



CITY OF KINGSTON
REPORT TO COUNCIL

Report No.: 13-164

TO: Mayor and Members of Council

FROM: Hal Linscott, Director of Legal Services and City Solicitor

RESOURCE STAFF: John Bolognone, City Clerk

DATE OF MEETING: April 23, 2013

SUBJECT: Vote Technology for the 2014 Municipal Election

EXECUTIVE SUMMARY:

In preparation for the 2014 municipal election, staff have been working to canvass all vote technology options available to provide the best vote technology solution for Kingston residents. On August 14, 2012, Council received Information Report 12-260 which provided a comprehensive review of all vote methods available, the report also evaluated the risks and benefits associated with each method. On February 25, 2013 the Clerk's Department issued a Request for Information (RFI) to obtain information from the industry on the current vote tabulation technologies available.

Results from the RFI provided information on the current technologies available, and will be used to develop a detailed Request for Proposal (RFP) to select a vote tabulation system for the 2014 municipal election, any potential by-elections up to 2018 and may include an option to extend the contract for the 2018 municipal election. In developing the RFP staff are recommending that it include a remote voting component, which would consist of either telephone or internet technologies, or a combination of both. Staff will review the submissions and determine the best election technology solution, taking into consideration the size, demographics and geographic issues unique to Kingston.

RECOMMENDATION:

THAT staff be authorized to issue an Request for Proposal for a vote tabulation system for the 2014 municipal election and any potential by-elections up to 2018 with an option to extend the contract for the 2018 municipal election; and

THAT the Request for Proposal contain a remote voting component.

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AUTHORIZING SIGNATURES:

ORIGINAL SIGNED BY DIRECTOR OF LEGAL SERVICES Hal Linscott, Director of Legal Services and City Solicitor
ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER Gerard Hunt, Chief Administrative Officer

CONSULTATION WITH THE FOLLOWING COMMISSIONERS:

Cynthia Beach, <i>Sustainability & Growth</i>	N/R
Lanie Hurdle, <i>Community Services</i>	N/R
Denis Leger, <i>Transportation, Properties & Emergency Services</i>	N/R
Jim Keech, <i>President and CEO, Utilities Kingston</i>	N/R

(N/R indicates consultation not required)

OPTIONS/DISCUSSION:**Background**

The next municipal election will be held on Monday October 27, 2014. In preparation, staff are investigating vote technology options with the understanding that a new technological solution will provide fast and reliable methods of voting. On August 14, 2012, Council received Information Report 12-260 which provided comprehensive review of all vote methods available, the report also evaluated the risks and benefits associated with each method.

Request for Information and Results

On February 25, 2013, the Clerk's Department issued a RFI to obtain information on current technologies available for procurement. The RFI closed on March 11, 2013 and resulted in two submissions, from Election Systems & Software, (ES&S) and Dominion Voting. Both companies are well known for their provision of full service election services, and have extensive experience in supporting election equipment for municipal elections in Ontario.

The respondents provided an overview on their vote tabulation system and explained how a remote voting component could be integrated into a traditional paper ballot and optical scan tabulator based system. In addition, both respondents indicated that they offered both telephone and internet voting. Each submission included a proposed implementation schedule which outlined the level of support that would be provided for the year leading up to the election.

A detailed RFP will be required to obtain information on the proposed technology to determine whether it would be compliant with the City of Kingston's requirements, and the Municipal Elections Act. It is recommended that the RFP include an option to include remote vote technology, telephone or internet voting, or a combination of both. The Clerk's Department, Information Systems Department and key staff will prepare the RFP to define technical requirements, which includes the security and audit functions for hardware and software.

Remote Vote Options for the 2014 Election

The City of Kingston 2014 municipal election will maintain traditional voting places equipped with paper ballots, and optical scanning tabulators, with a remote voting element to be determined at the RFP evaluation stage.

It is anticipated that including a remote vote element in the 2014 municipal election will provide the City of Kingston's electorate with a greater flexibility and convenience in casting their vote. The inclusion of a remote voting component may not necessarily increase voter turnout. In terms of election administration a remote vote could lead to a reduction of proxy votes issued; and a reduction in wait times at the polls. Both respondents have recognized the trend in municipalities to use multiple vote casting methods in elections and have adapted to provide an integrated system that could accommodate this need.

