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Request for Decision

Municipal Election 2014

Recommendation

THAT the City of Greater Sudbury accept the report from the Executive Director, Administrative Services/City Clerk, dated September 14, 2012 and direct staff to implement the election according to the plan described in that report

AND THAT the City of Greater Sudbury direct staff to prepare the by-law authorizing the use of electronic voting in combination with vote tabulators for advance polls and the use of vote tabulators on Election Day for the 2014 Municipal Election and other by-laws necessary for the 2014 Municipal Election.

Finance Implications

All municipal election expenses will be funded by the Election Expenses Reserve Fund.

Signed By

Report Prepared By

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Deputy City Clerk
Digitally Signed Sep 14, 12

Recommended by the Department

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Executive Summary

A detailed Municipal Election 2014 Workplan with timelines has been developed. The decision regarding the method of vote is fundamental to all next steps in the Election Plan. This report summarizes the rationale for the proposed method of vote to be used during the 2014 Municipal Election and describes the review of voting locations both of which are foundations to the implementation of the Election Plan.

Background

Elections and Voter Turnout:

Traditionally, voter turnout is a major challenge for all elections, regardless of jurisdiction. The most recent federal election held in May of 2011 had a voter turnout (Sudbury and Nickel Belt Combined) of 62.7%, slightly higher than that of the October 2008 Election voter turnout of 57.9%. However, the October 2011 Ontario provincial election set a record low for voter turnout with 49.8% of eligible voters casting their ballots.

Historically, municipal election voter turnout tends to be low in comparison to provincial and federal elections. According to AMCTO, the average voter turnout among their member municipalities during the

2010 Ontario municipal elections was 49.1%. In 2010, Greater Sudbury had a voter turnout within its municipal boundaries of 49.75% which was an increase over the 40.82% turnout in 2006.

Numerous factors can affect voter turnout on Election Day including but not limited to: voter apathy; weather conditions; demographics; distrust in the political process; voter fatigue; and practical considerations associated with the voting process such as time constraints and convenience.

Ensuring that the 2014 Municipal Election is as convenient and easy as possible for voters is a factor over which the municipality has some control and may help to encourage higher levels of voter turnout. Similarly, the recent decision of Council to add referendum questions related to store hours may prompt an increase in voter turnout. Accordingly, the 2014 Municipal Election is being planned with two factors in mind: ensuring that voter convenience and voter confidence are paramount, with an emphasis on tackling the very factors which deter voting; and creating capacity for an increased voter turnout.

Criterion to be Considered when Selecting Method of Vote:

The voting system chosen must facilitate ease of access to voting at a time and place convenient to the elector. The integrity of a vote and voter confidence is important to consider when selecting a method of vote. The method of vote selected should accurately register and report the record of each vote cast. It should also be easy to use and easy to understand for election workers and for all voters, regardless of language skills and understanding of the electoral process and should enable independent, accessible voting by everyone.

The method chosen must also be cost effective and affordable for the Municipality.

Voting Methods:

Elections and the ability to vote form the foundation of functioning democracies and individual democratic rights. Voting methods are varied among jurisdictions and voting mechanisms have evolved over time as new technologies are introduced. Some common methods of vote include, vote by telephone or by mail, the use of touch-screen voting machines, optical scan or ballot tabulation, and more recently electronic voting solutions has emerged as a real and effective alternative to improve voter experience.

In compliance with legislation, the City will make provisions for the use of assistive voting equipment for persons with disabilities during advance polls. These devices afford electors the opportunity and ability to vote easily, privately and independently. Electronic voting solutions also significantly enhance access to voting for persons with disabilities.

As described below, staff is recommending introduction of electronic or internet based voting in the advanced polls, to be combined with the traditional paper ballot, tabulator count method of vote which method would be available to the public both at advanced polls and on election day.

Electronic Voters Lists

During the 2010 Municipal Election an advanced poll pilot project using an electronic voters list allowed voters to vote anywhere, which proved to be very successful. The Electronic Voters list is a live database, accessed over a secure connection and one in which the voter's name can be "crossed off" electronically once the ballot has been issued. At this time, plans are being explored to use an electronic voters list on election day, meaning that voters would be able to vote either at their nearest, neighbourhood polling location or at another location that is convenient to the voter such as a shopping mall or Citizen Service Centre.

