City of Mississauga
Corporate Report

MISSISSAUGA

Date: June 22, 2020	Originator's files:
To: Mayor and Members of General Committee	
From: Gary Kent, CPA, CGA, ICD.D, Commissioner of Corporate Services and Chief Financial Officer	Meeting date: September 9, 2020

Subject
Election Administration Information Report: Ranked Choice Voting

Recommendation
That the Corporate Report dated June 22, 2020 from the Commissioner of Corporate Services and Chief Financial Officer titled Election Administration Information Report: Ranked Choice Voting (RCV) be received.

Report Highlights
- In 2016 Bill 181, the *Municipal Elections Modernization Act* enabled municipalities to implement Ranked Choice Voting for municipal elections
- In 2018, the only municipality in Ontario to implement ranked choice voting was the City of London
- This report looks at various aspects of ranked choice voting, including the costs, legislated requirements and roll out
- Ontario Regulation 310/16, directs municipal Council's to consider the costs related to ranked choice voting, the availability of equipment and software and the impact implementation would have on election administration

Background
At the January 28, 2020 Governance Committee meeting, the committee reviewed a Corporate Report from the Director of Legislative Services and City Clerk, dated January 13, 2020 titled *Ranked Ballot Elections - Review of the City of London's Experience.* (Appendix 1)

The Corporate Report provided information on the impact of Ranked Choice Voting (RCV) in the City of London. The committee directed staff to report back to General Committee on the possible impact of RCV if it were implemented for the City of Mississauga's 2022 Municipal Election.

Comments

General

In accordance with section 5(1) of *Ontario Regulation 310/16*:

> *Before passing a by-law with respect to ranked ballot elections, the council of a single-tier or lower-tier municipality shall consider the following matters:*
>
> > *1. The costs to the municipality of conducting the elections.*
> >
> > *2. The availability of technology, such as voting equipment and vote-counting equipment and software, for conducting the elections.*
> >
> > *3. The impact the proposed by-law would have on election administration.*

History

Prior to the 2018 Municipal Election, Bill 181, the *Municipal Elections Modernization Act, 2016*, amended the *Municipal Elections Act, 1996*, to allow municipal councils to implement RCV. The only municipality that implemented RCV during the 2018 Municipal Election was the City of London. The City of Kingston is working toward implementation for the 2022 municipal election.

Differences between First Past the Post (FPTP) and RCV Elections

In the City of Mississauga's current FPTP method of voting, voters choose one candidate from each of the three races on a ballot. The three races on a City of Mississauga ballot are:

- Mayor
- Ward Councillor
- School Board Trustee

The candidate with the most votes wins. There is no minimum requirement for the percentage of votes a candidate must receive in order to win a race.

Alternatively, in a RCV election, voters are given the option to rank candidates in order of preference for two of the three races noted above. In accordance with Ontario Regulation 310/16, which provides direction on how to conduct a RCV election, Trustee races cannot be determined by the RCV system of voting. A winner for Trustee races would be determined via the FPTP system.

A candidate in a race subject to RCV must obtain 50% + 1 of the vote to win. Initial results are tabulated based on the first choices of voters. If no candidate obtains 50% + 1 of the vote, a runoff occurs.

In a runoff:
- The candidate with the lowest number of votes is eliminated from the contest
- The first choice votes that originally went to the eliminated candidate are set aside
- The second choices on those ballots are counted

Runoffs continue until a candidate receives 50% + 1 of the vote. There is no legislated requirement regarding how many choices a voter can be given.

Before passing a by law to implement RCV, City Council must hold a consultation process which includes:

- Providing information to the public about:
  o how the RCV election will be conducted
  o an estimate of the cost
  o a description of the voting and vote counting equipment being considered
  o a description of any alternative voting methods being considered
- Holding at least one open house to provide information to the public about RCV. This open house is intended to give the public the ability to review and ask questions about the information above
- Holding a legislated public meeting at which information about RCV will be provided and feedback from the public will be heard

The consultation process must be complete before the by-law to proceed with RCV can be passed. The by-law must be passed by May 1, 2021.

When applying the RCV principle to past City of Mississauga Elections, 75% (9 out of 12 races) in each election were won with 50% + 1 of the vote in the first round (see below).

