

2020 Municipal Election Report

Date	January 15, 2020
To	Executive Committee
From	City Clerk's Office
Service Area	Office of the City Clerk
Item No.	EX20-1

RECOMMENDATION

That the Executive Committee recommend that City Council:

1. Approve Option 1 for the regular polling areas and polling places as outlined in Appendix B and B1.
2. Approve the use of mobile and special polls for serving voters at the institutions defined under section 29 of *The Act*.
3. Approve the special, advance and mobile polls and hours as outlined in Appendix D.
4. Approve the rates of remuneration for election officials summarized in Appendix E.
5. Approve the names of candidates on the Mayor and Councillor ballots be listed in alphabetical order by surname and that according to section 9.2 of *The Act* the occupation of each candidate not be required to be listed on the ballots.
6. Direct the City Solicitor to amend Schedule 'A' in *The Automated Vote Counting Bylaw, Bylaw No. 10197* to reflect the removal of 'occupation' from the ballot and bring back the amending bylaw for review at the City Council meeting scheduled to take place on February 26, 2020 meeting.
7. Approve these recommendations at its January 29, 2020 meeting.

ISSUE

The Local Government Election Act, 2015 (The Act) provides that City Council must make decisions on several matters related to the holding of a municipal election. This report addresses these items for the Municipal Election scheduled to be held on Monday, November 9, 2020.

- The polling areas and places for the election
- The establishment of special polls
- The provision of an advance and mobile poll
- The hours for the special, advance and mobile polls
- Remuneration for election workers
- Candidate's occupation listed on the ballot
- Returning Officer
- Declaration of official results
- The order for candidate names on the ballots

IMPACTS

Accessibility Impact

All polls are accessible to persons with a disability. Advance poll options, mobile polls and the use of the mail-in ballot system will further increase accessibility options for the public.

Financial Impact

The 2020 Municipal Election budget is \$1.2 M as compared to \$929,500 in 2016. The increase accounts for inflation of expenses and an enhanced communication strategy to address the proximity of the Provincial and Municipal election dates.

The Provincial Election is scheduled to take place just two weeks before the Municipal Election. Voter fatigue and differentiation between the two elections are key considerations in 2020. In an effort to address these concerns, an additional \$100,000 has been added to the Communications budget. This will allow for appropriate staff resourcing and an increase in paid advertising to ensure voters are aware of the Municipal Election, with a focus on when and where they are able to vote.

Additionally, the Clerks Office is working to partner with other municipalities around Saskatchewan to share the cost of creating training videos for election workers. This will provide workers with easy to access and easy to follow visual instructions on how to perform required tasks during their work assignments. This initiative will be beneficial to election workers, especially to those who are working both the Provincial and Municipal Elections as their training and work assignments will overlap and the processes are very different.

The school boards will share 50 per cent of the overall cost of the election pursuant to an agreement dated back to November 24, 1987. This agreement was updated and signed by both parties on January 5, 2016.

Policy/Strategic Impact

With each Election, the goal is to improve the fairness and effectiveness of existing systems while creating consistency for the public. Elections are the pillar of democracy and facilitate the City's ability to continue to deliver services to the public based on all strategic outcomes.

There are no environmental, risk/legal, or other implications or considerations.

OTHER OPTIONS

Regular Polling Areas and Polling Locations

Pursuant to Section 22(1) of *The Local Government Election Act, 2015 (The Act)*, Council shall divide the municipality into as many polling areas as necessary for the convenience of voters and name the polling place for each polling area so established. An excerpt of *The Act* is included in Appendix A. Section 100(1) of *The Act* provides that regular polling places shall be open from 9 am to 8 pm on Election Day.

