

Returning Officer's Report to
Priorities and Finance Committee
2018 April 10

ISC: UNRESTRICTED
PFC2018-0373
Page 1 of 4

Vote of the Electors (Plebiscite)

EXECUTIVE SUMMARY

This report presents legislative requirements to hold a vote of the electors and the Returning Officer's analysis with respect to timing, necessary resources and associated costs.

ADMINISTRATION RECOMMENDATION:

That Priorities and Finance Committee recommend that Council receive this report for information.

RECOMMENDATION OF THE PRIORITIES AND FINANCE COMMITTEE, DATED 2018 APRIL 10

That the Administration Recommendation contained in Report PFC2018-0373 be approved.

Opposition to the Recommendation: Councillor Gondek

Excerpts from the Minutes of the Regular Meeting of the Priorities and Finance Committee, Held 2018 April 10:

"And further, that this Report be forwarded as an Item of Urgent Business to the 2018 April 16 Public Hearing of Council."

PREVIOUS COUNCIL DIRECTION / POLICY

At the Strategic Council Meeting on March 21, 2018

Motion Arising with Respect to Olympic Bid Dialogue Stage Update, C2018-0266

That with respect to Report C2018-0266, Council refer the following proposed Motion Arising to the 2018 April 10 Regular Meeting of the Priorities and Finance Committee, to be considered following the Olympic Public Engagement Report and the Returning Officer's report on a Vote of the Electors:

"Moved by Councillor Chu Seconded by Councillor Farkas

That with respect to Report C2018-0266, the following Motion Arising be adopted:

That Council:

- 1. Direct Administration to inquire into the feasibility of the International Olympic Committee providing a bid deadline extension of six (6) months;*
- 2. Direct Administration to conduct a city wide 'Vote of the Electors' on whether electors are in favour of their Council submitting this bid; and*
- 3. Postpone its decision to bid on the 2026 Olympic and Paralympic Winter Games until after the City Clerk reports back with the outcome of the 'Vote of the Electors'."*

Vote of the Electors (Plebiscite)

BACKGROUND

Rules for a Council initiated vote of the electors are governed by section 236 of the *Municipal Government Act* ("MGA"). The MGA provides that a Council may conduct a vote of the electors, however, the legislation specifically indicates that the result of the vote does not bind Council.

A vote of the electors is conducted in accordance with the *Local Authorities Election Act* ("LAEA"). Individuals eligible to vote are defined in the LAEA as electors or voters. Electors or voters must meet the LAEA requirement of being at least 18 years of age, a Canadian citizen, a resident of Alberta for 6 months before election day and a resident of Calgary on election day. Individuals who do not meet the legislated requirements are unable to vote.

The population of the City of Calgary is **1,246,337**, of which approximately **1,000,009** are over 18 years of age (2016 census). For the 2017 General Election there were 666,663 electors.

Voter turnout for the last five general elections, vote of the electors (* both were conducted at the same time as a general election) and two by-elections are as follows:

General Election	Vote of the Electors	By-Elections
2017 - 58% (387,583)	*1989 - 249,955 (fluoridation)	2005 - 19.7% 33,312 (Ward 10)
2013 - 39.4% (262,577)	*1989 - 215,907 (water meters)	2000 - 23% 38,102 (Ward13)
2010 - 53,4% (354,090)		
2007 - 33% (210,597)		
2004 - 19.8% (119,137)		

INVESTIGATION: ALTERNATIVES AND ANALYSIS

An informed vote requires a voter who is knowledgeable about the issues and who is able to vote without interference. The Returning Officer conducts the vote of the electors. When the decision to hold the vote is approved, the Elections Office would begin preparations for the vote, including booking locations, finding 3,000+ workers and associated LAEA advertising.

The shortest time frame required to conduct a vote according to the LAEA would be 120 days for a by-election. Given the complexities of conducting an election in Calgary, a geographically expansive city with an estimated 670,000 eligible voters, 6 months is the recommended time frame.

A vote of the electors requires that a question on the ballot and related explanations be provided. The Returning Officer would work with an outside consultant, within the 6 months of preparation for the vote, to develop a question and "for and against" explanations. The Returning Officer would provide the question and related explanations to City Council for approval.

Vote of the Electors (Plebiscite)

Stakeholder Engagement, Research and Communication

Legislation requires the vote be conducted in English. By practise the Elections Office has provided instructions to voters in other languages. The question and explanations, as translated, are provided as a public service and do not have any legal standing. In my experience, translations can change the meaning of a question and related explanations. The Elections Office would use professional translations to minimize that impact.

Public education, legislated advertising and forms associated with this vote are limited to providing the wording of the question and related explanations. The Returning Officer and election team cannot provide additional commentary, explanations or details either before, during or after the vote. Any additional information such as economic, social or financial impacts related to the question are left to the voters to obtain through other channels such as open houses, social media, traditional news outlets or other engagement strategies.

To assist voters, as indicated in my response to the Administrative Inquiry (March 1, 2018), I would recommend early in the process encouraging representatives for the “for and against” campaigns to register with the Returning Officer. As noted above, the difficulty with this type of vote is there is no formal channel to obtain the additional information. The LAEA limits the number of registrations of scrutineers to only one representative for each side of the vote. These representatives would be the key individuals we would communicate with on legislated processes (voting opportunities and scrutineers) and direct the public to obtain more information from.

Strategic Alignment

A vote of the electors can occur and aligns with the City's principle of a “well run City”.

Financial Capacity

Current and Future Operating Budget:

To conduct a city-wide election, the anticipated cost would be approximately \$1.96 million. These costs would include the following:

- hiring and training 3,000 workers for the various vote opportunities (\$1,000,000),
- rental of locations (\$80,000),
- purchasing and distribution of supplies (\$80,000),
- technology and related support (\$200,000),
- printing of ballots and legislated forms (\$100,000),
- legislative advertisement and public education information, household voter card and postage (\$400,000), and
- contingency (consultant to develop a question and explanations in English and other languages) (\$100,000).

Risk Assessment

The question posed by a member of Council was: “What are the pros and cons of conducting a vote of the electors in October, 2018?” From the perspective of the Returning Officer my responses are as follows:

Vote of the Electors (Plebiscite)

Pros –

1. October 2018 vote could be conducted.
2. Professionally developed questions and explanations in English and other languages could be prepared and used to inform electors on the vote.
3. Where to vote and legal advertising would provide voters the question and explanations as approved by Council of what a “for and against” vote means. This information will provide the voter an understanding to help inform their vote
4. Calgary’s voter turnout in October, 2017 was over 58%.
5. Council may submit additional questions on other topics to a vote of the electors.

Cons –

1. Given the short time frame some aspects of the traditional election would not be undertaken such as drive up voting and additional voting opportunities. Outreach would be limited to providing the question and explanations and information about where, when and who can vote.
2. Lack of clarity on the question or explanations could be used by campaigns that could result in a lower voter turnout.
3. Economic, social, financial or responsive information is provided by the “for and against” representatives. Thorough engagement strategies need to be developed which takes time to ensure completeness of the strategies.
4. Voter turnout is driven by two components - opportunities to vote and voter engagement. The strength of the public discourse around the subject of the vote is directly related to the latter.
5. Additional questions on the Olympic Bid could result in contrary and confusing results.

REASON(S) FOR RECOMMENDATION(S):

City Council has the legislated authority to provide for a vote of the electors. The result of the vote of the electors does not bind Council.

Attachment for Information – Response to Administrative Inquiry – Plebiscite – March 21, 2018
Strategic Council.