

**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?
Survey #2**

Dr. Barry Wellar

Professor Emeritus, University of Ottawa
President, Information Research Board Inc.

wellar.barry@gmail.com

*Interim Report 25, Research Project Chronicling the Use of
Transparency and Accountability as Political Buzzwords, or
as Drivers Ensuring the Standard of Access to Public
Records in Canada Is Best Practice*

March 20, 2024

A. Background for Survey #2 of City of Ottawa Politicians, 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?

Three sets of background materials are pertinent to this report.

The first background materials are presented in [Interim Report 22. 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? Survey #1](#) which was published January 12, 2023. Those materials also hold for this report. **(1)**

The second background materials are the results of survey #1, which provide context for survey #2. The results of survey #1 are presented in Table 1.

As shown in Table 1, ten members of council -- **Bradley, Brockington, Brown, Devine, Johnson, Kavanagh, King, Kitts, Luloff, and Menard** -- responded “yes” to the survey question, and fifteen members of council -- **Sutcliffe, Carr, Curry, Darouze, Desroches, Dudas, Gower, Hill, Hubley, Kelly, Leiper, Lo, Plante, Tierney, and Troster** -- did not respond “yes” to the survey question,

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?

Since the non-respondents did not respond to survey #1, all we know as a result of emailing them the survey question, *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?* is that these 15 politicians did not reply, and all else is speculation. **(2)**

What we wish to ascertain with survey #2, therefore, is whether any of the 15 non-responders to survey #1 now respond that they agree citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa.

The third body of background materials are communications between the publication of survey #1 reports on January 12, 2023, and February 3, 2023, and the notice which was emailed to council members on February 27, 2024, regarding survey #2.

These communications are a lead-up to survey #2, and are presented in section B.

Table 1. Yes and Not Yes Results from Survey #1 Asking 2022-2026 City of Ottawa Politicians, *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?*

<u>Member of Council</u>	<u>Response*</u>
Mayor Mark Sutcliffe	Not Yes
Councillor Jessica Bradley	YES
Councillor Riley Brockington	YES
Councillor David Brown	YES
Councillor Marty Carr	Not Yes
Councillor Cathy Curry	Not Yes
Councillor George Darouze	Not Yes
Councillor Steve Desroches	Not Yes
Councillor Sean Devine	YES
Councillor Laura Dudas	Not Yes
Councillor Glen Gower	Not Yes
Councillor David Hill	Not Yes
Councillor Allan Hubley	Not Yes
Councillor Laine Johnson	YES
Councillor Theresa Kavanagh	YES
Councillor Clarke Kelly	Not Yes
Councillor Rawlson King	YES
Councillor Catherine Kitts	YES
Councillor Jeff Leiper	Not Yes
Councillor Wilson Lo	Not Yes
Councillor Matt Luloff	YES
Councillor Shawn Menard	YES
Councillor Stéphanie Plante	Not Yes
Councillor Tim Tierney	Not Yes
Councillor Ariel Troster	Not Yes

***LEGEND:** Yes means the member of council agrees that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa.

B. Post-Survey #1 Communications Pertinent to Survey #2 and Council Members' Positions on Public Access to City of Ottawa Records

During the 2018-2022 term, numerous complaints were lodged on broadcast media and social media about council failures of transparency and accountability, and frequent references were made to a 'cone of silence' that seemingly prevailed for the entire term at the council level.

However, there were no substantive signals and no actions from then Mayor Jim Watson or the provincial government that transparency, accountability and public access to public records needed to become more than just buzzwords or empty phrases if council is to obtain the trust of citizens. **(3)**

And when the results of survey #1 had 60% of the 2022-2026 council on the non-respondent side, including Mayor Mark Sutcliffe and six councillors of the 2018-2022 council who had not responded to any of three surveys (Darouze, Dudas, Gower, Hubley, Leiper, and Tierney), the value of proceeding with further surveys as a research tool came into question. **(4)**

That concern was seemingly misplaced, and the value of the surveys was seemingly confirmed when Mayor Mark Sutcliffe made a statement in a media interview which seemingly committed council and staff to a new day at city hall regarding transparency and accountability.

