

NO: **R118**

COUNCIL DATE: **June 7, 2010**

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## REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **June 2, 2010**

FROM: **Deputy City Manager**

FILE: **6600-02**

SUBJECT: **Annual Adjustments to Voting Allocations and Director Positions on the Metro Vancouver Board Using BC Stats Population Figures**

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## RECOMMENDATION

The City Manager's Office recommends that Council:

1. Receive this report as information; and
2. Request that the Mayor on behalf of Council forward a letter to the Metro Vancouver Board that recommends that the Metro Vancouver Board approve and forward to the Ministry of Community & Rural Development a request that the Ministry make such adjustments to legislation and regulations as are necessary to allow for annual adjustments based on BC Stats population figures to the number of Director positions and the vote allocation that each member local government receives on the Metro Vancouver Board; and
3. That a copy of this report and the related Council resolution be forwarded to Metro Vancouver with the Mayor's letter.

## BACKGROUND

The number of votes and Director positions to which each member municipality of the Metro Vancouver Board is entitled is based on the population of each member municipality. The Ministry of Community & Rural Development certify and publish population numbers for each of the Regional Districts in the Province for the purpose of calculating the number of votes and Director positions that each member municipality receives on the Regional District Board. The Ministry currently uses the Federal Census population figures as the population determinant for each municipality. The Federal census occurs on a five year recurring basis and as such adjustments to Director position strength and voting allocation for municipalities on Regional Boards only occurs every fifth year. Ministry staff further advises that the Census undercount is not taken into consideration in establishing the population figures for each municipality.

Council considered Corporate Report No. R131 at its Regular meeting on July 14, 2008 (copy attached as Appendix A) and resolved to:

*Authorize the Mayor to forward a letter to the Minister of Community Services on behalf of City Council requesting that the Ministry develop a means by which to*

*provide annual updates to the certified population figures for municipalities in the Province between years in which the Federal Census population figures are available so that population-based decisions properly reflect the current population of each municipality.*

## DISCUSSION

The Mayor has met with the Minister of Community & Rural Development about this matter and staff has followed up with Ministry representatives over the last few months. The Ministry has recently advised as follows:

- *Any change to the voting strength determination with respect to the Metro Vancouver Board would require a regulation (Cabinet approval) to modify the existing requirement in section 783(4) of the Local Government Act. Ministry staff holds the view that they have regulatory authority to proceed with such an order using powers under section 799 (1) of the Local Government Act but this is not certain until a more precise proposal is available for their legal counsel to review;*
- *Any regulation would need to be directed towards the legislation/regulations governing Metro Vancouver and as such the Metro Vancouver Board's support for such a change would be needed. As such, a request from Metro Vancouver would be appropriate in initiating the process for the Ministry to formally review the matter; and*
- *If a change were to be made the most justifiable change is to specify that the BC Stats population should be used for the Metro Vancouver Region as the basis for annual reviews. One key issue that will need to be addressed by the Ministry will be whether there are sufficient grounds to adopt a different approach for Metro Vancouver than is used in the remainder of the Province. The Ministry advised that there appears to be reasonable grounds for such an approach (estimates work better where populations are large and many of the problems associated with not using them that exist in more rural areas do not exist in Metro Vancouver and Metro Vancouver makes greater use of weighted votes than other Regions in the Province so voting strength makes a bigger difference) but at this time there is no conclusive case for making such a distinction. The Ministry is prepared to discuss the case for change with the Minister to gauge his level of interest provided that the Metro Vancouver Board is supportive of reviewing municipal member voting strength on an annual basis.*

### **Director and Vote Allocation Process:**

Each Metro Vancouver member municipality is allocated Director positions on the Metro Vancouver Board based on its population divided by 100,000 with the result rounded up to the next highest whole number. Based on the 2006 Federal census, Surrey's population as of July 1, 2006 was recorded as 395,085. As such, Surrey has four Director positions on the Board (i.e.,  $395,000/100,000 = 3.95$  rounded up to 4). Votes on the MV Board are allocated to each member municipality based on its population divided by 20,000 rounded up to the next highest whole number. As such, Surrey currently has 20 votes on the Board (i.e.,  $395,000/20,000 = 19.75$  rounded up to 20).

Based on BC Stats, as of July 1, 2009, Surrey had a population of 446,561. Had this population figure been used to establish Director positions and votes on the Metro Vancouver Board, Surrey would have been allocated 5 Director positions and 23 votes in 2010. The table contained in Appendix B to this report documents the effect on Director positions and voting strength that the member municipalities on the MV Board would have experienced in 2010 had the 2009 BC Stats population figures been used in place of the 2006 federal census population figures. It is evident

that the use of the BC Stats population figures on an annual basis for determining Director positions and voting strength in place of using the federal census statistics on a 5-year recurring basis will allow the Board membership and voting strength to stay current with the relative growth of municipalities in the Region. Surrey has been under represented on the Board in terms of Director positions and voting strength on an almost continuous basis by virtue of the rapid growth that it has experienced over the years.

