

# Contributions by City of Ottawa Council to Best Practice Standards for Citizens' Access to Spatial Records Held by Local Governments

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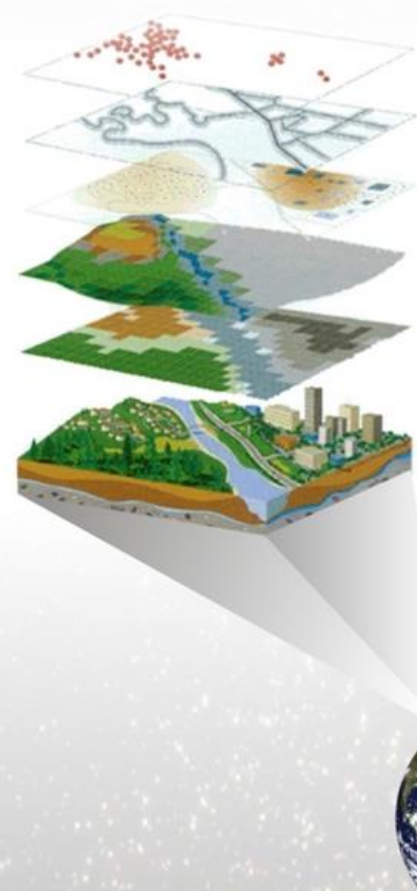


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## **A. Statement of Problem**

Politicians at all levels of government in Canada, the U.S., and many countries abroad speak enthusiastically about their regard for transparency and accountability.

However, for citizens to hold politicians to standards of transparency and accountability set by citizens, it is necessary for citizens to have access to public records at a level which is sufficient for citizens to diligently assess whether those standards are being met.

And therein lies the problem for citizens of the City of Ottawa, and for citizens of numerous other localities in Canada, the U.S., and abroad.

That is, empirical research as well as thousands of daily comments in broadcast media and social media reveal that few local governments achieve good or better practice standards much less best practice standards for citizens' access to records.

Further, empirical research and anecdotal comments also reveal that concepts such as 'open data' or 'open records' may have superficial appeal, but they do not ensure that citizens have access to public records at a level which is sufficient for citizens to diligently assess the access standards met by politicians.

And, as a final comment on public access to public records problems which citizens regularly encounter with any level of government, much is made by politicians of so-called freedom of information (FOI) legislation. **(1)**

However, research reveals that, contrary to the impression which may be created at first blush, in many ways the design of that legislation is more an obstacle to be overcome by citizens than a conduit to facilitate citizens having the quality of access to public records which is necessary to achieve the level of transparency required to hold municipal politicians accountable. **(2)**

Or, to re-phrase, while many politicians at all levels support the principle of freedom of information, politicians who take action to ensure that citizens have proper access to public records in practice appear to be few and far between. **(3)**

As a result, although governments in free and democratic societies receive their authority and their funding from citizens, and purportedly exist to serve citizens, in many jurisdictions citizens are unable to hold governments and officials accountable due to lack of proper access to records which describe decisions, actions, and operations.

The access problem, then, has three major features.

First, citizens themselves author their own misfortune by not electing politicians who pledge to ensure that citizens are provided the level of access to records which is necessary for citizens to hold their elected and appointed officials accountable to a standard set by citizens. **(4)**

Second, there are elected and appointed officials for whom transparency and accountability are merely buzzwords, and whose decisions and actions do not promote and serve citizens' needs regarding access to records. **(5)**

Third, to compound those two features of the access problem, officials can make decisions and approve actions which limit and even preclude citizens knowing what they need to know to ensure transparency and accountability of decisions and actions by government officials. I use the phrases "cone of silence" and "code of silence" to describe this tactic. **(6)**

## **B. GIS-Pro 2023 as the Chosen Venue for this Presentation**

The GIS-Pro conference is sponsored by the Urban and Regional Information Systems Association (URISA), which is the most qualified organization of which I am aware to advance a citizens' access to spatial records agenda. **(7)**

For those not familiar with URISA, the following comments should suffice to establish its credentials, and the reason for selecting GIS-Pro 2023 as the venue for the first international conference presentation on the research project, [Chronicling the Use of Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring the Standard of Access to Public Records in Canada is Best Practice](#). **(8)**

URISA is an international leader in advancing the frontiers of research, education, training, applications, and management in the fields of urban and regional information systems, and geographic information systems (GIS) in particular.

Since its inception in 1963, URISA has built a strong, respected record of connecting with academia, governments at all levels, businesses, and a variety of technical and professional associations.

In addition, however, among professional organizations URISA is at the forefront of engaging in research, education, training, applications, and management activities which serve and promote extending to citizens the benefits of urban and regional information systems, and geographic information systems (GIS) in particular.

URISA's institutional engagement with citizens on information matters commenced in the 1970s with the 1972 conference theme, "Information Systems for an Urban Society", and the 1976 conference theme "Information Systems as Services to Citizens".

In addition to conference themes and conference tracks with a focus on connecting citizens and information systems, URISA deepened its engagement with citizens through special interest groups, workshops, and an Exemplary Systems in Government program. **(9)**

The following activities are indicative of how URISA and its members include citizens in information loops involving all levels of government:

- Special interest Group, Public Information Access, 1986-
- Workshop, Freedom of Information, 1977-
- Workshop, Public Access and Privacy, 1985-
- Public Data, Public Access, Privacy and Security, 2004-
- Public Information: Legal Issues, 1998-
- Public Information for the People: Issues about Access, 1985-
- Public Participation GIS, 2006-.

In addition, public access to public records is addressed by several Exemplary Systems in Government (ESIG) Award recipients, including:

- City of Aurora, Colorado, Geographic Information Portal System for Everyone, 2008.
- New Brunswick Geographic Information Corporation, Completing the Vision: Public Access to the Provincial Land Information Infrastructure -- New Brunswick's Real Property Information Internet Service, 1998.

A final reason for choosing GIS-Pro 2023 as a presentation venue is that URISA members and GISPs (Geographic Information System Professionals) in particular, have a major stake and role in how the need for improved citizens' access to spatial records in local governments is identified, defined, and achieved by elected and appointed officials.

It is therefore reasonable to expect that the session and pre-conference paper will be acted upon in a timely and considered manner.

