

August 12, 2016

CORPORATE SERVICES – LEGISLATIVE SERVICES REPORT 2016-15

TO: Committee of the Whole

SUBJECT: Ward 5 By-election – Alternative Vote Method

ORIGIN: Legislative Services

RECOMMENDATIONS

a) THAT Corporate Services – Legislative Services Report 2016-15 dated August 12, 2016 regarding Ward 5 By-election – Alternative Vote Method be received and the following recommendation(s) be adopted:

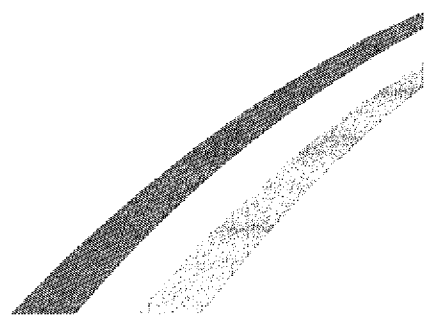
- i. THAT Council endorses the use of Optical Scan Vote Tabulators for the Ward 5 By-election and a by-law be brought forward to authorize the use of alternative voting equipment and an alternative voting method in accordance with Section 42. (1) (a) of the Municipal Elections Act, 1996;**
- ii. AND THAT a by-law be enacted to include other languages in addition to English and French in order to relay election related information to the general public.**

COMMENTS

Background

Under Section 42 of the Municipal Elections Act, 1996 (the Act) Council must authorize the use of any alternative voting equipment (such as optical scan vote tabulators), and alternative voting methods (such as vote by mail, telephone voting or internet voting). In addition, Section 9 of the Act requires that Council pass a by-law to permit information provided under the Act in any language other than English.

For the Ward 5 by-election, staff is recommending an in person voting model using paper ballots and optical scan vote tabulators. This is a method that will be familiar to voters, and will require minimal staff training and adjustment of procedures.



Optical Scan Vote Tabulators

Where tested and programmed, optical scan vote tabulators are able to accurately and efficiently read, interpret and count properly marked paper ballots. Optical scan vote tabulators are programmed to accept, read and tabulate marked ballots according to the procedures established by the Clerk. Vote tabulators are often used in voting places or at a central location where marked ballots are transported for tabulation. Tabulators have been used by many jurisdictions for a number of years. Optical scan vote tabulators were used in Newmarket's 2010 and 2014 elections.

Staff is proposing using optical scan vote tabulators and vote anywhere which allows electors to vote at any voting location. This increases accessibility and convenience for electors, and is conducted through the use of an electronic voters' list. Staff are able to make revisions and confirm voter eligibility in real-time at every voting location. Vote anywhere can be accommodated with current technology resources and was used in 2014 for the advance vote period. Accessible equipment will be available at all advanced and Voting Day voting locations. Using vote anywhere with an electronic voters' list will reduce the number of staff required to work the polls on Voting Day and will significantly save on staffing costs.

Ranked Ballots

Although recent amendments to the Act enable Council to pass a by-law to authorize the use of ranked ballots, the regulations are not yet finalized nor are they in effect. The Ministry of Municipal Affairs has published draft regulations for use of ranked ballots. These are open for comment until August 12, 2016.

Ranked ballots allow voters to rank candidates based on their preference. Voters are able to select a first, second, or third choice. In order for a candidate to be elected in ranked ballot elections, they must receive a pre-determined number of votes. In a single-member ranked ballot election, that number is 50 per cent of the total votes plus one (a simple majority).

According to the draft regulations before passing a by-law for the use of ranked ballots, Council must hold an Open House to provide information to the public. Information must be provided on vote counting equipment at the Open House along with information on the ranked ballot process. Notice must be placed in the local newspaper at least 30 days prior to the Open House. Fifteen days after the Open House there must be a public meeting.

The available vendors for supplying vote tabulators have experience with ranked ballot elections in other jurisdictions; however they have indicated that they will need to develop a new algorithm for use in Ontario, pending the completion of the new regulations. Considering the timing of the release of the regulations, requirements for public input and public education, and the time necessary for the vendors and staff to prepare the voting equipment it will not be possible to implement ranked ballots in time for an October 17, By-election.

Internet voting

Staff is not currently recommending the use of internet voting for the By-election due to the short time period to educate the public and implement the necessary technical and procedural requirements, and to provide Council with a response to matters raised at the Council Workshop of October 5, 2015.

Staff plans to provide information at the By-election voting locations and ask voters to complete a questionnaire regarding ranked ballots and internet voting options for the 2018 Municipal Election. This information will be used to help inform future Council discussions for the 2018 Election.

Accessibility and Diversity

Accessible voting equipment will be available at all voting places during advance voting and on Voting Day. Information on the election will also be provided in alternative languages which supports the work of the York Region Municipal Diversity and Inclusion Group.

Matters for Future Consideration

A Special Committee of the Whole meeting is being planned in January 2017 to provide Council with information on the various vote method options and to receive community feedback. For the 2018 municipal election Council is required to pass a by-law respecting the vote method, and ranked ballots by May 1, 2017.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Consideration of voting method options for the Ward 5 By-election supports the Town's strategic directions of a well-equipped, managed and respected municipality by ensuring service excellence and promoting engagement in civic affairs, and supports Council's priority of community engagement.

CONSULTATION

Staff conducted research into the proposed ranked ballot regulations.

HUMAN RESOURCE CONSIDERATIONS

Not applicable to this report.

BUDGET IMPACT

The budget for the by-election was adopted by Council at the Special Council meeting of July 25, 2016 as follows:

Minimum Approximate By-election Costs		Comments
Tabulator equipment and related services, and ballots	\$30,000	Based on recent quote
Communications	\$6,000	Advertising, promotions and materials
Voter notification & postage	\$6,000	
Staff support	\$31,000	Represents staff overtime and an Election Assistant wage to support: <ul style="list-style-type: none"> - 2 voting locations on voting day - 1 advance vote location each advance vote day - 3 multi-res advance vote - 1 roving vote team on voting day - Additional staff support as needed
Stationery, supplies & miscellaneous	\$5,400	
Voter's list management	\$1,600	Based on recent quote
Approximate Total	\$80,000	

CONTACT

For more information on this report, contact Sarah Niezen, Record and Projects Coordinator (Ext. 2213, or sniezen@newmarket.ca), or Andrew Brouwer, Director of Legislative Services, Town Clerk (Ext. 2211 or abrouwer@newmarket.ca).


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SN: [Typist Initials]