Staff Report

Corporate Services Department

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REPORT TO:	**Community and Infrastructure Services Committee**
DATE OF MEETING:	**April 3, 2023**
SUBMITTED BY:	**Amanda Fusco, Director of Legislated Services/City Clerk, 519-741-2200, ext. 7809**
PREPARED BY:	**Amanda Fusco, Director of Legislated Services/City Clerk, 519-741-2200, ext. 7809**
WARD(S) INVOLVED:	**All**
DATE OF REPORT:	**February 6, 2023**
REPORT NO.:	**COR-2023-091**
SUBJECT:	**2022 Election Overview**

RECOMMENDATION:

For information.

REPORT HIGHLIGHTS:

- The purpose of this report is to provide Council with an overview of the administration and delivery of the 2022 municipal and school board election and identify opportunities ahead of the next regular municipal election in 2026.
- This report supports the delivery of core services.

EXECUTIVE SUMMARY:

The 2022 municipal and school board election was held on October 24, 2022. The *Municipal Elections Act, 1996* (the Act) identifies the municipal Clerk, as Returning Officer, is responsible for election preparation and administration, preparing for and conducting a recount in the election, maintaining peace and order in connection with the election and in a regular election, preparing and submitting the required reports. The 2022 election was a success. Official results were declared on October 25, 2022 with all offices filled. A summary of election activities and considerations for future are outlined in the report below along with upcoming Council reporting timelines ahead of 2026.

BACKGROUND:

Municipal elections require extensive resources and planning. While the preparations and choices about managing the election process are similar across the province, each municipality designs its own plan in compliance with the *Municipal Elections Act* ("the Act").

Planning for the City's election began in 2021 by bringing together the Election Steering Committee (ESC) consisting of internal staff from across the organization. The Steering Committee considered best practices, lessons learned from the 2018 election and the 2021 "Your Vote Your Way" survey results, to make recommendations for the 2022 election. Decisions were made based on principles in the Act of facilitating an open, fair and impartial election process that encourages participation, preserves the secrecy of the vote and inspires confidence in the municipal election.

*** This information is available in accessible formats upon request. ***
Please call 519-741-2345 or TTY 1-866-969-9994 for assistance.

Throughout the election planning and implementation phase, City staff received and responded to inquiries and addressed requests and concerns, with the goal of conducting an equitable, fair and non-biased experience. City staff employed a "vote anywhere" model for Advance Voting and "vote anywhere in your ward" model on Election Day, which was new for 2022, increasing the flexibility and opportunities to vote by increasing the total number of voting locations available to electors.

To obtain as much feedback from the electorate as possible, several engagement campaigns were undertaken including;

- "Just-in-time" Customer Satisfaction Surveys; administered at each advance voting opportunity and at every election day voting location to engage voters on their experience. A total of 50 electors participated in the survey with half providing feedback on their advance voting experience and the other half on election day experiences.
- Election Worker Surveys after the election; workers were canvassed on their training, deployment, compensation and overall experience. A total of 293 staff participated in the survey.
- EngageKitchener Voter Experience Survey; open for a 6 week period to gather feedback from electors what they felt went well and what can be improved. A total of 410 individuals participated in the survey.

REPORT:

1. Accessibility

Both the Act and the *Accessibility for Ontarians with Disabilities Act* (AODA) govern the election with respect to promoting accessibility for all voters, candidates and election workers. Staff were committed to providing an accessible election and conducted voting location audits to ensure all voting locations were physically accessible, were on a transit route and offered accessible voting equipment. Candidates were provided material on making elections accessible and election workers were provided AODA training and equitable and inclusive practices. The 2022 City of Kitchener Municipal Election Accessibility Report further details the actions taken to address barriers and identifies improvements for 2026. The Accessibility Plan was developed in consultation with the Grand River Accessibility Advisory Committee (GRAAC), Mayor's Advisory Council for Kitchener Seniors (MACKS), and the Equity & Anti-Racism Advisory Committee. The final Report on steps taken to remove the identified barriers was circulated and posted on the City's website by the required date.

2. Voting Locations & Days

In-person voting was available for 66 hours in 2022, an increase of 12 hours compared to 2018. Advance voting was held over four days from October 12 to 15 at five centralized locations and 3 special voting opportunities (St. John's Kitchen, Ray of Hope and A Better Tent City) continuing the past practice of "vote anywhere". On Election Day, 52 voting locations and 16 long-term care facilities (with reduced hours to permit all residents at the facility to vote) were used for a total of 68 locations managed on October 24. All voting dates, times and locations were posted on the City's website, social media, and local newspaper.