And which, as a seemingly necessary corollary, seemingly committed council to ensure citizens had free, easy, timely, and direct online access to records in order for citizens to hold politicians to standards of transparency and accountability set by citizens.

The pertinent communications follow as Exhibits A to G.

Exhibit A. Email to Mark Sutcliffe re 'Cone of Silence', RTG File

From: wellar.barry@gmail.com <wellar.barry@gmail.com>

Sent: Sunday, February 5, 2023 9:44 PM

To: 'Mark Sutcliffe' <Mark.Sutcliffe@ottawa.ca>

Cc: 'Laine Johnson' <Laine.Johnson@ottawa.ca>; 'George A. Neville' <george.neville@ncf.ca>; 'douglasarnold douglasarnold' <douglasarnold@sympatico.ca>; 'le hibou' <ottawaowl2@yahoo.ca>; 'Horizon Ottawa' <info@horizonottawa.ca>; 'Charles Ficner' <ec323@ncf.ca>; 'Ange Holmes' <ange.holmes@ryerson.ca>; nylamil48@gmail.com; bdeachman@postmedia.com; 'Erwin Dreessen' <erwin_dreessen@ncf.ca>; 'kenrubin' <kenrubin@rogers.com>; and Ottawa Council

Subject: Re: Settlement with RTG

Mayor Mark Sutcliffe City of Ottawa

Re: Settlement with RTG.

Given the repeated bungling of the RTG file, I wish to have full access to the settlement details. I have been searching for same via the City of Ottawa website, but without success.

However, my failure in that regard became clear while catching up on my news reading. The Andrew Duffy column in the Ottawa Citizen of January 29, 2023, reports that a financial settlement has been reached between the City of Ottawa and RTG. Say what?

And, I also see, despite the numerous mistakes made on the RTG file during the last term of council, that we have more of the same old, same old 'cone of silence' M.O. with the terms of the settlement not being made public, and are to remain confidential according to Renee Amilcar, the city's general manager of transit services. Say what?.

Whatever are you and city staff thinking?

Good grief, it flies in the face of good sense and good governance that you or anyone else at city hall who is in service to citizens would think even for a careless moment that citizens are to be precluded from seeing what you or anyone else is doing with our money.

I want to see the details of that settlement, because I have zero confidence after repeated instances of bungling over many months by politicians and staff that the settlement is in the best interests of me as a taxpayer.

Please provide me the link to all the pertinent records at the earliest moment.

Thank you.

Barry Wellar
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

Comment. No response was received from Mayor Sutcliffe, which means no link was received providing access to the RTG file, and, seemingly, just several months after assuming office, more of the same old, same old, cone of silence tactic is employed by

the new mayor that was frequently associated with former mayor Jim Watson. Shades of *déjà vu* all over again, one might say.

Exhibit B. Email informing Mayor Sutcliffe of publications reporting on citizens' access to public records

Sent: Thursday, August 10, 2023, 9:28 PM

To: Mark Sutcliffe <Mark.Sutcliffe@ottawa.ca>

Cc: George A. Neville <george.neville@ncf.ca>; 'douglasarnold douglasarnold' <douglasarnold@sympatico.ca>; 'Ange Holmes' <ange.holmes@ryerson.ca>

Subject: Your contribution to GIS-Pro 2023 presentation on Contributions by City of Ottawa Council to Best Practice Standards for Citizens' Access to Spatial Records Held by Local Governments

Mayor Mark Sutcliffe

I write to acknowledge your contribution to several documents on the matter of public access to public records held by the City of Ottawa in particular, and by local governments in general. The published documents are as follows:

[Interim Report 22. 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? Survey #1](#)

[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?](#)

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

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

Two GIS-Pro 2023 documents that will be published in due course are:

Best Practice Standards for Citizens' Access to Spatial Records Held by Local Governments (Abstract, GIS-Pro 2023 session).