### **C. A Brief Note about Best Practices: All Is Relative, and Improvement Is the Name of the Game for Public Access to Public Records**

In a 2007 presentation at the National TravelWise Association (NTWA) conference, I discussed how to conceptually use indexes to measure progress in identifying, adopting, and implementing sustainable transport best practices. **(10)**

That conceptual methodology was empirically tested in 2008 in the project, Methodologies for Identifying and Ranking Sustainable Transport Practices in Urban Regions, which was undertaken for Transport Canada. **(11)**

The conceptual and applied methodologies described in those productions are pertinent to this presentation for three reasons in particular.

First, they demonstrate how each condition contained in a best practices standard may be populated by different kinds of features, and how those features may be ranked in an index framework according to the contribution which their presence or absence makes to the respective levels of worst, worse, bad, good, better, and best.

Second, the presentation slides and empirical tests inform us of a dynamic aspect; that is, there are stages to identifying, adopting, and achieving or implementing changes which occur over time. As a result, progress or regress through the ranks, so to speak, is generally achieved incrementally rather than through some instantaneous paradigm shift or quantum jump.

Further, standards of practice themselves also evolve over time due to changes in the state of the art, state of science, state of technology, state of knowledge, state of competence of elected officials, and so on. As a result, there can be shifts up and down the worst-best spectrum such that a best practice today is relegated to the status of a better or good practice over time, and what is rated as a good practice in 2023 could be rated a relatively bad practice in 2027. **(12)**

Third, the cited productions provide detailed explanations and illustrations of the various ways that levels of practice are differentiated between worst and best in the field of sustainable transport. And, as a follow-on, the cited productions also illustrate how the rating system, such as an index, can be used to rank local governments according to the number of worst to best practices which they implement.

In the case of this report, a best practice standard would be for a local government to ensure that citizens have free, easy, timely, direct, and online access to public records, and then the standard achieved drops for every condition which is not met in full or in part. **(13)**

And, further in that regard, discussions about standards of worst to best practices seem to proceed more productively if they are dealt with in real world terms, rather than in the abstract.

For example, sustainable transport is a topic that is pertinent to all who read this material. The reports provide dozens of terms that can be substituted for or added to the term 'public records', as in "free, easy, timely, and direct online access to public records



detailing the LRT share of commuter transit trips”, and “free, easy, timely, and direct online access to public records on traffic citations issued in school zones”.

Finally, my experience with politicians suggests that it may be useful to recall and emphasize that quality of practice is a relative matter. **(14)**

That is, there could be four, five, six, or many more grades, levels, classes, etc., which distinguish among the relative merits of practices which generally evolve over time as a result of political, geographic, economic, financial, technological, legal, etc., situations, processes, and circumstances. **(15)**

On the positive side of the quality ledger, therefore, from a performance perspective we have practices which are rated good, better, and best And, on the negative side, practices are rated bad, worse, and worst for a six-degree range of quality of practices as shown in Figure 1.

**Figure 1. Simple Index to Rank Local Governments Based on Actions to Provide Citizens Free, Easy, Timely, and Direct Online Access to Public Records**

<b><u>Positive</u></b> level of practice	Best Better Good
<b><u>Negative</u></b> level of practice	Bad Worse Worst

Those ratings would be applied to each of the conditions set by citizens regarding the quality of access to public records that they wish to have provided to them by their politicians. Candidates for conditions to be satisfied are suggested by this research to include free, easy, timely, direct, and online.

I note that a number of invitations have been extended in vain to members of two Ottawa councils to expand the set of five conditions of free, easy, timely, direct, and online.

It is my expectation the GIS-Pro 2023 session will assist in answering the question as to whether free, easy, timely, direct, and online are the critical conditions and no more are necessary. Indeed, more conditions could be counter-productive for citizens if more conditions dilute the message and complicate the means of achieving the message.

Finally, regarding the term 'Actions' in Figure 1, reference is to things done and not just thought about or talked about. As a result, citizens can attest that action was taken and change occurred regarding one or more conditions affecting their quality of access to public records.

## **D. Background to Derivation of the City of Ottawa Contributions to Best Practice Standards for Citizens' Access to Spatial Records Held by Local Governments: Surveys**

The Information Research Board Inc. (<http://wellar.ca/informationresearch/>) launched the transparency and accountability project in 2019 ([\*Chronicling the Use of Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring the Standard of Access to Public Records in Canada is Best Practice\*](#)). To date the project has produced 25 reports, 14 of which report on surveys asking City of Ottawa councils for the 2018-2022 and 2022-2026 terms,

Do you agree that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records?

As demonstrated in Chronicling project reports, there are various ways and means for citizens to ask politicians questions, and there are various ways and means for politicians to avoid, decline, dodge, elude, escape, eschew, and evade providing answers.

One value of a survey when administered via email to members of council is that a digital communication trail commences instantaneously when 'sent' is hit, and the trail continues when and only when responses are received.

Or, to re-phrase, the survey approach provides an indisputable record of council members who responded yes, no, or something else to the survey question, and those who decided to not respond to the survey question.

According to research findings, and the absence of any arguments to the contrary, the surveys produced definitive records of the positions of all members of City of Ottawa

councils surveyed during the 2018-2022 term, and thus far during the current 2022-2026.

It therefore seems fair to conclude that the survey approach provides a substantive body of evidence upon which to derive City of Ottawa politicians' contributions to best practice standards for citizens' access to spatial records held by local governments.

## **E. Background to Derivation of the City of Ottawa 'Contribution' to Best Practice Standards for Citizens' Access to Spatial Records Held by Local Governments: Survey Question**

The importance of the survey question to the success of a survey cannot be overstated, as we are frequently reminded by survey results that confuse rather than enlighten because the survey questions failed clarity, pertinence, relevance, and other tests. **(16)**

In the case of this survey question,

Do you agree that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records?

it could have some of its origins in 1975 or so when I was Information Theme Coordinator, federal Ministry of State for Urban Affairs and, more specifically, as a result of reviewing *The Public Right to Know*. **(17)**

The point is that I have engaged with elected and appointed local government officials since the early 1970s, which means about 50 years making inquiries and seeking records detailing the policy, plan, program, and operations decisions and actions of local government officials.

And, conversely, my time in government included responding to questions from local and provincial government officials, as well as from citizens about access to federal records.

