

TOWN OF AJAX REPORT



REPORT TO: General Government Committee

SUBMITTED BY: Nicole Wellsbury
Director, Legislative and Information Services/Clerk

SUBJECT: **Voting Method, 2018 Municipal Election**

WARD(S): All

DATE OF MEETING: March 20, 2017

REFERENCE: Community Action Plan Strategic Objective 2 – “Excellence in Service Delivery and Governance”

RECOMMENDATION:

- 1. That internet and telephone voting be approved for use in the 2018 Municipal Election;**
- 2. That a by-law be brought forward to a future Council meeting to authorize the use of these voting methods, in addition to authorizing the use of electronic vote tabulators only in the event that a suitable internet and telephone voting cannot be procured; and**
- 3. That staff be directed to proceed with the procurement of equipment and service for internet and telephone voting for the 2018 election.**

BACKGROUND:

Staff are commencing preparations for the 2018 municipal election, which will occur on October 22, 2018. Recent changes to the *Municipal Elections Act* (“the Act”) have advanced many of the timelines involved in preparing for a municipal election. Under the old Act, approval of an alternative form of voting was required by June 1st in the year of an election. That deadline has been advanced by more than a year; the approval deadline is now May 1, 2017 in respect to the 2018 election.

The decision regarding the method of vote is fundamental to all next steps in planning for the election. The Town of Ajax has a long history of successful innovation in election delivery. Ajax was among the first municipalities to introduce a contribution rebate program, to use vote tabulators, to pilot a “vote-anywhere” model relying on a live real-time voters’ list, and in 2014 became the largest municipal government in Canada to deliver a fully electronic election.

Use of Internet and Telephone Voting in 2014

The 2014 Ajax Election was a considerable success and marked the move to a more innovative election model that sought to improve the convenience and accessibility of voting for Ajax electors, and reduce election-related paper consumption.

The overall Voter Turnout increased from 25.4% in the 2010 election to 30.4% in the 2014 election. Significant and noteworthy increases occurred in north Ajax, where turnout has traditionally been much lower than in the older and more established south Ajax. For example, turnout in Ward 2 increased substantially from 20.65% in 2010 to 30.61% in 2014. Staff view this as a very positive indication that new Ajacians are becoming more interested and engaged in local democracy. In addition, a professionally conducted post-election survey of Ajax voters indicated overwhelming support for the move to electronic voting, with a voter satisfaction rate of 97.8%.

DISCUSSION:

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

Internet and telephone voting are being recommended given the additional convenience and accessibility offered to voters. These methods provide for enhanced service delivery, making the voting process easier by eliminating the need for travel, removing time constraints, mitigating the potential for long line-ups at voting stations, and better addressing accessibility issues for persons with disabilities, or people who are ill or away from home. Additional benefits include faster and more accurate election results, and significantly reduced potential for ballot errors. In 2014, the cost of using these methods was in line with the cost of delivering the more traditional “paper ballot and tabulator” election.

Internet voting has been employed by many municipalities in Ontario since 2003, with approximately 100 of Ontario’s 444 municipalities employing this method in 2014 or in subsequent by-elections. Some municipal clerks, IT professionals and academics have expressed concerns with respect to the security of internet voting. However, these types of security issues have yet to materialize in the context of Ontario municipal elections dating back to 2003 when internet voting was first used by the City of Markham. While there have been some instances of ‘technical hiccups’ occurring, of the roughly 100 Ontario municipalities to utilize internet voting to date, none have experienced a case of voter fraud, security breach, or other process challenges sufficient to controvert an election.

Proposed election model for 2018

For 2014, internet and telephone voting options were offered for a continuous 8-day period from October 20 to October 27. In-person Voter Assistance Centres (VACs) with public-use voting equipment (i.e. laptops) were offered up to and including Election Day to provide the social component of voting that many electors continue to value, and to accommodate those without internet access, or those requiring assistance. Staff are proposing this same model for 2018, being an 8-day internet and telephone voting period leading up to Election Day, coupled with in-person voting opportunities.

