



ADMINISTRATIVE REPORT

Report Date: July 13, 2017
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Meeting Date: July 26, 2017

TO: Standing Committee on Policy and Strategic Priorities
FROM: City Clerk
SUBJECT: Local Government By-Election - 2017

RECOMMENDATION

- A. THAT Council appoint the City Clerk as the Chief Election Officer for the conduct of a by-election to fill a vacancy on Vancouver City Council arising from the resignation of a councillor.
- B. THAT, on behalf of Vancouver City Council, the City Clerk notify the Minister of Community, Sport, and Cultural Development, of the by-election as required by Section 10(4) of the *Vancouver Charter*.

REPORT SUMMARY

Staff are recommending that Council appoint the City Clerk as the Chief Election Officer for the purpose of conducting a by-election.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The City Manager supports the above-noted recommendations.

REPORT

Background/Context

On July 4, 2017, Councillor Geoff Meggs submitted a letter to the City Clerk in which he resigned from office. The resignation was effective when it was received by the City Clerk. Under section 10(1)(b) and 10(3) of the *Vancouver Charter*, an election must be held to fill a vacancy in the Council if the person holding the office resigns and the resulting vacancy occurs prior to January 1 in the year of a general local election. Section 142(3) of the *Vancouver Charter* requires that the City Clerk notify Council of the resignation at its next

meeting after the resignation is received. Council was notified of the resignation at the Regular Council meeting on July 11, 2017.

As well, the *Vancouver Charter*, section 10(4), states that Council must appoint a chief election officer as soon as practicable after the vacancy occurs for which an election must be held, and notify the minister of the election. As such, staff are requesting that the City Clerk be appointed as the Chief Election Officer for the purpose of conducting the by-election and duty to notify the Minister of Community, Sport, and Cultural Development on behalf of Council.

Assuming Council appoints the chief election officer on July 26, 2017, general voting day for the local by-election will be Saturday, October 14, 2017. This is in accordance with section 10(5) of the *Vancouver Charter* which requires that the general voting day be on a Saturday no later than 80 days after the date the chief election officer was appointed.

The Deputy Minister of Community, Sport and Cultural Development and Deputy Minister of Education have already been notified of the need for a by-election in case the provincial cabinet wishes to concurrently conduct a by-election for the Vancouver School Trustees. Upon appointment of a chief election officer by Council, the Chief Electoral Officer for Elections BC will also be notified of the election date.