The Returning Officer has carried out a review of the polling areas required for the 2020 Municipal Election. Two options have been put together for Council to consider. The criteria applied and the results of the review are summarized in the following appendices:

Appendix B – Option 1: 30 Polling Locations (recommended)

Appendix B1 – Maps of Individual Wards and Polling Areas and Locations (recommended)

Appendix C – Option 2: 34 Polling Locations

Appendix C1 – Maps of Individual Wards and Polling Areas and Locations

Appendix B, B1 – Option 1 for 30 regular polling areas and 30 regular poll locations is being recommended for the 2020 Municipal Election. The election has traditionally run with 30 poll locations and there have not been complaints that there are not enough polls or that polls see an overwhelming amount of voters or increased wait times. There were minor geographical challenges for voters to get to their polls in certain areas in 2016, these issues were addressed during the 2019 Ward Boundary Review and shouldn't be an issue for the 2020 Election.

Option 2 would provide four additional polls. This may provide voters with easier access to voting locations where it was perceived to potentially be a slightly greater distance to a polling station; providing these additional locations will cost approximately \$22,000 to run (cost includes election workers, rent for additional locations, supplies, ballots, vote machines, etc.). Given that the additional locations will not alleviate strain on other polls or bring in additional voters, Option 2 is not being recommended. Option 1 will meet all of the requirements of the election and provide voters with an adequate number of convenient locations to vote at on Election Day. Those who may foresee it being a challenge to attend a poll will have the option of utilizing the advance polls or mail-in ballot options.

Special Polls/Advance Polls/Mobile Poll

The times, dates and locations outlined in Appendix D are being recommended for the 2020 Municipal Election.

Election Worker Remuneration

Section 52 of *The Act* authorizes Council to set the remuneration to be paid to election officials acting in respect of an election.

For 2020, it is being recommended that the rates of remuneration be changed so they are reflective of the increase in minimum wage since 2016. Appendix 'E' summarizes the rates of remuneration recommended for the payment of election officials.

Candidate's Occupation on Listed on the Ballot

In previous years, Candidates were required to list their occupation on their nomination form and on the ballot. This created some challenges for candidates and the design of ballots in past elections. As of January 1, 2020 changes set forth in the 2019 Chapter 10 by the Ministry to amend *The Act*, section 9.2 states the following:

"Occupation of candidate re boards

9.2 A board may, by resolution, require the occupation of a candidate to be included on the nomination paper and ballot"

This section allows Council to decide if a candidate's occupation should be required on the ballot or not. It is being recommended that Council approve that the occupation not be a requirement on the nomination form or the ballot for the upcoming election. Deciding to remove the occupation requirement would also require making an amendment to Schedule 'A' in the *The Automated Vote Counting Bylaw, Bylaw No. 1019* which would be brought before City Council at its meeting scheduled for February 20, 2020 for review and approval.

Should Council choose to keep the occupation requirement, it would be recommended that Council direct Administration to create a bylaw outlining the meaning and use of 'occupation' on the nomination form and ballot.

COMMUNICATIONS

The development of a communications and marketing strategy is underway to inform candidates, election officials and the general public on the 2020 Municipal Election process.

Communications for the election will directly serve the goals of making the voting process clear for eligible voters and the running process clear for potential candidates. There will be increased communication efforts and information provided via web (electionsregina.ca) and social media as well as traditional media so that as many residents as possible are reached.

The strategy will include the circulation of a voter information card, similar to what was used in the Federal and Provincial Elections, to all households in the city advising of election activities and procedures.

A copy of this report will be provided to the Public and Separate School Boards for information.

DISCUSSION

Mail-in Ballots

Section 92 of *The Act* authorizes Council to establish a mail-in ballot voting system for the purpose of receiving ballots in an election. In accordance with section 92(1) of *The Act* a mail-in ballot voting system is available to individuals who will be absent from the municipality on Election Day or during the advance polls. The City has established a mail-in ballot system pursuant to Bylaw 2012-42, being *The Mail-in Ballot Bylaw, 2012*.

Returning Officer

Section 47(1) of *The Act* provides that the City Clerk shall act as the Returning Officer of municipal elections unless Council, at least 90 days prior to Election Day appoints another person as Returning Officer. In Regina, the City Clerk has traditionally acted as the Returning Officer for general elections and it is recommended this occur in 2020 as well.

Official Results

The Returning Officer shall declare and have available for distribution the official results of the election at 1 pm on Thursday, November 12, 2020 in Henry Baker Hall on the main floor of City Hall.

