AGENDA
SPECIAL MEETING OF CITY COUNCIL

Tuesday, August 4, 2020, 3:00 p.m.
Via Teleconference Hosted in the Council Chamber, City Hall

1. CALL TO ORDER

2. CONFIRMATION OF AGENDA

Recommendation
That the agenda be confirmed as presented.

3. DECLARATION OF CONFLICT OF INTEREST

4. LEGISLATIVE REPORTS

4.1 2020 Local Government Elections – Mail-in Ballot Procedure (CK 265-2020-6)

An approval report of the City Solicitor is attached.

Recommendation
That City Council consider Bylaw No. 9717, The Election Amendment Bylaw, 2020.

4.2 2020 Local Government Election – Polling Location Status (CK 265-2020-6)

An information report of the City Clerk is attached.

Recommendation
That the report of the City Clerk dated August 4, 2020, be received as information.

5. ADJOURNMENT
2020 Local Government Elections – Mail-in Ballot Procedure

ISSUE
This report submits Bylaw No. 9717, *The Election Amendment Bylaw, 2020* for City Council’s consideration. *The Election Amendment Bylaw, 2020* implements City Council’s decisions around the mail-in ballot process for the 2020 municipal election.

RECOMMENDATION
That City Council consider Bylaw No. 9717, *The Election Amendment Bylaw, 2020*.

BACKGROUND
As its [July 27, 2020 Regular Business Meeting](#), City Council considered a report of the Returning Officer dated July 20, 2020 and resolved:

1. That the Administration remove the requirements, other than being an eligible voter, for the mail in ballot application witnesses to act as such and bring an amended bylaw back to Council;

2. That the Administration remove mail in ballot eligibility criteria in 11.2 given that all eligible voters will be able to request a mail in ballot regardless of circumstances and bring back an amended bylaw to Council; and

3. That the Administration report regarding the possibility of establishing additional advance polls and additional regular polling stations for the November 2020 municipal election to be reported on at August Governance & Priorities Committee or a special meeting of City Council in early August.

DISCUSSION/ANALYSIS
In accordance with City Council’s instruction, we are pleased to re-submit Bylaw No. 9717, *The Election Amendment Bylaw, 2020* for City Council’s consideration.

The Bylaw removes the requirements for witnesses to provide identification for applications for mail-in ballots. In addition, who can act as a witness for the purposes of an application for a mail-in ballot has been expanded to anyone who is an eligible voter in the municipal election.

Further, the Returning Officer has reviewed the internal election processes again and suggested some modifications to the Bylaw to provide additional clarity.
APPENDIX

Report Approval
Written by: Cindy Yelland, City Solicitor
Approved by: Cindy Yelland, City Solicitor
BYLAW NO. 9717

The Election Amendment Bylaw, 2020

The Council of the City of Saskatoon enacts:

Short Title

1. This Bylaw may be cited as The Election Amendment Bylaw, 2020.

Purpose

2. The purpose of this Bylaw is to amend The Election Bylaw, 2012 to:

   (a) expand accessibility to mail-in ballots by:

      (i) permitting a person to apply for a mail-in ballot and submit identification electronically; and

      (ii) identifying a broader scope of individuals permitted to act as a witness for mail-in ballot applications;

   (b) provide for the processing of mail-in ballots both at the close of advance polls and at the close of polls on election day; and

   (c) add headings and make housekeeping changes.

Bylaw No. 8191 Amended

3. The Election Bylaw, 2012 is amended in the manner set forth in this Bylaw.

Section 4 Amended

4. (1) Section 4 is amended by adding the following clause after clause 4(a):

   “(a.1) “alternative poll” means an advance poll, a special poll or a mobile poll;”.

(2) Clause 4(k) is repealed.
Section 4.1 Amended

5. Section 4.1 is repealed and the following substituted:

“Election Procedure Generally

4.1 The Local Government Election Act, 2015 shall apply where not inconsistent with this Bylaw, and the words and phrases defined in the Act shall, where not inconsistent with this Bylaw, have the same meaning in this Bylaw.”.

