



City of Richmond

Report to Committee

To: General Purposes Committee

Date: November 4, 2021

From: Claudia Jesson
Director, City Clerk's Office

File: 99-LAW/2021-Vol 01

Re: Advance Planning for the 2022 Election

Staff Recommendation

- 1) That a divisional-voting approach to the 2022 election, which is consistent with the current Civic Election Administration and Procedure Bylaw No. 7244, and as generally described in the staff report dated November 4, 2021 from the Director, City Clerk's Office, be approved; and
- 2) That staff be provided with direction pertaining to Council's preferred mail ballot voting option, as generally described in the staff report dated November 4, 2021 from the Director, City Clerk's Office.

Claudia Jesson
Director, City Clerk's Office
(604-276-4006)

REPORT CONCURRENCE	
CONCURRENCE OF GENERAL MANAGER	
SENIOR STAFF REPORT REVIEW	INITIALS:
APPROVED BY CAO	

Staff Report

Origin

With the General Local and School Election in Richmond less than a year away, it is appropriate to bring forward a report that provides a general overview of the proposed election program for the 2022 election. It is also timely to seek Council's approval of proceeding with a divisional-voting approach for the 2022 General Local and School Election. In addition, this report seeks direction from Council pertaining to Council's preferred option for mail ballot voting in light of a recent legislative change that has expanded eligibility for mail ballot voting.

This report supports Council's Strategic Plan 2018-2022 Strategy #8 An Engaged and Informed Community:

Ensure that the citizenry of Richmond is well-informed and engaged about City business and decision-making.

Findings of Fact

The next General Local and School Elections will be held in all local jurisdictions across BC on October 15, 2022. The General Local and School Election in Richmond is coordinated and administered through the City Clerk's Office in accordance with the requirements of the *Local Government Act*, the *Community Charter* and the City's Bylaws.

The election is funded through an Election Reserve to which an annual transfer of \$118,000 is made. These annual transfers are set aside and kept in the Reserve for use during the election year. It should be noted that funds from the Election Reserve and a one-time additional level request were utilized to fund the 2021 By-Election that was held on May 29, 2021. Funding for the 2022 General Location and School Election will come from the Election Reserve and a recommended one-time additional level request that will be proceeding to Council in a separate Finance Committee report. The election is also supported through existing budgets through the allocation of staff resources to election-related work, most significantly from the City Clerk's Office and from the Information Technology Department.

Analysis

As with the last election in 2018, it is proposed that the 2022 General Local and School Election be based on Voting Divisions, meaning that voting places are located within designated neighborhoods and that residents are required to vote at their designated neighborhood voting place. This approach is consistent with the current Civic Election Administration and Procedure Bylaw No. 7244.

The City utilized 38 Voting Divisions in the 2018 General Election. Staff will be undertaking an analysis of the current voting divisions and the number of voters in the 2018 election, along with a review of the population growth to ensure that there will be sufficient voting locations to manage the number of voters in 2022.

Should changes to the current 38 voting divisions be warranted, recommendations for such would be brought back to Council for consideration since voting divisions and their boundaries must be established by bylaw.

In addition to the voting opportunities on General Voting Day, opportunities to vote in advance will also be available. In 2018, the City held 6 advance voting opportunities and voting opportunities were provided at local care facilities. It is the intention of staff to provide special voting opportunities to the local care facilities for the 2022 Local Election, however, this will be dependent on the state of the Covid-19 pandemic and if any public health measures will still be in place that will need to be adhered to. For the 2021 By-Election, special voting opportunities were not provided due to the Covid-19 pandemic and instead mail ballot voting was utilized to enable care home residents to vote in accordance with required public health measures.

With regards to mail ballot voting, the current Civic Election Administration and Procedure Bylaw No. 7244 authorizes mail ballot voting for persons who have a physical disability, illness or injury that affects their ability to vote at voting opportunity or persons who expect to be absent from the municipality on voting days. For the 2021 By-Election, the Province of British Columbia approved the Ministerial Order M148 to enable all residents of Richmond to vote by mail in light of the Covid-19 pandemic. The Province has recently amended the *Local Government Act* to enable municipalities, by bylaw, to offer mail ballot voting to all residents. Accordingly, staff is seeking Council's direction via this report on whether Council wishes to expand mail ballot voting in accordance with the recently enacted s.110 of the *Local Government Act* which is appended as Attachment 1 to this report.

For the 2022 General Local and School Election, the main components of the election program fall under the following categories: (1) Staffing; (2) Advertising, Public Awareness & Engagement; (3) Equipment & Technology; (4) Supplies, Printing, Postage, and Miscellaneous; (5) Mail Ballot Voting; and (6) COVID-19.

