of the Voters List

The voters list is created by the Clerk from the preliminary list of electors that is provided to the Clerk by statute by the Municipal Property Assessment Corporation (MPAC). The MEA sets out the timing and manner in which the voters list is to be amended. The voters list is to be posted the Tuesday after Labour Day and may be revised any time thereafter up to and including the close of voting on election day. Application to add a person's name or to make changes respecting same must be made in writing. The application can be filed in person, by an agent or mailed in. This election the necessary form may be downloaded from the City's election web site, completed and mailed in. To

facilitate this, residents are able to confirm if their name appears on the list by accessing the City's election web site. It must be noted that the MEA stipulates that original forms must be completed and submitted. Posting of the voters list and revision requirements are advertised in accordance with the Act. In the case of Vaughan, this includes publication on the City Page, all ethnocultural newspapers throughout the City and on the election web site.

9) Use of Voter Information Cards

A voter information card is sent by mail to each eligible elector in the City prior to election day. Various election information is provided including advance poll dates and locations, voting day poll location and special provisions for physically challenged individuals.

10) Voting at Long-Term Care Facilities and Seniors Homes

The Clerk is empowered by the Act, subject to certain restrictions, to establish voting locations. All locations are to be accessible to electors with disabilities. The Act prohibits the use of a dwelling as a voting location. Voting locations are mandatory in retirement homes with 50 or more beds and institutions where 20 or more beds are occupied by disabled or chronically ill individuals. Where feasible apartments and condominiums have voting locations. Every effort is made to locate voting stations so as to be convenient for voters.

11) Review of the Number of Electors per Poll and the Number of Polls Created

The number of electors per poll and the number of polls created is the strict purview of the Clerk and is a function of a number of factors including voting method utilized, available facilities and anticipated voter turnout.

12) Elector Day Staff and Appropriate Training

It is the Clerk's responsibility to oversee the selection and training of poll workers. It must be noted that it has become very difficult to recruit sufficient poll workers. For the most part, videos, written instructions and lectures have been used in training workers in the past. If a different vote tabulating system is used, training methodologies will need to be reviewed.

For some time City staff have been recruited to perform various election day duties. The use of City staff on election day could be substantially increased. One option could be to go to "skeleton staff" at the Civic Centre and designated facilities so that more staff could be utilized as poll workers. This will be the subject of a further report to Council.

13) Voter Identification at the Polls

The vast majority of municipalities do not require identification at the polls other than to encourage electors to take their voter information cards with them to the polls to facilitate the voting process. This has been the practice in Vaughan. However, a few municipalities do require identification to be presented at the poll depending on circumstances. This matter is under review. The Clerk is empowered under the Act to do all manner of things in conducting elections including the requiring of identification and/or taking of an oath at the polls prior to a ballot being issued.

14) Use of the Name "Office of Local and Regional Councillor"

During the last municipal election campaign, the issue was raised in some quarters as to the appropriate way to refer to Local or Regional Councillor. With respect to how the

office is referred to on election signs, this is beyond the purview of the Clerk. The Clerk has no authority under the MEA to regulate the content of municipal election campaign signs. In addition, the Municipal Act is silent on this. Further, there are no more references in the Municipal Act to the terms local councillor or ward councillor. The only references appear to be to “member of council” either “lower tier” or “upper tier”.

With respect to how the office is referred to on the ballot, the practice in Vaughan has always been to refer to the office as “Local and Regional Councillor”. The rationale being that Regional Councillors are elected at large to the local Council, being Vaughan and to sit on Regional Council as Vaughan’s representatives. Hence the person is a Local and Regional Councillor. The regulations under the MEA concerning ballot format do not specify how an office is to be referred to.

15) Advertisements Relating to the Election Including Number of Candidates/Offices That an Elector is Entitled to Vote For

The MEA provides that the Clerk shall give notice of matters relating to an election in the form and manner and a time that the Clerk considers adequate to give reasonable notice or to convey information. The practice in Vaughan has been to publish all election notices on the City Page as well as all other ethnocultural newspapers published in the City. Most ads appear for two consecutive weeks, so as to give reasonable notice of the matter for which notice is being provided. Notices also appear on the City’s election web site. Ads that appear in the newspapers include ads entitled: Is Your Name on the Voters’ List?, Nominations, Proxy Voting, Election Staff Needed, Notice of Election (offices to be voted for, etc.), Advance Voting, How to Vote (how to mark a ballot).