Candidate Criminal Record Checks

Section 63.1(1) of *The Cities Act* states the following:

“A council, may, by bylaw, require that every candidate submit a criminal record check in the form required by the minister in addition to the nomination paper submitted pursuant to section 67 of *The Local Government Election Act, 2015*.

(2) Any bylaw made pursuant to subsection (1) must be made at least 90 days before the day of a general election.”

In 2012 and 2016, Council voted against the requirement for criminal records checks to be submitted in addition to the nomination paper pursuant to section 67 of *The Local Government Election Act* for candidates in municipal elections. The Saskatchewan Association of City Clerk’s recommended against this and it is not expected that any cities in Saskatchewan will recommend the use of criminal record checks. The reason for this is that the criminal record check only identifies whether a person has a criminal record, it does not provide any details on the person’s criminal convictions. Because of this lack of detail, it is unclear what benefit collecting this information would have on the Election Process and therefore it is not being recommended to Council.

If Council were to require a criminal record check then a bylaw would be required.

Order of Candidate Names on the Mayor and Councillor Ballots

Section 91 of *The Act* provides Council with four options on how to order candidate names on ballots.

- 1) in alphabetical order by surname;
- 2) in the order that the names are withdrawn from a receptacle;
- 3) electronically generated in random order and arranged in the order that they are generated;
or
- 4) arranged in rotating order.

The names of candidates will continue to be ordered in alphabetical order by surname on all ballots pursuant to section 91(3) until a resolution or bylaw is passed to change the manner in which the names shall appear on the ballot. *The Act* also provides that the resolution or bylaw changing the manner in which the names appear must be passed at least 55 days prior to the day on which a general election is held.

Disclosure of Campaign Contributions and Expenses

Section 34 of *The Act* provides that Council may establish, by bylaw at least 60 days before an election, disclosure requirements respecting election campaign contributions and expenses and/or election campaign spending limits. In 2007, City Council approved Bylaw 2007-34 the Regina Municipal Election Expenses Bylaw to address disclosure requirements respecting election campaign contributions and expenses and/or election campaign spending limits. This bylaw is deemed to be in effect until it has been amended or repealed.

Clause 4(1)(a) of Bylaw 2007-34 identifies the spending limits for candidates for Mayor and/or Councillor and 4(1)(b) requires a consumer price index (CPI) to be applied to these limits annually. The annual 2019 CPI has not been released yet however Council should be aware that the spending limits based on the 2018 CPI of 135.90 percent would result in spending limits as follows:

- 1) Candidate for the position of Mayor would increase from \$64,130 to an estimated \$66,220; and
- 2) Candidate for the position of Councillor would increase from \$10,688 to an estimated \$10,969.

Pursuant to subsection 4(2) of Bylaw 2007-34, the City Clerk is authorized to update these amounts annually and will do so once the 2019 CPI is released. It is anticipated that the CPI will be released in February or March of 2020. Candidates will be advised of the updated limits. In 2003, the Regina Public School Board established a Policy requiring candidates for the Public School Board election to disclose election contributions and expenses. The Policy will continue to be used in the 2020 Municipal Election. The Separate School Board does not have a policy that requires candidates to disclose their contributions and expenses.

Vote Counting Equipment

On March 6, 2000 City Council adopted *The Automated Vote Counting Bylaw* No. 10197 to establish procedures for using vote counting equipment in Regina. Automated vote counting equipment will be used in the 2020 Municipal Election.

DECISION HISTORY

In accordance, with *The Local Government Election Act, 2015* the recommendations contained within this report require City Council approval.

Respectfully Submitted,



Kristina Gentile, Election Coordinator

Respectfully Submitted,



Jim Nicol, City Clerk

Prepared by: Kristina Gentile, Business Performance Consultant

ATTACHMENTS

- Appendix A - Polling Areas and Places
- Appendix B - Option 1
- Appendix B1 - Option 1 Maps
- Appendix C - Option 2
- Appendix C1 - Option 2 Maps
- Appendix D - Poll Locations, Dates and Times
- Appendix E - Election Official Remuneration Rates