Session on Best Practice Standards for Citizens' Access to Spatial Records Held by Local Governments (Session keynote, PowerPoint slide deck, GIS-Pro 2023)

The PowerPoint slide deck will be published in due course and will be available to you through any City of Ottawa employee who is a member of URISA which is responsible for the GIS-Pro 2023 conference.

Sincerely,

Barry Wellar

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of
Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
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<http://wellar.ca/informationresearch/>

Comment. No response was received from Mayor Sutcliffe, even though all publications contain accredited discussions about how ensuring citizens have free, easy, timely, and direct online access to City of Ottawa records is a significant means of increasing politicians' transparency and accountability and, perhaps, the level of trust accorded them by residents.

Exhibit C. Breaking news in Ottawa Citizen story, August 23, 2023. Sutcliffe declares increasing trust, transparency, and accountability enormous priority

Wendy Stephanson named Ottawa's new city manager.

"I talked about how important it was to restore trust, not only with our residents, but with council as well."

Blair Crawford

Published Aug 23, 2023

Wendy Stephanson has been named Ottawa's new city manager, taking over a post she had filled on an interim basis for the past eight months.

Stephanson's appointment was announced Wednesday after an in-camera session of Ottawa city council. Stephanson, one of 10 candidates for the job, had been the city's chief financial officer before she stepped in to fill the vacancy created by the resignation of former city manager Steve Kanellakos last November.

“I’m very much looking forward to working with Wendy Stephanson to make our city safer, more reliable, and more affordable,” Mayor Mark Sutcliffe announced on X, the social media platform formerly known as Twitter.

In making the announcement, Sutcliffe said, “We chose the absolute best candidate for the job.”

Stephanson is a graduate of the Telfer School of Management at the University of Ottawa and studied commerce at Carleton University. She has worked for the city for more than 23 years.

The position pays a maximum salary of \$392,655. Stephanson’s five-year term expires in 2028.

Stephanson became the city’s top bureaucrat after the sudden resignation of Kanellakos just days before the damning public inquiry into the Confederation Line LRT was released last November. In his report, Justice William Hourigan laid blame on Kanellakos and former mayor Jim Watson for a “willful and deliberate” decision to withhold information about the train’s poor performance in testing from council.

Hourigan specifically blamed Kanellakos for issuing “misleading” memos to council that were “inconsistent with the reality.”

Speaking to reporters after Wednesday’s meeting, Sutcliffe said increasing trust, transparency and accountability was “an enormous priority for me.” (Bold added)

“I know it’s a priority for Wendy as well. We spoke about it during the interview process, the need to increase trust in city services, including light rail,” Sutcliffe said.

Stephanson echoed the mayor, saying she planned a three-pronged approach: good communication, increased transparency and providing reliable service.

“I talked about how important it was to restore trust, not only with our residents, but with council as well,” Stephanson told reporters.

“It’s going to take time, there’s no question, and we’re taking steps towards that. I hope everybody sees that.”

<https://ottawacitizen.com/news/local-news/wendy-stephanson-named-ottawas-new-city-manager>

Comment. Statements by Mayor Sutcliffe and new city manager Wendy Stephanson about restoring and increasing trust, transparency, and accountability confirm that the

cone of silence/secret problem at Ottawa city hall was caused by politicians and staff, and that politicians and staff are obliged to fix the cone of silence/secret problem.

Moreover, while fixing the cone of silence/secret problem is just one of many priorities for Mayor Sutcliffe, it is deemed a ‘**tremendous priority**’ for him and, presumably, members of council and city staff.

The news article did not elaborate what Mayor Sutcliffe meant by “tremendous priority”, but residents interpreted his remarks to mean that his actions and those of council and staff to restore and increase trust, transparency, and accountability would be first and foremost, right off the bat, no excuses, immediate, comprehensive, no secrecy stone left unturned, no councillor or staffer left behind, no directive about improving public access to public records left unsaid, the cone of silence totally gone, etc., etc.

