
Attachment 1 - Admin Report - Comments-Elections May 22.docx

Recommendations

That the Governance and Priorities Committee recommend to City Council that:

1. The City Solicitor be instructed to redraft Parts I & IV of The City of Saskatoon Bylaw No. 8491: *The Campaign Disclosure and Spending Limits Bylaw, 2006* in accordance with the Administration's Recommendations outlined in this report;
2. City Council adopt the recommendations of the Saskatoon Municipal Review Commission respecting the mandate, term of office, and electoral support of the Returning Officer as well as the dedicated lines of communication and independent location;
3. City Council direct the City Clerk to include revision of the 2020 Candidate's Guide, including plain language clarification of election sign rules for the 2020 civic election; and
4. That the Administration conduct a review and update of election sign rules prior to the end of 2019.

Topic and Purpose

City Council considered a report from the Saskatoon Municipal Review Commission Municipal Elections Committee (the "SMRC") at its Regular Business Meeting held on June 26, 2017. The report contained various recommendations regarding the administration of the City of Saskatoon's municipal election process.

City Council resolved that the report from the SMRC be "referred to the Governance and Priorities Committee for discussion and to the Administration for review and written comment to the same meeting of the Governance and Priorities Committee."

This report provides comments for consideration of the Governance and Priorities Committee with respect to each of the various recommendations made to City Council by the SMRC.

Strategic Goals

This report supports the Strategic Goals of Continuous Improvement and Quality of Life as it promotes transparency of municipal government and supports City Council in providing good governance to the citizens of Saskatoon.

Report

The SMRC made 16 recommendations to City Council. The City Clerk and City Solicitor have reviewed the report and recommendations and make the following comments respecting each recommendation.

“1. Mandate

The SMRC recommends that in the future, the Returning Office be staffed to manage an election with no additional duties beyond election preparation, management, and execution.”

- This is a policy decision for City Council.
- Historically, the City Clerk’s office has been the election management unit in addition to its day-to-day operations. In 2016, City Council passed a Bylaw to provide for the appointment of a Returning Officer other than the City Clerk. Due to the timing of passage of the Bylaw, the Returning Officer did not commence duties until May, 2016. By this time, much of the planning and several processes for the 2016 election were well under-way by the City Clerk and the City Clerk’s staff. Two part-time staff were hired in the months leading up to the election to manage facility set-ups, special poll organization, and supply distribution.
- City Clerk’s staff providing support were decentralized with locations in City Hall, Civic Square East and City Archives. The City Clerk’s Office provided all Administrative support leading up to and during the civic election. Staff answered and directed telephone inquiries, accepted and managed applications for election workers, performed data entry, prepared and distributed legislated election forms and materials, ordered supplies, finalized candidate and election worker manuals and information documents, performed website updates, accepted and processed candidate profiles, managed the mail-in ballot process, booked voting facilities, performed election day trouble shooting, and assisted with election evening tabulation and production of final results.
- Expertise in the testing and management of vote tabulators and ballot design was also managed by City Clerk’s staff. Staff provided machine support, machine testing, ballot testing, programming, specialized election work training, and Advance Polls, Special Polls and Election Day troubleshooting.
- The SMRC has noted that the implementation of a separate Returning Office eliminates perceived conflicts of interest in the City Clerk’s duties, and allows for greater transparency in the administration of a civic election. Staff of the City Clerk’s Office have reviewed and/or observed election practices in Regina, Calgary and Edmonton. A separate Election Office with staff dedicated solely to administering an election is in place in these cities; however, ongoing election-related business planning, preparation and election readiness remains a function of the City Clerk’s Office. This matter will be addressed further under Recommendation 4.
- Administration agrees with the recommendation of the SMRC. The 2019-2020 Budget submissions of the City Clerk’s Office will include a provision to support this recommendation.

“2. Independent Location

The SMRC recommends that, as part of their independence, the Returning Office be granted their own location, preferably outside of City Hall.”

