MONCTON

Enhancing Democracy Final report

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2016

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Background

The Enhancing Democracy Committee, an independent citizen panel, was formed by a resolution of Council, as a result of the report on Enhancing Democracy presented to Council in 2011. The committee was given the mandate "Explore measures to enhance participatory and representative democracy in the city". To achieve this mandate, the Committee was tasked to:

- Consult the City's residents to obtain their perspectives
- Consult present and former members of City Council
- Present finding before December 15, 2014

The committee provided a preliminary report to Council on December 14, 2014 on the consultation and information collected since its inception in August 2014. Prior to the presentation in December 2014, the committee met on five different occasions and reviewed the previous city reports, research data from resident surveys about citizen engagement, initial comments from Councillors, as well as, examples of engagement initiatives from other jurisdictions. Based on these reviews, the committee identified four key themes for action:

- Municipal Education
- Eliminating Barriers
- Citizen Engagement
- Transparency & Accountability

The decision to extend the Committee's mandate based on the interim report came about because the value of the initial work was clear, but it was identified that there needed to be additional research and discussion to identify the specific activities to prioritize as Actions in the final report.

Following the interim report, the Committee was asked to review the compensation for Councillors as part of its work. The Committee had identified increased clarity of the role and responsibilities of Councillors as a key item under Transparency and Accountability, and the benefit of linking this work with a compensation model based on a clearly defined role made sense. The remaining eleven (11) meetings of the Committee involved additional consultations, development of the proposed role and responsibility document and compensation model, as well as finalizing the other action items related to the four key themes.

Much of the Committee's work was achieved through dialogue and questioning: with experts in certain areas, with current and former Councillors and with each other. To best explain our perspective on Enhancing Democracy it was thought that by presenting much of what was

discussed in the form of questions rather than lengthy lectures that people could focus on the questions that interest them and determine their own answers as well.

The Committee consisted of the following members:

- Flora Dell
- David Gingras
- Daniel Lang
- Kim Rayworth
- Frank Vandenburg
- Mathieu Wade

The Committee wishes to thank all of the individuals who assisted with this task, and who provided information and feedback throughout the Committee's mandate .

Q. Why were you chosen for the Enhancing Democracy Committee?
A. The members of the Enhancing Democracy Committee were a diverse group of people, with different lives and experiences, some of whom had little interaction with Municipal Government, and others with more experience. There was also diversity of language, age, sector of work, all of which gave us different life experiences and understandings.

Q. What does "Enhancing Democracy" mean?
A. We realized when we first sat down together that we thought the question was simple, but by the time we finished the first meeting we realized it was somewhat more complicated. Some had thought of it primarily in terms of increasing the percentage of eligible voters who voted in Municipal elections. Others were thinking about citizens' rights and advocating for causes that were important. The question of encouraging good people to offer for City Council was also brought forward, along with the structural barriers that prevent many people from participating in the process.

In the end we came to the conclusion that a Municipal government that educated citizens about its role, and provided information on issues and decisions; as well as transparency in the performance of Councillors and the Mayor would engage citizens and increase participation, both in voting and offering for Council.

Q. Why not just make it the law that everyone has to vote?
A. We looked at that idea, which has been implemented in some countries, and while it has increased voter turnout, none of the evidence we saw suggested that people were more engaged in the elections, or that they were better informed about the issues to make better decisions. We decided that education and information could produce a better result.

Municipal Education

Q. What's the big deal about Municipal Education? Why can't people simply vote?

A. Over and over we heard the same comment: "People don't understand the role of Municipal government". We heard it from Councillors, past and present, from presenter from Elections NB, from citizens and each other. Often requests were made regarding issues that are the responsibility of the Provincial or Federal government, and when these issues weren't addressed by Council people disengaged. Clearly explaining the role and responsibilities of Municipal Government will help people to make the proper choice when contacting someone, and ensure greater success in engaging in advocacy. Research also suggests that young people who learn about the importance of civic engagement, and who have the opportunity to advocate for causes that concern them become voters and civic participants throughout their lives.

Q. What sorts of Municipal Education activities have been done in the past?
A. There have been a number of Municipal Education activities involving the City of Moncton. For years, City Hall has worked with local schools, facilitating visits, sending Councillors and staff to speak in classrooms, engaging with Moncton's Youth Committee, among others.