1. Staffing

Staffing is one of the main cost components for the election. Staffing levels at voting places and staff training programs are established with a view to providing a positive, orderly and efficient experience for the voting public. Voting place staff (those that work at the polling places at the time of voting) are also supported by a staff team in the Election Office in order to deliver a well-organized and legislatively-compliant election.

In 2018, approximately 495 temporary voting place staff were hired and trained to work at the 38 voting places on General Voting Day, at the 6 advance voting opportunities, and at the various special voting opportunities at local care facilities. In addition to the staff who work at the voting places, a team is assembled and hired to work in the Election Office on a temporary basis in the months leading up to the election. The Election Office positions are often filled by regular City staff whose regular positions are subsequently backfilled by auxiliary or temporary staff. Assignments vary from approximately 4 to 10 months in duration. The work undertaken by the Election Office staff team is further supplemented and supported by the Clerk's Office and IT staff who are assigned to support the election in addition to their usual duties.

Summary of primary activities and program components

Election Office Staff Team

- Recruit approximately 495 temporary voting place staff
- Plan and conduct training for voting place staff using a combination of in-person sessions and workshops, printed training materials and online video resources
- Respond to inquiries and requests from the public, the media and candidates
- Coordinate and prepare all forms of public communication materials, both printed and electronic
- Manage and update the Voters List
- Coordinate ballot production and prepare vote counting machines
- Administer special voting opportunities at care facilities and manage the distribution of mail-in ballots
- Make arrangements for voting place locations and source, organize and deliver all necessary supplies, equipment, signage, instructional materials, voters lists, voting booths, ballot boxes, ballots, etc. required at the various voting places

Voting Place Staff

- Interact directly with the voting public on General Election Day, at advance voting and at special voting opportunities at care facilities
- Set-up the voting places in the morning, administer the vote for the full 12 hours, take down the voting place and report out on the results of the vote
- Ensure that all aspects of the voting process are conducted in strict adherence with legislative requirements

2. Advertising, Public Awareness and Engagement

At the core of this component is the statutory election advertising that is required to appear in local newspapers and the Voter Cards which are mailed to registered electors to advise them about voting locations, dates and times relative to their neighbourhood voting place.

In addition to these core advertising initiatives, public awareness of the election has also been enhanced during previous election years through a variety of print, electronic and social media communications. For the 2018 election, a temporary Communications employee worked as part of the Election Team to coordinate and manage the advertising and online content, to engage the public through social media, and to liaise with members of the media.

At the appropriate time, staff will be exploring engagement opportunities aimed to raise voter awareness and public engagement. In the 2018 Election, the Youth at the Booth initiative was developed which created 88 positions for youth who served as Election Workers. Youth at the Booth participants gained valuable employment experience and were provided with an early exposure to the democratic process. The degree of additional engagement opportunities that will be initiated will be dependent on the state of the Covid-19 pandemic and the public health measures that may be in place in 2022. Staff will ensure to apprise Council of any new developments and/or changes to the election planning landscape.

Summary of primary activities and program components

- Prepare and coordinate legislatively-compliant advertising
- Manage the preparation and distribution of Voter Cards to registered voters
- Prepare all content for the Voters Guide, including candidate profiles, and arrange for printing and distribution of the Guide to all Richmond households
- Prepare content and (along with IT) coordinate upgrade of the Richmond Election “app”
- Manage the social media campaign
- Prepare and update website content relating to the election as the process unfolds
- Liaise with members of the media; prepare and issue news releases as appropriate
- Coordinate all other forms of advertising and public awareness (for example, bus shelter ads, poster campaign, and inter-municipal regional radio campaign).

3. Equipment and Technology

Automated vote counting machines have been in use locally for over 25 years. For 2018, staff replaced the 25-year old vote counting equipment with newer model leased vote-counting equipment. The newer models were also utilized for the 2021 By-Election. In addition, Richmond will continue to utilize a voters list software system and will explore with IT staff to continue to utilize the Richmond Election “app”, a downloadable smartphone application that includes candidate profiles, broadcasts real-time election results, provides voting place location look-ups and general election-related information.

Summary of primary activities and program components

- Prepare and coordinate vote counting machines and electronic tabulation of results
- Update, refresh and launch the Richmond Election “app”
- Manage the Voters List using electronic voters list software system
- Engage the public through social media and website content, including tools such as voters registration confirmation look-up, and “find my voting place” look-up

4. Supplies, Printing, Postage, and Miscellaneous

This election program component covers various miscellaneous administrative and hard-costs associated with staging the election, including ballot production and printing, postage, office supplies and equipment, moving and deliveries, general printing, etc.