To initiate the process of changing the approach that is used for the MV Region to establish Director positions and voting strength by municipal members on the MV Board, Surrey Council should recommend to the MV Board that the Metro Vancouver Board forward to the Ministry of Community & Rural Development a request that the Ministry make such adjustments to legislation and regulations as are necessary to allow for annual adjustments to the number of Director positions and vote allocation that each member municipality receives on the Metro Vancouver Board based on BC Stats population figures in place of the current process of relying on federal census statistics.

This matter was considered by the Intergovernmental Affairs Committee at its meeting on May 17, 2010. The Committee considered and endorsed the recommendations included in this report and recommended that this report be forwarded to Council for approval.

## CONCLUSION

The current process for determining voting strength on the Metro Vancouver Board based on Federal Census population statistics is inequitable, particularly for larger high growth municipalities like the City of Surrey. Based on the above discussion, it is recommended that City Council request that the Mayor on behalf of Council forward a letter to the Metro Vancouver Board that recommends that the Metro Vancouver Board approve and forward to the Ministry of Community & Rural Development a request that the Ministry make such adjustments to legislation and regulations as are necessary to allow for annual adjustments based on BC Stats population figures to the number of Director positions and the vote allocation that each member local government receives on the Metro Vancouver Board.

Dan Bottrill  
Deputy City Manager

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## Appendices:

- Appendix A: Corporate Report R131 – Official Population Figures for Surrey
- Appendix B: Comparison of Director Positions and Voting Strength on the MV Board (Federal Census and BC Stats)



# Corporate Report

CITY MANAGER'S  
DEPARTMENT

Appendix A

NO: R131

COUNCIL DATE: July 14/0

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## REGULAR COUNCIL

TO: Mayor & Council

DATE: July 9, 2008

FROM: Deputy City Manager  
Deputy City Clerk

FILE: 6600-02

SUBJECT: Official Population Figures for Surrey

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## RECOMMENDATION

The City Manager's Office recommends that Council:

1. Receive this report as information; and
2. Authorize the Mayor to forward a letter to the Minister of Community Services on behalf of City Council requesting that the Ministry develop a means by which to provide annual updates to the certified population figures for municipalities in the Province between years in which the Federal Census population figures are available so that population-based decisions properly reflect the current population of each municipality.

## INTENT

The purpose of this report is to provide Council with information on when and how the Province certifies population figures for each municipality in the Province and the implications of this process. The report also recommends a course of action for consideration by Council to initiate changes in this process to better reflect the needs and interests of local governments.

## BACKGROUND

At its Regular meeting on April 28, 2008, Council raised concerns regarding Provincial certification of the City's population figures and the implications of such certification on the allocation to the City of Surrey of votes and Director positions on the Metro Vancouver (MV) Board and on Provincial grants available to the City.

## DISCUSSION

### Metro Vancouver Board Votes and Director Positions:

With respect to the allocation of votes and Director positions on the Metro Vancouver Board, in accordance with Section 783 of the *Local Government Act RSBC c 323* ("LGA"), the number of votes to which each member municipality and electoral area is entitled is the number obtained by dividing the population of the municipality with the voting unit specified in the Regional Districts Letters Patent. For Metro Vancouver, the letters patent specify that a municipality will receive one vote for each 20,000 in its population. In Metro Vancouver, each municipal member receives the number of votes obtained by dividing its population by 20,000 with the product rounded to the next highest whole number. The letters patent further specify that each municipality will be allocated Director positions by dividing the total number of votes allocated to the municipality by 5 with the product rounded to the next highest whole number (i.e., an additional Director position on the Board is available as the municipality passes increments of 5 votes; 1 Director position for 1 to 5 votes; 2 Director positions for 6 to 10 votes; etc.)

Ministry of Community Services staff advise that the certified population for each municipality is established by the Federal Census which is taken every 5 years, the most recent Census being in 2006. After each Federal Census the Ministry adjusts the census numbers provided by the Federal Government to account for Census boundaries that do not align with municipal boundaries. Ministry staff advises that the Census undercount is not taken into consideration. The final population numbers are then certified by the Ministry of Community Services and published for each of the Regional Districts in the Province. These numbers are then used to calculate the Board vote allocations to each of the member municipalities in each Regional District. The certified population for Surrey, based on the 2006 Federal Census, is 395,085.

There is no mechanism available within Provincial regulations for a local government to appeal its population number as certified by the Minister of Community Services. Further, there is no mechanism, regulation or policy that allows for the Ministry-certified population of a municipality to be changed between the years on which Federal Census numbers are available. This clearly penalizes high growth municipalities, such as Surrey, that have significant population growth between the years on which the Federal Census is taken.