Election voting locations were assessed and selected based on their geography, access to transit routes and capacity to manage expected turnout, respecting the piloting of the "vote anywhere" model. Staff worked very closely with St. John's Kitchen, Ray of Hope and A Better Tent City to bring voting to voters who are precariously housed and those who are homeless. Several vote locations were adjusted to accommodate feedback from previous elections, construction, and to provide easier pedestrian access.

Advance Voting (October 12-15)

Significant communication efforts were undertaken to encourage electors to vote early and skip the lines on Election Day. All 5 locations were programmed to accept any voters within the City, and the times were extended to increase flexibility. Overall, the voter experience with the dates, times and locations of Advance Voting was positive,
- 85% reported it was easy to understand where and when to vote,
- 89% of Advance voters indicating they were satisfied with the location,
- 87% were satisfied with the information received to cast their ballot, and
- 89% were satisfied with the time they waited before voting.

Election Day (October 24)

All 52 voting locations on Election Day were programmed to accept any voter within the ward so that if a voter attended the wrong location, they could vote and not have to travel to another facility as long as their electoral address was within the same ward. One accessible voting equipment device was allocated in each ward. Specifically, regarding Election Day voting,
- 93% of those surveyed were satisfied with the location,
- 85% were satisfied with the directional signage,
- 88% were satisfied with the time waited before casting a vote, and
- 91% were satisfied with the information explaining how to cast the ballot.

3. Voters' List and Voter Notification Cards

An accurate voters' list is essential to the integrity of the election. Eligibility to vote is set out in the Act. The municipal voters' list is currently the responsibility of the Municipal Property Assessment Corporation (MPAC) and the City Clerk.

Despite efforts in 2022 to increase the accuracy of voters' list data, the quality and accuracy of voter information from MPAC remains one of the most foundational challenges in administering the election. Only those electors on the Voters' List receive a Voter Notification Card (VNC), and while there is no statutory requirement under the Act to produce VNCs, staff does so to help facilitate electors in knowing where and when to vote, and to expedite voting.

Properties with a single elector at the residence were sent a Voter Notification Card, while properties with multiple electors at the address were combined into a Voter Information Letter (VIL) containing all cards, reducing the printing and postage costs. The incomplete and inaccurate Voters' List resulted in some voters not receiving a VNC, some voters' receiving duplicate cards and allegedly ineligible electors receiving cards. The City mailed 37,343 single VNCs and 51,734 VILs (Voter Information Letter) through Canada Post. Even with the City obtaining the Canada Post's address accuracy requirement of 95%, (which avoided mail handling surcharges, enabled us to obtain the best postage rates possible, and allowed for quick delivery of the VNCs), costs for postage and mailing were greatly impacted by the quality of the List.

In 2026, Elections Ontario will take over responsibility for a permanent list of electors to be used by municipalities which we anticipate will result in marked improvement as they will have access to additional data sources than MPAC has had access to in the past. We are hopeful this will provide a much more accurate voters list and in turn improves voter card distribution and voter turnout calculations.

4. Voting Method

The Act requires that Council pass a by-law authorizing any alternative voting methods. Options for alternative voting methods, including internet voting and vote by mail were discussed on November 22, 2021, with use of tabulator and paper ballots being endorsed by Council. Composite paper ballots were used, where all offices to be elected were listed with clear indications of the maximum number of votes per office permitted. The number of candidates for all races increased from 72 candidates in 2018 to 92 candidates in 2022. The increase in the number of candidates coupled with apparent issues in accessing candidate platform/information posed challenges for electors.

Concerns were received from housebound electors that restrictions to voting in person and the lack of mail-in ballot and/or internet/online voting were also problematic. Some municipalities adopted a "Vote from Home" alternative method whereby ballots were taken to individual residents, upon request, which saw greater flexibility for electors with mobility or chronic health issues.

Internet/online voting is more complex as the practices regarding authentication, validation, integrity and security have not been defined by the Act. While there is a desire for convenience, technology and systems experts have expressed concerns with internet voting processes. There are various studies and agencies actively engaged in investigating and researching voting equipment standards, security and integrity including internet voting. ***Staff will be gathering data on voting methods including Vote from Home pilots and will be reporting back to Council in 2024 on voting methods.***

Where an elector was unable to attend a voting location, curbside voting was available at all voting locations. One location in each ward (10) was supplied with accessible voting equipment for electors who had hearing/vision or mobility impairments and electors were also provided with the ability to have an individual, or designated support person, accompany them when marking their ballot, if the appropriate oath was administered.

