

CALGARY BOARD OF EDUCATION BY-ELECTION DATE

EXECUTIVE SUMMARY

The City of Calgary is in a Joint Election Agreement with the Calgary Board of Education (CBE) and as such has all the rights, powers and duties to pass bylaws and resolutions under the Local Authorities Election Act (LAEA) for signatories to the agreement other than establishing the number of signatures required for nomination and a bylaw related to campaign financing.

RETURNING OFFICER RECOMMENDATION

That Council set the date for the Calgary Board of Education by-election for combined city wards 11 & 13 as Monday, 2015 April 13.

BACKGROUND

The City is in a Joint Election Agreement with the CBE under Section 3 of the Local Authorities Election Act. Section 3(4) reads as follows:

“(4) The elected authority that is responsible for the conduct of the election under an agreement referred to in subsection (1) has all the rights, powers and duties of the elected authorities that have entered into the agreement respecting the conduct of the election in the area to which the agreement applies, including the power to pass bylaws and resolutions but not the power to pass bylaws under section 27 or 118.”

Sections 27 and 118, respectively are in regard to establishing the number of signatures required for nomination and passing a bylaw related to campaign financing.

Under Section 11(1)(b) of the LAEA, as follows, the elected authority must set the date for the by-election:

“11(1) Election day for a local jurisdiction
(b) in the case of a by-election or vote on a bylaw or question, shall be the day fixed by a resolution of the elected authority.”

INVESTIGATION: ALTERNATIVES AND ANALYSIS

At the 2014 December 02 meeting of the CBE Board of Trustees the following was adopted:

“THAT the Board of Trustees makes provision to fill the board member vacancy by holding a by-election; and
THAT the Corporate Secretary communicates with the City of Calgary Returning Officer to request the provision of a by-election as soon as is practicable.”

In previous discussions with the CBE Corporate Secretary, it was determined that the best date for the by-election would be Monday 2015 April 13.

Financial Capacity

Current and Future Operating Budget:

All costs related to the by-election are recovered from the CBE after the by-election.

REASON(S) FOR RECOMMENDATION(S):

Required under the Local Authorities Election Act.

**RETURNING OFFICER'S REPORT TO COUNCIL
2014 DECEMBER 15**

**ISC: UNRESTRICTED
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ATTACHMENT

None.