

## **Staff Report**

---

**Report To:** City Council

**Report From:** Briana Bloomfield, City Clerk

**Meeting Date:** December 18, 2017

**Report Code:** CR-17-119

**Subject:** Election 2018 – General Report #1

---

### **Recommendations:**

That in consideration of Staff Report CR-17-119 respecting the 2018 municipal election, City Council:

1. receives the report for information purposes;
2. provides direction to staff in the event Council would like any election related by-laws discussed in the report to be brought forward for Council's consideration.

### **Strategic Initiative:**

Strengthening our community through sound leadership.

### **Background:**

Council is elected to a four-year term with the current term of Council set to expire on November 30, 2018. While the Clerk is responsible to conduct municipal elections, Council is the approval authority where issues require authorization by by-law. Preparation has begun for the 2018 Municipal Election and the following items are being brought to Council's attention for information and consideration.

## **Analysis:**

### **Composition of Council and Establishment of Wards**

Council has not directed any changes be made to the composition of Council or to establish wards in the City. Therefore, the election in 2018 will be conducted at large for the positions of Mayor, Deputy Mayor and seven Councillors.

### **Question on the Ballot**

The *Municipal Elections Act* ("MEA") enables Council to pass a by-law to submit a question to the electors on the election ballot. The question must:

- concern a matter within the jurisdiction of the municipality but not concern a matter which has been prescribed as a matter of provincial interest;
- be clear, concise and neutral
- be capable of being answered by a "yes" or "no".

Before passing a by-law directing the submission of a question to the electors, the Clerk must give at least 10 days' notice of the intention to pass the by-law and hold at least one public meeting.

Following the Council calendar for 2018, these are the dates recommended should Council wish to pursue a by-law to place a question on the ballot:

- January 15, 2018 – Council direct that a public meeting on the question be scheduled and notice provided;
- January 29, 2018 – public meeting on the question
- February 12, 2018 – by-law on the question be considered by Council

Following the passing of the by-law, notice must again be given within 15 days. The MEA prescribed the content of both the notice of intent to pass the by-law and the notice of passing. There is a 20-day appeal period.

Should Council wish to pursue a by-law to place a question on the ballot, a fulsome report on the notice provisions, appeal provisions and determination of the question will be provided.

### **Contribution Rebates**

A municipality may, by by-law, provide for the payment of rebates for individuals who make contributions to candidates for office on the municipal council. Rebates would be funded by the municipality. The by-law shall

establish the conditions under which an individual is entitled to a rebate. The by-law may provide for the payment of different amounts to different individuals on any basis.

Traditionally, the City has declined to pass a by-law respecting contribution rebates.

### **Language of Notice and Forms**

Under the MEA, notice, forms and other information are required to be in English only unless Council passes a by-law allowing the use of French for prescribed forms and French or other languages, or both, in notices, forms and other information.

The MEA does require that notices, forms and other information must be in both French and English where the information is related to an election for a French-language district school board. A by-law may also be passed in relation to these items to include other languages in addition to French and English.

Traditionally, the City has provided all notices, forms and other information in English only excepting the prescribed forms that must be in French and English. By-laws to require French or other languages where optional have not been enacted.

### **Recount Policy**

The MEA provides the opportunity for a municipality to adopt a policy respecting the circumstances in which the municipality requires a recount. This type of policy would establish a threshold for when a recount must be taken. Absent a policy, the MEA provisions apply.

The MEA requires that a recount be held when:

- Two or more candidates receive the same number of votes and cannot both or all be elected to the office;
- A by-law submitted to the electors for approval has equal votes 'yes' and 'no';
- A question on the ballot has two or more answers with equal votes.

The MEA also allows the council of a municipality to pass a resolution, within 30 days of the declaration of results, to direct a recount for:

- All or specified candidates for an office on the council;
- All or specified answers to a question;
- Votes for or against a by-law.

A recount policy would require passage by by-law.

### **Financial/Budget Implications:**

Adding the requirement to produce notices, forms or other information in French or other languages will result in translation costs that have not, at this time, been factored into the Election budget.

Notices of public meetings and intent to pass a by-law cost approximately \$350 each when placed in the local paper.

### **Communication Strategy:**

Any by-laws will be accompanied by a public report and, where needed, a notice of public meeting or intent to pass a by-law will be given through the City's website and the local newspaper. All election related by-laws and information will be made available on the City's Election webpage.

### **Consultation:**

Deputy Clerk

### **Attachments:**

None

<b>Prepared By:</b>	Briana Bloomfield	_____
		signature on file
<b>Reviewed By:</b>	Kate Allan	_____
		signature on file
<b>Submitted By:</b>	Wayne Ritchie	_____
		signature on file