- This is a policy decision for City Council.
- In 2016 the Returning Officer held an office in City Hall in close proximity to the City Clerk’s Main Office, with additional support provided by City Clerk’s staff in locations as described in Recommendation 1). The tasks of managing the election office were decentralized, with tasks being carried out in the following locations: City Clerk’s Office, Office of the Returning Officer (City Hall), Nominations Office (Main Floor, City Hall); Temporary staff (home offices until September 1, 2016), Warehouse/Office (September 1, 2016); City Archives.
- The SMRC has noted that an office location separate from the City would increase the Returning Officer’s independence. As noted in Recommendation 1, staff of the City Clerk’s Office have reviewed and/or observed election practices in Regina, Calgary and Edmonton and a separate Election Office is common practice. The establishment of a stand-alone election office well in advance of the election would serve as the central location for all functions of the election including, administrative, training, warehousing and storage. Having staff and functions in one location would increase efficiencies and provide one central point of contact for the public and candidates.
- Administration agrees with the recommendation of the SMRC. The 2019-2020 Budget submissions of the City Clerk’s Office will include a provision to support this recommendation.

“3. Term of Office

The SMRC recommends that the Returning Officer be appointed to a term of 12 – 18 months prior to the election date.”

- This is a policy decision for City Council.
- As noted in Recommendation 1), in 2016, City Council passed a Bylaw to provide for the appointment of a Returning Officer other than the City Clerk. Due to the timing of passage of the Bylaw, the Returning Officer did not commence duties until May, 2016. The duties of the Returning Officer are to perform all such duties and functions as required under *The Local Government Election Act* and to carry out related administrative duties in accordance with the *Act*, bylaws, policies and procedures of the City. The Returning Officer is expected to manage, prepare for and execute an election. The Returning Officer must have a thorough understanding of the legislation governing elections and the ability to discuss processes and issues with candidates and voters and enforce rules as required. Training for Returning Officers is provided by Municipal Relations many months prior to an election and on-site observation of elections in other jurisdictions has proven to be a useful learning tool as well.

- The Administration supports the rationale provided by the SMRC for a longer appointment to properly conduct all the numerous details of the election and would add the importance of having adequate time to obtain the necessary training, understanding and working knowledge of the legislation, bylaws, processes and policies, as described above.
- The SMRC has also suggested that after the election, the Returning Officer should be granted enough time to preserve the institutional memory of electoral administration, through the creation of manuals, logs and staff training. The Administration agrees with the importance of preserving a record of all processes, manuals, logs, etc. related to an election. The preservation of institutional memory was identified as a gap following the 2016 election. In past elections where the City Clerk or a member of the City Clerk's staff served as Returning Officer, the knowledge gained, the standard of record keeping, the lessons learned and the experiences encountered were easily transferred within the City Clerk's Office.
- Administration agrees with the recommendation of the SMRC. The 2019-2020 Budget submissions of the City Clerk's Office will include a provision to support bringing on the Returning Officer 12 months in advance of the 2020 general election.

“4. Electoral Staff and Candidate Support

The SMRC recommends that the Returning Officer be authorized to hire and train an Assistant Returning Officer.”

- The City of Saskatoon Bylaw No. 9370: *The Returning Officer Appointment Bylaw, 2016* mandates that the Returning Officer perform all duties and functions required under *The Local Government Election Act, 2015* and carry out related administrative duties, including management of administrative and human resources required for the administration of an election and training of election personnel. This was intended to empower the Returning Officer to hire staff, including an Assistant Returning Officer.
- The SMRC reported that the Returning Officer, City Officials, and electoral candidates all indicated that the Returning Officer faced challenges in addressing candidate needs in a timely manner, and would have benefitted from more electoral preparation. The SMRC stated that as the expected workload for such a task is beyond that of the role of Returning Officer, additional staff are required to support this position.
- Administration agrees that a dedicated Assistant Returning Officer be in place for a period of time leading up to the election (approximately 6 months). In addition, Administration is proposing an FTE commencing in 2019 in the City Clerk's Office with a significant amount of duties dedicated to election management. The proposed Business/Elections Officer would have election expertise and ensure election readiness at any time. The planning and execution of a general election is an on-going process. It is important to have clearly defined modern election processes and to ensure the City is election-ready not only for general elections but also for civic or school board by-

