

Memo



Date: December 8, 2009
File: 4200-01
To: City Manager
From: Chief Election Officer (Deputy City Clerk)
Subject: 2009 Municipal By-Election Report

Recommendation:

THAT Council receive, for information, the final report from the Chief Election Officer dated December 8, 2009 with respect to the 2009 Municipal By-Election.

Background:

Official Results:

The official results of the 2009 by-election were declared, as required by the Local Government Act, on Wednesday, December 02, 2009. A summary of those results, with a summary of the ballot account, is attached to this report.

Advance Voting:

The dates, times, and location of advance voting opportunities were set by Council, through the By-Election Bylaw No. 10234, which was adopted on August 31, 2009. There were two advance voting opportunities, both at Parkinson Recreation Centre (PRC), on November 18 and November 25, 2009, from 8:00am to 8:00pm. A total of one thousand seven hundred and forty-three (1743) electors cast ballots at the advance voting opportunities.

Special Voting:

Special voting opportunities were offered to facilities in Kelowna that were licensed to provide complex care to their residents, as well as to the Kelowna General Hospital. Two facilities chose to offer special voting opportunities and these were held in the days prior to general voting day at the facilities themselves, with a special voting opportunity at Kelowna General Hospital on general voting day. Special voting was limited by Bylaw No. 10234, to qualified electors who were residents or patients and their family members, and qualified electors who were employed at the facilities at which the voting was held. A total of 130 electors cast ballots at the special voting opportunities.

Mail-In Voting:

Mail-in voting was offered to the electorate in the 2009 by-election with a total of fifty (50) requests for mail-in ballot packages. The number of mail-in ballots returned and accepted as valid votes for the election was twenty-seven (27).

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General Voting:

General voting was held on November 28, 2009, from 8:00am to 8:00pm at ten (10) locations spread throughout Kelowna. Voter turnout was the highest at Anne McClymont Elementary (1341), with both Rutland Senior Secondary (1173) and A.S. Matheson (1072) receiving over one thousand votes. The remaining seven locations were fairly consistent receiving between four-hundred and seventy-nine (City Hall) up to seven hundred and ninety-three (St Pauls United Church) voters.

Estimated voter turnout for the City of Kelowna 2009 By-election was 11%.

Summary:

The 2009 By-election was held according to the Local Government Act which requires local governments to fill a vacated Council seat through a municipal by-election, unless the vacancy occurs in a general election year. Changes that were implemented provincially for the 2008 Local Government Elections including special voting provisions, mail-in voting, and advance voting for all eligible electors, were once again offered to provide greater flexibility for residents to vote. The City of Kelowna also proceeded with the by-election using the same candidate criteria as the 2008 general election.

Communications for the 2009 by-election began in early September on a minimum weekly basis, with the frequency of communications increasing the closer to the actual advance poll and by-election dates. In addition to the statutory advertisements placed in both newspapers, additional by-election related information was available in the local newspapers, on the City web site, through on-line news and social media sites, and on various local radio stations.

As mentioned early in the planning stages of the 2009 by-election, staff will be bringing forward a new Election Sign Bylaw in the New Year. This had been part of the Legislative Services 2009 work plan, but due to the by-election was postponed. Generally, compliance with the Sign Bylaw was good; however there are provisions in the current Sign Bylaw that need to be clarified to ensure any sign regulations are clear to all candidates and the public alike.

Looking to future municipal elections, the provincial government has announced that a special joint task force has been formed to modernize local government election rules. The joint task force, co-chaired by the Minister of Community and Rural Development and the President of the Union of BC Municipalities (UBCM), is to present recommendations for a new Local Government Election Act to the provincial government no later than May 30, 2010. Staff will be following up with the Ministry regarding the ongoing work of the task force and its recommendations. Council may also forward any recommendations to the provincial task force.

Legal/statutory Procedural Requirements: *Local Government Act s.148*

Considerations not applicable to this report:

Internal Circulation:

Legal/Statutory Authority:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:

Technical Requirements:
External Agency/Public Comments:
Communications Considerations:
Alternate Recommendation:

Submitted by:



Karen Needham, Chief Election Officer

Approved for inclusion:



Rob Mayne, Director, Corporate Services



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Official Results

2009 Local Government By-election

OFFICIAL RESULTS FOR THE POSITION OF COUNCILLOR

Official Results for Councillor	Total Votes
Craig, Kevin	2863
Sanderson, Todd	2427
Nielsen, Vern	1665
Graham, Mary-Ann	1004
Patterson, Ernie	527
Thompson, Mark	406
Reed, Matthew	280
Hallford, Valerie	270
Mix, Rocky	270
Loewen, Michael	172
Rojem, Dennis W.	116
Kessler, Clay	53
Ouellette, Kim	45
Uitvlugt, Andy	30
Murphy, James	18
Total Votes	10,146

Votes Cast By Location	Votes
Anne McClymont Elementary	1341
A.S. Matheson Elementary	1072
City Hall	479
East Kelowna Community Hall	610
Grace Baptist Church	644
Parkinson Rec Centre	789
Rutland Senior Secondary	1173
Springvalley Middle School	562
St Paul's United Church	793
Watson Road Elementary	787
Advance	1743
Mail-in Ballots	27
Special	130
Total Ballots Cast	10,150

BALLOT ACCOUNT SUMMARY

Ballot Account Summary	# of Ballots
Total number of ballots given out	10,187
Ballots rejected (over voted, or blank voted)	4
Spoiled ballots	37
Ballots accepted with valid marks	10,146
Total	10,187