

TO:	CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING ON OCTOBER 20, 2015
FROM:	CATHY SAUNDERS CITY CLERK
SUBJECT:	RANKED BALLOTING PROCESS

RECOMMENDATION

That, on the recommendation of the City Clerk, the following actions be taken with respect to ranked balloting:

- a) the attached proposed by-law (Appendix “A”) BE INTRODUCED at the Municipal Council meeting to be held on October 27, 2015, to update Council Policy 5(1) – Appointment of Deputy Mayors, to provide for the use of a ranked voting process with respect to the selection and appointment of the Deputy Mayor selected by the Municipal Council;
- b) the attached proposed process (Appendix “B”) for the appointment of the Deputy Mayor selected by the Municipal Council BE APPROVED;
- c) the attached proposed by-law (Appendix “C”) BE INTRODUCED at the Municipal Council meeting on October 27, 2015, to repeal and replace Council Policy 5(34) – Appointment of Council Members to Standing Committees of Council, Audit Committee, and Various Civic Boards and Commissions to provide for the use of a ranked voting process for appointments of Council Members to Standing Committees of Council, Audit Committee, and various civic boards and commissions and to reflect the current Standing Committee structure; and
- d) the attached proposed process (Appendix “D”) for the appointment of Council Members to Standing Committees of Council, Audit Committee, and various civic boards and commissions BE APPROVED;

it being noted that the Civic Administration is currently in the process of exploring various technologies that are available to support a ranked balloting process.

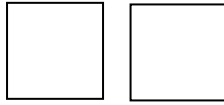
PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

[Corporate Services Committee – July 21, 2015 – Province of Ontario Consultation – Municipal Elections Act](#)

BACKGROUND

The use of ranked balloting for conducting municipal elections was a key area of the Province’s *Municipal Elections Act, 1996* public consultation and review throughout the spring and summer of this year. London’s Municipal Council has gone on record that it is supportive of giving municipalities more choice in how they conduct their elections. The potential benefits of ranked balloting include reducing strategic voting, negative campaigning and encouraging more candidates to remain in the race without the threat of “vote splitting” between like-minded candidates. However, it is also noted that any changes to the legislation would need to provide a solid framework and clear direction for the successful implementation of this method of voting, including adequate protection of the validity of results, should the election result in a recount.

The Province began investigating the implementation of a ranked balloting option in response to Toronto City Council requesting the Province of Ontario to amend the *Municipal Elections Act, 1996* “to authorize the use and establish the framework of Ranked Choice Voting to permit Toronto City Council to use ranked ballots and instant runoff voting in municipal elections” in



June 2013. However, it now appears the City of Toronto's interest in ranked balloting has changed somewhat, based upon its recent submission to the Province on the Five-Year Review of the *City of Toronto Act, 2006*. In summary, the City of Toronto has indicated:

- There was limited support for using ranked ballots for some municipal jurisdictions and not others; consistency is desirable.
- Consultation and/or the requirement to hold a referendum is advisable prior to the implementation of ranked ballots.
- Sufficient time and resources will be required for public education and outreach prior to implementing ranked ballots.

Notwithstanding the more recent position of the City of Toronto, the process is underway at the provincial level to consider the inclusion of ranked balloting in the *Municipal Elections Act, 1996* for the 2018 municipal election. With the consultation process completed, the Province is now assessing the feedback for recommendation to the Legislative Assembly of Ontario. We are anticipating receiving the results of this process later this year.

Once a final decision has been made by the Legislative Assembly of Ontario with respect to voting options, the City Clerk will report back to the Municipal Council with respect to this matter.

Terminology

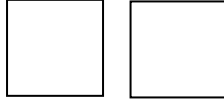
The Province of Ontario has decided on the term ranked ballots to cover the framework that they want to develop for use in Ontario. Terms used on the Internet to describe the voting and vote counting system used in single-member elections include: Instant Runoff Voting, Alternative Vote, and Majority Preferential Voting. Single Transferrable Vote is the term used to describe the ranked voting and vote counting system used for multi-member elections.

