

## **Document 11**

### **Additional Information Related to the Ward 19 (Cumberland) By-election**

#### **Contribution Rebate Program in Effect**

Section 88.11 of the MEA provides that a municipality may pass a by-law to allow for the payment of rebates to individuals who contribute to candidates for the office of mayor or councillor and may establish conditions under which such a rebate is paid. Council first established the City of Ottawa's Contribution Rebate Program for the 2003 Municipal Elections and has made various amendments to the program over time. The program allows for the payment of rebates to individuals residing in Ontario who contribute to participating candidates running for municipal council, including both regular elections and by-elections. Registered third parties and school board trustees are not eligible to participate in the Contribution Rebate Program. The program's current by-law, By-law No. 2018-33, remains in effect for any by-election at this time.

The original intent of the program was to affect a greater balance between corporate and individual contributions. Although corporate contributions to candidates were banned in 2016 by Bill 181, the same legislation also introduced a new framework through which corporations could formally participate in municipal elections as third party advertisers and as contributors to third party advertisers.

On that basis, staff previously noted that the original purpose of encouraging individuals to participate in elections remained relevant and recommended the continuation of the Program. More information about the program's history, including its original purpose and revisions to the rebate formula, can be found in a 2017 staff report to Council (ACS2017-CCS-GEN-0027).

#### **Use of Vote Tabulators**

Section 42 of the MEA provides municipalities with the option of passing a by-law to authorize the use of vote counting equipment. The City of Ottawa has relied upon automated vote tabulators to count votes in all municipal elections since 1997, including the 2006 Orléans By-election and the 2019 Rideau-Rockcliffe By-election. This equipment ensures the consistent and accurate counting of votes and the timely production of unofficial election results. The City's By-law No. 2003-275, which

authorizes the use of vote-counting equipment continues to be in effect for any by-election at the current time.

The City of Ottawa has an existing contract with Dominion Voting Systems Corporation (Dominion) for both hardware (i.e. vote tabulators) and software (i.e. vote counting software). Through the 2011-2014 Strategic Planning process, Council directed the City Clerk to secure the hardware and software necessary to deliver the 2014 Municipal Elections. After an open procurement process, Dominion was selected in October 2013 as the City's Vendor of Record for both the 2014 and 2018 Municipal Elections, with an option to renew for 2022. The contract was extended until the end of the 2022-2026 term, with provisions for any by-elections.

With the City's existing processes and procedures being designed based on automated vote tabulation, along with the above-noted legislative and contractual obligations, staff is of the view that this vote counting method is appropriate, effective and mandatory for a by-election.

### **Voting Subdivisions and Voting Places**

Under Section 45 of the MEA, the Clerk has the statutory duty to establish the number and location of voting places for an election as he or she "considers most convenient for the electors". Under this same provision, the Clerk is also mandated to ensure that voting places are accessible to electors with disabilities.

Despite its large geographic size, 70% of Ward 19 (Cumberland) population is in the suburban area of the ward. 19 voting places are expected to be used in this by-election, including 6 advance voting places. This includes five (5) multi-residential facilities that provide care that do not meet the "bed count" threshold set out in the legislation, but have been historically used as voting places in municipal elections. The Clerk will consult OPH and the administrators of the multi-residential facilities to ensure appropriate measures are in place in consideration of COVID-19.

Candidates will be provided with a complete list of voting places after Nomination Day (August 21, 2020).