Electors were encouraged to appoint a proxy if they were unable to attend the Advance and Election Day locations and City staff attended upon 10 electors to complete the proxy appointment process during the advance voting and Election Day period.

Technologies used in the election are held to strict security and integrity requirements. All tabulators and accessibility equipment undergo thorough logic and accuracy testing to ensure the integrity of the election. Prior to election day, tabulators are tested to ensure that they will accurately count the votes for all candidates. Any technology used to process or tabulate votes is isolated from other applications or programs to prevent remote access to the system or device and ensure security and integrity of the election. Tabulators are not connected to any network either wirelessly or by hardwire and are locked and stored securely until and during their use.

Feedback was received from MACKS, the Equity & Anti-Racism Advisory Committee and the public through the election period on considering alternative voting methods in place at neighbouring municipalities (i.e., vote by mail, internet/telephone voting, vote from home, etc.). Particularly considering the COVID-19 pandemic, electors opined that access to more flexible voting options should be available and consistency with neighbouring municipalities was desired. The 2021 "Your Vote Your Way" survey indicated a willingness of the electorate to pursue alternative voting methods, which is further supported with the Engage survey. While 90% of survey participants were satisfied with their overall experience voting in-person using a paper ballot, participants ranked voting methods by their desire to use other methods in the following order,

- remotely with internet/online voting   – rank 1.78 out of 5
- in person at voting location with a paper ballot, and   – rank 1.88 out of 5
- remotely with vote by mail   – rank 2.98 out of 5

- remotely with telephone voting   – rank 3.28 out of 5

Participants provided additional recommendations on how the City can improve the voting experience including;

- add other alternative voting options (internet/online voting, mail-in ballots),
- increase the amount of advance voting opportunities,
- ensure centrality of locations, and
- offering free transit for advance and voting day.

5. Communications

A comprehensive advertising campaign was developed, and staff worked with community partners to provide communication initiatives and information for candidates and electors including direct outreach to those groups most likely impacted by the scheduling of the municipal election on Diwali. The City's election website was the central place for information for candidates and electors including links to voter and candidate information guides produced by the province and city guides and documents with key due dates and legislative requirements from the Election Office.

Appointments were encouraged to file nomination papers, and this received positive feedback from many candidates as an opportunity for them to ask questions and ensure all the required documents were present and complete. Candidates were invited to provide a website, email address or social media site where voters could find additional information about the candidate.

Election advertisements were placed with various print, radio, and electronic forms of media with the voting locations promoted for their accessibility and convenience. The effect and impact of the variety of tools used is reflected in the statistics below and are in alignment with the survey results.

Strategy	Website Page views	Media Releases Page views	Facebook/Instagram	
			Impressions	Engagements
Nominations	11,330	378	23,223	1,366
Voter Registration	55,328	-	31,960	951
Election awareness	66,952	379	100,057	207
Working the election	7,910	437	71,297	3,183
Get out and vote	31,314	5,068	33,814	1,423

Survey responses indicate that electors learned about the municipal election from the following sources (in order),
- local news and media coverage,
- voter notification cards,
- social media,
- word of mouth.

Other ideas of how best to communicate with electors were provided by survey respondents as:
- more fulsome candidate biography and platform issues,
- enhanced election signs (city and candidate),
- information circulated via the engage newsletter / email, and
- direct mail election information including a map of all the voting locations.

The results further demonstrated that given the increased number of candidates and limited contact information for some, electors cited difficulty finding information on candidates as the greatest communication challenge.

6. Election Workers

Finding enough qualified and committed workers, and the time to recruit and train them is consistently the biggest challenge and the most resource intensive aspect of election administration for the Election Office. The City also gives opportunities to staff to be involved at voting locations and in other capacities.

Recruitment was conducted through an online application process and the response to the call for election workers was strong with approximately 900 applications received from the public. A call for election workers was also put out to City staff to encourage participation in this important community and corporate initiative. Having city staff work the election assists in finding enough workers with technical and customer services abilities to represent the City.

Hiring over 500 election workers precludes interviewing each person and makes it difficult to match each person with the right position. The application process was issued later in an attempt to improve the retention of workers and meant that training could be completed earlier ensuring election workers received the proper training and tools paramount to their success. Training materials were enhanced to address creating an inclusive voting environment with emphasis on gender-neutral pronouns, language and assumptions, particularly when reviewing government issued photo identification.