Of the 12 races in the last four elections that would require runoffs, five of the races were won with more than 40% of the vote. Four races were won with 30% or more of the vote, and only one was won with less than 30%. Noted below are the past elections races that would have required runoffs:

	2006	2010	2014	2018
Mayor	91.41%	76.4%	63.49%	76.68%
Ward 1	79.24%	**49.71% - Runoff(s)**	71.14%	**47.59% - Runoff(s)**
Ward 2	78.22%	85.97%	**28.03% - Runoff(s)**	92.77%
Ward 3	58.08%	70.08%	78.13%	74.28%
Ward 4	80.94%	59.15%	70.88%	52.71%

Ward 5	**45.77% - Runoff(s)**	66.75%	**39.18%** - **Runoff(s)**	63.87%
Ward 6	**48.54% - Runoff(s)**	51.78%	59.47%	**36.24%** - **Runoff(s)**
Ward 7	65.64%	60.04%	60.48%	**41.25% - Runoff(s)**
Ward 8	79.43%	75.41%	**43.89% - Runoff(s)**	79.69%
Ward 9	70.74%	67.22%	65.20%	77.93%
Ward 10	**32.44% - Runoff(s)**	**35.64%** - **Runoff(s)**	77.24	90.11%
Ward 11	66.86%	**47.65%** - **Runoff(s)**	68.20%	68.98%

While Mississauga does not have statistics related to the use of RCV in a Mississauga Election, it's possible to look at the City of London's experience to get an idea of how voters may respond. The City of London notes:

- RCV did not increase voter turnout; turnout decreased from 43.2% in 2014 to 39.46% in 2018
- The winning candidate in all 15 races would have been the winning candidate had the election been a first-past-the-post (FPTP) election
- For the Mayoral Race:
  - 47% of voters made three choices
  - 22% of voters marked their first and second choice
  - 30% ranked only one candidate

The City of London will continue to use RCV for the 2022 Municipal Election. More information about the City of London's experience with implementing RCV can be found in the City of London's Report titled *2018 Municipal Election* and the City of Kingston's Report titled *City of London's Experiences with Ranked Choice Voting*.

Vote Counting Equipment
The City of Mississauga owns 201 M100 Optical Scan Units (vote tabulators) that cannot accommodate RCV. Renting 250 of DS200 optical scan units for the 2022 Municipal Election at a cost of $225,000 to accommodate wireless transmission of voting results is in the 2022 budget proposal. The DS200s that staff intended to rent can be used for RCV, but if RCV is implemented, staff propose adding a second or, in high traffic locations, a third tabulator at each voting location. Additional tabulators are intended to help manage lineups that could potentially form as voters may take longer to mark their ballots correctly. Staff will have to work with Elections Systems and Software (ES&S), which provides the vote counting equipment to ensure that this amount of equipment can be rented.

A detailed list of costs is included in the Financial Impact section of this report.

Results Reporting
The results reporting process for RCV is as follows (based on the City of London experience) and best practices:

Election Night
- The first round results will be tabulated and reported
- The RCV algorithm can only be applied once all results are received from every polling location
- Those races not won with 50%+ 1 of the vote will be identified
- The first round results will be reported

Day 1 Following Election Day
- Elections staff, I.T. and the vendor will conduct runoffs and apply the RCV algorithm to races not won by 50% + 1 of the vote
- Runoffs will occur until a candidate wins with 50% + 1 of the vote for each race
- The time it takes to report the results will depend on how many races require runoffs, and how many runoffs are required for a candidate to win 50% + 1 of the vote

Day 2 Following Election Day
- An audit of the results will be conducted

Election Workers
Staff has reviewed the current election worker structure that has been used at voting locations. As the process for voting will change, staff feels that educating the voters and providing opportunities for education before voters mark their ballots is important. This will hopefully reduce under and over voting. If RCV is implemented, it is suggested that the following additions to the election worker structure be made:

- Create RCV ambassadors to help answer questions at the polls
- Add one or two Deputy Returning Officers at each location (ballot issuing election workers)
- Add an Operator at each location to manage the extra vote tabulator(s)

The intention for the RCV ambassadors is to relay the process of RCV to voters as they come into the voting location and/or wait in line to receive their ballot. The ambassadors would have information and materials to aid voters and would be available to assist voters who are unclear of the directions.

As this is the first time we would use a ranked ballot, voters would require more time with the ballot issuing election workers. To ensure that voters can take the time they need it is suggested that more ballot issuing election workers be added.

The cost of adding election workers is estimated at $251,000 but is dependent on:

- The number of Advance Poll Days held
- The number of voting locations offered during Advance Poll Days
- The number of voting locations offered during Election Day
- The number of election workers added at each location; currently the following is suggested:
  - One RCV ambassador be hired for each Advance Poll Day voting location
  - Two RCV ambassadors be hired for each Election Day voting location as voter turnout tends to be higher on election day
  - One additional ballot issuing election worker be hired for each Advance Poll Day voting location
  - Two additional ballot issuing election workers be hired for each Election Day voting location as voter turnout tends to be higher on Election Day
  - One additional Operator to monitor the vote tabulators for each Advance Poll and Election Day voting location

Communications and Community Outreach
Because RCV would be a significant change to the way electors cast their vote, the Communications Division will ensure that there is a fulsome communications plan in place.