Summary of program components Postage (for Voter Cards, Voters Guides, and general mailings)

- Ballot printing and general printing (forms, brochures, training materials, signage)
- Voting place supplies, office supplies, courier, moving and delivery expenses
- Inaugural meeting expenses

5. Mail Ballot Voting

In the 2018 Election, mail ballot voting was offered to persons who had a physical disability, illness or injury that affected their ability to vote at an advance voting opportunity and General Voting Day or persons who expected to be absent from the municipality on the designated voting days. In 2018, a total of 360 mail ballots were cast, representing less than 1% of the overall ballots cast. For the 2021 By-Election, the Province of BC issued Ministerial Order M148 to Richmond providing special provisions to enable all voters to “vote by mail” due to the pandemic. For the 2021 By-Election, a total of 1,895 mail ballots were cast out of a total of 12,984 votes, representing 14.5% of all ballots cast.

While the vote by mail option for all electors was a Covid-19 safety measure that helped to reduce the number of voters physically attending voting places, the vote by mail option also introduced a flexible and accessible means of voting to all Richmond residents. It should be noted that the Fall Provincial Election of 2020 and the Fall Federal Election of 2021 provided the ability for all voters to vote by mail.

With the recent amendments to the *Local Government Act*, municipalities now have the option to expand the eligibility for mail ballot voting by amending their respective Election Administration Bylaws. The City of Richmond has always offered mail ballot voting to voters who met the specified criteria, as this form of voting truly offers the most accessible means of voting for residents with mobility issues. Staff is seeking Council’s direction on whether the mail ballot voting opportunity should be expanded to all voters or whether the status quo should be maintained. The two options are summarized as follows:

Key Considerations	Option 1: Status Quo	Option 2: Expanded Eligibility
Eligibility Criteria	Restricted to person who have a physical disability, illness or injury or who will be absent during voting days	All electors may vote by mail
Mail Ballot Deadlines	The legislated deadlines have not been changed, all mail ballots must be received by 8:00 pm by Chief Election Officer on General Voting Day	The legislated deadlines have not been changed, all mail ballots must be received by 8:00 pm by Chief Election Officer on General Voting Day
Advantages	<ul style="list-style-type: none"> ▪ Voter behaviour from past elections indicates that voters predominantly vote in person ▪ Despite a pandemic, most voters felt safe to vote in person, as only 14.5% of ballots cast in By-Election were mail ballots ▪ Financial savings of approximately \$120,000. ▪ Reduced requirement for staff resources to manage mail ballot voting 	<ul style="list-style-type: none"> ▪ Should pandemic concerns still exist, electors will have a safe option to vote ▪ Overall voter convenience and satisfaction ▪ No voter is disenfranchised, as the most accessible means of voting is available to all voters ▪ 2021 By-Election Mail Ballot process has proven, established procedures in place that will form a basis for the 2022 Election

<p>Disadvantages</p>	<ul style="list-style-type: none"> ▪ Should pandemic concerns still exist, voters may chose not to vote in person ▪ Voter discontent due to public expectation for mail ballot voting for all voters in general ▪ Most accessible means of voting is not offered to all electors 	<ul style="list-style-type: none"> ▪ The civic experience of voting in person may be diminished as more voters vote by mail ▪ Significant staff resources are required to properly manage vote by mail for all ▪ Increased costs due to staffing and supplies estimated at \$120,000.
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Should Council select Option 2 (Expanded Eligibility) as the preferred option for Mail Ballot Voting for the 2022 General Local and School Election, staff will report back with the appropriate amendments to the Civic Election Administration and Procedure Bylaw No. 7244. Should Council endorse Option 1 (Status Quo) as the preferred option, no bylaw amendments are required in regards to mail ballot voting.

6. Covid-19

The 2021 By-Election was the first time than an election was undertaken during a pandemic. The conduct of an election during that time required the adherence to public health orders that impacted virtually every component of the By-Election. Staff engaged a consultant to develop a detailed Safety Plan for the By-Election, which included detailed safety plans for all voting places. Covid-19 related supplies, such as plexiglass barriers, mask, face shields, gloves, sanitizing wipes/lotion, were required for all voting locations. While it is challenging to predict what Covid-19 requirements may be in place for the 2022 Election, at this time staff needs to ensure that planning and preparations on this component are undertaken accordingly.

