

**DECLARATION ON SUFFICIENCY OF THE *KEEP THE CITY
CENTRE AIRPORT OPEN* PETITION**
Municipal Government Act, R.S.A. 2000 c. M-26

I, Alayne Sinclair, City Clerk of the City of Edmonton am authorized by a delegation of authority from the City Manager to the City Clerk to determine all matters pertaining to petitions received by the City of Edmonton.

Under the provisions of the *Municipal Government Act, R.S.A. 2000, c. M-26*, I am responsible for determining and declaring whether or not any petition received by the City is sufficient or not sufficient in accordance with legislative criteria.

On August 26, 2010, Mr. Charles Allard, Representative for Envision Edmonton Opportunities Society filed with the Office of the City Clerk, a petition entitled *Keep the City Centre Airport Open*.

The petitioners who signed the *Keep the City Centre Airport Open* Petition ask Edmonton City Council to pass a bylaw containing the following provisions:

1. Keep the City Centre Airport open as a general aviation airport;
2. Promote the operations of the City Centre Airport as a general aviation airport; and
3. Retain the existing City Center Airport infrastructure including the existing airport lands with at least two open runways, being the 16/34 and 12/30 runways.

The petition has now been reviewed by my Office as required by the provisions of the *Municipal Government Act*; and my findings on sufficiency are stated in this petition.

DECLARATION

I declare to the Edmonton City Council that the *Keep the City Centre Airport Open* Petition is not sufficient.

REASONS

In order for a petition to be sufficient it must meet all of the statutory requirements in the *Municipal Government Act*.

Timing of Filing of Petition – *Municipal Government Act*, s. 233(2)

Section 233(2) of the *Municipal Government Act* requires petitioners to bring a petition to amend or repeal a previous Council resolution or bylaw within 60 days of the date of that decision. If it is not brought within that time frame, the petition is not sufficient.

The purpose statement in the *Keep the City Centre Airport Open* Petition requests a bylaw that would require Edmonton City Council to operate and promote the operations of a two runway (12/30 and 16/34) general aviation facility on the City Centre Airport lands.

I have reviewed City Council records and found that the bylaw requested by the Petition would require the amendment or repeal of City Council's resolution of July 8, 2009, wherein City Council resolved to close the City Centre Airport in phases, and to redevelop the land for non-aviation uses. The resolution also directs the immediate closure of Runway 16-34.

The bylaw requested by the Petition effectively seeks the repeal or amendment of an existing City Council resolution dated July 8, 2009. It should have been filed not later than 60 days following that date – September 7, 2009.

As the *Keep the City Centre Airport Open* Petition was not filed on or before September 7, 2009, it is not sufficient under the provisions of section 233(2) of the *Municipal Government Act*.

Number of Electors Signing the Petition

I also reviewed the petition with respect to the other requirements for a sufficient petition listed in sections 222 to 225 of the *Municipal Government Act*.

The Act requires that a sufficient petition bear the signatures of enough electors to equal at least 10 percent of the population. According to its last Census, the City of Edmonton's population is 782,439. The signatures of 78,244 electors is the minimum number for a sufficient petition. Each signature would also have to be properly witnessed and otherwise meet all statutory requirements to be included within that number.

My office conducted an entry by entry review of the petition and excluded from our count those entries which do not meet the statutory requirements. I instructed Banister Research and Consulting, a professional survey company, to contact a statistically significant sampling of the petitioners to determine what percentage of the Petition was signed by City of Edmonton electors.

A breakdown of the number of names that were excluded from the count of the Petition, and the reason for exclusion, is stated in the table below.

Original number of signatories to the Petition	100,063
• Number of signatures excluded because the signature was not witnessed	402
• Number of signatures excluded because they appear on a page of the petition that does not have the same purpose statement that is contained on all other pages of the petition	27
• Number of signatures excluded because their printed name is not included or incorrect	786
• Number of signatures excluded because the signatures was not included	157
• Number of addresses that are not included or are incorrect	13,820
• Number of lines stroked through by Envision Edmonton	6,928
• Number of signatures excluded because the affidavit was incomplete	1,188
• Number of signatures excluded because they were signed outside of the 60 days preceding the date on which the petition was filed (received August 26, 2010; first acceptable date June 27, 2010)	692
• Number of signatures excluded because they are duplicate entries	455
Net number of valid signatories after statutory exclusions	75,608

Outside Consultant's Report (Banister Research and Consulting)

Following determination of the "net number of valid signatories after statutory exclusions", Banister Research and Consulting applied the results of their telephone verification. That has determined the percentage of signatories who were not eligible to sign the petition due to not meeting the requirements of being an "eligible elector," specifically that when the person signed the petition:

- the person was not 18 years of age, or
- was not a Canadian citizen, or
- had not been a resident of Alberta for 6 months preceding the date the person signed the petition,
- was not a resident of Edmonton, or
- some combination of these criteria.

Banister Research and Consulting concluded as follows:

“A total of 112 records were disqualified during the telephone verification process to obtain the final 2,331 records, resulting in a final sample of 2,443 records. Determined by a telephone verification of 2,331 of the net 75,608 petitions that 72,145 \pm 1,512 (that is 73,657 to 70,633) of them were qualified to sign the petition.”

To state this in a different way: of the total 2,443 signatories contacted by telephone, 112 (or 4.59%) were determined to be ineligible to sign the petition. Applied across the total number of the 75,608 otherwise valid signatures, 3,463 signatures would be disqualified for the citizenship-related reasons.

Statistically, if the process were to be repeated on another sample of 2,443 signatures there is a 95% confidence level (i.e., 19 times out of 20) the result would be \pm 1.5% (or from 3.09% to 6.09%) from the original result. This provides the range of qualified signatories being between 70,633 and 73,657.

Conclusion

As a result of my review, and the statistical survey results, I find that the *Keep the City Centre Airport Open* Petition contains the signatures of at least 70,633 and no more than 73,657 electors.

Signed at the City of Edmonton, in the Province of Alberta, September 15, 2010.


ALAYNE SINCLAIR, City Clerk