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If a remote vote method is selected staff will investigate the feasibility of implementing a two step registration process wherein voters are required to preregister, and once confirmed are able to cast their vote remotely.

The following represents different remote vote technology scenarios that may be implemented in the 2014 municipal election.

Remote voting advanced only

An extended vote period using remote voting technology (seven to ten days) with no traditional advance vote dates. The remote vote period would close in advance of the traditional polls opening on voting day, featuring paper ballots and optical scanners open.

Remote voting advanced poll, and traditional voting place for advanced voting

An extended advance vote period using remote voting technology (seven to ten days) and a traditional advance vote day, featuring paper ballots and optical scan tabulators. The remote vote period would close in advance of the traditional polls opening on voting day, featuring paper ballots and optical scanners open.

Remote voting throughout election and traditional voting for advanced

An extended advance vote period using remote voting technology (seven to ten days) and a traditional advance vote day, featuring paper ballots and optical scan tabulators. The remote vote period would extend until polls closed on voting day. Voting day would include traditional polling locations, featuring paper ballots and optical scanners.

Remote voting throughout election

An extended advance vote period using remote voting technology (seven to ten days), with no traditional advance vote. Voting day would include traditional polling locations, featuring paper ballots and optical scanners. The remote vote period would extend until the traditional polls closed on voting date.

Municipal Benchmarking

Council report 12-260 indicated that staff would monitor other municipalities and trends in vote tabulation system procurement. Most municipalities have contracts for election equipment that span multiple electoral events. The City of Ottawa and the Town of Oakville are currently working through respective procurement processes to select a vote tabulation system for 2014. At the time of writing this report, both municipalities are in the process of evaluating submissions and have not awarded a contract.

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EXISTING POLICY/BY LAW:

The *Municipal Elections Act, 1996* Section 42, requires that municipal Councils pass a by-law on or before June 1st in the year of an election to authorize the use of voting and vote-counting equipment, this includes voting machines, voting recorders and optical scanning vote tabulators. In addition Section 42 also requires a municipality to pass a by-law to authorize electors to use alternative voting methods, such as remote voting that does not require electors to attend at a voting place in order to vote. For the municipal elections of 2006 and 2010, City Council passed by-laws in accordance with Section 42(1)(b) of the *Municipal Elections Act, 1996*, to authorize the use of touch screen technology. By-laws pursuant to Section 42 of the *Municipal Elections Act* will be presented to Council in 2014.

NOTICE PROVISIONS:

N/A

ACCESSIBILITY CONSIDERATIONS:

Several amendments have been made to the *Municipal Elections Act 1996*, Section 45, as a result of the passing of Bill 212, *Good Government Act, 2009*. In particular, Section 45 (2) which stipulates that “*In establishing the locations of voting places, the clerk shall ensure that each voting place is accessible to electors with disabilities*”. Staff are committed to ensuring that each poll location is accessible to all.

The Internet voting systems implemented by other municipalities were fully compliant with the *Accessibility for Ontarians with Disabilities Act (AODA)*.

FINANCIAL CONSIDERATIONS:

Between municipal elections, the Clerk's Office allocates \$100,000 per year for three years, as part of its annual operating budget, to the Municipal Election Reserve Account. During an election year (year 4), an additional \$100,000 is budgeted as an operating expense and election related costs over and above this amount are funded as required from the Municipal Election Reserve Account.

CONTACTS:

John Bolognone, City Clerk

613-546-4291 ext. 1247

Kevin Arjoon, Deputy City Clerk

613-546-4291 ext. 1262

OTHER CITY OF KINGSTON STAFF CONSULTED:

Darlene Dopking, IS Project Manager

David Johnston, Chief Information Officer

Alan McLeod, Senior Legal Counsel
Shelly Rizzo, Corporate Buyer
Scott Tulk, Technology Solutions Architect

EXHIBITS ATTACHED:

N/A