On its face, therefore, the interview statements seemingly amounted to a charge to council to do whatever it takes to ensure that in order to earn their trust, residents have the means in the first instance to hold council and staff to standards of transparency and accountability set by residents. (5)

D. Email communication to Mayor Mark Sutcliffe Re: Transparency, communication top new city manager's agenda, Ottawa Citizen, August 24, 2023

From: wellar.barry@gmail.com <wellar.barry@gmail.com>

Sent: Wednesday, August 30, 2023 9:45 PM

To: Mark Sutcliffe <Mark.Sutcliffe@ottawa.ca>; + Ottawa Council

Cc: George A. Neville <george.neville@ncf.ca>; 'douglasarnold douglasarnold' <douglasarnold@sympatico.ca>; 'Ange Holmes' <ange.holmes@ryerson.ca>; 'Horizon Ottawa' <info@horizonottawa.ca>; 'Ecology Ottawa' <info@ecologyottawa.ca>; wellar.barry@gmail.com; Wendy.Stephanson@ottawa.ca; 'Greg Babinski' <gbabinski@gmail.com>; 'Ed Wells' <ed.wells@gmail.com>; pcroswell@croswell-schulte.com; 'Steve Steinberg' <SSteinberg@isd.lacounty.gov>; 'Martha Wells' <martha.wells1@gmail.com>

Subject: Re: Transparency, communication top new city manager's agenda, Ottawa Citizen, August 24, 2023.

Dear Mayor Mark Sutcliffe,

Re: Transparency, communication top new city manager's agenda, Ottawa Citizen, August 24, 2023.

The article by Blair Crawford states that after the council meeting you met with reporters, and according to his account “... Sutcliffe said increasing trust, transparency, and accountability was an enormous priority for me.”

I presume the past tense “was” also applies to the present, and it is fair and accurate to say that what you meant is “increasing trust, transparency, and accountability is an enormous priority for me” and, I presume, by extension you mean council.

This communication proceeds on that understanding but, if it is in error, please so advise at your earliest opportunity.

In recent years I surveyed members of two City of Ottawa councils, including this council, to attempt to measure members’ regard for transparency and accountability in principle and in practice.

For reasons discussed in a number of posted reports (<http://wellar.ca/informationresearch/Publications.html>), the means used in the survey to measure City of Ottawa council members’ regard for transparency and accountability is the question:

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

The premise is that at minimum those are the conditions which must be met for citizens to have the level of access to City of Ottawa public records needed to hold politicians to levels of trust, transparency, and accountability set by citizens.

I look forward to learning at the earliest moment your position and that of council on what practices have been or are identified, and their schedules for adoption and implementation by council to improve citizens access to the evidence needed to establish the validity of claims about trust, transparency and accountability which are achieved by you and other members of the City of Ottawa 2022-2026 council.

Thank you.

Barry Wellar

Dr. Barry Wellar, C.M., Professor emeritus, University of Ottawa, President, Information Research Board

Comment. Based on more than 50 years of experience dealing with politicians, I believe it is prudent to attempt to ascertain at the earliest moment the likelihood that words will be followed by actions, hence the final paragraph. **(6)**

“I look forward to learning at the earliest moment your position and that of council on what practices have been or are identified, and their schedules for adoption and implementation by council to improve citizens access to the evidence needed to

establish the validity of claims about trust, transparency and accountability which are achieved by you and other members of the City of Ottawa 2022-2026 council.”

Exhibit E. Letter, Ottawa Citizen, Three Questions on Transparency, Saturday Sept. 2, 2023

<https://ottawacitizen.com/opinion/todays-letters-24-sussex-drive-is-part-of-our-history-preserve-it>

Three questions on transparency

Re: Transparency, communication top new city manager’s agenda, Aug. 24.