As a result of combining personal and professional experience, and numerous literature searches and reviews, the five conditions of free, easy, timely, direct, and online emerged at a pre-test level as primary elements of a standard of best practice regarding citizens' access to public records held by local governments.

Further, because limited, pertinent literature was identified regarding best practices for citizens' access to public records, repeated cautions were issued to regard the Chronicling reports as being at the pre-test stage. From a methodological perspective, more surveys need to be administered to more councils, and especially if this body of research is to progress into the pilot study and trial run phases.



For convenience, Table 1 presents the summary explanations for including free, easy, timely, direct, and online as primary elements of a standard of best practice regarding citizens' access to public records held by local governments.

**Table 1. Summary explanations for including free, easy, timely, direct, and online as primary elements of a standard of best practice regarding citizens' access to public records held by local governments.**

- **Free access.** There is no reason to charge fees for access since citizens have already paid governments to produce these records.
- **Easy access.** "User friendly" includes removing time-wasting hurdles. Google, for example, demonstrates how to design intuitive, easy-to use access procedures.
- **Timely access.** Efficient searches for public records occur when keywords lead to the links for texts, images, and other records, including data and information bases. At the municipal level, timely access resides in links to maps and other geographic information system holdings because approximately 80 per cent of municipal data and information holdings are location-based.
- **Direct access.** Fifty years ago, banking changed significantly due to automated teller machines (ATMs), with mobile devices leading to still more changes. Banking shifted out of the business of moving money and into the information processing business and serves as a highly credible precedent for governments to provide citizens direct access to public records.
- **Online access.** Governments already inform Canadians via websites, and there are many reasons for governments to better serve citizens via online access to public records.

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The final comment on the derivation of the City of Ottawa contribution to best practice standards for citizens' access to public records held by local governments involves the term 'public records'.

Public records for the purposes of this paper exclude local government materials which are specifically precluded from public scrutiny for statutory, legal, privacy, confidentiality or other reasons set down in federal, provincial, or municipal legislation. There are two primary considerations behind this decision.

First, our focus is on geo-records that citizens are entitled to access without having to go through various statutory, legal, privacy, etc. hoops to do so. A widespread complaint about access quality is that governments at all levels are already way below a best practices level, so it would be an error to provide any distraction from our stated mission.

Second, unanswered questions and unresolved issues remain regarding the benefits of open records which meet best practice standards (e.g., free, easy, timely, direct, and online) on the one hand, while respecting legitimate privacy and confidentiality concerns of citizens on the other. Research into the ways and means of achieving a proper balance is a significant matter in its own right, and I look forward to incorporating the findings of that research into the best practices research agenda. **(18)**

What we are including within the purview of 'public records', therefore, are materials, devices that generate, process, store, and disseminate materials, as well as the contents of materials and devices which pertain to political, executive, management, administrative, planning, programming, operational, or other City of Ottawa-related activities. **(19)**

As for spatial public records, it is likely that about 80% of all City of Ottawa records are of a spatial nature; that is, they have a 'where' or 'location' aspect, so this brief comment is indicative because I do not have detailed, comprehensive knowledge in this regard about the City of Ottawa. A number of examples of spatial objects represented by spatial records are provided by the precedent publication, [\*Thoughts on adding geo-records to the pilot study on best practices for citizen access to public records \(Presentation Slides\)\*](#).

Assuming that the City of Ottawa has parallels with cities of similar size, the materials, devices, and the contents of materials and devices comprising the inventory of spatial public records for the City of Ottawa, would be of an enterprise-wide nature.

That is, City of Ottawa holdings of spatial public records include all materials, devices, and the contents of all materials and devices which are within the corporate purview of the City of Ottawa, including Ottawa Police Service and any other entity over which the City of Ottawa has governance authority. Numerous illustrative examples of such records are provided by the prior report, [\*Thoughts on adding geo-records to the pilot study on best practices for citizen access to public records \(Presentation Slides\)\*](#).

Or, to re-phrase, the reference to 'enterprise' means that spatial public records of the City of Ottawa are the holdings of all political, executive, management, administrative, operations, and other functions of the City of Ottawa which are engaged with material and devices that generate, process, store, use, and disseminate spatial data, spatial

information, spatial knowledge, and any other form of spatial representation of 80% or so of the City of Ottawa's records.

As for the spatial material to which citizens might wish to have access, they could include electronically and non-electronically created maps, texts, graphs, renderings, drawings, and photographs, infrared images, and radar images, as well as scans of planning documents, by-law documents, council minutes, standing committee minutes, advisory committee minutes.

And, they could include such operations documents for departments, bodies, and agencies such as engineering drawings, architectural drawings, subdivision plats, pothole-filling routes and schedules, speed display board files, police citation files, and details about any means of observing, monitoring, and tracking movement of people and vehicles, as well as all manner of ways to document changes to the built and natural environments including municipal official plan amendments, municipal land use zoning applications and approvals, Ministerial Zoning Order (MZO) instructions, and provincial legislation.

For more details see [Thoughts on adding geo-records to the pilot study on best practices for citizen access to public records \(Presentation Slides\)](#).

Devices which are part-and-parcel of generating, processing, storing, using, and disseminating spatial data, spatial information, and other representations of a spatial nature include electronic hardware, software, and peripherals such as computers, iPhones, GPS, speed display boards, speed guns, traffic cameras, surveillance cameras, closed circuit television, drones, traffic counters, water quality monitors, water level meters, intersection light control systems, air quality monitors, earthquake sensors, and decibel meters.

For more details see [Thoughts on adding geo-records to the pilot study on best practices for citizen access to public records \(Presentation Slides\)](#).

As emphasized above, numerous spatial public records are of critical interest to citizens, and feedback on reports published to date is that the survey question,

Do you agree that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records?

is an effective and efficient first step in identifying politicians who are likely to support citizens having the level of access to records which they deem necessary to hold politicians to levels of transparency and accountability set by citizens.

And, conversely, that question is an effective and efficient first step in identifying politicians who are not likely to support citizens having the level of access to records

which citizens deem is necessary to hold politicians to levels of transparency and accountability set by citizens.

