



Committee of the Whole Report For the Meeting of December 5, 2024

To: Committee of the Whole
From: Curt Kingsley, City Clerk
Subject: 2025 Crystal Pool Referendum

Date: November 29, 2024

RECOMMENDATION

That Council appoint Curt Kingsley as Chief Election Officer for the 2025 Crystal Pool Referendum, and that Barrie Nicholls and Monika Fedyczkowska be appointed as Deputy Chief Election Officers.

EXECUTIVE SUMMARY

At the June 27, 2024 meetings Council gave staff direction to proceed with the Crystal Pool Replacement Project and Council subsequently gave introductory readings to Loan Authorization (Crystal Pool Replacement) Bylaw, No. 24-054 at the July 11, 2024 meeting. Council directed authorization to adopt Bylaw 24-054 be sought by way of Assent Voting under the Local Government Act (otherwise referred to as referendum). Local governments are required by legislation to appoint a Chief Election Officer and Deputy Chief Election Officer(s) to oversee and manage the process.

Voting places will be selected in accordance with Council's Election Policy Guidelines. General Voting Day is currently planned for Saturday, February 8, 2025. The same voting and reporting machines utilized for the 2018 election, 2020 by-election, and 2022 election will be used for the referendum.

The City will again exceed the minimum legislated advertisement requirements with the communications tools, strategies, and lessons learned in previous general local elections.

PURPOSE

The purpose of this report is to request Council appoint the Chief Election Officer and Deputy Chief Election Officers for the upcoming Crystal Pool referendum, and to provide Council an overview of voter engagement strategies.

BACKGROUND

At the February 9 Committee of the Whole meeting and February 23 Council meeting, Council passed the following resolution:

That Council direct staff to report back on the implications and procedures for the following:

- a. *Reviving the process of planning and budgeting for a new recreation and aquatic centre;*
- b. *Organizing a public referendum for the voters of Victoria at the earliest possible time to include two questions:*
 1. *A binding question: The public’s willingness to borrow the capital funds requisite to build a new recreation and aquatic centre;*
 2. *Non-binding public input: The location and features of a new recreation and aquatic centre.*
- c. *Identifying between two and four sites for the recreation and aquatic centre, to be listed as options on the referendum, taking account of all the following:*
 1. *that the locations be situated within or immediately adjacent to the North Park neighbourhood;*
 2. *that the options provide voters with a high-level understanding of potential or expected costs, features, and impacts;*
 3. *that staff apply a climate, equity, and accessibility lens to the project;*
 4. *that the options account for impacts on workers;*
 5. *that the options include community amenities and aquatic features, as outlined in the functional program previously presented to Council;*
- d. *Seeking and obtaining funding from partner governments to offset or minimize the capital costs of constructing a new recreation and aquatic centre.*

At the March 9, 2023 Committee of the Whole and Council meeting, Council further resolved:

That Council direct staff to include in the 2023 Financial Plan a budget of \$1,778,000 for the Crystal Pool Replacement Project with funding from the Buildings and Infrastructure Reserve.

At the June 13, 2024 Committee of the Whole and June 27 Council meetings, Council adopted the following resolution:

That Council direct staff to:

1. *Proceed with Central Park North and Central Park South as possible development sites for the new Crystal Pool and Wellness Centre, providing two options on the referendum as non-binding input to Council;*
2. *Allocate 17 million from the City’s Parking Reserve Fund towards the parking-related capital costs of the Crystal Pool replacement project and bring forward a loan authorization bylaw to authorize the borrowing of up to \$168.9 million to develop the new Crystal Pool and Wellness Centre;*
3. *Initiate the process to hold a referendum to seek elector assent for the borrowing; and*
4. *If voters choose Central Park North as the preferred site location, and Council selects this option, then close the existing Crystal Pool facility at the start of the construction phase and implement interim recreation services at Crystal Garden until the new facility opens to the public.*
5. *If voters choose Central Park South, and Council selects this option, then the Crystal Pool would remain open, where safe and feasible, and staff would install temporary park amenities, including basketball courts, in the neighbourhood during the construction process.*

Without slowing down the processing of the bylaws for the referendum, that Council direct staff to identify options to reduce the overall cost to taxpayers of the proposed Crystal Pool replacement project, including sponsorships, grants from senior levels of government, amenity

contributions, and other opportunities.

Council gave first, second and third readings to Loan Authorization (Crystal Pool Replacement) Bylaw, No. 24-054 at the July 11, 2024 Council meeting.