If rhetoric counted, the City of Ottawa would be top-ranked in promises about trust, transparency, and accountability.

However, in the real world rhetoric does not count, especially when most members of two councils, including mayors Jim Watson and Mark Sutcliffe, did not respond to recent surveys asking the question, “Do you agree that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records?”

That level of access to public records is the only way to hold politicians to levels of trust, transparency and accountability set by citizens.

As the survey author, I have three questions to ask Sutcliffe on behalf of citizens:

1. Do you agree that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records?
2. If you agree, what are you doing to ensure that level of access is achieved to the standard of best practice?
3. If you do not agree, what are you doing to ensure that citizens have proper access to the evidence needed to establish that claims about trust, transparency and accountability are the real deal and not just empty rhetoric?

I suggest that Mayor Sutcliffe reply on these pages.

Barry Wellar,
Ottawa

Comment. Following the adage, “Strike while the iron is hot”, within a week of Sutcliffe’s remarks presented in Exhibit C, this letter was published in the Ottawa Citizen to emphasize that talk is cheap in the access to records domain, and that action which speaks for itself needs to be taken to earn trust. To my knowledge Mayor Sutcliffe did not explain himself on the pages of the Ottawa Citizen which published his remarks about transparency, accountability, and trust. And, if he did publish an explanation, neither he nor anyone else brought his explanation to my attention.

Exhibit F. Email asking for information about a news article, “Ottawa councillor wants audit of new land parcels, Ottawa Citizen, Sept. 15

From: wellar.barry@gmail.com <wellar.barry@gmail.com>
Sent: Monday, September 18, 2023, 4:28 PM
To: Mark Sutcliffe <Mark.Sutcliffe@ottawa.ca>
Cc: George A. Neville <george.neville@ncf.ca>; 'douglasarnold douglasarnold' <douglasarnold@sympatico.ca>; wellar.barry@gmail.com; + Ottawa Council
Subject: Ottawa councillor wants audit of new land parcels, Ottawa Citizen, Sept. 15.

Mayor Sutcliffe,

Re: Ottawa councillor wants audit of new land parcels, Ottawa Citizen, Sept. 15.

Based on my experience as a Registered Professional Planner (RPP) and a member of OPPI for more 35 years, I believe that Councillor Shawn Menard is correct to bring a motion to council requesting the Ontario Auditor General investigate the arbitrary decision by disgraced former Municipal Affairs and Housing Minister Steve Clark to designate lands for development outside the current city boundary.

In brief, because those lands are not serviced, and the Ford government has cut development fees, all capital costs will fall on Ottawa taxpayers and there will have to be increases in property taxes to maintain any added services. Clearly those are wasted tax dollars.

Further, I have seen no evidence that substantive analysis was done to support any contention of good planning, much less a determination of highest and best use.

Moreover, due to location shortcomings and high building costs, it is likely that very few affordable housing units will be built on lands outside the current city boundary.

However, in addition to issues with you arising because you did not lead council to immediately challenge what is an obviously nonsensical initiative by Steve Clark and the Ford government, serious concerns arise over a statement attributed to you that you are not interested in revisiting past decisions.

On its face the statement seems to be beyond bizarre, because most decisions made by this council and any other council are derived from and/or affected by decisions made by prior councils.

Cases in point demonstrating that this council will spend a great deal of time revisiting decisions made by previous councils include those made regarding big ticket items such as the LRT, Lansdowne, transit, waste disposal, police budgets, the hockey stadium, public housing, the convoy occupation, the Official Plan, the baseball stadium, the pedestrians' safety plan, the urban boundary plan, etc., etc.

If you are misquoted in the article, or misrepresented your position, please clarify.

On the other hand, if what you said or meant is not at issue, please explain how you intend to govern in a political environment which is far from *de novo*.

Dr. Barry Wellar, Professor Emeritus, University of Ottawa, Ontario Registered Professional Planner (ret.), Nepean

Comment. In an Ottawa Citizen news item published August 23, 2023, Mayor Sutcliffe states that trust, transparency, and accountability are of tremendous priority for him.