Consistent with 2014, the “one-step” voting method is recommended, which does not require electors to “pre-register” to use internet or telephone voting. In a “one-step” process, a voter information letter (VIL) is mailed to qualified electors on the Voters’ List. The VIL contains a PIN, which is used along with another voter credential (i.e. date of birth) to access the online or telephone ballot during the voting period. A voter will have an opportunity to review his/her completed ballot(s) and make changes prior to submission. Controls are in place to warn the voter of any over-votes or blank offices. Voting data is encrypted and stored in a secure database and tabulated at the end of the voting period. Voter information is severed from an internet ballot after it has been cast, preventing any means of linking particular voters with their ballot.

“Fail-safe” option to use optical scanning vote tabulators

Two significant changes have occurred since 2014 which, in staff’s view, necessitate Council’s approval of vote tabulators as a “back-up method” to internet and telephone voting should we be unable to successfully procure a suitable system:

1. The landscape of internet and telephone voting vendors has changed since 2014. There are very few reputable vendors in this space that have a strong track record of delivering Ontario municipal elections; given the fast-growing popularity of internet voting in Ontario, the vendors that remain in the market are expected to have significantly increased their pricing since 2014;
2. As previously indicated, the decision deadline by which Council must authorize the use of alternative vote casting/counting methods has been advanced by more than a year and now falls on May 1, 2017. Council cannot change their approved voting methods after that date.

Staff are concerned about a scenario where *only* the use of internet and telephone voting is approved, and we are subsequently unable to procure a satisfactory voting platform according to the required specifications. If that occurs, then the deadline to approve alternative voting methods has already passed, and the Town will be forced to conduct a traditional “hand-count” paper ballot election, which is unreasonable for a municipality of Ajax’s size. Therefore, it’s proposed that a fail-safe be put in place so that vote-counting tabulators can be procured, only if absolutely necessary.

Proposed changes/improvements for 2018 vs. 2014

Based on challenges experienced during the 2014 election and post-election debriefs, staff are proposing some changes and improvements for the 2018 election:

- **Voter Assistance Centres (VACs):** In 2014, approximately 70% of voters cast a ballot independently/remotely, while approximately 30% of voters visited an advance or Election Day VAC. While the great majority of persons visiting a VAC were accepting of the electronic voting and left satisfied, most of the negative feedback received came from voters who opted to attend a VAC. The in-person voting experience requires the greatest amount of improvement for 2018. Based on constructive feedback from voters and election workers, the major problem areas included a lack of privacy (e.g. voting kiosks too close together, overly helpful election workers), slow network connections, hardware and software deficiencies, and logistical issues (e.g. insufficient parking; VACs that were too small to handle evening volumes).

For 2018, staff propose to have fewer VACs (reduce from 10 to 3) which are much larger and better resourced, using only Town-owned facilities. This will ensure a reliable and fast internet connection, provide greater capacity to handle line-ups at busy times, and enable full-time, on-site technical support. Given that “remote voters” appeared to have a higher

satisfaction level than “in person voters”, staff will also be making every effort to encourage capable electors to take advantage of remote voting options instead of attending VACs.