The City of London reports that their communications costs related to RCV totalled $202,108 (updated costs) to communicate to just over 248,000 voters. Their outreach and education included:
- 2 candidate information sessions
- attendance at over 160 community events
- demonstrations for media
- enhanced media relations
- website updates
- billboards
- bus ads

The City of Kingston has estimates that their RCV related communication costs would be approximately $100,000 or more for just under 84,000 voters.

Considering the high number of voters in Mississauga and the breadth of communication tactics and outreach required, staff estimate an additional communications cost of $200,000 to communicate to over 451,000 voters.

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The following additional communication initiatives and costs are suggested:

Initiative	Cost
Advertorial placement in local publications	$50,000
Print, digital and social media advertising	$30,000
Surveys and research to gauge baseline for voter knowledge	$35,000
Partnerships with community groups and influencers	$20,000
Host Information Sessions / Mock Elections, attend community events	$30,000
Creative materials including videos, ads/posters, images etc.	$25,000
Additional resources for social media platforms and 3-1-1	$10,000
Total	**$200,000**

Financial Impact

The financial impact of implementing RCV is dependent on a variety of factors including:

- The number of Advance Poll Days held
- The number of vote tabulators that are required for each voting day at each voting location
- The number of additional Election Workers hired to accommodate for RCV roll out at voting locations
- The number of vote tabulators at each voting location – it is recommended that two or three machines be placed at each location on Election Day

- Additional Election Administration and I.T. staffing costs required to support the rollout of RCV

With the above in mind, staff has compiled an estimate of the potential costs associated with RCV:

Item	Cost
I.T. and Election Administration Staffing	**$535,000**
Machines	**$234,000**
Location Prep and Set Up	**$15,000**
L&A Testing	**$120,000**
Additional Funding for Ballots	**$13,000**
Additional Advance Poll Day and Election Day workers	**$251,000**
Mock Election Total	**$25,000**
Communications	**$200,000**
	$1,393,000

*Staff are working toward using laptops from the City of Mississauga's lifecycle replacement program to provide laptops to the additional ballot issuing election workers on voting days. In the event that additional laptops cannot be provided, an additional $300,000 may be required to purchase laptops.

There is no current budget available for this cost. If implemented, a net budget of approximately $1.65M will be requested for cost center 22450 (Elections) for 2022.

Conclusion

Staff will continue to research and review new technology with the intention of making voting easier and more convenient for voters while upholding the principles of the Municipal Elections Act, 1996.

Attachments

Appendix 1: Ranked Ballot Elections – Review of the City of London's Experience

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Gary Kent, CPA, CGA, ICD.D, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Gus Mangos, Elections Officer

City of Mississauga
Corporate Report

MISSISSAUGA

Date: 2020/01/13	Originator's files: File names
To: Chair and Members of Governance Committee	
From: Diana Rusnov, Director, Legislative Services and City Clerk	Meeting date: 1/28/2020

Subject

Ranked Ballot Elections - Review of the City of London's Experience

Recommendation

That the Corporate Report dated January 13, 2020, from the Director of Legislative Services and City Clerk, entitled Ranked Ballot Elections - Review of the City of London's Experience be received.

Report Highlights

- This report looks at the City of London's experience with implementing Ranked Choice Voting (RCV) in the 2018 municipal election.

- In the City of London's experience, voter turnout did not increase with the use of RCV.

- The use of RCV did not change the outcome of the election; the winning candidate in all 15 races in the City of London would have been the same winning candidate had the first past the post system of voting been used.

Background

At the November 4, 2019 Governance Committee meeting it was requested that staff report back to the committee regarding RCV. This report looks at the City of London's experience and the outcomes related to implementing RCV.

Comments

Overview

Prior to the 2018 Municipal Election, Bill 181, the *Municipal Elections Modemization Act, 2016*, amended the *Municipal Elections Act, 1996*, to allow municipal Councils to implement Ranked Choice Voting (RCV) for municipal elections. In accordance with Ontario Regulation 310/16, RCV, if implemented, would apply to races for municipal council only.

In the City of Mississauga's current first-past-the-post method of voting, voters are allowed to

pick one candidate from each race and the candidate with the most votes wins. There is no requirement for the percentage of votes a candidate must get in order to win a race.