However, as noted in the email, in a news item published September 15, 2023, just three weeks later, he is reported to have declared that he is not interested in revisiting past decisions.

That declaration is puzzling at best because most decisions made by this council and any other council are derived from and/or affected by decisions made by prior councils.

No reply was received to a communication seeking an explanation of how the objectives of transparency, accountability, and trust are achieved by refusing to revisit prior decisions.

Exhibit G. Email communication to mayor and council regarding news item about improper lobbying by staff for a dirt dump

From: wellar.barry@gmail.com <wellar.barry@gmail.com>

Sent: Saturday, November 25, 2023 5:05 PM

To: Mark Sutcliffe <Mark.Sutcliffe@ottawa.ca>; George A. Neville <george.neville@ncf.ca>; 'doug arnold' <douglasarnold@sympatico.ca>; 'Horizon Ottawa' <info@horizonottawa.ca>; 'Erwin Dreessen' <erwin_dreessen@ncf.ca>; 'info' <info@ecologyottawa.ca>; 'Gordon Plunkett' <gplunkett@esri.ca>; 'Michael Sawada' <Michael.Sawada@uottawa.ca>; 'Info Sandra Crutcher' <info@bespatialontario.ca>; 'Marikka Williams' <Marikka.Williams@flemingcollege.ca>; **Cc:** arthur.white-

crummey@cbc.ca.; wellar.barry@gmail.com; + Ottawa Council

Subject: City officials improperly lobbied for Barrhaven development, AG finds --
Inappropriate letter urged conservation authority to approve massive dirt dump, report finds

Mayor Mark Sutcliffe and Councillors,

Re: City officials improperly lobbied for Barrhaven development, AG finds --
Inappropriate letter urged conservation authority to approve massive dirt dump, report finds

<https://www.cbc.ca/news/canada/ottawa/auditor-conservancy-barrhaven-ottawa-caivan-report-1.7037648>

As we are inclined to ask in the GISP and general GIS research communities,

What is the full story behind this slap in the face to even the loosest notions of why and how trust, transparency, and accountability are imbedded in digital and non-digital maps developed by and for the City of Ottawa for policy, plan, program, or operations purposes?

As a taxpayer, I request that mayor and councillors ensure that the answer to the question posed above is made available to taxpayers at a best practices level in the immediate future.

Further, as an RPP (ret.), and a GISP (ret.) and C.M. who publishes on GIS topics, including reports about the City of Ottawa which have previously been brought to your attention, I expect that the “full story” will in fact be the “full story” ready for direct inclusion in professional publications.

Thank you.

Dr. Barry Wellar, C.M., GISP
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Comment. This communication speaks directly to the trust, transparency, and accountability commitments given in the Exhibit C news item. **(7)**

No response was received from Mayor Sutcliffe or city manager Stephanson on his behalf, or the chair of the Audit Committee.

I was directed by Councillor Laine Johnson to a recorded meeting of the Audit Committee, but the discussion did not answer the questions asked about trust, transparency, and accountability.

For the purposes of survey #2 the critical communication in section B is Exhibit C.

Breaking news: Sutcliffe declares increasing trust, transparency and accountability enormous priority, and the critical paragraph is,

“Speaking to reporters after Wednesday’s meeting, Sutcliffe said increasing trust, transparency and accountability was an enormous priority for me.”

I do not know how many other matters are of tremendous priority to Mayor Sutcliffe, and despite repeated requests I have not been able to ascertain what he has done or plans to do to achieve his tremendous priority to increase trust, transparency, and accountability of City of Ottawa politicians and staff.

Perhaps the results of survey #2 in section C may assist in answering those questions.

C. Results of survey asking non-respondents to survey #1, 2022-2026 Council, Do you agree that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records?