- elections or referendum votes which may occur with very little notice, and which must be completed within legislated timelines.
- Administration has identified election readiness as a gap. Election readiness includes:
 - Analyzation of population data for ward boundary adjustments, development of ward boundary scenarios and ward boundary reviews well in advance of a general election;
 - Up-to-date clearly articulated documentation of election processes in accordance with current legislation;
 - On-going knowledge of election-related legislation – maintaining an “election expert”;
 - Liaison with school board partners including development of election agreements and facility use;
 - Reviewing poll boundaries and locations including accessibility;
 - Development and implementation of technology requirements;
 - Equipment Testing and troubleshooting;
 - Ongoing development of up-to-date manuals, forms, notices, data bases, etc.;
 - Liaison and on-going active engagement with other municipalities and levels of government to explore election best practices outside of legislated requirements;
 - Research and development of modern election practices;
 - Management of candidate financial disclosure process;
 - Documentation and archival of election processes, manuals, logs, etc. to ensure preservation of institutional memory; and
 - Development of initiatives to encourage citizens to run for office and to encourage voter turnout and participation in the election process.
 - The above list is an example of what is required to be election ready at any time. Overall cohesive management of elections is imperative on an on-going basis and not just in the months leading up to a general election.
 - Administration agrees that an Assistant Returning Officer be in place for the 2020 election (approximately six months) and the 2020 Budget submission of the City Clerk’s Office will include a provision to support this recommendation.
 - The addition of an FTE in the City Clerk’s Office with a significant portion of duties dedicated solely to elections, will be included in the 2019 Budget submission of the City Clerk’s Office.

“5. Dedicated Lines of Communication

The SMRC recommends that the City provide dedicated lines of direct communication between the Returning Officer and electoral candidates (phone line, email address).”

- This is a policy decision for City Council.
- The SMRC noted that candidates indicated that reaching the Returning Officer for inquiries and complaints was challenging in 2016 and suggested that a streamlined method of communication might alleviate some of the

confusion. The SMRC suggested a private, dedicated phone line and email address to the Returning Officer's Office would serve electoral candidates more effectively.

- Administration supports a more streamlined process for making contact with the Returning Officer and/or Returning Office. Processes would be reviewed and refined with the implementation of a dedicated office with staff dedicated solely to the election, as discussed in Recommendations 1, 2, and 4. It is expected that the contracted Returning Officer would participate in the evaluation and implementation of communication methods with candidates.
- Administration supports an overall streamlined communication system with the Returning Officer and the Returning Office, subject to review and input from the contracted Returning Officer.

“6. Candidate Materials

The SMRC recommends that the RO support all electoral candidates with ensuring that the new 2020 Candidate's Guide includes:

- (1) An expanded Table of Contents that includes improved points of frequent reference.**
 - (2) A calendar timeline of required forms and submission requirements for nominees and electoral candidates.**
 - (3) Lists of municipal election support materials and resources for candidates that are available online (e.g. How-to guides, Proper fundraising suggestions, etc.).**
 - (4) Expanding the current Frequently Asked Questions (FAQ) to ensure that essential information and frequent points of inquiry and complaint are addressed.**
- This is a policy decision for City Council.
 - Agree in principle that the Candidate's Guide should be updated to ensure information is provided in an intuitive and user-friendly format. Dedicated support in the City Clerk's Office, as described in Recommendation 4 would provide ongoing review of best practices, content and delivery of candidate information and related election materials for general elections and by-elections.

“7. Plain-Language Clarification of Election Sign Rules

The SMRC recommends the development of a pamphlet of frequently asked questions that presents a plain-language, comprehensive explanation of all electoral signage rules and penalties (including The Temporary Sign Bylaw, 2009, Bylaw No. 7491; The Zoning Bylaw, Bylaw No. 8770; The Poster Bylaw, 1996, Bylaw No. 7565; and the Election Signs FAQ). The SMRC recommends that this explanation replace the current sign bylaw information in the Electoral Candidate's Guide.