The *Local Government Act* contains the statutory requirements for election and referenda proceedings. Local governments are required to appoint a Chief Election Officer and Deputy Chief Election Officer(s) to oversee and manage the referendum process. All aspects of the referendum are under the management authority of the Chief Election Officer in accordance with the *Local Government Act*, the City's Election Procedures Bylaw and Council's Election Policy Guidelines. Campaign financing requirements for candidates and campaign organizers are managed by Elections BC under the *Local Elections Campaign Financing Act*.

The *Local Government Act* has minimum requirements for municipalities to advertise. In 2008, the City began to increase its non-statutory advertising and engagement efforts to encourage higher voter awareness and participation. In subsequent general local elections, the City introduced new communications tools and strategies resulting in increased voter turnout and positive feedback.

ISSUES & ANALYSIS

For the 2025 Crystal Pool referendum staff will continue to focus on ensuring the election process meets the legislated requirements of the *Local Government Act*, while making the process more accessible through enhanced opportunities and voting methods and engagement to support a positive voting experience.

Based on lessons learned from the 2022 General Election and past elections, Council approved Election Policy Guidelines for the City's Chief Election Officer in October 2023 (Appendix 1). Staff will conduct the referendum in accordance with the Policy Guidelines.

Voting Locations

Voting places will be selected with the selection criteria in Council's Election Policy Guidelines. The exact number of voting places will depend on recruitment of election staff; however, the number will not be lower than the minimum of 8 set out in the Policy Guidelines. Polls will be open from 8:00 a.m. to 8:00 p.m. Two (2) advanced voting opportunities are required by the *Local Government Act*; the City will hold three (3) advanced voting opportunities at the Crystal Garden.

All voting locations will be accessible and elections staff will accommodate curbside voting for those with difficulty accessing the voting station. An accessible voting machine will be available for all voting opportunities at the Crystal Garden. The signage and room set up at voting places will be similar to that used in the 2018 and 2022 general local elections.

Voting Technology

The same voting and reporting machines utilized for the 2018 election and 2022 General Local Government Elections will be used for the referendum.

Electronic voter check-in, first introduced in 2014 will continue to be used, providing several benefits including automatically updating the voter list reducing the possibility of an elector voting twice,

increased confidentiality, audit functions, and access to demographic information of voters. The software also facilitates a “vote anywhere” model, as opposed to designated voting locations that can be an inconvenient barrier for voters.

Assent Vote Engagement

Engagement for the Assent Vote is independent from engagement activities for the Crystal Pool Replacement project, and it will go well beyond the statutory requirements outlined in the *Local Government Act*. Strategies are based on lessons learned from previous elections and the City’s Election Policy Guidelines.

The City will be working with the Times Colonist to publish front page information the day before General Voting Day. Additionally, the City will have a “Referendum” section on its website with important information such as where to vote, when to vote and how to vote. The City will also use social media channels and other non-statutory promotion materials to encourage voting. Other public information activities include:

- Advertising (statutory and non statutory) in both print, radio and online media
- Signage on City-owned communication channels, including parking pay stations and digital screens
- A postcard mail-out to all residents as per the City’s Election Policy Guidelines
- “I Voted” stickers
- Social media
- Animated video with information on how and where to vote
- Earned media
- Posters in stores and downtown polls

Assent Vote results will also be live webcast at the close of polls on General Voting Day.

IMPACTS

Accessibility Impact Statement

The variety of voting options available to eligible electors in the City, including mobile voting and mail ballot voting along with legislated procedures to accommodate visual impairments, enable a wide range of enhanced accessibility options for voters in the City.

Impacts to Financial Plan

The overall budget for referendum proceedings and engagement activities in the Crystal Pool Replacement Project Budget in Financial Plan is \$600,000. The budget is based on the budget and actual costs of conducting the 2022 general local elections. Staff have endeavoured to provide the best estimate for the budget; however, current supply chain and inflation pressures have made accurate estimates challenging. Staff will report back to Council if costs increase beyond those estimated in the current overall budget.

CONCLUSIONS

The Crystal Pool Referendum, as in previous elections, requires a significant and interdepartmental resource requirement, particularly from Legislative Services, Engagement and IT. Planning for the

referendum began at the beginning of the year and will continue to ramp up in the coming months as the general voting day approaches.

Respectfully submitted,

Curt Kingsley
City Clerk

Report accepted and recommended by the City Manager

List of Attachments:

Appendix 1 – Election Policy Guidelines