Section 4.2 Amended

6. Subsection 4.2(2) is amended by striking out the word “hereby”.

Section 5 Amended

7. Section 5 is repealed and the following substituted:

“Authorization

5. The Council of the City of Saskatoon authorizes the use of an automated vote counting system in the conduct of elections.”.

Section 6 Repealed

8. Section 6 is repealed.

New Sections 7.1 and 7.2

9. The following sections are added after section 7:

“Form of Ballot

7.1 Subject to such modifications and deviations as are permitted by The Local Government Election Act, 2015:

(a) the ballot for the election of a member shall be in the form set forth in Schedule “A”;

(b) the ballot for a vote on a bylaw or resolution shall be in the form set forth in Schedule “B”; and
(c) the ballot for a vote on a question shall be in the form set forth in Schedule “C”.

Objection by Candidate or Agent

7.2 Candidates or their agents have the right to object to a person’s eligibility to vote, whether voting at an alternative poll, by mail-in ballot or at a polling place on election day pursuant to Section 112 of The Local Government Election Act, 2015.”

Section 8 Amended

10. Subsection 8(4) is amended by striking out “returned ballot” and substituting “ballot mentioned in subsection (3)”.

Section 11.1 Amended

11. Section 11.1 is repealed and the following substituted:

“Mail-in Ballot Authorization

11.1 A mail-in ballot voting system for the purpose of receiving ballots in an election is established.

Application Process for Mail-in Ballot

11.2 (1) An application to vote using a mail-in ballot may not be submitted to the returning officer or other designated election official:

(a) in the case of a general election, prior to the first business day in July of the election year;

(b) in the case of a by-election, prior to the Wednesday five weeks before nomination day.

(2) An application to vote using a mail-in ballot, in the form established by the returning officer, may be made:

(a) in person; or

(b) electronically.
An application to vote using a mail-in ballot must be received by the
returning officer or other designated election official:

(a) in the event of a person applying in person, on or before the
day immediately preceding election day; and

(b) in the event of a person applying electronically, on or before
the first day of advance voting as established by the returning
officer or other designated election official.

Before being issued a mail-in ballot, a person shall:

(a) complete a voter registration form and a declaration of person
requesting mail-in ballot; and

(b) establish the person’s identity and residence to the
satisfaction of the returning officer or other designated
election official.

Electronic Applications – Additional Requirements

11.3 (1) In addition to the requirements of Section 11.2, a person applying for
a mail-in ballot electronically must comply with the provisions of this
Section.

(2) Before being issued a mail-in ballot, a person applying for a mail-in
ballot electronically shall complete a voter and witness declaration
form.

(3) For the purposes of clause 11.2(4)(b), a person applying for a mail-
in ballot electronically shall submit, for each person applying for a
mail-in ballot, a photocopy or a scanned copy of the front and back
of:

(a) one piece of identification issued by the Government of
Canada, the Government of Saskatchewan, a municipality or
a government agency that contains a photograph of the
applicant and their name, address and signature; or

(b) two pieces of information prescribed in Appendix D, Table 1
of The Local Government Election Regulations, 2015, each of
which establishes the name and:
(i) at least one of which establishes the address of the applicant; and

(ii) at least one of which bears the signature of the applicant.

(4) A person who is an eligible voter for the upcoming election is authorized to witness the signature of a person applying for a mail-in ballot electronically and to complete a voter and witness declaration form.

(5) Notwithstanding subsection (4), a candidate for an election or a candidate’s agent shall not act as a witness after signing nomination papers.

(6) For the purposes of subsection (4), an eligible voter means a voter meeting the requirements of Section 36 of The Local Government Election Act, 2015.

(7) A person applying for a mail-in ballot electronically may be required to attend in person at the election office if their application, including all supporting documentation is incomplete, unclear, illegible or otherwise unsatisfactory as determined by the returning officer or other designated election official.