- (7.1) To prevent and address complaints made by volunteers and the public, this explanation must also be made available alongside electoral sign bylaws on the City of Saskatoon's website, and within the Candidate's Guide.**

(7.2) Based on the frequency of sign complaints the City or the RO may want to consider having bylaw enforcement officers employed on election day to enforce the sign bylaw to compliment (sic) the complaint-based system.”

- These are policy decisions for City Council.
- Agree that clarification of election sign rules is warranted including plain language, comprehensive explanation of signage rules and penalties.
- Agree that the City may want to consider having bylaw enforcement officers “patrol” for election sign violations sporadically throughout the campaign period, including on election day.
- Agree that the information should be posted on the City’s website and included with Candidate information packages and, if possible, the pamphlet’s plain language descriptions should be linked with the appropriate bylaw sections
- Also, recommend that a review and update of election sign rules take place before the end of 2019 by City Administration. This is in order to clarify election sign rules well ahead of the 2020 general election.

“8. Method of Nomination Fee Payment

The SMRC recommends that the nomination’s deposit of \$100 “cash” be changed to include cash, debit, credit card or by certified cheque or money order, payable to the City of Saskatoon.”

- Disagree. *The Local Government Elections Act, 2015* indicates that the nomination is to be accompanied by a deposit of “\$100 or by a certified cheque or money order in that amount”.

“9. Nomination Paper Submission

The SMRC recommends that Bylaw No. 8491 be amended to include the following article:

‘Until an individual has filed their nomination papers, no individual and no person acting on the individual’s behalf, shall, for the purpose of electing the individual, (a) solicit or accept a contribution; (b) borrow money; or (c) incur an expense.’¹

- This is a policy decision for City Council.
- Nominations may be accepted only between the date of the call for nominations and nomination day. The Act prescribes “nomination day” as the fifth Wednesday before election day and indicates the call for nominations must be “at least 10 business days before nomination day”. Therefore, the

¹ SMRC: Election Committee Report dated November 19, 2015 (the “2015 Election Committee Report”), recommendation #12 recommended that the campaign period, contribution period, expense period and nomination period all be defined as June 1 in the year of the civic election. This recommendation was considered by the GPC at its February 22, 2016 meeting. The GPC recommended that Council approve that on a go forward basis, the expense period be defined as June 1, to December 15 in an election year but that it defeat the recommendation that the contribution period be limited in the same fashion. City Council confirmed the approval of the former and defeat of the latter recommendation at its meeting held February 29, 2016.

- period for accepting nominations ranges between 36 – 41 business days (a maximum of 55 calendar days). This time frame may be insufficient to organize a campaign, including making deposits to rent space, etc.
- Solicitation of campaign contributions by persons who do not file nomination papers is fraud, punishable under the Criminal Code.

Administration Recommendation: Information received as this issue was determined by City Council February 29, 2016.

“10. Article Clarifications of Bylaw No. 8491

The SMRC recommends that Bylaw No. 8491 – The Campaign Disclosure and Spending Limits Bylaw, 2006, requires revisions for purposes of clarification in multiple articles.

- **The SMRC recommends amendments to the following:**
 - **Subsections 6.3(a) and (b) should be changed from “GST” to “Applicable taxes”.**

Administration Recommendation: Agree to proposed bylaw amendment. This suggested amendment clarifies that audit costs for mayoral candidates under set limits will be reimbursed in full.

- **Paragraph 5(3)(b)(i) of the Bylaw (and all provisions referring to the cumulative campaign contribution limit for reporting) should be consistent in setting out the limit as being “\$100 or more”.**

Administration Recommendation: Agree to proposed bylaw amendment.

- **Section 10.1 should refer to official agent rather than business manager.**

Administration Recommendation: Agree to proposed bylaw amendment.