In 2012, prior that year's municipal elections, with the participation of Elections NB, the City of Moncton pioneered a new event: the *Municipal Café*. Set-up as an open house at City Hall, citizens could seek out information on the activities, operations and services provided by the Municipality. This event also served as a tool to engage citizens to become involved in municipal affairs, either by running for office or submitting a request to be appointed to a committee of Council.

In addition, the City of Moncton has encouraged other Elections NB initiatives to engage women interested in Municipal politics, and to encourage voting and electoral participation.

In preparing this report, the Committee also met with current and former members of City Council in a variety of locations during its discussions. The Committee members also conducted two public consultations, in addition to the public survey data that was used. The first, on February 25th, during the City of Moncton Municipal Café, attracted 30 attendees in spite of inclement weather, with 8 individuals making the extra commitment to complete the questionnaire and dialogue with committee members. The 2nd event, on February 27th, at the Moncton Farmers Market, attracted a much larger number of people and 49 completed questionnaires.

While the results were far from statistically valid, they were interesting nonetheless. All respondents (with the exception of a non-citizen, and an individual moving out of Moncton) indicated an intent to vote in the 2016 Municipal Election. While this response vastly differs from the previous participation rate, it does signal good intentions on the part of Monctonians, and may indicate a link between the willingness to participate in dialogue and discussion related to democracy and the commitment to vote.

With regard to changing the voting age to 16, and the preference for part-time or full-time councillors, there were strong divisions among respondents with a variety of reasons being given for their point of view. Some moderated their opinion when provided with more information by Committee members. This demonstrates our conclusion during the life of the committee, that providing information and opportunities for dialogue are the surest path to engagement and participation.

Finally, a majority of respondents gave unprompted endorsements for more municipal education and greater transparency and sharing of information with Monctonians.

Q. So we can simply keep doing what we've been doing?
A. In light of the new research, as well as, the realities of resource constraints and increasing demands, it is essential that we identify the activities that generate the most benefit in terms of educating students and other citizens, so a review of activities is needed, to select the best options for education and engagement going forward.

Q. What other groups need Municipal Education?
A. With immigration a key component of Moncton's future growth, it is vital that newcomers understand the role of Municipal government, both to assist them when they have issues, and to benefit Moncton by their increased participation; and to increase the future diversity of Moncton and its City Council.

Likewise, social and civic groups that have developed around specific causes or issues may require education on how to interact with the City of Moncton to advocate for these causes in the most effective manner possible.

Municipal Education Recommendations
1. That the City of Moncton, in collaboration with other New Brunswick Municipalities request, that New Brunswick School Curriculum related to citizenship, elections and voting be enhanced to reflect the importance of municipal service, municipal elections and include practical activities to reinforce this material.
2. That the City of Moncton, in conjunction with other New Brunswick Municipalities, request that materials being developed for newcomers and refugees coming to New Brunswick include information on municipal government, its role and responsibilities and the importance of

democracy at the municipal level, and that once developed, City officials and staff work with local multicultural organizations to provide this information and respond to any questions that arise.

3. That Council request a review of previous efforts by the City of Moncton to interact with students at City Hall and in local schools, to determine the most effective means of providing access for these students to Municipal officials, with the goal of explaining the role and responsibilities of Municipal government and its impact on youth, with the goal of supporting their understanding of democracy and citizen participation.

4. That the City of Moncton identify a list of citizens' organizations (civic, religious, charitable, service, etc.) that discuss issues related to municipal government and related areas of concern, and provide the leadership of these groups with information on the role and responsibilities of the City of Moncton, upcoming issues and activities, and the opportunity to request a presenter from the City of Moncton to discuss these issues or to hear concerns

Eliminating Barriers

Q. What do you mean by "Eliminating Barriers"?
A. The Committee dedicated a considerable amount of time to the discussion relating to *eliminating barriers,* as many of the discussions identified difficulties faced by voters, civic participants or potential candidates wishing to participate in the democratic process. From difficulties faced by some residents in traveling to City Hall or their poll, to individuals unable to offer as Councillor because of access to support services such as childcare, a number of barriers were identified and discussed by the Committee.