## **F. Validation of the Survey Question Asked of City of Ottawa Councils for the 2018-2022 and 2022-2026 Terms of Office**

There are a number of elements which validate the design and efficacy of the survey question. This is a partial, indicative list of elements; many others are contained in survey reports. **(20)**

1. After four surveys, no City of Ottawa politician challenged much less corrected the apparent finding that during their election campaigns they all proclaimed their commitment to transparency and accountability of politicians.
2. After four surveys, no politician stated an inability to understand the question.
3. After four surveys, no politician questioned any of the conditions of free, easy, timely, direct, or online.
4. After four surveys, no politician suggested rejecting any of the conditions, or adding any conditions.
5. During each of the years of the previous (2018-2022) and current councils (2022-2026), many and perhaps a majority of City of Ottawa politicians referred to Ottawa as a 'world class city'. With the bar set that high, it is inconceivable that anyone elected to council to govern a 'world class city' would have any problem understanding the survey question, 'Do you agree that citizens are entitled to free, easy, timely, and direct online access to public records?'
6. The City of Ottawa has a 2023 annual budget (operating budget plus capital budget) of approximately \$5.5 billion; that is, \$5,500,000,000, every single cent of which is public money. It is inconceivable that any member of council would deny taxpayers the right to examine all records pertaining to how their tax dollars are spent.
7. Beyond the matter of money, there are expected and achieved social, environmental, cultural, quality of life, personal safety, health, mobility, and numerous other returns from an expenditure of that magnitude. It is inconceivable that any member of council would deny taxpayers the right to examine all records, and especially spatial records, containing details to support claims about expected returns from expenditures of taxpayer dollars, as well as details about the achieved returns from expenditures.
8. Ottawa is a city of 1,000,000, and it is reasonable to expect that in the interests of properly informing and listening to citizens for whom all members of council are in service, it is surely a given that council would ensure that citizens have

access to public records at the level of best practice, with the conditions of free, easy, timely, direct, and online among the conditions to be met.

Those elements appear more than sufficient to validate the survey question as being totally within the mental and political purviews of anyone elected to the City of Ottawa council. As reviews of survey reports confirm, the survey question is about as basic as questions can be when it comes to defining the fundamentals of municipal governance in a free and democratic society.

Further, no counterarguments of any kind, none, have been received to negate asking such a basic governance question of municipal politicians, which is asking them to confirm the validity of transparency and accountability claims which they apparently all made, without exception, when running for council, City of Ottawa, in 2018 or 2022.

## **G. A Selection of Contributions by City of Ottawa Council to Best Practice Standards for Citizens' Access to Spatial Records Held by Local Governments**

Several context notes are needed to put contributions in perspective.

1. The Chronicling project research agenda involves exploratory and confirmatory research activities that are planned until the end of the current council term, that is 2026. As a result, this is an interim report on some of the contributions made to date by the Ottawa council of 2018-2022 and until mid-2023 by the 2022-2026 council.
2. This report is intended to be perceived as an introduction to a research agenda focussed on identifying, adopting, and implementing best practice standards for citizens' access to public records.
3. I am not aware of related work done in this domain for other local governments, so where the contributions identified for City of Ottawa might fit into a larger picture is unknown. Consequently, the contributions are offered for consideration as talking points for a much broader conversation.
4. The term contribution at this stage is used first and foremost to inform City of Ottawa politicians and residents about gleanings from three surveys of the 2018-2022 council, and one survey of the 2023 council. An important but secondary goal at this point is to provide a heads-up to residents in other locales about the experience of administering surveys to members of two councils in one city regarding their positions on public access to public records.
5. This list of contributions appears to be without precedent, and the phrasing of the contributions is preliminary in the absence of finding prior exploratory much less



confirmatory research investigating politicians' response to the question, Do you agree that citizens are entitled to free, easy, timely, and direct online access to public records? As a result, at this stage of the research the phrasing of contributions is best perceived as first cuts or approximations awaiting refinement.

6. It is anticipated that publication of this pre-conference report will lead to refinement of some contribution statements prior to the GIS-Pro conference, some at the conference, and some post-conference, as well as the addition of other contributions arising from similar work being done elsewhere.

The final context note is a primary research methods principle and warrants special attention.

The term 'populationing' refers to the act of generalizing from one or few events, situations, happenings, findings, etc., to many, which is thoroughly frowned upon by those in the research methods community, and especially by those in the statistics sub-community when empirical data enter the research design. **(21)**

With that awareness stated, I request a bit of leeway in suggesting that City of Ottawa politicians are similar to politicians in other municipalities in Canada. I hasten to emphasize that while I have only anecdotal 'evidence' in this regard, I have been observing and interacting with municipal politicians in Canada, the U.S. and abroad for more than 50 years. It is my impression that in many cases entire councils could be swapped and citizens would see little difference in processes, behaviors, affiliations, outcomes, relationships with citizens, etc. **(22)**

That being the case, namely, councils are highly interchangeable, it appears reasonable at this early research stage to premise that the findings about contributions by Ottawa politicians are representative of contributions likely to emerge if the Chronicling project is administered in other local governments. **(23)**

However, and as illustrated by Figure 1 which has six classes ranking worst to best practice standards for citizens' access to spatial records held by local governments, it is expected that there will be differences among councils ranging from several to many of the contributions identified for City of Ottawa council.

At the time of this writing in May 2023, we have compiled more than 50 contributions by City of Ottawa council which are pertinent to Figure 1. For the purposes of this paper and the GIS-Pro 2023 session, a selection of contributions is presented to illustrate the variety of contributions identified to date.

I hasten to emphasize that at this stage the order of contributions is not a methodological ranking in terms of significance. Rather, it is based on what seems to be a reasonable way to introduce a topic that may not be familiar to all GISP-type readers, much less to politicians and to citizens.

**Contribution 1.** Municipal politicians who care about citizens' access to public records of any kind are in a minority.

**Contribution 2.** Among the minority of municipal politicians who cares about citizens' access to public records of any kind, only a minority of them care enough to act.

**Contribution 3.** A minority of municipal politicians express interest in learning why citizens should have 'free' access to spatial records, or what 'free' access means for citizens.

**Contribution 4.** A minority of municipal politicians express interest in learning why citizens should have 'easy' access to spatial records, or what 'easy' access means for citizens.

**Contribution 5.** A minority of municipal politicians express interest in learning why citizens should have 'timely' access to spatial records, or what 'timely' access means for citizens.