- **Schedules A and C require full revision. Consider basing a revised policy on The City of Winnipeg’s Campaign Expenses and Contributions By-law No. 10/2010, including**
 - **prefilling dates for the campaign period in accordance with the bylaw**
 - **excluding fundraising from contributions**
 - **including a line for personal contributions – remove other revenues**
 - **noting campaign period expenses “EXCLUDING FUNDRAISING EXPENSES”**
 - **inserting a line before “Surplus (Deficit) called” Net fundraising revenue (expenses), and having a schedule detailing the revenue/expense from fundraising**

- **having a final line net surplus/Deficit, and revise #2 on Schedule A regarding this”**

Administration Recommendations:

- (a) Agree to revisions of Schedules A and C. The schedules are not prescribed by provincial legislation, so the City may amend them to be consistent with accepted accounting practice and make the reporting of revenue and expenses more transparent.
- (b) Disagree to amending Bylaw to pre-fill the forms within Bylaw No. 8491. This would require amendment each election. However, the Returning Officer could either make available pre-filled forms or provide candidates with an instruction sheet including this information.

“11. Fundraising Events

The SMRC believe that Bylaw No. 8491’s Fundraising Events rules are needlessly complex, and recommend that the bylaw should be revised using more comprehensible language.² We have found that the City of Winnipeg’s “Campaign Expenses and Contributions By-law No. 10/2010, s. 12 (1)-(5) meets this requirement well and would recommend a similar change for the City of Saskatoon. That section reads:

Definition of “fund-raising event”

12(1) In this section, “fund-raising event” means an event or activity held for the purpose of raising funds for the registered candidate by whom or on whose behalf the event is held.

Fund-raising event to be held within campaign period

12(2) A fund-raising event held by or on behalf of a registered candidate shall be held only during the campaign period.

Funds raised to be included in Audited* Financial Statement (Form 4)

12(3) The gross income from a fund-raising event shall be recorded and included in the audited Financial Statement required by subsection 21(1).

Categorization of fund-raising revenue and expenses

12(4) Any revenue generated by a fund-raising event by the sale of tickets or otherwise shall be considered a contribution for the purposes of subsection 21(1), and expenses incurred in holding a fund-raising event shall be excluded from the total campaign expenses referred to in subsections 17(1) and 17(2).

² The 2015 Election Committee Report, recommendation #9 asked that the rules for fund-raising events be maintained, but that Bylaw 8491 be amended to make explicit that all costs associated with fundraising events be included as part of the Statement of Contributions and Expenses. City Council resolved that Bylaw 8491 be amended in accordance with this recommendation.

Goods or services purchased in excess of market value at fund-raising event

12(5) Any amount paid for goods or services purchased at a fund-raising event that is in excess of fair market value shall be considered a contribution on the part of the individual purchasing the goods or services and must comply with the rules for contributions set out in this By-law.

***The audited statement would apply to mayoral candidates only. Audited statements would not be required for Councillor candidates.**

- This is a policy decision for City Council.

Administration Recommendations:

- (a) Agree that Bylaw No. 8491 ought to be amended to clarify fundraising rules, include the definition of “fund-raising event”, prescribe that fund-raising events must be held within the campaign period, and set out rules for purchases of goods and services in excess of market value.
- (b) Bylaw No. 8491 contains the authority for the City Clerk or other person appointed by City Council to audit any candidate’s fundraising event records. We believe that this power ought to be retained.
- (c) Bylaw No. 8491 clarifies that receipts are required for all expenses and all sources of revenue. We believe that this provision should be retained.
- (d) That Bylaw No. 8491 continue to require reporting of expenses incurred in holding fund-raising events. The Winnipeg Bylaw requires candidates to report gross income from ticket sales, but only net income from goods or services “purchased” at fund-raising events. Bylaw No. 8491 requires reporting of net income from ticket sales. Both the Winnipeg Bylaw and Bylaw No. 8491 exclude expenses incurred in holding a fund-raising event from total campaign expenses. However, the Winnipeg Bylaw is silent on whether expenses must be reported, making it difficult to determine net proceeds from tickets and goods and services purchased at a fund-raising event. This would, in turn, make it difficult to audit fund-raising events.