General Process

- To start, every first-choice selection is counted. Any candidate who receives a majority (more than 50%) of the first-choice selections is declared the winner.
- If no candidate receives more than 50% of the first-choice selections, the candidate who receives the fewest number of first-choice selections is eliminated.
- Voters who selected the eliminated candidate as their first choice will have their vote transferred to their second choice.
- The votes are then recounted. If any remaining candidate receives more than 50% of the votes, he or she is declared the winner.
- If no remaining candidate receives more than 50% of the votes, the process of eliminating candidates and transferring votes to the next ranked candidate is repeated until one candidate has a winning majority.
- If remaining candidates receive the same rankings, the successful candidate is chosen by lot.

Current Status of Ranked Balloting at the City of London

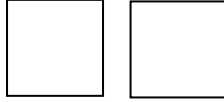
The Corporate Services Committee has been testing a ranked balloting system for filling vacancies on various Advisory Committees. The process has not only been an effective tool in appointing members, but has been helpful in educating the public, the Committee Members and the Civic Administration on the ranked balloting concept. The next step would be to expand the process to the appointment of the Deputy Mayor selected by the Municipal Council and the appointment of Council Members to the Standing Committees, Audit Committee, and various civic boards and commissions. This would require the Municipal Council to approve a ranked balloting process for those appointments and approve any necessary changes to related Council policies.



The Civic Administration is currently investigating and testing different methods of improving the efficiency of the process and ensuring the results are tabulated in a transparent manner in keeping with Section 244 of the *Municipal Act, 2001*, which states “Expect as provided in sections 233 and 238, no vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.” There are a few tested methods in the current marketplace that would provide for an electronic ballot of names, record the votes cast and display the results.

In the meantime, the attached proposed by-laws (Appendices “A” and “C”) to amend Council Policy 5(1) – Appointment of Deputy Mayors and Council Policy 5(34) – Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions, respectively, are being brought forward for adoption in order to make the necessary changes to those policies to incorporate ranked balloting as part of the appointment process. Appendices “B” and “D” are being brought forward for adoption to approve the ranked ballot process for the appointment of the Deputy Mayor selected by the Municipal Council and the appointment of Council Members to Standing Committees of Council, Audit Committee, and various civic boards and commissions, respectively.

PREPARED BY:	RECOMMENDED BY:
SARAH CORMAN MANAGER, LICENSING AND ELECTIONS	CATHY SAUNDERS CITY CLERK



APPENDIX "A"

Bill No.
2015

By-law No.

A by-law to amend Council Policy 5(1) entitled
"Appointment of Deputy Mayors".

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS section 244 of the *Municipal Act, 2001* provides that except as provided in sections 233 and 238 of the *Municipal Act, 2001*, no vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect;

AND WHEREAS the Municipal Council wishes to amend Council Policy 5(1) – Appointment of Deputy Mayors, to provide for the use of a ranked voting process with respect to the selection and appointment of the Deputy Mayor selected by Municipal Council;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

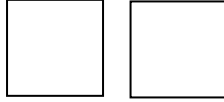
1. Part (d) of the section entitled "Deputy Mayor Selected by the Municipal Council" is hereby deleted and replaced with the following new part (d) as follows:

1.

"(d) The process to be followed by the Municipal Council in selecting a Deputy Mayor shall be as follows:

Nomination and Voting Process

- (i) At the first Strategic Priorities and Policy Committee meeting of a Council term, the Chair shall invite each Ward Councillor, in Ward order, to declare if they wish to let their name stand to serve as the Deputy Mayor selected by the Municipal Council for the first year of the Council term. No later than the last Strategic Priorities and Policy Committee meeting in November of each of the first, second and third Council years, the Chair shall invite all Ward Councillors, in Ward order, to declare if they wish to let their name stand to serve as the Deputy Mayor selected by the Municipal Council for the upcoming Council year.
- (ii) The Ward Councillor selected by the Mayor to serve as Deputy Mayor shall not be eligible to concurrently serve as the Deputy Mayor selected by the Municipal Council.
- (iii) The City Clerk, or designate, shall immediately compile a list of all Ward Councillors, in alphabetical order, who have declared their wish to let their name stand for consideration for appointment as the Deputy Mayor selected by the Municipal Council.
- (iv) The names included on the list noted in (iii), above, shall be the subject of a ranked ballot process adopted in advance by the