To train the 525 workers required, over 30 training sessions were administered by Election Office staff during the day and evening, for a total of 96 hours of in-person training delivered. Workers reported they were satisfied with the communication received (80%), the training received (79%) and 47% felt it was extremely easy to perform their assigned role. The compensation for each position was increased to remain competitive and comply with the *Employment Standards Act*, with 72% of workers reporting satisfaction with the compensation.

7. Election Results and Voter Turnout

The overall turnout for the 2022 Municipal Election for the City of Kitchener was 20, a decrease of from 2018. There are a number of likely factors that impacted the turnout including, voter fatigue, given the Provincial election occurred just 4 months earlier and saw a reduced turnout, general communication about October 24th as election day, voter list accuracy, the municipal ballot composition and non-party representation, national trends and pandemic impacts (polarization of politics, dis-engagement, mis-information and health restrictions).

During the Advance Voting period, 5,639 electors cast their vote representing a 3.3% advance voter turnout, compared to 2018, where the advance voter turnout was 2.4% over the same period.

On Election Day, 29,019 eligible voters cast their votes, for a total of 34,658 ballots cast, or turnout of 20% using the 172,598 eligible electors on the Voters' List as of Election Day. Recognizing the impact of the inaccurate and incomplete voters' list noted above, it may be appropriate to consider the number, the voter breakdown by age (Figure 1), of ballots cast (Figure 2) as indicators of engagement and areas to improve. There was an 8% decrease in turnout between elections, and while we would expect the number of ballots cast to increase, the differential between the two elections is 7,275 ballots cast.

The ballots cast by ward on election day between elections is very similar with Ward 10 showing the greatest turnout, and similarly the most survey participants (22%) identifying as Ward 10 voters.

Age	% of Turnout (2018)	% of Turnout (2022)
18-21	1.76%	13.68%
22-29	5.74%	13.06%
30-39	13.54%	14.76%
40-49	15.49%	17.91%
50-59	19.52%	19.08%
60-69	21.43%	26.82%
70-79	15.42%	35.09%
80-89	5.78%	28.92%
Over 90	0.64%	0.04%

Figure 1

Year	Eligible Electors / Ballots Cast	% of Turnout
2018	148,584 / 41,933	28.22%
2022	172,598 / 34,658	20.08%

Figure 2

Ward	2018 Turnout	2022 Turnout
01	10.70%	10.36%
02	14.09%	12.38%
03	5.96%	5.71%
04	9.12%	8.16%
05	6.79%	8.21%
06	8.57%	7.96%
07	12.43%	11.27%
08	9.82%	9.48%
09	10.05%	11.78%
10	12.47%	14.69%

Figure 3

Electors were asked in the survey to identify if they did not vote, reasons why. Electors ranked reasons why they did not vote as (in order),

- they did not know enough about the candidates,
- they were not satisfied with the voting methods available,
- there were no candidates that interested them,
- they did not know where to vote,
- they were not aware of the election, and
- the location was not accessible.

Additionally, electors indicated mobility issues, illness, work requirements and travelling out of the country during the election period as further reasons why they could not vote.

Addressing voter turnout is complex, some suggestions highlighted in recent studies and articles include;

- advocacy to the Province to change the legislated election day to avoid Provincial and/or Federal elections and days of cultural significance,
- Province-wide communication of Election Day,
- standardized and consistent days and voting methods in Area Municipalities with a region, and,
- enhanced media involvement in the nomination, campaigning process for information sharing.

Low voter turnout in the municipal elections garnered national news with voter fatigue, acclamations, voting methods, COVID-19 pandemic impacts and the poor turnout at the Provincial election in June 2022 (43% total turnout) all being highlighted as possible factors. The Association of Municipalities of Ontario (AMO) has published 2022 municipal election turnout data highlighting that municipal election voter turnout diminished across the province from 2018.

8. Opportunities for 2026

The Steering Committee solicited, received and compiled feedback from various stakeholders in order to obtain a wide perspective on the election concerning what went well and what potentially could be improved upon for the next election. While it is impossible to know exactly what the landscape will look like in 2026, staff have amassed improvements from 2022 they will evaluate and possibly implement, budget permitting, summarized below;

Accessibility
- consultation with Indigenous communities on voting processes and the location of voting opportunities,

- broaden the stakeholder engagement to include regional immigration partners to engage new Canadians in the democratic process,
- earlier delivery of voting equipment so the community, candidates and potential election workers have an opportunity to familiarize themselves with the equipment, and
- alternative voting methods, which will be outlined in more detail below.