**Contribution 6.** A minority of municipal politicians express interest in learning why citizens should have 'direct' access to spatial records, or what 'direct' access means for citizens.

**Contribution 7.** A minority of municipal politicians express interest in learning how citizens could have 'direct' access to spatial records, or how 'direct' access for citizens could be achieved.

**Contribution 8.** While a majority of municipal politicians understand why citizens in large metropolitan areas should have online access to public records, a minority of municipal politicians express interest in learning why citizens should have 'online' access to spatial records, or what 'online' access to spatial records means for citizens.

**Contribution 9.** A minority of municipal politicians agree that citizens require free, easy, timely, and direct online access to public records, including access to spatial records to ensure transparency and accountability of politicians.

**Contribution 10.** A minority of municipal politicians understand that concepts such as 'open data' are just political fluff until they are operationalized by providing citizens free, easy, timely, and direct online access to public records, and especially access to spatial records to ensure transparency and accountability of politicians. **(24)**

**Contribution 11.** A minority of municipal politicians understand that citizens own all the public records at city hall, and politicians are transient public office holders.

**Contribution 12.** A minority of municipal politicians understand that records submitted to city hall by developers and other private interests become public records upon deposit at city hall. **(25)**

**Contribution 13.** A minority of a minority of municipal politicians understand the relationship among data, information, and knowledge.

**Contribution 14.** A minority of a minority of municipal politicians understand the spatial reality>spatial data> spatial information> spatial knowledge transformation process.

**Contribution 15.** A minority of municipal politicians have attended a URISA conference or URISA type of conference, or a professional conference session dedicated to geographic information systems science, technology, or applications.

**Contribution 16.** A minority of a minority of municipal politicians understand that to properly serve the interests of citizens, so-called 'freedom of information' legislation must explicitly ensure among other conditions that citizens are provided free, easy, timely, and direct online access to public records.

**Contribution 17.** A minority of municipal politicians understand that some 80% or so of all municipal records include geographic or spatial data elements and items describing the locations, positions, directions, addresses, etc., of entities of interest in the built and natural environments.

**Contribution 18.** Combining contributions 16 and 17, a minority of municipal politicians understand that because approximately 80% of all records on file are of a geographic/spatial nature, it is imperative that in order to properly serve the interests of citizens, 'freedom of information' legislation must explicitly ensure that among other conditions citizens shall be provided free, easy, timely, and direct online access to public records, and especially access to spatial records, in order to ensure transparency and accountability of politicians.

**Contribution 19.** A minority of municipal politicians understand that the vast majority of 311 calls deals with such geographic records as those involving private properties, public rights-of-way, streets, businesses, recreation areas, sewers, health facilities, schools, routes of sanitation vehicles, transit routes, first responder stations and deployment zones, water bodies, locations of crimes, deployment of police resources, downed trees, downed power lines, broken sidewalks, potholes, power outages and, consequently, the need for citizens to have free, easy, timely, and direct online access to spatial records.

**Contribution 20.** A minority of municipal politicians understand how geographic information systems are used for analysis and synthesis tasks such as detecting change of the built environment, detecting change of the natural environment, impact assessment of housing intensification options, financial implications of urban sprawl, impact assessment of development proposals, impact assessment of road widenings, impact assessment of rezoning flood plains and near-floodplains for development, and measuring social costs of extending urban boundaries into rural areas.

**Contribution 21.** A minority of municipal politicians express interest in learning why the emergence of a 'digital world' has increased citizens interest in online access, and why digital advances are accompanied by citizens' increased expectations about free, easy, timely, and direct online access to public records and especially spatial records.

**Contribution 22.** A minority of municipal politicians respect the 'right to know' of citizens by sharing all available information prior to making policy, program, plan, or operations decisions. **(26)**

**Contribution 23.** A minority of municipal politicians who engage in media events (interviews, photo ops, columns, op-eds, blogs) ensure that citizens have free, easy, timely, and direct online access to records which can be used to fact-check statements.

The premise of this paper is that best practice standards for citizens' access to spatial records held by local governments include citizens having free, easy, timely, and direct online access to those records.

Four surveys administered to two councils of City of Ottawa politicians asked whether they agreed with the premise, and their responses or lack of responses form the basis of the 23 contributions noted above.

Two comments conclude this section.

First, this is the initial cut at identifying the contributions by City of Ottawa politicians to best practice standards for citizens' access to spatial records held by local governments. Reviews of terminology have already begun, as have investigations into the ordering or weighting of contributions.

In research methods design terms, this body of research is at the pre-test stage, and is qualified accordingly.

Second, if City of Ottawa council has a concern about any contribution, then I welcome being apprised in that regard.

The conference date is October 16-19, 2023, so if details about a concern are received by August 11 every effort will be made to acknowledge it in a revised paper.

## **H. A Selection of Lessons Learned from Surveys of Ottawa Council that May be of Assistance to Those Conducting Similar Surveys of Councils of Other Local Governments**

This section was not in the initial design and arose because of a news story regarding a federal access initiative that was announced April 19 while the first draft was in process.

[Liberal minister promises plan on Access to Information as MPs highlight woes](#)

When that announcement appeared, I was asked by researchers and curious citizens if the current federal cabinet is likely to do anything beyond what previous cabinets did when surveys asked them the same basic question administered to Ottawa council and to the Ontario cabinet:

Do you agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by held by the Government of Canada? **(27)**

Because members of those cabinets unanimously chose to not respond to the question, my comment was, and is, that there is no identifiable reason to expect anything new from this minister or this cabinet, and it is just more of the same old, same old that politicians dish out whenever they need to 'change the channel' and have no intention of doing anything.

That comment and further discussions led to the decision to add a brief selection of lessons learned when City of Ottawa politicians are pressed in two ways. First, some of them 'get their backs up' in a hurry when pushed to answer a question that they do not want to answer.

And second, some of them get downright testy when they are further pressed to explain, in the interests of transparency and accountability, why they choose to not answer a legitimate question about public access to public records. **(28)**

The following selection of lessons learned after four surveys of City of Ottawa politicians is offered to support participating researchers. And, of course, special consideration is given to those who may be relatively unfamiliar with the challenges involved in getting politicians to honestly answer a straightforward question such as, "Do you agree that citizens are entitled to free, easy, timely, and direct online access to public records?".