Municipal Council, and conducted in public session of the Strategic Priorities and Policy Committee, during which the list was compiled.

- (v) The ranked ballot process shall be fully disclosed in the public record of the meeting at which it is conducted.
- (vi) Any time the list of Ward Councillors declaring that they wish to let their name stand to serve as the Deputy Mayor selected by the Municipal Council includes only one name, the Chair shall immediately call for a motion to confirm the selection of that individual to serve as the Deputy Mayor selected by the Municipal Council.”

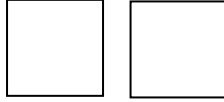
2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on October 27, 2015.

Matt Brown
Mayor

Catharine Saunders
City Clerk

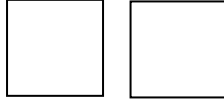
First Reading – October 27, 2015
Second Reading – October 27, 2015
Third Reading – October 27, 2015



APPENDIX "B"

Process for Appointment of Deputy Mayor Selected by the Municipal Council

1. All Ward Councillors eligible to let their name stand to serve as the Deputy Mayor selected by the Municipal Council shall be given the opportunity to declare their interest in ward order.
2. The City Clerk, or designate, will list the name of each Ward Councillor who has declared their interest in letting their name stand for consideration to serve as the Deputy Mayor selected by the Municipal Council, in alphabetical order on a ballot.
3. The ballot will then be distributed to each member of the Committee considering the appointment.
4. The Committee members will then mark their ballot by ranking their top three (3) choices for Deputy Mayor, in order of preference, with 1 being their first choice.
5. The City Clerk, or designate, will display the full ballot and the rankings made by the Members.
6. If a Ward Councillor on the ballot receives a majority (more than 50%) of first choice rankings, the Chair shall immediately call for a motion to appoint that Member as the Deputy Mayor selected by the Municipal Council.
7. If no Ward Councillor on the ballot receives more than 50% of the first choice rankings, the Ward Councillor who receives the fewest number of first-choice rankings will be eliminated.
8. The votes for the eliminated Ward Councillor(s) will be redistributed to the remaining Ward Councillors on the ballot. The Clerk, or designate, will display the redistribution of rankings.
9. If a Ward Councillor on the ballot receives a majority (more than 50%) of first choice rankings, the Chair shall immediately call for a motion to appoint that Ward Councillor as the Deputy Mayor selected by the Municipal Council.
10. If no Ward Councillor remaining on the ballot receives more than 50% of the first-choice rankings, steps 8 and 9 will repeat until one Ward Councillor has received a majority (more than 50%) of first choice rankings, at which time the Chair shall immediately call for a motion to appoint that Ward Councillor as the Deputy Mayor selected by the Municipal Council.
11. If there is a tie between the last remaining Ward Councillors on the ballot, the City Clerk shall prepare the names of the remaining Ward Councillors to be drawn by the Chair. The City Clerk, or designate, shall immediately announce the name drawn and the Chair shall immediately call for a motion to appoint that Ward Councillor as the Deputy Mayor selected by the Municipal Council.



APPENDIX "C"

Bill No.
2015

By-law No.