Paper Ballot, Tabulator Count

During the 2003, 2006 and 2010 municipal elections, the City of Greater Sudbury utilized paper ballots together with a tabulator count. Once registered, the voter is provided with a paper ballot at the polling

location and votes by marking the ballot. The ballot is then inserted in a tabulator which uses optical scanning technology to read the marked ballot and tabulate the results.

Paper ballots counted by tabulators have proven to be effective and easy to use. The tabulators have been found to accurately count the votes cast and to allow for reporting in a timely fashion on election night. When votes are cast using this methodology specialized equipment, such as voter assist terminals, is required to enable voters with disabilities to vote without assistance as is required by legislation and will be provided at designated locations. This method of voting is familiar to voters in our community and provides an effective audit trail. The use of this method will be continued during the 2014 election with one notable difference, that being the introduction of the electronic voters list.

E-Voting

Electronic voting is one of the newest methods of voting available. Typically, in an electronic voting system, registered voters receive a voter card in the mail, which provides instructions and a confidential access code or PIN to allow for voting over a secure internet site.

Some jurisdictions are replacing traditional polls or in-person voting with electronic voting, while others are either running electronic voting in parallel with traditional polls or using electronic voting methods in their advance polls, and maintaining the use of the traditional paper ballots on Election Day. Voter information for both electronic and traditional voting methods can be provided on one voter notification card, giving the elector the option to choose the method of vote they prefer to utilize.

As reported in the "2010 Municipal Elections AMCTO Post-Election Survey Final Report", out of the thirty (30) municipalities that used internet voting during the election, all used internet voting in their advanced polls and most which were smaller in size also used Internet voting on election day. Two larger municipalities, the City of Peterborough and Town of Markham, used paper ballots on Election Day in the 2010 municipal election.

There have been some municipalities which have used e-voting methods that have reported an increase in voter turnout numbers, which may be attributable to the method of vote. In 2008, Halifax Regional Municipality used Internet/telephone voting for advanced polls with traditional voting methods being used on Election Day. According to their e-voting service provider, of the total votes cast in the municipal election, almost 30% were cast electronically during the advanced polls, constituting a doubling of the number of votes cast at the advanced poll, from approximately 15,000 voters to 28,709 voters. In Halifax Regional Municipality, voters cast e-ballots from 30 countries, 50 Canadian towns, 28 US States and from every university in Atlantic Canada. Voters of all ages, participated electronically and the oldest voter to contact the e-voting hotline was 95 years old.

Three other Nova Scotia municipalities used e-voting in 2008, allowing e-voting both in advanced polls and as an option on election day and all saw significant increases in voter participation, the highest being Stewiacke with an overall participation rate of 71%. In Windsor, 55% of voters cast their ballots electronically and voter participation was up 3%, despite an acclamation in the Mayoralty race. In the rural community of Berwick, 44% of citizens used e-voting and voter participation increased to 52.5%. As the 2012 Municipal Election in Nova Scotia is quickly approaching, the municipalities as noted above have confirmed their use of e-voting during the election. Other municipalities such as Cape Breton Regional Municipality will be using this type of method for the first time. In Western Canada, a number of municipalities are looking closely at internet voting for their upcoming elections.

For many electors, particularly those who are comfortable using the internet to transact business, do their banking, pay bills and make travel arrangements, electronic voting, and internet voting in particular, is user friendly and convenient. Should the implementation of electronic voting for the advanced polls be approved it will afford all electors the ability to cast their ballot from computers, smart phones and tablets. Electors

with disabilities or accessibility issues often own these devices which include the software compatible to voting solutions. Other benefits of electronic voting have been identified as:

- Aligns to voter expectations and societal desires around democratic and technological advancements;
- Increases voter convenience, through the provision of an alternate voting method;
- Increases voter flexibility, as voters may vote at any time or location during the internet voting period;
- Permits voters with disabilities to vote from home or other locations where they have the appropriate customized, adaptive software to allow them to use their computer independently and therefore to vote independently
- May lead to cost reduction over time, as municipalities may be able to reduce the number of election personnel and voting locations, on election day
- Increases voter accuracy, as no written marks on ballots (which can sometimes be unclear, even when tabulated electronically) will be required; and
- Reduces the time required to tabulate or confirm election results, as data is available instantaneously following confirmation by election officials at the close of the polls.

Other Factors: Security Considerations and Cost Estimate

Internet voting systems are set up with a number of redundancies and technological solutions so as to ensure accuracy and integrity of the vote, such as restricting one vote to one PIN number, having measurement and audit protocols in place and using highly secured servers.

