

Memo



Date: February 01, 2010
File: 4200-01
To: City Manager
From: Deputy City Clerk
Subject: Local Government Electoral Process

Recommendation:

THAT Council endorse the recommendations outlined in the report by the Deputy City Clerk, dated February 1st, 2010, regarding the local government electoral process;

AND THAT Council direct staff to forward Recommendation #1 - An Earlier Date for General Voting Day, to the Local Government Elections Task Force as part of the consultation process in the development of a new provincial Local Government Election Act.

AND THAT Council direct staff to forward Recommendation #2 - Expanded Mail-in Voting Opportunities and Timelines, to the Local Government elections Task Force as part of the consultation process in the development of a new provincial Local Government Election Act.

Background:

At the regular meeting of Council on December 14, 2009, Council directed staff to provide recommendations to the provincial Local Government Election Task Force for amendments to the legislation that currently governs Local Government elections. During the 2009 By-election, and the 2008 General Election, the City continued to experience low voter turn-out despite strategies that; addressed voting locations; public communication including social media; and directly promoted mail-in voting and other special voting opportunities.

With similar challenges facing municipalities throughout British Columbia, the provincial government has established an Elections Task Force co-chaired by the president of the Union of B.C. Municipalities (UBCM) and the Minister of Community and Rural Development. The mandate of the task force is to consider the electoral process for local government elections and forward recommendations to the provincial government. The recommendation will help inform a new Local Government Elections Act that is to be presented to the Legislature in time for the 2011 municipal elections.

The Local Government Election Task Force launched a consultation website on January 28, 2010 to collect written comments from local governments, citizens, community groups and other organizations on ways to improve local government and school trustee elections. The provincial task force has indicated there are specific areas in the legislation that are being reviewed including those related to campaign financing, enforcement processes and outcomes, the role of B.C.'s chief electoral officer, election cycle, corporate vote eligibility and matters raised in UBCM resolutions. The task force is to present its recommendations to the provincial government no later than May 30, 2010.

Recommendations:

Staff has considered various amendments to the legislation that would help in the electoral process and support recent modernization efforts that have been made in terms of special, mail-in and advance voting opportunities. The subsequent recommendations reflect the desire to increase public participation in local government elections, while recognizing the importance of current initiatives in community engagement that are on-going, and also respecting the potential effects to municipal administrative and financial resources during an election year.

Staff recommends the following be forwarded to the Provincial Local Government Election Task Force for their consideration:

Recommendation #1 - Earlier Date for General Voting Day

Municipalities in BC have indicated through UBCM, challenges with the set General Voting day being the third Saturday of November in a three year cycle. Consistent with City of Kelowna concerns, greater numbers of out-of-town electors, and the potential for inclement weather, have often been cited as reasons to consider changes to this date.

With attempts to increase voter participation, the late November general voting day has also been a particular issue in Kelowna due to the proximity of the holidays when looking for alternative voting locations in local malls or other gathering places.

Recommendation #2 - Expanded Mail-in Voting Opportunities and Timelines

Alternative methods of voting that ensure the integrity of the voting process have been introduced or amended over the past decade, including mail-in, special and advance voting opportunities.

While advance voting is now available to any eligible elector and special voting opportunities help address issues of voter mobility, mail in voting remains limited to electors with mobility issues, or electors who will be out of town. Expanding mail-in voting opportunities for all electors, although not electronic, would provide electors with another option and the similar convenience of voting when and where they choose.

With an expansion in eligibility for mail-in voting, a concurrent amendment to the election timeline is necessary. Currently, although the City requests pre-registration by electors through a mail-in ballot application process, the timeframe to mail electors a ballot and have this returned to the City by General Election day is often less than 20days.

Through UBCM other municipalities have expressed an interest in extending the term of office to four years, however, staff has not provided a recommendation on this issue. It is generally recognized by staff that any requests by Council to extend their term of office would require changes to the legislated requirements, specifically related to vacancies on Council mid-term in order to eliminate a potential increase in by-elections.

The City of Kelowna has previously requested amendments (UBCM 2006) to Part 3 of the *Local Government Act* to provide for alternative forms of voting. The recommendations in this report continue to reflect the importance of maintaining the principles and integrity of the electoral process, while recognizing the changing needs of the citizens of Kelowna.

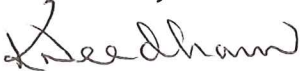
Internal Circulation:

City Clerk

Considerations not applicable to this report:


- Legal/Statutory Authority:**
- Legal/statutory Procedural Requirements:**
- Existing Policy:**
- Financial/Budgetary Considerations:**
- Personnel Implications:**
- Technical Requirements:**
- External Agency/Public Comments:**
- Communications Considerations:**
- Alternate Recommendation:**

Submitted by:



Karen Needham
Deputy City Clerk

Approved for inclusion:



R. Mayne, Director Corporate Services