A by-law to repeal Council Policy 5(34) entitled "Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions" and replace it with a new Council Policy 5(34) to provide for the use of a ranked voting process with respect to the selection and appointment of the Council Members to Standing Committees, Audit Committee, and various civic boards and commissions and to reflect the current Standing Committee structure and processes;

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS section 244 of the *Municipal Act, 2001* provides that except as provided in sections 233 and 238 of the *Municipal Act, 2001*, no vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect;

AND WHEREAS the Municipal Council wishes to repeal Council Policy 5(34) – Appointment of Council Members to the Standing Committees of Council and Various Civic Boards and Commissions to provide for the use of a ranked voting process with respect to the selection and appointment of the Council Members to Standing Committees, Audit Committee, and various civic boards and commissions and to reflect the current Standing Committee structure and processes;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

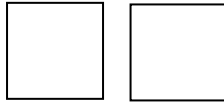
1. Council Policy 5(34) - Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions is hereby repealed and replaced with a new Council Policy 5(34) attached hereto as Schedule "A".
2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on October 27, 2015.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – October 27, 2015
Second Reading – October 27, 2015
Third Reading – October 27, 2015



SCHEDULE "A"

5(34) Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions

General

Council Members shall be appointed to Standing Committees of Council each *Council Year*. (i.e. for a one-year period commencing December 1 until November 30), with the exception of the Strategic Priorities and Policy Committee which shall serve for the *Council Term*.

Council Members shall make every effort to serve on different Standing Committees throughout the *Council Term*, with the following exceptions:

- a) the Council Procedure By-law provides for the Mayor to be, ex officio, a member of all standing committees of the Council, except for the Strategic Priorities and Policy Committee where the Mayor shall serve as Chair; and
- b) the Deputy Mayor selected by the Municipal Council shall serve as Chair of the Corporate Services Committee.

Council Members shall be appointed to the Audit Committee, civic boards and commissions each *Council Term*, to serve for the *Council Term*, unless the term of office is otherwise specified by legislation.

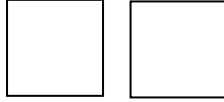
The Strategic Priorities and Policy Committee shall nominate the appointment of Council Members to Standing Committees of Council, Audit Committee and various civic boards and commissions to the Municipal Council.

Appointment of Council Members at the Commencement of a New Council Term

The City Clerk shall convene a meeting of the Strategic Priorities and Policy Committee, as soon as possible after the Inaugural Council meeting, with respect to the appointment of Council Members to the Standing Committees of Council, Audit Committee and various civic boards and commissions. In advance of the above-noted Strategic Priorities and Policy Committee meeting, the City Clerk shall provide incoming Council Members with a communication describing the mandate of each of the Standing Committees, Audit Committee, boards and commissions to which Council Members are to be appointed, and providing a document on which each Council Member is to indicate their committee, board and commission preferences. The latter document shall be returned to the City Clerk, by a specified date, in order to form part of the agenda for the Strategic Priorities and Policy Committee meeting. Appointments to the Standing Committees, Audit Committee and various civic boards and commissions shall be in keeping with the process approved by the Municipal Council.

Appointment of Council Members to Council Standing Committees after Appointments at the Commencement of a Council Term

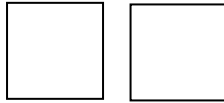
The City Clerk shall convene a meeting of the Strategic Priorities and Policy Committee in sufficient time for a nomination to be brought forward to the Municipal Council for consideration prior to the commencement of a new Council Year, with respect to the appointment of Council Members to Standing Committees of Council for the upcoming Council Year. The City Clerk shall provide the Council Members with a document on which each Council Member is to indicate their Standing Committee preference. The latter document shall be returned to the City Clerk, by a specified date, in order to form part of the agenda for the Strategic Priorities and Policy Committee meeting. Appointments to the Standing Committee shall be in keeping with the process approved by the Municipal Council.



In the event a Council Member is no longer able to hold office on the Municipal Council and another individual is elected in their place during the course of a Council Year, the new Council Member shall assume the membership on the Standing Committee previously held by the Council Member which they are replacing.