Mail-in Ballot Record

11.4 If the application for mail-in ballot is approved, the returning officer or other designated election official shall record the following information:

(a) the name and ordinary residential address of the applicant;

(b) the address where the mail-in ballot is to be sent;

(c) the contact information of the applicant, including email address or telephone number;

(d) the date the application for the mail-in ballot is approved;

(e) the date the mail-in ballot is sent to the applicant;

(f) the date the completed mail-in ballot is received by the returning officer or other designated election official;
(g) a notation whether the mail-in ballot was accepted, not accepted or spoiled;

(h) any other information considered appropriate by the returning officer.

Provision of Mail-in Ballot

11.5 (1) As soon as reasonably practicable after nomination day, the returning officer or other designated election official shall mail or otherwise deliver to each person approved to receive a mail-in ballot:

(a) a ballot for the upcoming election;
(b) a ballot security envelope;
(c) a voter confirmation envelope;
(d) a self-addressed mailing envelope for the return of the ballot to the returning officer; and
(e) instructions for voting by mail-in ballot.

(2) Self-addressed mailing envelopes for the return of the ballot to the returning officer shall be postage paid for destinations within Canada.

(3) Where the returning officer or other designated election official provides a mail-in ballot to a person, the person is deemed to have voted and is not entitled to vote at any other poll.

Voting and Return of Mail-in Ballots

11.6 (1) A person who receives a mail-in ballot:

(a) shall vote in accordance with the instructions enclosed with the ballot; and

(b) may vote for any number of candidates up to the number to be elected in the ward in which the person is entitled to vote.

(2) A person who has voted by mail-in ballot shall:

(a) place the completed ballot in the ballot security envelope and seal the envelope;
(b) place the sealed ballot security envelope in the voter confirmation envelope and seal the envelope;

(c) date and sign the certificate on the voter confirmation envelope;

(d) place the signed voter confirmation envelope in the mailing envelope and seal the envelope; and

(e) return the mailing envelope to the returning officer by mail, courier or in person.

Receipt of Mail-in Ballots

11.7 Upon receipt of a mail-in ballot, the returning officer or other designated election official shall:

(a) open the mailing envelope;

(b) remove the sealed voter confirmation envelope from the mailing envelope and:

(i) determine if the certificate on the front of each voter confirmation envelope has been properly completed; and

(ii) ensure the signature on the voter confirmation envelope matches the signature on the applicant’s voter declaration form or declaration of person requesting mail-in ballot, as the case may be;

(c) determine and record the date and time the ballot is received on the voter confirmation envelope;

(d) if the certificate has not been properly completed or the signatures do not match, place the unopened voter confirmation envelope in a separate envelope for ballots that are not accepted;

(e) if the certificate has been properly completed and the signatures match, remove the sealed ballot security envelope from the voter confirmation envelope and place the sealed ballot security envelope in a portable ballot box designated for mail-in ballots.
Counting of Mail-in Ballots

11.8 (1) Subject to subsection (2), after the close of polls on election day, the returning officer or other designated election official shall:

(a) remove the sealed ballot security envelope from the portable ballot box designated for mail-in ballots;

(b) remove the mail-in ballot from the ballot security envelope;

(c) insert the mail-in ballot into the vote tabulating machine designated for mail-in ballots;

(d) complete the vote counting procedures mentioned in Section 12; and

(e) record whether the mail-in ballot was not accepted or spoiled if necessary.

(2) If 100 or more mail-in ballots are received on or before the final day of advance voting, clauses (1)(a) through(c) may be performed by the returning officer or other designated election official on the business day immediately following the final day of advance voting.

(3) Candidates or their agents shall be notified by the returning officer or other designated election official prior to the processing of mail-in ballots as provided for in subsection (2).

(4) In order to be counted, a mail-in ballot must be received by the returning officer or other designated election official by the close of polls on election day.

