



ADMINISTRATIVE REPORT

Report Date: November 16, 2015
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Meeting Date: January 20, 2016

TO: Standing Committee on Policy and Strategic Priorities
FROM: City Clerk
SUBJECT: Municipal Election - Report Back on Independent Election Task Force

RECOMMENDATION

- A. THAT Council establish the City of Vancouver Election Task Force ("Task Force") for the purpose of developing a strategy and work plan to assist the City in advancing Council-approved reforms to the governing of the municipal election process in Vancouver.
- B. THAT Council approve the terms of reference for that Task Force as set out in the report dated November 16, 2015, entitled "Municipal Election - Report Back on Independent Election Task Force".

REPORT SUMMARY

The purpose of this report is to obtain Council approval of the establishment of an independent Election Task Force and its terms of reference - including the composition of the Task Force.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

At its Regular Council meeting on February 3, 2015 Council directed staff to provide recommendations to Council on the membership and terms of reference for an independent committee. Council also specified a broad mandate for that committee.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The Acting City Manager recommends approval of the foregoing.

REPORT

Background/Context

At its Regular Council meeting on February 3, 2015, Council directed staff to provide recommendations to Council on the membership and terms of reference for an independent committee with a broad mandate to:

- (i) survey candidates and parties as to their experience in the election;
- (ii) review whether the allocation of resources from Council is sufficient to meet expectations in an election; and
- (iii) create a plan for advancing previous Council directives to staff regarding electoral procedures including:
 - (a) Request to Province for ability to implement campaign finance reforms including limits to contributions and a ban on corporate and union donations;
 - (b) Request to Province for ability to use proportional voting systems;
 - (c) Request to Province to make anonymous balloting data available in open data format after an election;
 - (d) Request to Province to conduct an online voting pilot; and
 - (e) The priority actions from the Engaged City Task Force and the Healthy City Strategy *

*The Engaged City Task Force and Healthy City Strategy priority action items include:

- Increasing the number of “positive cues” to encourage voting;
- Targeting voter registration;
- Investigating the extension of voting rights to permanent residents;
- Using the election ballot to get feedback on voter satisfaction with the current voting system;
- Taking action on campaign finance reform; and
- Increasing municipal voter turnout to at least 60 per cent by 2025.

Strategic Analysis

Local government elections in British Columbia are governed by the Local Government Act and the parallel provisions in the Vancouver Charter. Under the Vancouver Charter and School Act, these rules also apply to the Vancouver Park Board and School Board elections. The rules for conducting municipal elections are controlled by the Province.

In June 2014, the Province implemented new legislation called the Local Elections Campaign Financing Act. This legislation represented Phase 1 of campaign finance reform in BC local elections. The changes were significant and focused on improving accountability, transparency, compliance, and enforcement.

Phase 2 of the reforms is expected to be implemented prior to the next municipal election on October 20, 2018. On October 22, 2015, the BC Government introduced Bill 43, the *“Local Elections Campaign Financing (Expense Limits) Amendment Act 2015* (LECFA 2015). The public was invited to provide feedback on LECFA 2015. The feedback period has since closed.

Staff have begun planning for the 2018 election and this work will intensify beginning in September 2017. In November 2017, staff expect to begin implementing the election plan developed for the 2018 municipal election.

It is important that any changes to the governing provincial legislation become law by November 2017 in order that the changes can be addressed by City staff as the 2018 election plan is finalized. This is particularly important if the Province agrees to allow municipalities to use a proportional voting system and/or allow the City of Vancouver to conduct an online voting pilot.

Staff propose the following terms of reference for the independent committee:

Terms of Reference - City of Vancouver Election Task Force

The purpose of the Task Force is to recommend changes to Council concerning the delivery of municipal elections in the city of Vancouver that will lead to improved public confidence in the electoral processes at the municipal level and increase voter engagement - with a key goal being to increase voter turnout to at least 60 per cent by 2025.

The Task Force is directed to produce a final report for consideration by Council not later than December 2016. The scope of the Task Force's work will include:

- a. Reviewing the existing legislation that governs municipal elections in the Province of BC with particular emphasis on legislation governing the Vancouver municipal election;
- b. Surveying a representative sample of past candidates and election organizations to obtain their input regarding possible changes to the existing legislative framework for the conduct of municipal elections in Vancouver - including those changes previously approved by Council;
- c. Conducting a literature review and research concerning election best practices that have been implemented either nationally or internationally and have resulted in an increase in public confidence and voter engagement;
- d. Reviewing the previously approved Council directives to staff and determining/confirming which of the directives should be pursued on a priority basis as they contribute to the key goal of improving public confidence and increasing voter engagement;
- e. Identifying other changes to the delivery of the municipal election in Vancouver that will contribute to improved public confidence in the electoral processes and increased voter engagement based on their review of best practices;
- f. Determining which of the Council-directed and other proposed changes can be implemented within the existing legislative structure of local government in BC, and which require legislative change in order to implement;
- g. Identifying the budget implications of implementing each proposed recommendation and prioritize the recommendations; and
- h. Proposing a plan for Council's consideration regarding the implementation of the recommendations that are within Council's ability to control and how to influence change at the provincial level.

With respect to the composition of the Task Force, staff propose the following:

1. The Task Force consist of 9-11 members who reflect the diversity of the city;
2. The criteria for membership includes:
 - a. Strong knowledge of the principles of democracy, effective operation of democratic institutions, and best practices regarding electoral systems and reform,
 - b. Experience in developing strategies and work plans and achieving success within a political environment,
 - c. Knowledge of the organization and operation of key provincial ministries,
 - d. No affiliation with a political party in the city of Vancouver for the past four elections and has not been a city of Vancouver municipal candidate in any of the past four elections;
3. The City publicly advertise for nominations using the City's advisory committee recruitment process (e.g. online and local media) and reach out to
 - (a) academic institutions,
 - (b) non-profit organizations, and
 - (c) professionals that have an interest in democratic institutions and increasing public confidence in electoral processes;
4. The Nomination Sub-committee review and recommend to Council the membership of the Vancouver Electoral Task Force based on the established criteria; and
5. Council appoint the members of the Electoral Task Force.

Staff support to the Task Force would be provided by the City Clerk, Director of Legal Services, Senior Public Engagement Advisor, and Director, Intergovernmental and Strategic Relations (or a designate for each position). A professional facilitator/writer would also provide support to the task force.

Implications/Related Issues/Risk (if applicable)

Financial

The task at hand is large and the timeframe short, therefore to ensure that the volunteer contributions of the Task Force members are maximized and the Task Force's work be efficiently/effectively managed, staff recommend that the services of a professional facilitator be employed. The anticipated one-time cost of these services is approximately \$30,000. The source of funding is the 2016 City Clerks operating budget.

CONCLUSION

At its Regular Council meeting on February 3, 2015 Council directed staff to provide recommendations to Council on the membership and terms of reference for an independent committee. Council also specified a broad mandate for that committee.

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