

NO: R015

COUNCIL DATE: January 31, 2022

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **January 27, 2022**

FROM: **General Manager, Corporate Services**

FILE: **4200-01**

SUBJECT: **Appointment of Chief Election Officer and Deputy Chief Election Officer**

RECOMMENDATION

The Corporate Services Department recommends that Council:

1. Receive this report for information; and
2. Appoint the following individuals for the 2022 local government general election pursuant to section 58(1) of the *Local Government Act*:
 - a) Gib van Ert, Barrister, as the Chief Election Officer; and
 - b) City of Surrey Employee, Michael Lyle Rothwell, as Deputy Chief Election Officer.

INTENT

The purpose of this report is to seek Council's approval of the appointments for the positions of Chief Election Officer and Deputy Chief Election Officer.

BACKGROUND

Pursuant to the *Local Government Act*, general local elections are held every four (4) years with general voting day being the 3rd Saturday of October in the year of the election. The Chief Election Officer is, among other things, responsible for the conduct of the election in accordance with applicable legislation.

DISCUSSION

Section 58 (1) of the *Local Government Act* requires that, for the purpose of conducting an election, the local government must appoint a Chief Election Officer and a Deputy Chief Election Officer.

These appointments are required at this time to commence preparations for the election. General voting day for the 2022 general local election is Saturday, October 15, 2022.

Chief Election Officer

Staff recommend that Mr. Gib van Ert be appointed as the City's Chief Election Officer.

Mr. van Ert, is a lawyer and partner in Vancouver based law firm Olthuis van Ert. Olthuis van Ert is a barristers' practice that specializes in commercial litigation and public law. With offices in Vancouver and Ottawa, Olthuis van Ert advise and represent clients in all levels of provincial and federal courts and tribunals.

Mr. van Ert is a frequently-cited authority on the application of international law in Canadian courts. From 2015 to 2018, Mr. van Ert was the Executive Legal Officer and principal advisor to the Chief Justice of the Supreme Court of Canada, assisting with the administration of the Court, the Canadian Judicial Council and the National Judicial Institute. After leaving the Court, Mr. van Ert resumed his litigation practice in both Ottawa and Vancouver.

It is estimated that the cost of Mr. van Ert's services as Chief Election Officer should not exceed a lump sum payment of \$75,000.00 including applicable taxes.

Deputy Chief Election Officer

It is further recommended that City staff member Michael Lyle Rothwell be appointed as the Deputy Chief Election Officer.

Mr. Rothwell presently works within the Corporate Services Department as the Business Applications Manager (IT Division). He possesses solid experience having served as the Deputy Chief Election Officer for the 2018 municipal election and as the IT project manager for the 2014 and 2011 municipal elections. In the previous election, Mr. Rothwell provided leadership and direction working closely with the election team to ensure the efficient and effective execution of all the electoral events in alignment with the objectives and mandate of Elections BC. He brings significant experience in the planning and execution, monitoring, control and closure of all IT components of the election. As well, Mr. Rothwell participated in the hiring and training of election staff, advance voting activities, and election-day activities. Mr. Rothwell is a strong team player, and his combination of strategic leadership and operational experience and skills will lend itself well to the overall success of the election process.

FUNDING

Funding for Mr. van Ert's services as Chief Election Officer is available in the 2022 Corporate Services Department Operating Budget.

CONCLUSION

Based on the contents of this report, it is recommended that Council appoint Gib van Ert as the Chief Election Officer and appoint Michael Lyle Rothwell as the Deputy Chief Election Officer for the 2022 general local election.

Rob Costanzo
General Manager, Corporate Services

<https://surreybc.sharepoint.com/sites/corporateservicesadmin/corporate-reports/2022-reports/01-31-2022/appointment-of-chief-election-officer-and-deputy-chief-election-officer/appointments-of-ceo-and-dceo-final.docx>
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