(5) Mail-in ballots received after the close of polls on election day are deemed to be spoiled ballots and shall be dealt with by the deputy returning officer in accordance with subsection 118(2) of The Local Government Election Act, 2015.

Examination by Candidate or Agent

11.9 The voter registration forms, declarations of persons requesting mail-in ballots, voter and witness declaration forms and voter confirmation envelopes and certificates may be inspected by candidates or candidates’ agents at the election office during normal business hours commencing on the day following nomination day and ending at the close of polls on election day.”.
New Section 13.2

12. The following section is added after section 13.1:

“Retention of Election Materials

13.2 Mail-in ballots and forms and other election materials shall be retained and destroyed in accordance with Section 142 of The Local Government Election Act, 2015.”.

Headings Added

13. The following headings are added:

(a) “Part I – General” preceding section 1;
(b) “Part II – Returning Officer” preceding section 4.2;
(c) “Part III – Election Database, Vote Counting System and Memory Cards” preceding section 5;
(d) “Part IV – Ballots and Voting Procedures” preceding section 7.1;
(e) “Part V – Alternative Polls” preceding section 9;
(f) “Part VI – Mail-in Ballots” preceding section 11.1;
(g) “Part VII – Vote Counting” preceding section 12.

Schedule “A” Amended

14. Schedule “A” is repealed and the schedule marked as Schedule “A” to this Bylaw is substituted.

Schedule “B” Amended

15. Schedule “B” is repealed and the schedule marked as Schedule “B” to this Bylaw is substituted.
Schedule “C” Amended

16. Schedule “C” is repealed and the schedule marked as Schedule “C” to this Bylaw is substituted.

Coming into Force

17. This Bylaw comes into force on the day of its final passing.

Read a first time this day of , 2020.

Read a second time this day of , 2020.

Read a third time and passed this day of , 2020.

_________________________________________  ______________________________
Mayor                                      City Clerk
Schedule “A”
Form of Ballot
Election of a Member

Instructions to Voters: Vote by completely filling in the OVAL to the RIGHT of the candidate(s) of your choice. If you tear or wrongly mark your ballot, return it and another will be provided. VOTE LIKE THIS ☐.

FOR:
OFFICE OF MAYOR
YOU ARE ENTITLED TO VOTE FOR ONE CANDIDATE

CHRISTIE, Gayle ☐
TONKS, Alan ☐

FOR:
OFFICE OF COUNCILLOR
YOU ARE ENTITLED TO VOTE FOR ONE CANDIDATE

HERGERT, Edgar ☐
HOWELLS, Dan ☐
PAGE, Joan ☐
RAGNO, Enzo ☐

FOR:
TRUSTEES
SEPARATE SCHOOL BOARD
YOU ARE ENTITLED TO VOTE FOR SEVEN CANDIDATES

BELL, Jay ☐
Lawyer
COLLE, Michael ☐
Union Representative
GOLDBERG, Dan ☐
Store Clerk
NOBLEMAN, Ben ☐
Teacher
PETERS, Cathy ☐
Musician
REID, James ☐
Salesperson
SCOTT, Jack ☐
Contractor
THOMPSON, Robert ☐
Electrician
WILSON, Pat ☐
Teacher

FOR:
TRUSTEE
PUBLIC SCHOOL BOARD
YOU ARE ENTITLED TO VOTE FOR ONE CANDIDATE

POLLOCK, Evelyn ☐
Insurance Agent
SIMPSON, Doris ☐
Physician
Schedule “B”
Form of Ballot
Vote on a Bylaw or Resolution

Instructions to Voters: Vote for or against the bylaw (or resolution) by completely filling in the OVAL to the RIGHT of the words which express your intention. Do not write any word or other figure on this ballot. If you tear or wrongly mark your ballot, return it and another will be provided.
VOTE LIKE THIS ☐.

Vote on bylaw (or resolution) to (here state object of the bylaw or resolution)

For the Bylaw (or Resolution) ☐
Against the Bylaw (or Resolution) ☐

Submitted by the City of Saskatoon (or school division) this ___ day of ________, 20__.