Appointment of Council Members to the Audit Committee and Civic Boards and Commissions after Appointments at the Commencement of a Council Term

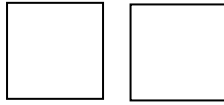
In the event a Council Member vacancy on the Audit Committee or a civic board or commission becomes available during a *Council Term*, after appointments have been made at the commencement of the *Council Term*, the City Clerk shall canvass the Council Members to determine which Council Members would be interested in filling the vacancy. The names of the Council Members who have expressed an interest in filling the vacancy shall be placed on an agenda of the Strategic Priorities and Policy Committee, at the earliest opportunity, and the selection of the Council Member to fill the vacancy shall be made based upon the same process approved by the Municipal Council for the filling of vacancies at the beginning of a *Council Term*.



APPENDIX "D"

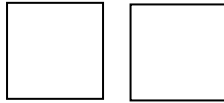
A. Process for Appointment of Council Members to Standing Committees of Council

1. The Chair shall open the debate and discussion on the list of Standing Committee preferences included on the agenda of the Strategic Priorities and Policy Committee by the City Clerk.
2. Every effort shall be made to achieve consensus amongst the Council Members on appointments to the Standing Committees, with each Council Member to serve on a minimum of two Standing Committees. The City Clerk shall assist in the process by displaying a list of potential appointees to each Standing Committee, and by amending that list as consensus is achieved.
3. In the event consensus is achieved, the Chair shall immediately call for a motion to appoint the Council Members for the Standing Committee(s) for which consensus was reached.
4. In the event consensus is not reached, all potential appointees' names for whom consensus has not been reached shall be listed in alphabetical order on a separate ballot for each Standing Committee.
5. The ballot will then be distributed to each member of the Committee considering the appointment.
6. The Committee members will then mark their ballot by ranking their top five (5) choices for appointment to the Standing Committee, in order of preference, with 1 being their first choice. In the event, there are fewer than five (5) names on the list, the choices will be ranked accordingly.
7. The City Clerk, or designate, will display the full ballot and the rankings made by the Members.
8. If a Ward Councillor on the ballot has received a majority (more than 50%) of first choice rankings, the Chair shall immediately call for a motion to appoint that Ward Councillor to the Standing Committee.
9. If no Ward Councillor on the ballot receives more than 50% of the first choice rankings, the Ward Councillor(s) who received the fewest number of first-choice rankings will be eliminated.
10. The votes for the eliminated Ward Councillor(s) will be redistributed to the remaining Ward Councillors on the ballot. The City Clerk, or designate, will display the redistribution of rankings.
11. Steps 8 to 10 shall be repeated until the number of names remaining on the ballot equals the number of vacancies to be filled at which time the Chair shall immediately call for a motion to appoint remaining Ward Councillors to the Standing Committee.
12. If there is a tie between the last remaining Ward Councillors on the ballot, the City Clerk shall prepare the names to be drawn by the Chair. The City Clerk, or designate shall immediately announce the name(s) drawn and the Chair shall immediately call for a motion to appoint that/those Ward Councillor(s) to the Standing Committee.