Voting locations
- review planned locations with City and Regional facility/construction project managers to flag any planned construction conflicts,
- further consider Advance Voting days (including weekends), times, and locations and whether there would be benefit separating the voting days before and after Thanksgiving weekend,
- dedicate additional time and training on the accessible voting equipment for designated locations and staff, and
- develop short videos that clearly outline the voting process and abilities to ensure voters understand options and time requirement.

Voters' list and notification
- investigate the costs of producing single voter cards with enhanced voting information (offices to be elected, etc.)
- include language on envelope that advised owner or occupant that there are several VILs inside
- if proceeding with VILs again, ensure address label clearly notes "Owner or Occupant".

Voting process
- investigating the vote from home pilots deployed in 2022,
- investigating with area municipalities the possibility of a joint venture and co-operative purchasing abilities for election equipment, and
- **report back to Council in 2024 on voting methods** with research, analysis and recommendations as highlighted above.

Communications
- enhanced communication avenues including community centre digital signs, mobile signs, tax bill inserts, Kitchener Ranger games, movie theatres, etc.,
- develop videos on voting process (including school board support), marking a ballot, and using the accessible voting equipment,
- consider possibly requiring all candidates to complete a short biography, platform or priority issues, contact details and website validation, and,
- consider holding City-hosted candidate information session(s) at accessible location(s) to increase education and voter engagement and reduce information barriers.

Election workers
- alternative training and education abilities (reduce reliance on reading training guides),
- promote the election worker application process publicly earlier to generate greater interest and review compensation levels with an equity-informed lens,
- investigate alternative worker assignment abilities, including interviews, and
- explore ways to enhance equity, diversity, and inclusion training.

9. Conclusion

In summary, the Steering Committee met its objective to deliver a legally-binding (non-controverted), accessible and democratic election. Work continues with financial statement filing

and compliance audit processes from the 2022 election ongoing into June 2023.

Early planning is already underway for the next election in 2026. Staff will be researching and investigating further accessible and alternative voting methods. Staff are actively involved with external projects that will influence voter list data quality and security including the development of electoral voting technology standards through work by Dr. Nicole Goodman, Dr. Aleksander Essex and the [Digital Governance Council](). Any movement towards standards for procurement, testing and security of voting technology will be monitored and used to inform future recommendations on alternative voting methods and vote counting equipment.

Staff will also be advocating to the Ministry of Municipal Affairs and Housing (MMAH), through the Association of Municipal Clerks and Treasurers of Ontario (AMCTO) on new and ongoing issues.

Finally, future financial consideration related to increased election service levels expectations, voting methods, staffing capacity, as well as the cost of goods and services must be addressed ahead of 2026.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

Annually $129,000 is contributed to the Election Reserve. The total budget for the 2022 Municipal Election was $883,000. The budget was set based on conducting the election by polling subdivision and thus more equipment, staff and supplies required. Increases had already been made to the communication, postage and supplies line items. Conducting the election using the "vote anywhere" method meant some voting locations could be collapsed or combined, while still maintaining service levels. The cost of the 2022 election totalled $789,326. The surplus of $93,679 was transferred back to the election reserve.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the council / committee meeting. In addition, a communication strategy was developed and executed for the 2022 Municipal Election ensuring information about the election was actively promoted on the City's Election website as well as through the social media and the local media.

CONSULT – The following groups were consulted with respect to possible improvements for 2026: Voters, Candidates, Managing Deputy Returning Officers (MDROs), Deputy Returning Officers (DROs), Tabulator Assistants (TA), Election Assistants (EA), Election Steering Committee, Vendors, and Waterloo Region Area Clerks.

COLLABORATE – Legislated Services staff presented its accessibility plan to GRAAC, MACKS and the Equity & Anti-Racism Committee for feedback. As well, members of the Steering Committee continually collaborated with their colleagues across the Region of Waterloo on joint messaging concerning the election via the website, WRVotes. Finally, staff worked very closely with the staff from the 16 institutions prescribed by the Act, and St. John's Kitchen, Ray of Hope and A Better Tent City to bring voting to those locations for voters who have precarious housing or are homeless.

PREVIOUS REPORTS/AUTHORITIES:

There are no previous reports/authorities related to this matter.

APPROVED BY: Victoria Raab, General Manager, Corporate Services

ATTACHMENTS:

None.