Alternatively, in a RCV election, voters are given the option to rank candidates in order of preference for each race. A candidate must obtain 50% + 1 of the vote to win. Initial results are tabulated based on the first choices of voters. If no candidate obtains 50% + 1 of the vote, a runoff occurs.

In a runoff:
- the candidate with the lowest number of votes is eliminated from the contest
- the first choice votes that originally went to the eliminated candidate are set aside
- the second choices on those ballots are counted

Runoffs continue until a candidate receives 50% + 1 of the vote. There is no legislated requirement regarding how many choices a voter can be given.

The intention of RCV is to:
- Provide more choice for voters
- Discourage negative campaigning
- Eliminate vote splitting
- Reduce strategic voting
- Ensure the candidate with the most support wins

Implementation Summary of Outcomes

During the 2018 Municipal Election the only municipality in Ontario to implement RCV was the City of London. The City of London produced a report entitled *"2018 Municipal Election"* which summarises their experience with implementing RCV.

https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=59976

In their report, the City of London notes the following:
- RCV did not increase voter turnout. The historical voter turnout in the City of London is as follows:
    - 2010 turnout = 42.93%
    - 2014 turnout = 43.2%
    - 2018 turnout = 39.46%
- The winning candidate in all 15 races would have been the winning candidate had the election been a first-past-the-post election; RCV did not change the outcome
- For the Mayoral race:
    - 47% of voters made three choices
    - 22% marked their first and second choice
    - 30% ranked one candidate

<u>Challenges Related to RCV Implementation</u>

A summary of the challenges related to the implementation of RCV as reported by the City of London and the City of Kingston, which also produced a report on the City of London's experience with RCV, include:

Vote Counting Technology
- As the City of London was the first municipality to implement RCV, they requested that the Province consider certifying the vote-counting equipment, the Province declined
- The City of London requested funding from the Province to pay for an auditor to monitor a review the RCV process, this request was also declined
- As it was the first year that RCV was permitted, the City of London hired their own independent auditor to review the City's RCV procedures

Results Reporting
- On election night, only the first choice votes were tabulated
- For races requiring a runoff, additional rounds of ballot counting began at 10am the next day and unofficial results were announced by 3pm.
- Generally, it is anticipated that in an RCV election results will take longer to post. On election night, poll by poll results are irrelevant until all results are added since all results must be counted to determine the 50%+1

Voter Education
- The City of London felt that education and communication was vital to ensure that voters were aware of the change in how to vote and how the votes would be calculated
- The City of London spent $141,000 on community outreach related to RCV to communicate to their 248,000 voters
- In their *"2018 Municipal Election"* report the City of London notes:

    The enhanced communication protocols… was very labour intensive, with all the Elections staff and Managers in the City Clerk's Office working evenings and weekends attending events, including festivals, community meetings and meetings of organizations

- To communicate to voters, City of London staff:
    - held two candidate information sessions
    - attended 160 community events
    - increased communication over social media platforms
    - conducted voting demonstrations for the media
- The City of London's website, billboards and bus shelters were used to help with communication

Expenses
- The additional cost of implementing RCV for the City of London was $515,446
- A comprehensive breakdown of the expenses related to the City of London's implementation of RCV is included on page 8 of their Report, but highlights include:
    - $147,752 spent on an independent auditor
    - $41,000 spent on additional election workers
    - $82,686 spent on staff resources, including a full time communications staff

City of Kingston

As previously noted the City of Kingston produced a report entitled *"City of London Experiences with Ranked Choice Voting"* which also explores the City of London's experience with implementing RCV.

https://www.cityofkingston.ca/documents/10180/35286121/City-Council_Meeting-17-2019_Report-19-165_City-of-London-Experiences-with-Ranked-Choice-Voting_UPDATED.pdf/a754749e-cb6d-4dcb-95f6-e0bd2bcecacb

The City of Kingston's City Council have directed staff to implement RCV for the 2022 Municipal Election.

Financial Impact

The financial impact of implementing RCV is dependent on:
- If the City of Mississauga determines it necessary to hire an independent auditor
- Communications initiatives employed
- Additional staffing costs required to provide I.T. and administrative support
- Additional election workers required at the voting locations to assist and explain the process

Other possible dependencies include potentially having to upgrade the vote counting equipment and software.

Conclusion

Staff will continue to research and review new technology with the intention of making voting easier and more convenient for voters while upholding the principles of the *Municipal Elections Act, 1996*.

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Diana Rusnov, Director, Legislative Services and City Clerk

Prepared by: Laura Wilson, Elections Officer