

THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
CORPORATE REPORT



**DATE:** February 28, 2022  
**TO:** Mayor and Council  
**FROM:** Tracey Arthur, Director, Corporate Administration  
**SUBJECT:** 2022 Council Consideration of By-Election

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**RECOMMENDATION**

THAT Council consider and endorse a by-election not being required to fill the vacancy on City Council of one (1) Councillor, as Council meets the requirements of section 54(3) of the *Local Government Act*.

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**EXECUTIVE SUMMARY**

The City of White Rock was notified of Councillor Helen Fathers passing on Monday, February 7, 2022. Councillor Fathers was re-elected as a Councillor to White Rock City Council on October 20, 2018. In accordance with legislation, Council must consider and direct staff regarding a possible by-election to be held to fill a vacancy on City Council. If holding a by-election is directed, it would be at a cost of up to \$80,000 and would allow the new Councillor to attend approximately six (6) meetings before the mandatory Local Government election to be held October 15, 2022.

**INTRODUCTION/BACKGROUND**

Due to the recent passing of Councillor Helen Fathers there is one (1) vacant position on City Council. In accordance with the *Local Government Act*, a by-election can be considered.

In addition, the *Local Government Act* states that a by-election is not required if the vacancy occurs after June 1 in the year of a general election that will fill the office.

As well, a Council may decide not to hold a by-election if all the following circumstance apply:

- (a) the vacancy occurs after January 1 in the year of a general local election that will fill the office;
- (b) the vacancy is not in an office elected on the basis of a neighbourhood constituency;
- (c) the number of remaining council members is at least one greater than the quorum for the council, as set under section 129 (1) [*quorum for conducting business*] of the *Community Charter*.

Councillor Fathers had been ill on and off for the past year and a half and her limited attendance had not been an issue with Council meeting quorum nor Council's ability to conduct business.

A by-election would pose a significant cost to the taxpayers and would take away resources for staff to prepare for the mandated election to be held October 15, 2022.

The City of White Rock conducted by-elections in 2009 and 2012 for position of Councillor, both had relatively low voter turnout of 16% and 14% respectively. Both by-elections were required due to the vacancies occurring at the start of the Council term.

A by-election would take approximately two and a half months to conduct (80 days following the appointment of the Chief Election Officer and Deputy). This would mean the newly elected member of Council would not be in place until June 2022. By this time there would be approximately five (5) to six (6) scheduled Council meetings for the newly elected Councillor to participate in.

The mandated election in October would be for all seats of Council, even though the new Councillor was just elected.

Much time is required to run an election, and there is concern if a by-election were to be held that it would take away focus and resources for the mandated election that staff are in the initial stages of preparing for at this time.

In consideration of this and with a municipal election occurring in October, risk in leaving this seat vacant for the remainder of the current Council term is low.

### **FINANCIAL IMPLICATIONS**

The cost to conduct the election held in 2018 was \$78,000. At this time there is currently \$80,000 budgeted for a mandated Local Government election to be held October 15, 2022.

If Council were to proceed with a by-election, a further \$80,000 would need to be placed in the budget for 2022.

A by-election has limited room for cost savings, as it would have the same requirements needed as a regular scheduled election.

### **OPTIONS / RISKS / ALTERNATIVES**

The following alternate options are available for Council's consideration:

1. Direct a by-election be held at an approximate cost of up to \$80,000.

Staff recommend that a by-election not take place due to cost, the time and resources required to hold a by-election where the newly elected Councillor would only be able to participate in a few meetings prior to the mandated election to be held October 15, 2022.

### **CONCLUSION**

In accordance with legislation Council must consider whether to hold a by-election to fill a recent vacancy and direct staff.

Due to the timing of the vacancy, a by-election is not required but can occur.

The next mandated election will be held Saturday, October 15, 2022, less than eight (8) months away Staff have begun working towards the delivery of this election and the upcoming months are needed to prepare.

In consideration of the municipal election in the fall, significant cost and staff time and resources needed to conduct a by-election, as well as Council's ability to carry on its duties in the absence

of one Council member, staff recommend that a by-election not take place.

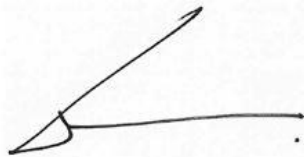
Respectfully submitted,



Tracey Arthur  
Director, Corporate Administration

**Comments from the Chief Administrative Officer**

I concur with the recommendation of this corporate report.



Guillermo Ferrero  
Chief Administrative Officer