Municipalities typically RFP for a suite of election services, bundling together internet and tabulator methodologies and integrated solutions. Pricing of the internet solution is valued at \$2.65 per voter at 120,149 voters this would total approximately \$318,000. The cost of which, will be offset by savings in the reduction of the number of polling stations and election staff, bringing the election in on budget. The 2014 Municipal Election budgeted to cost \$800,000 and is funded from the Municipal Election Reserve Fund which is established for this purpose.

Recommended Method of Vote for 2014

Clerk's Services is recommending that internet voting be used as a pilot project during the advance poll period of the 2014 Municipal Election. Paper ballot, tabulator count will continue to be used during both the advance polls and on Election Day.

Selection of Voting Locations:

Traditionally communities have been divided into polls of relatively small sizes to facilitate manual vote counting at the end of day on Election Day. Today, with electronic and tabulator counts, polls can be significantly larger, provided that they are well staffed. Larger poll locations and poll subdivisions provide for greater flexibility and avoid the scenario of some polling subdivisions at a particular voting location being busy while others are not.

Research and consultation with peer municipalities which have undertaken a review of their polling subdivisions and poll locations has found that the use of technologies such as an electronic voters list, touch screen voting, internet voting and bar code scanners have allowed municipalities to significantly reduce their number of physical polls and have provided voters with greater convenience, more effective movement of voters through the poll location and enhanced confidence that is sometimes lacking with the use of traditional methods.

Accordingly, across Ontario there is a trend towards having fewer polling subdivisions per Ward and increasing the number of electors within those polling subdivisions. The City of Barrie, which has not used a paper ballot since 1997 has found that by offering electors the option to vote anywhere in the city, they have been able to reduce their number of voting locations to two per Ward and have eliminated polling subdivisions all together. Burlington has been able to increase their number of electors to 3,500 per polling

subdivision and most mid to large sized municipalities use polling subdivisions in the 2,500 elector range.

Staff are also currently in the process of reviewing the number of City's polling subdivisions and elector volumes within them. In order to successfully be able to reduce the number of polling locations and subdivisions the election team is exploring electronic solutions to facilitate Election Day access. One example of this type of technology is the use of bar code scanners which enables poll clerks to scan the bar code on a voter's identification card, and have the elector information immediately display on screen without having to search for an elector's name. Municipalities such as Pelham and Ajax use bar code scanners in combination with electronic voter's lists and have seen a reduction in line ups at the polls and have been able to increase the number of electors for each location.

The Election team has begun a review of polling locations, which includes an analysis of the number of votes cast in each location and which gives consideration to historic geographic communities and the different needs of rural and urban environments. Site visits and evaluations will be conducted for all proposed voting locations to ensure the site meets legislated accessibility requirements and has the internet connectivity required for the electronic voters list. Where possible it is our goal to utilize city owned buildings, which are currently accessible and have good connectivity, including Citizen Service Centres. Where it is not possible to use a city owned building or Citizen Service Centre, schools will then be considered in the second tier of voting locations.

As part of the 2014 Election Plan, staff will be consolidating the number of polling locations based on the ability to accommodate larger poll populations. In selecting voting locations, consideration will be given to community gathering points, those places where citizens are either already be going to, or traveling near by. Other physical characteristics associated with selection of poll locations include proximity to public transit and many traffic arteries, availability of parking, and accessibility of the building and its built environment. Cultural and comfort considerations including minimizing the use of religious buildings and other venues which a voter might not otherwise attend.

Next Steps:

An RFP for Election services will be issued this winter and awarded by March 2013 so that all the manuals, training materials and guides can be written over the summer of 2013 before nominations open in January 2014. Simultaneously, the Election Team is working on the poll review and staffing models for 2014. To ensure that residents are well prepared for this change in method of vote, a public education and information campaign will be built into the communications plan for the 2014 Election. A number of by-laws are associated with the Municipal Election, including by-laws authorizing the method of vote, the used of advanced polling days, hours for mobile polls at Long Term Care facilities, use of French Language during the election and establishing the recount procedures will be presented to Council in 2013.

Conclusion:

In summary, as electronic voting has many benefits including voter flexibility, voter convenience and may increase voter turnout, it is recommended that the City of Greater Sudbury accept the report from the Executive Director, Administrative Services/City Clerk and be direct to begin implementation of the 2014 Municipal Election Plan and that the necessary election by-laws be prepared, including the by-law to authorize the use of electronic voting in combination with vote tabulators for advanced polls and the use of vote tabulators on Election Day for the 2014 Municipal Election.