For ease of documentation and reference, the symbol LL along with an appropriate number is used to represent the respective lessons learned.



**LL1.** Ottawa council has been nominated for Code of Silence awards, so that could be a sign that it or any secretive council is a likely candidate to engage in bad, worse, or worst practice standards for citizens' access to spatial records.

**LL2.** Lack of express majority agreement to the survey question could be a sign that Ottawa council or any similar council is a likely candidate to engage in bad, worse, or worst practice standards for citizens' access to spatial records.

**LL3.** Lack of express majority agreement to the survey question could be a sign that Ottawa council or any like council does not understand they are in office to serve citizens, and is a likely candidate to engage in bad, worse, or worst practice standards for citizens' access to spatial records.

**LL4.** Lack of express majority agreement to the survey question could be a sign that Ottawa council or any like council does not understand they are in office to serve citizens, and is a likely candidate to engage in bad, worse, or worst practice standards for citizens' access to spatial records.

**LL5.** Lack of express majority agreement to the survey question could be a sign that Ottawa council or any like council does not understand that information is derived from analysis and synthesis of data, and is a likely candidate to engage in bad, worse, or worst practice standards for citizens' access to spatial records.

**LL 6.** Lack of express majority agreement to the survey question by Ottawa council or any like council diminishes the credibility of claims that the municipal government is the government closest to the people, and points to a government which is a likely candidate to engage in bad, worse, or worst practice standards for citizens' access to spatial records. **(29)**

**LL 7.** Until it is demonstrated to be otherwise, it is prudent to assume low applied research skills of municipal politicians, few of whom appear to have taken a research methods course or have a substantive idea of what the term methodology means in structural or functional terms.

**LL 8.** Until it is demonstrated to be otherwise, it is prudent to assume that municipal politicians have limited understanding of quantitative methods and techniques.

**LL 9.** Until it is demonstrated to be otherwise, it is prudent to assume that municipal politicians have limited understanding of why or how to conduct literature searches and reviews.

**LL 10.** Until it is demonstrated to be otherwise, it is prudent to assume that municipal politicians have limited understanding of the different kinds of literature to search and review for policy, plan, program, and operations purposes.

**LL 11.** If members of council do not respond to a question about public access to public records, one avenue available to citizens is to 'shake the tree' by asking the non-responders to explain themselves. **(30)**

**LL 12.** There are workshops in the URISA workshop drawer which are directly pertinent to the case for providing citizens free, easy, timely, and direct online access to public records, and both Ottawa councils confirm the downside of apparently not one member of council attending even one of those workshops.

**LL 13.** Survey responses to date appear to confirm the belief held by many citizens that there is a general lack of understanding among members of Ottawa council that citizens of the City of Ottawa are the owners of the records held by Ottawa city hall.

**LL 14.** Until it is demonstrated to be otherwise, it is prudent to assume that municipal politicians have limited understanding that in order for access to be easy it must pass the intuitive test which, among other conditions, has due regard for a diversity of adult users, and particularly adult users past the age of 60 or so who are not keen to keep up with fast-changing technology in the GIS field.

**LL 15.** The notion of holding up an access request from any citizen and requiring it to pass through the FOI process is absurd because the citizen is requesting access to a record or records owned by the citizen.

**LL 16.** The notion of having to go through a third party, such as a city employee, to gain access to any public record is bizarre because citizens own city records. In that circumstance there is no place for record gatekeepers, and all the more so if citizens want to make on-the-fly changes while scanning for related records, or more of the same records. Many citizens do not have time to go through such a lock-step process which adds nothing of value for the citizen and wastes taxpayer dollars.

Many more lessons learned are contained in Chronicling project reports, and the reader is referred to those documents for particulars.

## **I. Ranking City of Ottawa Council on an Index Measuring Quality of Citizens' Access to Public Records: Genesis of a Research Agenda**

At this stage of index design and development, it appears reasonable to observe that the Ottawa councils of 2018-2022 and 2022-2026 belong on the negative side of the index ledger for such reasons as:

1. Non-responses by a majority of members of two City of Ottawa councils to surveys asking whether members of council agree that citizens are entitled to free, easy, timely, and direct online public access to the city's public records.

2. No found contribution by councils to good, better, or best public access practices by agreeing that citizens are entitled to free, easy, timely, and direct online access to the city's spatial records.
3. Numerous found contributions to bad, worse, or worst practices for citizens' access to the city's spatial records by not agreeing that citizens are entitled to free, easy, timely, and direct online access to the city's spatial records.

On its face, the picture composed to date might seemingly be sufficient to relegate the City of Ottawa to the worst case category, because little or nothing of a positive action nature has been identified for any of the five operant variables.

Moreover, beyond the three summary comments above regarding the absence of survey responses, the assignment of non-respondents to council committees as chairs and vice-chairs also points to relegating Ottawa council the worst-case category. **(31)**

Nevertheless, determining which category of bad, worse, or worst to which the City of Ottawa should be assigned remains part of a work in progress because of the nature of indexes. Several comments should suffice to illustrate the nature of this research agenda challenge.

First and foremost, indexes such as body mass index, walking security index, consumer price index, (stock market) index funds, population health index, quality of life index, incarceration index, human development index, etc., are designed for comparative purposes and can be applied to such entities as people, groups of people, towns, cities, streets, rivers, schools, insects, and, in this case, local government councils.

That same principle applies to the design and development of a public access index. In short, surveys of more local governments are required to establish a substantive index.

Second, while the five access variables -- free, easy, timely, direct, and online -- are reasonable measures for first approximation purposes, the power of the access index increases as the variables are deconstructed and refined. This activity includes giving more detail to the operational meaning of free, easy, timely, direct, and online access for local governments on the positive side of the ledger, as well as to not free, not easy, not timely, not direct, and not online access for local governments on the negative side of the ledger.

The research issue here, in brief, and using the City of Ottawa as a case in point, is that some local governments, like the City of Ottawa, could be on the negative side of the ledger, and their deficiencies need to be considered accordingly.

Third, there is the matter of weighting, and the literature on index research provides a clear warning that incorporating weights could be highly valuable but would likely be a very challenging empirical exercise.