Schedule “C”
Form of Ballot
Vote on a Question

Instructions to Voters: Vote for or against the bylaw (or resolution) by completely filling in the OVAL to the RIGHT of the words which express your intention. Do not write any word or other figure on this ballot. If you tear or wrongly mark your ballot, return it and another will be provided.
VOTE LIKE THIS ☐.

Vote on the Question:

(here state question)

Yes ☐
No ☐

Submitted by the City of Saskatoon (or school division) this ___ day of ________, 20__.
2020 Local Government Election – Polling Location Status

ISSUE
The 2020 Local Government Election will be held on November 9, 2020. In an effort to provide a greater number of voting opportunities, encourage voter turnout, and ensure voting safely during the COVID-19 pandemic, this report provides information on additional voting opportunities during advance poll voting.

BACKGROUND
At its April 20, 2020 meeting, the Governance and Priorities Committee was provided with an information report detailing the establishment of advance poll locations. At its April 27, 2020 meeting, City Council approved 66 polling locations on Election Day. At the May 19, 2020 Governance and Priorities Committee meeting, a subsequent report was brought forward informing that an additional advance poll location was added to the northeast quadrant of the city.

At its meeting held on July 27, 2020, City Council resolved, in part:

“That the Administration report regarding the possibility of establishing additional advance polls and additional regular polling stations for the November 2020 municipal election to be reported on at August Governance & Priorities Committee or a special meeting of City Council in early August.”

This report addresses the establishment of additional polling locations in the City.

CURRENT STATUS
For the upcoming election, eight advance poll locations have been established between October 30 and November 5, and 66 polling locations have been approved for Election Day. The Local Government Election Act, 2015 (LGEA) also provides for the establishment of the following voting opportunities:

- Mail-in ballot
- Hospitals, personal care facilities, or similar institutions within the municipality
- Homebound voting

The election team is currently working with Elections Saskatchewan to determine appropriate procedures for establishing polls in hospitals, care facilities, and similar institutions due to COVID-19, as well as how to conduct homebound voting which ensures safety of both the voter and election official. A report will be forthcoming when details have been confirmed with provincial partners.

DISCUSSION/ANALYSIS
Section 83 of the LGEA authorizes the Returning Officer to establish one or more advance polls for voters at least three days and not more than 15 days before the day of the election and to set the days and hours for advance voting, excepting those to be
established for personal care facilities and similar institutions, which are the subject of a forthcoming report.

Due to an increase in advance voter turnout between 2012 and 2016, additional advance polls were added for the 2020 election. Table 1 below details the number of advance poll locations, the number of days scheduled, and the equivalent number of hours for the 2016 election versus what is currently in place for 2020.

Additional advance poll voting opportunities continue to be pursued. The election team is currently finalizing plans to implement the City’s first ever drive thru advance poll voting option, located in the north. Further, two additional advance poll locations are being planned, for two days each. Inclusion of the foregoing advance poll locations results in a total increase of 5 locations and 98 hours from 2016 and an increase of 3 locations and 40 hours from what City Council was last informed.

Table 1. Polling location summary

<table>
<thead>
<tr>
<th>Election Year</th>
<th># of Locations</th>
<th># of Days</th>
<th># of Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>6</td>
<td>7</td>
<td>183</td>
</tr>
<tr>
<td>2020 (approved)</td>
<td>8</td>
<td>7</td>
<td>241</td>
</tr>
<tr>
<td>2020 (proposed)</td>
<td>11</td>
<td>7</td>
<td>281</td>
</tr>
</tbody>
</table>

The election team has considered the matter of additional polling locations on Election Day. Polling locations on Election Day require approval of City Council, and 66 polling locations have previously been approved for Election Day. Appendix 1 identifies the polling locations. The approach has been to provide one polling location in each neighbourhood, as is reasonably practicable. The approved hours of voting on Election Day are from 8 a.m. to 8 p.m.