Next Steps

It should be noted that the additional level budget request relating to the election will be considered by Council in a separate Finance Committee report. Some consequential matters will require further Council approval in due course, if required, such as the consideration of possible changes to voting division boundaries, the appointment of election officers, and other necessary housekeeping amendments to bylaws that may arise following further analysis by staff. Other updates on the progress of the election program will be provided over the course of the next year.

Financial Impact

The Election Reserve is the main funding source for the general civic election. The purpose behind the reserve is to spread out the cost and budget impact of the election evenly over the Council term. Currently, the reserve receives an annual transfer of \$118,000. There is currently \$420,000 in the Election Reserve. There will be an additional \$118,000 transferred into it at the beginning of 2022 fiscal year. At this time, staff is targeting an elections budget of \$900,000. The corresponding Finance Committee report is recommending a one-time additional level budget request of \$362,000 to make up the difference which includes an estimate of \$120,000 in the event Council prefers a mail ballot voting option for all voters.

Outlined below is a high-level breakdown of the key components of the 2022 Election program with the proposed costs, and along with the 2018 Election Budget actual costs.

Election Program Components	2022 Election (Proposed Costs)	2018 Election (Actual Costs)
Salaries - Elections Office	\$281,001.00	258,057.50
Mail-outs	\$64,000.00	58, 859.45
Printing and Publication	\$36,300.00	33,339.25
Meeting Expense	\$3100.00	2,795.51
Supplies	\$26,000.00	23,886.54
Advertising and Marketing	\$49,000.00	44,892.66
Contracts	\$203,000.00	185, 810.03
Honorariums	\$68,000.00	62,719.25
Mail Ballot Voting	\$120,000.00	N/A*
COVID-19 Items and Voting Locations	\$49,599.00	N/A
Total Budget Request	\$900,000.00	\$670,360.19

***Note:** While there was a limited mail ballot component in the 2018 Election, the existing election staff at that time had capacity to undertake the duties associated with that component. The limited mail ballot voting costs were absorbed in the Supplies budget. Offering Mail Ballot Voting for all voters requires additional staff and significant resources which are estimated at \$120,000.

Conclusion

The 2022 election program is outlined generally in this report and, similar to the 2018 election, is proposed to be conducted on a divisional voting basis as currently authorized in the Civic Election Administration and Procedure Bylaw No. 7244. This report also provides a high-level overview of the proposed Election Budget which will be further considered by Council in a separate Finance Committee report. In addition, staff is seeking Council’s direction on Council’s preferred mail ballot voting option.

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 Director, City Clerk's Office
 (604-276-4006)

ATTACHMENT 1

Mail ballot voting

110 (1) Subject to this section and any regulations under section 168 [*election regulations*], a local government may, by bylaw, permit voting to be done by mail ballot and, in relation to this, may permit elector registration to be done in conjunction with this voting.

(2) and (3) [Repealed 2021-16-5.]

(4) A bylaw under subsection (1) may

(a) establish procedures for voting and registration that differ from those established under other provisions of this Part, and

(b) establish, or authorize the chief election officer to establish, time limits in relation to voting by mail ballot.

(5) The chief election officer must give notice of an opportunity to vote by mail ballot in any manner the chief election officer considers will give reasonable notice to the electors who will be entitled to vote by this means.

(6) The procedures for voting by mail ballot must require the chief election officer to keep sufficient records so that challenges of an elector's right to vote may be made in accordance with the intent of section 126 [*challenge of elector*].

(7) Mail ballot packages must contain the following:

(a) the ballot or ballots to which an elector is entitled;

(b) a secrecy envelope that has no identifying marks, in which the ballots are to be returned;

(c) a certification envelope on which is printed the information referred to in subsection (8) for completion by the person voting, in which the secrecy envelope is to be placed;

(d) an outer envelope on which is printed the address of the chief election officer at the local government offices and in which the envelopes under paragraphs (b) and (c) and, if applicable, the registration application under paragraph (e) are to be returned;

(e) if permitted by the bylaw under subsection (1), an application for registration as an elector, to be completed if necessary and returned in the outer envelope;

(f) instructions as to how to vote by mail ballot.

(8) The certification envelope must be printed

(a) with spaces in which the person voting is to record his or her full name and residential address, and

(b) with a statement to be signed by the person voting declaring that the person

(i) is entitled to be registered as an elector for the election,

(ii) is entitled to vote by mail ballot, and

(iii) has not previously voted in the election and will not afterwards vote again in the election.

(9) In order to be counted for an election, a mail ballot must be received by the chief election officer before the close of voting on general voting day and it is the obligation of the person applying to vote by mail ballot to ensure that the mail ballot is received by the chief election officer within this time limit.