The results of survey #1 were posted January 12, 2023, and the analysis of those results and their implications were posted February 3, 2023. **(8)**

More than 12 months and hundreds of related experiences have passed between the two surveys, which should be ample time for members of council to give this project all due consideration. Or, to re-phrase, given the same three surveys were administered to the 2018-2022 council, the many thousands of broadcast media and social media items that appear every month on the topic of public access to public records, and a survey administered to this council a year ago, all members of council should be totally up to speed regarding the survey question.

Further, to perhaps jog memories or stir council member's communications staff to action, an email communication was sent to all members of the **NOT YES** camp reminding them of survey #2. The reminder email is presented as Exhibit H. The communication sent to Mayor Mark Sutcliffe is used for illustrative purposes.

Exhibit H. Reminder communication to mayor and councillors in the NOT YES camp about survey #2

From: wellar.barry@gmail.com <wellar.barry@gmail.com>

Sent: Tuesday, February 27, 2024 11:05 AM

To: Mark Sutcliffe <Mark.Sutcliffe@ottawa.ca>

Cc: wellar.barry@gmail.com; 'George A. Neville' <george.neville@ncf.ca>; 'douglasarnold' <douglasarnold@sympatico.ca>; 'le hibou' <ottawaowl2@yahoo.ca>; 'Ange Holmes' <ange.holmes@ryerson.ca>; 'Horizon Ottawa' <info@horizonottawa.ca>; nylamiles48@gmail.com

Subject: Ottawa Council, 2022-2026, Public access to public records, transparency and accountability survey 2.

Mayor Mark Sutcliffe,

On November 17, 2022, 9:57 AM you were sent an email with the subject heading, Ottawa Council, 2022-2026, Public access to public records, transparency, and accountability survey 1#.

The survey question was,

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?

You were asked to please provide a YES or NO response by return email.

As noted in the survey report, [Interim Report 22. 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? Survey #1](#) you did not respond yes or no.

In the absence of a yes or no response to survey #1, the same question is asked again in survey #2.

Mayor Sutcliffe,

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?

Please respond by return email.

Given that the second survey uses the same question as the first survey, as well as for research scheduling and report production reasons, the due date for responses is March 15, 2024.

Thank you.

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The results of the initial and reminder communications about survey #2 are presented in Table 2.

As shown in Table 2, only councillor Ariel Troster changed position from **Not Yes** to **Yes**.

The other member of council who responded to survey #2 was Councillor George Darouze. His response is discussed in interim report 27 which presents an analysis and implications commentary of the results of survey #2.

D. Conclusion

There is nothing to indicate that the survey procedure did not perform in a manner consistent with the four previous surveys, and no issues have been raised to challenge its validity.

Consequently, the results shown in Table 2 are deemed to accurately represent the positions of the 15 members of council to whom survey #2 is addressed, asking them,

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?

With the movement of one member of council to the “Yes” side, the Ottawa municipal council now stands at 11 members council who respond yes to the question, ***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?***, and 14 who do not respond yes to that question.

Table 2. Yes and Not Yes Results from Survey #2 Asking 2022-2026 City of Ottawa Politicians who did not reply ‘Yes’ to survey #1, *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?*

<u>Member of Council</u>	<u>Response*</u>
Mayor Mark Sutcliffe	Not Yes
Councillor Marty Carr	Not Yes
Councillor Cathy Curry	Not Yes
Councillor George Darouze	Not Yes
Councillor Steve Desroches	Not Yes
Councillor Laura Dudas	Not Yes
Councillor Glen Gower	Not Yes
Councillor David Hill	Not Yes
Councillor Allan Hubley	Not Yes
Councillor Clarke Kelly	Not Yes
Councillor Jeff Leiper	Not Yes
Councillor Wilson Lo	Not Yes
Councillor Stéphanie Plante	Not Yes
Councillor Tim Tierney	Not Yes
Councillor Ariel Troster	Yes

***LEGEND:** Yes means the member of council agrees that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa

The survey question has now been administered twice to all members of the 2022-2026 council and as many as five times to members of both the 2018-2022 and 2022-2026 councils who have not agreed that citizens are entitled to free easy, timely, and direct online access to City of Ottawa public records.