And fourth, there tend to be difficult challenges in non-trivial comparability research projects at the best of times, and that challenge increases as complexity increases due to such matters as differences in local government structures and functions, differences in values, attitudes, and cooperation of council members, and differences in research expertise and experience of participants.

Thanks are given to City of Ottawa council for its contribution to the genesis of a research agenda to design and develop an index measuring quality of citizens access to public records:

## **J. Next Steps**

There are several months between the date of posting this report and the session, Best Practice Standards for Citizens' Access to Spatial Records Held by Local Governments, GIS-Pro 2023 Conference.

If appropriate, the main body of the report will be supplemented by an addendum to include important materials that arise as a result of the report being posted.

## **K. Endnotes**

1. Reports from the project, [\*Chronicling the Use of Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring the Standard of Access to Public Records in Canada is Best Practice\*](#), provide numerous examples of problems which citizens regularly encounter with municipal, provincial, and federal governments when trying to access public records.
2. See, for example, [\*Interim Report 14. Asking the Question: Is Freedom of Information Legislation a Citizens' Conduit to Public Records, or an Institutional Barrier to Public Records?\*](#).
3. I await being corrected by evidence which supports the correction.
4. This matter was addressed in an op-ed published in the Ottawa Citizen, *Wellar: City of Ottawa must be more transparent. Only voters can make that happen. Here are three questions about accountability to ask municipal election candidates at the door.* <https://ottawacitizen.com/opinion/wellar-city-of-ottawa-needs-to-be-more-transparent-only-voters-can-make-that-happen>

5. The term 'buzzwords' is used in the titles of a number of Chronicling project reports, including [Interim Report 17. Using Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring Access to Public Records in Canada is Best Practice: Ottawa Council Rating after the Third Citizen Access Survey–Political Buzzwords, 79%; Drivers, 21%.](#)
6. Discussion of the phrase 'code of silence' which refers to an explicit or implicit understanding among politicians to say nothing informative about an issue, problem, concern, etc., is discussed in various Chronicling project productions including [Interim Report 18. Invoking the Code of Conduct to Publicly Oblige City of Ottawa Politicians to Demonstrate Due Regard for Transparency and Accountability;](#) [Interim Report 19. Nomination for the 2020 Code of Silence Award: City of Ottawa Supporting Evidence – Reports from the Pilot Study Chronicling the Use of Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring the Standard of Access to Public Records in Canada is Best Practice;](#) [Interim Report 20. Nomination for the 2020 Code of Silence Award: City of Ottawa Supporting Evidence – Communications to Mayor and Councillors that Received 'The Silent Treatment';](#) [Interim Report 21. Nomination for the 2020 Code of Silence Award: City of Ottawa Supporting Evidence – Media Stories That Indicate a Code of Silence Has Been Adopted by Members of Council.](#)
7. Details about URISA's track record may be found in B. Wellar (ed.), [Foundations of Urban and Regional Information Systems and Geographic Information Systems and Science](#), (2017). Special Publication in Celebration of URISA's 50<sup>th</sup> Anniversary Conference.
8. The initial conference presentation on Chronicling project research was scheduled to be the keynote address at the BeSpatial Ontario Eastern Regional Event, Queen's University, Kingston, Ontario, March 26, 2020. However, due to COVID-19 matters, the event was cancelled. As a result, [Thoughts on adding geo-records to the pilot study on best practices for citizen access to public records \(Presentation Slides\)](#) will be presented at the 2023 BeSpatial event, June 29, at Queen's University, Kingston, Ontario. Due to its critical background role, that report is referenced in several places in this report.
9. I have been involved with more than two dozen academic, professional, and technical organizations and associations over the past 50 years, and to my knowledge a one-of-a-kind distinction is conveyed upon URISA in the fields of informatics, geomatics, and GIS for its original contributions to the inclusion of citizens in the 'information loop'.
10. The design of a worst practices-best practices framework is illustrated in *Sustainable Transport by Design or by Default? Either Way, the Wasteful Ride is Over*. Plenary presentation at the National TravelWise Association Conference, Transport &



Climate Change: Understand the Problem – Be Part of the Solution. Belfast, Northern Ireland 8-9 November 2007.

<http://wellar.ca/wellarconsulting/Belfast%20Presentation%20PPT%20slides.pdf>.

A number of URISA pioneers, including Ed Horwood, Bill Garrison, Wil Steger, Ed Hearle, Bob Barraclough, Barclay Jones, Bob Aangeenbrug, and Ken Dueker contributed to best practices thinking about transportation systems and other systems, which laid foundations for my own thinking on the topic.

**11.** Methodologies for Identifying and Ranking Sustainable Transport Practices in Urban Regions, was funded by Urban Transportation Programs, Environmental Initiatives, Transport Canada, File /Contract # T8080-08-0152. Project reports can be viewed at <http://www.wellar.ca/wellarconsulting/TCProjectSynopsis.pdf>.

**12.** This comment is based on numerous literature reviews and experiences with all levels of government. However, there could be literature reporting on local governments which have skipped stages between the worst and best continuum. I welcome becoming apprised of that literature.

**13.** Each of the conditions of free, easy, timely, direct, and online has its 'wrinkles' in affecting level of access, so it appears fair to say that evaluations of where a local government is located on the standard of practice continuum is a task to be measured by experts in the field, such as GISPs.

**14.** The recent survey experience with City of Ottawa politicians, numerous complaints from citizens about lack of logic to support many decisions by both the previous and current councils, and more than 50 years of experience with local governments, combine to suggest that whatever is done with any council it is best to keep things simple, and be prepared to repeat as often as necessary.

**15.** If greater definition is needed, then an alpha, numeric, or alphanumeric rating system can be employed.

**16.** Anyone who has taught or taken a research methods course is likely aware that there is no end of aphorisms along the lines, 'A question well put is a problem half-solved', 'Bad questions lead to bad answers', and 'Few good answers ever came from bad questions'. In this case the survey question was tested multiple times by people with different levels of expertise and experience and was fully qualified as a good question. Indeed, no politician at any level of government has challenged the question for any reason.

**17.** Wellar, Barry. 1976. Book review, *The Public Right to Know* by John Crispo, McGraw-Hill Ryerson, Toronto, 1975. Review published in *City Magazine*, March-April 1976. Vol.2 No.1. Toronto, pp.55-56.