- **Election Website:** In lieu of a stand-alone Election website, it is recommended that all election information be housed on dedicated pages within the main Town website. This will enable LIS staff to post prompt updates to candidate information as new candidates register, lessen public confusion about where to find official information on the upcoming election as well as results, and will ensure that the host can handle election-night traffic volumes.
- **Results Release:** With internet and telephone voting, it is expected that results will be available instantaneously at the close of voting, rather than rolling in slowly. In 2014, the results release was delayed due to line-ups at the VACs that extended past the close of remote voting at 8:00 p.m. For the 2018 Election, staff are dedicated to improving these processes so that results are available much sooner (i.e. within ten minutes or so of the close of voting).
- **Special Polling Opportunities for Long Term Care and Retirement/Seniors Facilities:** To balance out the reduction in the number of VACs, the Town may wish to expand special polling opportunities (mobile, on-site polls intended for the residents of a particular building or facility) in order to strategically target electors who are expected to require a higher level of assistance. In 2014, special polling opportunities were offered at Winbourne Park LTC, Ballycliffe Lodge LTC, Westwood Manor, Harwood Manor, and Ashley Manor. These could potentially be expanded to include Hubbard Station, Post Hill, and potentially other appropriate locations.
- **Voters' List:** In 2018, there will be a greater effort toward improving the Preliminary List of Electors received from MPAC, given its historically poor quality. The accuracy of the Voters List is very important for municipalities that use forms of “unsupervised voting” such as internet or mail-in voting, given that there is not an opportunity for election officials to confirm the voters' credentials in person at the polls. Incorrect or missing voter data also detracts from customer service and a convenient voting experience, as it can cause voters to have difficulty accessing the voting site, or requires them to fill out forms to have their information corrected or added prior to voting. In 2018, staff are committed to making every effort toward ensuring quality of the Voters' List before VILs are issued.

FINANCIAL IMPLICATIONS:

All municipal election expenses will be funded by the Election Expenses Reserve Fund. The overall cost of the election is anticipated to be between \$250,000 and \$300,000 (for reference, the cost of the 2014 election was approximately \$230,000). The expected increase is due to a variety of factors including inflation, the increased cost of internet and telephone voting services, and plans to use higher-quality voting kiosks at the VACs. A detailed budget for the election will be developed once a voting method is confirmed.

COMMUNICATION ISSUES:

An integrated communications strategy for the 2018 election will be developed over the coming year.

The Town's Accessibility Advisory Committee and Diversity & Community Engagement Advisory Committee were consulted during the drafted report, and their feedback has been incorporated.

CONCLUSION:

Internet and telephone voting are once again being recommended for the 2018 municipal election given their capacity to enhance convenience, accessibility and integrity in the voting process, and their overall success in the 2014 election. Pending Council approval, staff will proceed with procuring the necessary equipment, systems, and services to support the use of internet and telephone voting for the 2018 election.

Between now and mid-2018, further reports will be provided to Committee on the following election-related matters:

- Establishment and Appointment of the Compliance Audit Committee;
- Proposed Revisions to the Temporary Sign By-law based on new Election Advertising Requirements in the amended *Municipal Elections Act*;
- Accessibility and Diversity & Inclusion Plan for the 2018 Municipal Election.

ATTACHMENTS:

ATT-1: DRAFT Bylaw XX-2017 – to approve alternative voting methods for the 2018 Municipal Election

Nicole Wellsbury, Director, Legislative and Information Services/Clerk

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW NUMBER xx-2017

Being A By-law to Authorize the Use of as Alternative Voting and Vote Counting Methods for the 2018 Regular Municipal Election in the Town of Ajax

WHEREAS section 42 of the Municipal Elections Act, S.O. 1996, as amended, provides that a municipal council may enact a by-law authorizing the use of voting and vote counting equipment such as voting machines, voting recorders or optical scanning vote tabulators and other voting methods that do not require electors to attend a voting place in order to vote, passed on or before May 1 in the year before the year of the election;

NOW THEREFORE the Council of the Corporation of the Town of Ajax enacts as follows:

1. The use of Internet Voting and Telephone Voting are hereby authorized for the purpose of voting during an early voting period, up to and including Election Day on October 22, 2018.
2. In the event that an acceptable and affordable system for internet and telephone voting cannot be procured to the satisfaction of the Town Clerk, the use of optical scanning vote tabulators is hereby authorized for the purpose of counting all ballots cast in the 2018 Regular Municipal Election.

READ a first and second time this twentieth day of March, 2017

READ a third time and passed this twentieth day of March, 2017

Mayor

D-Clerk