“12. Surplus Campaign Funds

The SMRC recommends that Bylaw No. 8491 Campaign Surplus 9.1 be amended so that any campaign surpluses be held in trust by the City and returned to the candidate if he or she chooses to run again for office or, if the candidate does not run again for office in the next general election, those monies will be kept by the City or donated to a charity of the candidates’ choice. This rule should not apply to contributions made by the candidate personally.”³

³ The 2015 Election Committee Report made these same recommendations. (See recommendations 10 and 11). City Council defeated the motion to amend Bylaw 8491 to require surplus campaign funds to be remitted to the municipality to be held in trust for the candidate but passed a motion to stipulate that if a candidate fails to register to run in a subsequent election, surplus funds held in trust be paid to a charity of the candidate’s choice, or, failing that, become property of the municipality and that no tax receipt be

Administration Recommendation: Disagree. The LGEA does not empower Council to compel candidates to require surplus campaign funds be remitted to a municipality to be held in trust.

“13. Official Agent for Office of the Mayor Candidate

The SMRC recommends strengthening the language regarding the Bylaw No. 8491 position of Official Agent for electoral candidates for the Office of the Mayor. We have taken inspiration from the City of Winnipeg’s “Campaign Expenses and Contributions By-law No. 10/2010, article 7, which states:

The official agent named in the application for registration of a candidate in an election is responsible for receiving all contributions made to or for the benefit of the candidate and authorizing all campaign expenses of the candidate, and for ensuring that:

- 1.(a) proper records are kept of the contributions and campaign expenses;**
 - 2.(b) the contributions that are not donations in kind are deposited in an account that is**
 - 1.(i) listed in the application of the candidate for registration;**
 - and**
 - 2.(ii) used only for the purpose of the election campaign of the candidate;**
 - 3.(c) proper receipts for all the contributions are issued and given or sent to the contributors who made them;**
 - 4.(d) the Audited Financial Statement required under section 21 to be filed by the candidate is prepared;**
 - 5.(e) all financial records relating to the election campaign of the candidate are retained for not less than two years after the election and made available on request to the Campaign Expenses and Contributions Officer;**
 - 6.(f) all payments relating to or arising out of the campaign are made only by cheque drawn on such an account;**
 - 7.(g) all contributions that are made anonymously are not used or spent in the campaign but are paid over to the Senior Election Official to become part of the general funds of the City; and**
 - 8.(h) any contribution accepted by or on behalf of the candidate that is contrary to this Bylaw is returned to the contributor in accordance with subsection 9(2).**
- This is a policy decision for City Council

issued to candidates for charitable contributions made under this rule. These amendments were made to Bylaw 8491.

Administration Recommendations:

- (a) Agree in principle with setting out the description of duties for official agents.
- (b) Disagree with the official agent becoming the sole person responsible for these duties. In accordance with *The Cities Act*, Bylaw No. 8491 makes the candidate the person ultimately responsible for records pertaining to contributions and expenses. The candidate may be disqualified for failure to report or if reporting is false, misleading or incomplete. Taking ultimate responsibility away from the candidate means that the only remedy for failing to report or reporting in an incomplete or misleading manner will be a fine assessed against the official agent. In our view, this is contrary to the requirements in *The Cities Act*.

“14. Financial Audits for Office of the Mayor Candidate

The SMRC recommends that the mayoral candidate audits of Campaign Revenues and Campaign Expenses, as described in Bylaw No. 8491, be revised to enable more appropriate audits. We were also inspired by the City of Winnipeg’s “Campaign Expenses and Contributions By-law No. 10/2010”, article 7, outlined in recommendation 13.”⁴

Administration Recommendation: Information received as Bylaw 8491 requires an audit in accordance with *The Cities Act* generally accepted accounting principles. Qualifications of the auditor are included in Bylaw No. 8491, ss. 2(c.1) and 6.