**18.** Pertinent research activities investigating this matter include the Locus Charter, developed by the EthicalGEO program of the American Geographical Society (<https://ethicalgeo.org/locus-charter/>). The goal of the Locus Charter is to incentivize government agencies to focus on collecting only those data they legitimately need to conduct their business, and to minimize the data that needlessly identify individuals in society. The Locus Charter and putting it into practice for GIS professionals is the topic of a new GIS Management Academy workshop (<https://www.bespatialontario.ca/News/13104224>).

**19.** In the event that questions arise about the origins of records, reference to 'activities' may help clarify because the term 'activities' refers to all things that are done by or in the name of a local government, and documentation of those activities comprises the records of a local government. For more details see [Thoughts on adding geo-records to the pilot study on best practices for citizen access to public records \(Presentation Slides\)](#).

**20.** All the survey reports can be viewed via the link, <http://wellar.ca/informationresearch/Publications.html>.

**21.** For those to whom the term 'populationing' is new. I suggest a reading of *The Design of Social Research* by Russell Ackoff. I note that using Google for a keyword search is likely a waste of time or a hard slog, because Google only cites material which is posted on web pages, and Ackoff published his book in 1953. So, for those who do not delve into research methods texts, this could be quite the learning experience.

**22.** It seems likely that in the U.S. the proposition about council interchangeability needs to carefully take into account the political stripes of councils, whereas in Canada that condition is much less a factor because the weight of party politics is less pronounced at the municipal level.

**23.** I invite City of Ottawa politicians who disagree with my phrasings to inform me in detail, so that I can pass the comments on to those who participate in this body of this work.

**24.** By way of everyday comparison to the concept of 'open' data, mention of the 'open' road may spawn charming notions of adventure, but that concept reveals little about road conditions regarding traffic volumes, vehicle types, passing lanes, potholes, landslides, black ice, distance between fuel stations, bad drivers, etc. The notion of

'open' data is also superficially appealing and becomes substantive only when associated with operational terms such as free, easy, timely, direct, and online.

**25.** When local governments consider engaging with business entities, such as by public/private partnership (PPP) arrangements, businesses frequently play the proprietary card to restrict public access to the particulars of deals. On its face that argument is bogus whenever taxpayer dollars are involved because, if agreed to, that restriction can preclude taxpayers from holding politicians to standards of transparency and accountability set by citizens. The City of Ottawa has a history of such compromised deals, and lack of access to those deals has prompted use of the phrase 'cone of silence' in broadcast media and social media communications about council affairs.

**26.** If a Code of Conduct for Politicians is in place, it can be an effective means to cause politicians to toe the line on access matters. However, if an ineffectual Integrity Commissioner is responsible for investigating complaints and enforcing the Code of Conduct, then citizens need to look to alternative means to deal with members of council whose actions do not support citizens access to public records.

**27.** See [Interim Report 10. Second Survey Asking Prime Minister Justin Trudeau, Selected Cabinet Ministers, and MP Arya Chandra \(Lib.- Nepean\): Do You Agree that Citizens are Entitled to Free, Easy, Timely, and Direct Online Access to the Public Records Held by the Government of Canada?](#); [Interim Report 11. Using Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring Access to Public Records in Canada Is Best Practice: Federal Cabinet Score after Second Survey -- Political Buzzwords, 100%; Drivers, 0%](#); [Interim Report 14. Asking the Question: Is Freedom of Information Legislation a Citizens' Conduit to Public Records, or an Institutional Barrier to Public Records?](#) and, [Interim Report 15. Identifying Tactics Used by Politicians to Restrict Citizens' Access to Public Records.](#)

**28.** The phrase 'level of government closest to the people' is intended to create a sense of citizen-government intimacy, but that notion is hollow if municipal councils fail to inform and listen to citizens in an appropriate manner as defined by citizens.

**29.** Public access to public records is widely touted as a cornerstone of a free and democratic society, and I have never heard or seen evidence of any politician anywhere saying no to that principle. However, achieving that cornerstone in practice via free, easy, timely, direct, and online access to records is quite something else in Ottawa and perhaps in other local governments.

**30.** In an op-ed column in the Ottawa Citizen I suggested this route for citizens who want to go one-on-one with municipal politicians about better access to public records: <https://ottawacitizen.com/opinion/wellar-city-of-ottawa-needs-to-be-more-transparent-only-voters-can-make-that-happen>.

**31.** In addition to naming non-respondents to chairs and vice-chairs of council committees, a number of other contributions by Ottawa council to the index research agenda are contained in [\*Interim Report 23. Analysis and Implications of Survey #1, City of Ottawa Mayor and Councillors, 2022-2026: Do You Agree that Citizens Are Entitled to Free, Easy, Timely, and Direct Online Access to the Public Records Held by the City of Ottawa?\*](#).

## **Appendix A**

For the convenience of readers, the session abstract is included as Appendix A.

### **Best Practice Standards for Citizens' Access to Spatial Records Held by Local Governments**

*Panel session at GIS-Pro 2023*

#### **Abstract**

Typically, 80 per cent or more of the records held by local governments have a geographic aspect. However, a relatively small amount of attention has been given to developing best practice standards for citizens' access to spatial records held by local governments.

As a result, citizens in many localities encounter political, institutional, legal, technological, technical, and other obstacles to obtaining spatial records about their own properties and neighbourhoods, as well as about city-wide policy, planning, program, and operational activities undertaken by their local governments.

A two-stage process is used for this session.

First, a pre-conference synopsis report is posted on the results and implications of four surveys (2020-2023) asking members of council, City of Ottawa, if they agree that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa records (<http://wellar.ca/informationresearch/Publications.html>).

The survey design is an empirical pre-test of a methodology for identifying best practice standards for citizens' access to public records.

Further, the survey results provide an initial set of talking points for session presentations and discussions about how to frame the narrative between citizens and

politicians to develop and implement best practice standards for citizens' access to spatial records held by local governments.

Those empirical materials are context for presentations and discussions about best practice standards for citizens' access to spatial records held by local governments, a topic that is overdue for detailed and action-oriented consideration and action by URISA, GISCI, and GISPs.

And, finally and importantly, this session serves as a benchmark contribution to engaging citizens and their elected officials in common cause to ensure the adoption of best practice standards for citizens' access to spatial records held by local governments.