Strategic Analysis

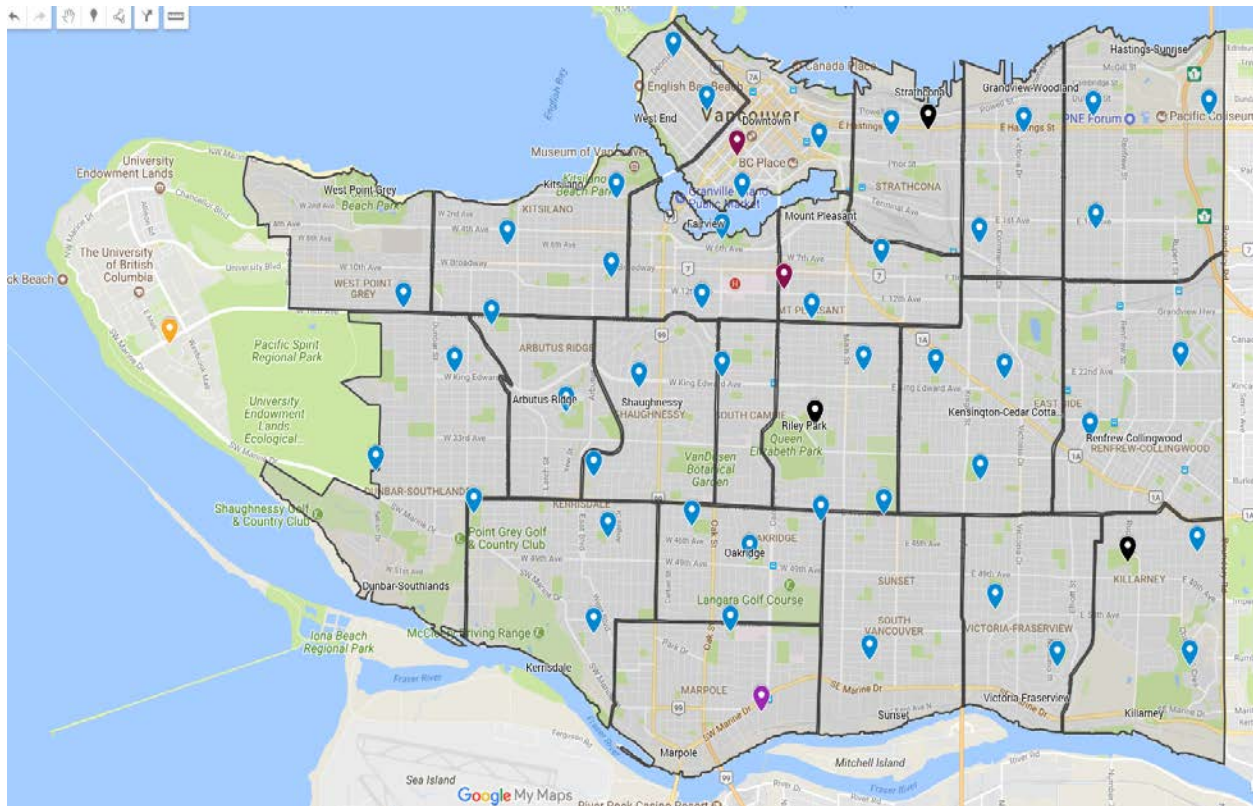
2017 Local By-Election

The general election requirements as set out in Part I of the *Vancouver Charter* apply to the holding of a by-election. In addition, the requirements set out in the *Local Elections Campaign Financing Act*, which is administered by Elections BC, also apply.

Key dates in relation to the by-election are as follows:

By-election Event	Date
Candidate information packages available	August 8
Advance Registration ends	August 22
Voters List - Public inspection period begins	August 29
Nomination period	August 29 - September 8
Declaration of candidates	September 8
Declaration of election by voting	September 18
Mail ballot packages available	September 26
Advance voting days at City Hall (8 am - 8 pm)	October 4 October 10
General voting day (8 am - 8 pm)	October 14
Declaration of official election results	October 18
Elected candidate to take oath of office	Late October/ Early November

It is anticipated that 50 voting places will be established for the anticipated general voting day on Saturday, October 14, 2017 from 8 am - 8 pm. Staff are in the process of securing the operating agreements for the use of the facilities. Voting places are planned to be held in 44 public schools, 3 community centres, 2 City facilities, and 1 church (see map below).



Voters will be able to vote at any voting place location on general voting day. Voters may also take advantage of voting in advance. Advance voting is planned to be held at City Hall from 8 am - 8 pm on October 4, 2017 and October 10, 2017.

Mail ballot voting will also be available for the by-election.

Potential Vancouver School Trustees By-Election

In October 2016, the Province removed the Board of School Trustees for School District 39 (Vancouver) by appointing an interim official trustee for District. Premier-designate John Horgan and other members of the legislative assembly have expressed interest in either reinstating the former Board of School Trustees or holding a by-election to elect a new Board. On July 18, the Premier-designate and his cabinet will be sworn in and officially become the new BC government.

Given these circumstances, should the provincial cabinet wish to conduct a school trustees by-election, a cabinet order is required under Section 172(3) of the *School Act*. The cabinet order would need to be issued after City Council's anticipated appointment of the chief election officer on July 26. However, in order to meet the statutory deadlines imposed on the chief election officer under the *School Act* and *Vancouver Charter*, that order would need to be issued immediately following Council's appointment of the Chief Election Officer and, in any event, not later than August 4, 2017. As noted, the City Manager has already given

written notice of the timing constraint to the Deputy Minister of Education and Deputy Minister of Community, Sport and Cultural Development.

Should the City be directed to hold the school trustees by-election concurrently with the City's local by-election, Section 38 of the *School Act* states that "the board must reimburse the municipality for costs necessarily incurred by the municipality in conducting the election". Accordingly, City staff will be in discussions with the Vancouver School Board regarding sharing incremental costs resulting from a trustees' by-election being held concurrently with the City's by-election.

Implications/Related Issues/Risk

Financial

The estimated budget for the 2017 by-election is \$1.535 million. A breakdown of the local by-election budget is as follows:

2017 Local By-Election Budget	
Category	2017
Election Office	\$255,839
Voting Places	
Election Workers	\$221,426
Locations	\$1,000
Supplies	\$43,150
Training - Election Workers	\$67,035
Communications & Digital	\$120,800
Voting Equipment/Technology	\$686,000
Contingency	\$140,000
Total	<u><u>\$1,535,250</u></u>

The funding source for the local by-election is the City's Election Reserve. As part of the City's annual operating budget process, \$1 million is allocated to this reserve each year to provide funding for General Local Election and by-election costs. Currently, this reserve has a balance of \$4.1 million. Prior to the 2018 General Local Election, a further annual allocation of \$1 million will be made to the Election Reserve. While there is sufficient funding in the reserve for this by-election, it is expected that the contribution to the 2018 reserve will need to be increased by approximately \$0.4 million, to ensure sufficient funds for the 2018 General Local Election. Funding requirements for the 2018 General Local Election will be incorporated into the 2018 annual operating budget process.

CONCLUSION

Staff are recommending that Council appoint the City Clerk as the Chief Election Officer for the purpose of conducting a by-election. If Council appoints a chief election officer on July 26, 2017, general voting day for the by-election will be Saturday, October 14, 2017.