Interim reports 27A and 27B present an analysis of the results of survey #2, and their implications for citizens being provided free, easy, timely, and direct online access to City of Ottawa public records during the 2022-2026 Ottawa council term.

E. Endnotes

1. Rather than repeat details or attempt a summary which could serve some researchers and not others, the reader is referred to the original publication.
2. Speculations about habits, inclinations, tendencies, motivations, etc., of council non-respondents include: did not read the material; did not understand the material; unwilling to openly admit position that citizens are not entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa; just chose to ignore the survey; and, fearful of being called on to demonstrate actual support for citizens having free, easy, timely, and direct online access to city records.
3. On April 14, 2021, the Ontario Ministry of Municipal Affairs and Housing (MAH) announced Consultation: Strengthening accountability for municipal council members. <https://www.ontario.ca/page/consultation-strengthening-accountability-municipalcouncil-members#section-0>. On April 30, 2021, the Information Research Board posted the report, [Response to Notice about Consultation and Survey: Strengthening Accountability for Municipal Council Members](#). At the time of this writing in March, 2024, some 153 weeks after the announcement by the Ontario Ministry of Municipal Affairs and Housing (MAH) of the accountability consultation, numerous inquiries to former MAH Minister Steve Clark and current MAH Minister Paul Calandra, Premier Doug Ford, my MPP (Nepean) Lisa MacLeod, and other MPPs, have not succeeded in obtaining any information about the state of the accountability consultation, much less any publications, internet postings, or other bodies of evidence which confirm that the accountability consultation was even launched much less undertaken.
4. Mayor Mark Sutcliffe refers to 'transparency' 'accountability', and 'trust' in his interview remarks but, and this is a matter of major concern, no materials have been located in which he defines in operational terms what he means by any of them so that council's progress in achieving 'transparency' 'accountability', and 'trust' can be measured and evaluated by citizens.

As a related case in point about vagueness, no signs have been located that the City of Ottawa has a robust operational definition of 'affordable housing', which could explain in part why that critical file is murky at best.

On the evidence, it is way past time for mayor and councillors to define core terms, and especially when they use them in media pieces and then do not answer questions about what they mean when they use core terms without explanation.

5. Previous reports in this series are among the millions of productions which document the challenges of holding politicians at any level accountable, and the strategies, tactics, and actions employed by citizens, community associations, and public interest groups to do so.

Publishing the results of surveys asking politicians if they agree citizens are entitled to free, easy, timely, and direct online access to records to hold politicians accountable is consistent with such practices by its goal to distinguish public interest politicians from self-serving individuals and/or vested interest ‘hacks’.

However, and as seen in the surveys of members of both the 2018-2022 and 2022-2026 Ottawa councils, even municipal politicians who claim to be the politicians closest to the people can ignore the public’s right to know the reasons behind politicians’ decisions, and especially the reasons behind what they are doing with citizens’ taxes, and citizens’ assets such as the public records held by the municipal government on behalf of the municipality’s citizens.

6. It is the job of mayor and councillors to ensure that members of staff have all due regard for the “tremendous priority” which the mayor on behalf of himself and, presumably, council, claims to attach to matters of trust, transparency, and accountability.

The failure of Mayor Sutcliffe or city manager Stephanson to respond to an inquiry about the AG finding of improper behaviour by staff seems to make a mockery of the “tremendous priority” claim.

Moreover, as a Registered Professional Planner (Lifetime) in Ontario, other questions of a Code of Conduct nature arise which are not dealt with by non-responses to reasonable questions.

7. Whether the results of survey #2 reveal anything about what Mayor Sutcliffe has done to achieve his “tremendous priority” of improving trust, transparency and accountability of council and staff is discussed in interim reports 26, 27A and 27B.

8. The links are [Interim Report 22. 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? Survey #1](#), and [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?](#)

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