- Bylaw 8491 requires an audit, in compliance with rules of the industry, to be performed on the mayoral candidates’ Statement of Campaign Revenues and Expenses. It requires that candidates list all of the items mentioned in the Winnipeg Bylaw to facilitate the audit.
- The format of Schedule “C” is designed so as to be transparent and comprehensible to the general public. Bylaw 8491 does not preclude generation of a document similar to Form 4 by the auditor, as long as to do so is in compliance with generally accepted accounting principles.

“15. Limitation of Contributions

The SMRC believes that the City should consider following the trends to limit corporate and union donations that we are witnessing at both the federal and provincial levels across the country.

In our review of the campaign contributions of all candidates for elected office we continue to see large sums of money donated to candidates,

⁴ Sections 21 - 23 of the Winnipeg Bylaw, rather than section 7, refer to audited financial statements. Section 21 requires reporting of all contributions and expenses which are incorporated into Bylaw No. 8491. It prescribes use of “Form 4”, which the SMRC recommended as an alternative to Schedules “A” and “C” in Bylaw No. 8491. Section 22 sets out a deadline for filing the audited statement and allows a further audited statement to be filed if the Campaign Expenses and Contributions Officer finds the first statement to be incorrect or incomplete. Section 22 sets out the qualifications of the auditor.

sometimes from single business or union contributors. In the spirit of opening the political process to any existing or new political candidates, we recommend that City Council work with its partners at the Saskatchewan Urban Municipalities Association and request that the Province amend the Local Government Act to empower Municipal Councils to adopt bylaws that establish limits on contributions to candidates for municipal office.

- (15.1) The SMRC requests that City Council discuss this proposal with SUMA and other Cities to build a stronger voice for policy reform.
- (15.2) Upon the adoption of this amendment, the SMRC recommends that Council amend Bylaw No. 8491 to:
 - (a) place a limit on the total amount that individuals may contribute to candidates for municipal office;
 - (b) prevent donations to candidates for municipal office from corporations and labour unions;
 - (c) restrict donations to municipal candidates to those that come only from individuals normally resident in Saskatchewan.”⁵

Administration Recommendation: Information be received as this issue was determined by City Council January 25, 2016, 2016.

“16. Communications and Constituency Relations Allowance (CCRA) – Advertising

The SMRC recommends revisions for Council & Mayor Benefits and Entitlements: “The Communications Allowance – section 2. Allowable expenses, advertising and promotion.” City-funded media advertisements must exclude promotion of individual Councillors or staff especially during an election year.”⁶

Rewrite of Bylaw 8491

Should City Council wish to adopt the Administration’s recommendations which require bylaw amendment, the City Solicitor’s Office recommends redrafting of Parts I and II of Bylaw 8491 to increase clarity of the Bylaw.

⁵ The 2015 Election Committee Report made a recommendation that City Council request that the Province amend *The Local Government Election Act* to empower Council to adopt a bylaw to establish limits on contributions to candidates to municipal office. Council adopted this recommendation and such a request was made to the Province. Further, the 2015 Election Committee Report made the same recommendations to Council as the current recommendations 15.2(a), (b) and (c). Council considered these recommendations and did not adopt them.

⁶ In the Saskatoon Municipal Review Commission Remuneration Committee Report, dated April 18, 2016, the Commission recommended:

(a) prohibition against using the Communications and Constituency Relations Allowance from September 1 to October 31 of a civic election year;

Public Notice

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

Attachments

1. Bylaw No. 8491, *The Campaign Disclosure and Spending Limits Bylaw, 2006*

Report Approval

Written by: Kim Bodnarchuk, Solicitor
Reviewed and Approved by: Patricia Warwick, City Solicitor
Joanne Sproule, City Clerk

Admin Report – Comments-Elections
102-0474-pjw-1.docx

(b) a statement that in the year of an election, 8/12 of the allowance be allocated to the sitting Council and 2/12 of the allowance be allocated to the newly elected Council; and
(c) a prohibition against using the allowance for purchase of goods or services (including such purchases as a website annual domain registration or billboard signage) during an election period. City Council adopted each of these recommendations at its meeting held on June 27, 2016.