Since approval of polling places for Election Day, the election team has finalized with the vendor the delivery of necessary vote counting equipment (in transit) and has commenced programming, testing, and configuring back-end data and systems for the 66 locations. Vote counting equipment can easily be dual purposed for advance polling places and Election Day polling places; however creating additional polls on Election Day would require more vote counting machines. As noted, the required equipment for Election Day is currently in transit and is scheduled for Logic & Accuracy testing by the vendor in August. Subject to availability, the addition of polls on Election Day would necessitate a change order to the original contract, resulting in increased costs for equipment and vendor support.

Further, the addition of more Election Day polling places would require changes to the poll key and maps, as well as the need for more election officials on Election Day. However, increasing advance polling places can be accommodated easily with little impact to back-end processes and data, since a voter can vote at any advance polling place, whereas a voter must vote at the designated poll on Election Day. The Administration is therefore not recommending an increase to voting locations on Election Day.
Appendix 1 sets out the locations of the 66 Election Day polling places as well as the current eight advance polling places. The addition of three additional advance polling places (north, east, and west quadrants) will create more opportunities for voters to cast their ballot. Dates and times each advance poll location will be open are provided in Appendix 2.

FINANCIAL IMPLICATIONS
Additional costs will be incurred with respect to election officials and facility/equipment rentals.

OTHER IMPLICATIONS
Like all locations already planned, additional advance polling locations will be equipped with necessary personal and protective equipment in order to ensure a safe voting experience for voters and election officials.

NEXT STEPS
A copy of this report will be provided to both the Public and Separate School Boards for information. The addition of advance polling locations will be included in the Communications plan.

APPENDICES
1. 2020 Polling Locations - Advance and Election Day
2. 2020 Advance Poll Calendar

Report Approval
Written by: Scott Bastian, Returning Officer
Reviewed and Approved by: Joanne Sproule, City Clerk
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>First permitted day of advance polls section 83(5) of the LGEA</td>
<td>Saskatchewan Provincial Election</td>
<td>Advance polls permitted. None intentionally scheduled in order to give a break between provincial and municipal elections and to promote civic voting opportunities.</td>
<td>Lawson, Market, Confederation, Centre Malls 11:00-7:00</td>
<td>Lawson, Market, Confederation, Centre Malls 10:00-5:00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sun, Nov 1</th>
<th>Mon, Nov 2</th>
<th>Tues, Nov 3</th>
<th>Wed, Nov 4</th>
<th>Thurs, Nov 5</th>
<th>Fri, Nov 6</th>
<th>Sat, Nov 7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prairieland 10:00-5:00</td>
<td>U of S 9:00-4:00</td>
<td>U of S 9:00-4:00</td>
<td>Lawson, Market, Confederation, Centre Malls 11:00-7:00</td>
<td>Lawson, Market, Confederation, Centre Malls 11:00-7:00</td>
<td>Advance polls not permitted section 83(5) of the LGEA</td>
<td></td>
</tr>
<tr>
<td>Drive thru 10:00-5:00</td>
<td>City Hall 11:00-6:00</td>
<td>City Hall 11:00-6:00</td>
<td>City Hall 11:00-6:00</td>
<td>City Hall 11:00-7:00</td>
<td>City Hall 11:00-5:00</td>
<td></td>
</tr>
<tr>
<td>Additional poll east 10:00-5:00</td>
<td>Additional poll east 10:00-5:00</td>
<td>Additional poll west 10:00-5:00</td>
<td>Ebenezer Church 11:00-7:00</td>
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</tr>
<tr>
<td>Additional poll west 10:00-5:00</td>
<td>Additional poll west 10:00-5:00</td>
<td></td>
<td>Ebenezer Church 11:00-7:00</td>
<td></td>
<td></td>
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</tbody>
</table>

Lawson, Market, Confederation, Centre Malls 11:00-7:00