B. Process for Appointment of Council Members as Chair to Standing Committees of Council

1. In accordance with the Council Procedure By-law, the Mayor shall serve as Chair of the Strategic Priorities and Policy Committee and the Deputy Mayor appointed by the Municipal Council shall serve as Chair of the Corporate Services Committee.
2. With the exception of those Standing Committees noted in 1, above, the City Clerk shall compile a list of Council Members who have been appointed to a Standing Committee and have indicated an interest in serving as Chair of that Standing Committee.
3. The Chair of the Strategic Priorities and Policy Committee shall open the debate and discussion on the lists of those Council Members who have been appointed to a Standing Committee and are eligible and have indicated their interest in serving as Chair of that Standing Committee.
4. Every effort shall be made to achieve consensus amongst the Council Members on the appointment of Chairs for the Standing Committees. The City Clerk shall assist in the process by displaying a list of potential appointees as Chair of each Standing Committee, and by amending that list as consensus is achieved.
5. In the event consensus is achieved, the Chair shall immediately call for a motion to appoint the Council Member(s) as Chair of the Standing Committee(s) for which consensus was reached.
6. In the event consensus is not reached, all potential appointees' names for whom consensus has not been reached shall be listed in alphabetical order on a separate ballot for each Standing Committee.
7. The ballot will then be distributed to each member of the Committee considering the appointment.
8. The Committee members will then mark their ballot by ranking their top three (3) choices for appointment to Chair, in order of preference, with 1 being their first choice. In the event, there are fewer than three (3) names on the list the choice will be ranked accordingly.
9. The City Clerk, or designate, will display the full ballot and the rankings made by the Members.
10. If an appointed member on the ballot has received a majority (more than 50%) of first choice rankings, the Chair shall immediately call for a motion to appoint that member as Chair of the Standing Committee.
11. If no appointed member on the ballot receives more than 50% of the first choice rankings, the member(s) who received the fewest number of first-choice rankings will be eliminated.
12. The votes for the eliminated appointed member(s) will be redistributed to the remaining members on the ballot. The Clerk, or designate, will display the redistribution of rankings.
13. If no member remaining on the ballot receives more than 50% of the first-choice rankings, the process will repeat until one member has received a majority (more than 50%) of first choice rankings, at which time the Chair shall immediately call for a motion to appoint that member as the Chair to the Standing Committee.
14. If there is a tie between the last remaining members on the ballot, the City Clerk shall prepare the name to be drawn by the Chair. The City Clerk, or designate, shall immediately announce the name drawn and the Chair shall immediately call for a motion to appoint that member as Chair to the Standing Committee.



C. Process for Appointment of Council Members to the Audit Committee and Various Civic Boards and Commissions

1. The Chair shall open the debate and discussion on the list of Audit Committee and various civic boards and commissions preferences included on the agenda of the Strategic Priorities and Policy Committee by the City Clerk.
2. Every effort shall be made to achieve consensus amongst the Council Members on appointments to the Audit Committee and various civic boards and commissions. The City Clerk shall assist in the process by displaying a list of potential appointees to each Audit Committee and various civic boards and commissions, and by amending that list as consensus is achieved.
3. In the event consensus is achieved, the Chair shall immediately call for a motion to appoint the Council Members for the Audit Committee and various civic boards and commissions for which consensus was reached.
4. In the event consensus is not reached, all potential appointees' names for whom consensus has not been reached shall be listed in alphabetical order on a separate ballot for each of the Audit Committee and various civic boards and commissions.
5. The ballot will then be distributed to each member of the Committee considering the appointment.
6. The Committee members will then mark their ballot by ranking their top three (3) choices for appointment to the Audit Committee and various civic boards and commissions, in order of preference, with 1 being their first choice. In the event, there are fewer than three (3) names on the list, the choices will be ranked accordingly.
7. The City Clerk, or designate, will display the full ballot and the rankings made by the Members.
8. If a Ward Councillor on the ballot has received a majority (more than 50%) of first choice rankings, the Chair shall immediately call for a motion to appoint that Ward Councillor to the Audit Committee and various civic boards and commissions.
9. If no Ward Councillor on the ballot receives more than 50% of the first choice rankings, the Ward Councillor(s) who received the fewest number of first-choice rankings will be eliminated.
10. The votes for the eliminated Ward Councillor(s) will be redistributed to the remaining Ward Councillors on the ballot. The City Clerk, or designate, will display the redistribution of rankings.
11. Steps 8 to 10 shall be repeated until the number of names remaining on the ballot equals the number of vacancies to be filled at which time the Chair shall immediately call for a motion to appoint remaining Ward Councillors to the Audit Committee and various civic boards and commissions.
12. If there is a tie between the last remaining Ward Councillors on the ballot, the City Clerk shall prepare the names to be drawn by the Chair. The City Clerk, or designated shall immediately announce the name(s) drawn and the Chair shall immediately call for a motion to appoint that/those Ward Councillor(s) to the Audit Committee and various civic boards and commissions.