The Minister may consider adjusting the voting units specified in a regional district's letters patent where inequities appear to have developed because of the population changes in high growth areas.

**MV Board implications:** The voting strength for each local government member of the MV Board is determined by dividing the certified population by the voting unit identified in the MV "letters patent" (20,000 population). With a certified population from the 2006 Federal Census of 395,085, Surrey has been allocated 20 votes and 4 Director positions (i.e., 5 votes per Director) on the MV Board. The total number of votes allocated to all members of the MV Board is 117.

Taking into account the Census undercount and the new dwelling units constructed in the City since 2006 Census day, the total estimated population of Surrey is 452,000. This population would indicate that Surrey should have 3 additional votes and an additional Director position on

the Metro Vancouver Board. This would give the Surrey 23 votes and a total of five (5) Director positions on the MV Board.

For the majority of matters considered by the MV Board, the vote is by "weighted votes" (i.e., each Director votes with the number of votes that has been assigned to him/her by her local Council).

**Provincial Grant implications:** The three population-based grants (Victim Services, UBCM Community Tourism, and Library Services) for which Surrey receives use population numbers from BC Stats rather than the Federal Census certified population number. The BC Stats number is based on the Federal Census number but includes adjustments for the estimated federal census undercount and annually estimates the population change since the last Federal Census.

**Use of Federal Census population:**

The Provincial Ministry of Community Services only uses the Federal Census for the purposes of determining "weighted voting" for Regional Districts. This is referenced in Section 783 (4) of the *Local Government Act*, which states:

*"A change in the population of a municipality or electoral area established by census, for the purposes of the voting power on that Board, takes effect in the year following the year in which census was taken."*

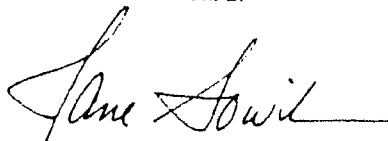
The Ministry uses the Federal Census as a trigger to review and update the weighted votes in each regional district in the Province. A few municipalities and electoral areas have requested the updates between census dates in previous years; however, the requests have not resulted in any action. The Province holds the view that the voting units set in each Regional District were derived to ensure fair representation of each member municipality and electoral area. They are of the opinion that there is no reason to adjust population on an annual basis.

**CONCLUSION**

Based on the above, it is recommended that the Mayor be authorized to forward a letter to the Minister of Community Services on behalf of City Council requesting that the Ministry develop a means by which to provide annual updates to the certified population figures for municipalities in the Province between years in which the Federal Census population figures are available. In this way, the population of each municipality, especially high growth municipalities like Surrey, will be properly recognized on a year-to-year basis in relation to, among other things, the municipality's voting strength on the related Regional District Board.



Dan Bottrill  
Deputy City Manager



Jane Sowik  
Deputy City Clerk

**Comparison of Director Positions and Voting Strength for Local Governments on the Metro Vancouver Board – Federal Census and BC Stats**

	Population 2006 Census	Population 2009 BC Stats	Number of Directors: (Population/100,000)		Voting Strength: (Population/20,000)	
			Census	BC Stats	Census	BC Stats
Anmore	1,785	2,160	1	1	1	1
Belcarra	676	681	1	1	1	1
Bowen Island	3,362	3,608	1	1	1	1
Burnaby	202,799	222,802	3	3	<b>11</b>	<b>12</b>
Coquitlam	114,589	123,213	2	2	<b>6</b>	<b>7</b>
Delta	97,402	99,862	1	1	5	5
Langley Twp	94,252	103,267	<b>1</b>	<b>2</b>	<b>5</b>	<b>6</b>
Langley	23,606	25,526	1	1	2	2
Lions Bay	1,328	1,398	1	1	1	1
Maple Ridge	68,949	75,051	1	1	4	4
New West	58,549	65,016	1	1	<b>3</b>	<b>4</b>
N. Van., City	45,734	48,881	1	1	3	3
N. Van., Dist	84,407	86,725	1	1	5	5
Pitt Meadows	15,869	17,915	1	1	1	1
Port Coquitlam	52,692	56,446	1	1	3	3
Port Moody	27,512	32,998	1	1	2	2
Richmond	174,461	193,255	2	2	<b>9</b>	<b>10</b>
Surrey	395,085	446,561	<b>4</b>	<b>5</b>	<b>20</b>	<b>23</b>
Vancouver	579,412	628,621	<b>6</b>	<b>7</b>	<b>29</b>	<b>32</b>
West Vancouver	44,258	43,307	1	1	3	3
White Rock	18,755	19,102	1	1	1	1
Elect. Area A			1	1	1	1
<b>TOTALS</b>			<b>34</b>	<b>37</b>	<b>117</b>	<b>128</b>