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Conclusion

It would be in order to receive this report.

Attachments

Attachment No. 1 – Extract from the Committee of the Whole (Working Session)
of February 23, 2004

Report prepared by:

John D. Leach, City Clerk

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 23, 2004

Item 4, Report No. 19, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on February 23, 2004.

4 REVIEW OF CITY OF VAUGHAN'S ELECTION PROCESS & PROCEDURES

The Committee of the Whole (Working Session) recommends:

- 1) That the recommendation contained in the following report of Regional Councillor Ferri, dated February 10, 2004, be approved;
- 2) That staff review and report on the issues raised by Members of Council as well as the following:
 - (1) Re-aligning of ward boundaries.
 - (2) Consideration of city-wide or geographic specific constituencies for Regional Councillors.
 - (3) A comprehensive review of the Election Sign By-law encompassing size, locations and timing, fines, etc.
 - (4) Election budget needs.
 - (5) Election day transmission of results.
 - (6) Use of other electronic vote counting equipment.
 - (7) Other means of voting, i.e. mail-in ballots, e-voting, etc.
 - (8) Revision of the voter's list.
 - (9) Use of voter information cards.
 - (10) Voting at long-term care facilities and seniors homes.
 - (11) Review of the number of electors per poll and the number of polls created.
 - (12) Election day staff and appropriate training.
 - (13) Voter identification at polls.
 - (14) Use of the name "Office of Local and Regional Councillor".
 - (15) Advertisements relating to the election including number of candidates/offices that an elector is entitled to vote for;
- 3) That the City Clerk be directed to report on timelines for the implementation of a new ward boundary structure to be in place for the 2006 municipal elections; and
- 4) That the memorandum from the City Clerk, dated February 6, 2004, be received.

Recommendation

Regional Councillor Ferri recommends that staff undertake a review of the City of Vaughan's current process and procedures for conducting a municipal election to improve service to electors through new initiatives and new technology, and

That staff report back to Committee of the Whole before the last meeting in June 2004.

Purpose

To review the current ward boundaries and election procedures in order to encourage higher voter turnout and more equitable constituency representation amongst local councillors.

Background - Analysis and Options

Since the last ward boundary re-distribution, the population of Vaughan has increased dramatically. In some cases the ward population has increased and created numerous inequities. There is a need to re-distribute these ward boundaries to ensure fair and equitable treatment of all constituents.

During the last municipal election, a number of issues arose that needed to be addressed. A comprehensive review of the process and procedures of conducting an election for the City of Vaughan needs to be conducted as well as corresponding By-Laws that govern the election process. The following issues need to be reviewed as part of the staff undertaking:

1. Re-aligning of ward boundaries
2. Consideration of city-wide or geographic specific constituencies for Regional Councillors
3. A comprehensive review of the Election Sign By-Law encompassing size, locations and timing, fines, etc.
4. Election budget needs
5. Election day transmission of results
6. Use of other electronic voting counting equipment
7. Other means of vote i.e. mail-in ballots, e-voting, etc.
8. Revision of the voter's list
9. Use of voter information cards
10. Voting at long-term care facilities and seniors homes
11. Review of the number of electors per poll and the number of polls created
12. Election day staff and appropriate training

Relationship to Vaughan Vision 2007

Voting in the City of Vaughan must focus on how best to meet and service the needs of the electors of the municipality. Changes need to be made to ensure that "People first through service excellence" is reflected in our process and procedures.

Conclusion

A full and comprehensive review of Vaughan's electoral process and procedures including the re-aligning of ward boundaries is needed now in order to be able to ensure higher voter turnout and a high level of satisfaction among constituents and candidates.

Attachments

N/A

Report prepared by:

Mario F. Ferri