Q. Who did you consult in terms of possible barriers to democracy?
A. In addition to consulting opinion research where citizens were consulted about possible barriers, the Committee also had dialogue with current and former Councillors on the barriers they have experienced or helped others to overcome during their civic involvement. In addition, representatives from Elections NB, Paul Harpelle and Dave Owens, made a presentation to the Committee on the Municipal election process in New Brunswick, and answered questions about initiatives to encourage voting and participation among specific population groups.

Q. Why did you recommend that Permanent Residents be permitted to vote in Municipal elections? Why not wait until they are citizens?
A. In March 2015, the committee met with Thomas Raffy and Moncef Lacaous, two members of the 21Inc initiative who chose municipal voting for permanent residents as their personal project. While the committee had prior discussions on the idea of allowing permanent residents within municipalities to vote, Mr. Raffy and Mr. Lacaous brought to the committee's attention a significant mount of research and information clearly showing the benefits of the proposal. Providing permanent residents with the opportunity to vote would further help integrate newcomers within

our community through our democratic processes and provide them a voice in how our City is run including the services that are provided to them and their families.

By allowing permanent residents the vote, it would also help attract immigrants to our community, because, Moncton will be seen as an immigrant friendly and forward thinking city. It would also enhance the ability of local government to serve all residents in order to better respond to the need for services and well-being of all city residents.

In short, it seemed reasonable that if Moncton was going to collect property taxes, building permits and parking tickets from permanent residents, that they should have some say in how this would occur, and in the decisions that would be made that would affect their future success and happiness most directly.

Through a presentation by Mr. Raffy and Mr. Lacaous, the committee brought the following recommendation to council for ratification on June 15, 2015 and was unanimously adopted by Council.

> *That Moncton City Council communicate to Premier Brian Gallant and Environmental & Local Government Minister Brian Kenny its support for reforming the Municipal Elections Act to allow permanent residents to vote at municipal elections.*

A letter had been forwarded to both Premier Brian Gallant and Environment & Local Government Minister Brian Kenny advising them of the decision of Council. A response letter from Minister Kenny dated July 21, 2015 was received confirming receipt of the letter and indicated *he had taken the information under advisement for further study by his staff*. It is important to note that various other municipalities within New Brunswick adopted similar motions, increasing the likelihood of adoption.

Q. What were your reasons for recommending that Municipal voting be permitted to individuals 16 and older, down from the current age of 18?

A. Our reasoning was very similar to that for permitting Permanent Residents to vote. Individuals are beginning to work and to contribute to taxes and other fees, and thus should have some input into the services they are receiving. Likewise, the research has demonstrated that early voter engagement leads to a lifelong habit of electoral participation. Finally, the Scottish Referendum took place during the Committee's mandate, and it was not lost on us, that if Scotland believed its future independence could be committed into the hands of 16-year old voters, that the City of Moncton would be unlikely to suffer harm in doing the same.

Q. What about E-voting? Would that solve all the access issues and allow more people to vote?

A. In the discussion with the representatives from Elections NB it was shared that the option of e-voting is not an immediate priority, as many other jurisdictions that sought to implement it were forced to abandon it for traditional voting due to unforeseen problems. The municipality of Halifax, NS had implemented e-voting during their last election; however, the results indicated that voter counts did not rise significantly. The issues that need to be solved before e-voting can be considered a viable solution include: the security of electronic voting, ensuring the identity of voters, what to do in case of system failure, etc. These and other issues are being researched by a working group created by Elections NB.

Q. What about voting or access to City Hall by persons with disabilities?

A. Elections NB works diligently to ensure that voting locations are fully accessible and that voting by individuals with disabilities requiring additional assistance is accommodated. Likewise, Moncton City Hall is accessible, and there is periodic review of services by the City of Moncton Accessibility Committee to ensure continued access. Nonetheless, we have recommended consultation with the appropriate groups to ensure no accommodations have been overlooked.

Q. What barriers did you identify with regard to offering for Council?

A. Our consultations and discussions identified a small number of key issues. The primary barrier was accessing information to make an initial decision, combined with the difficulty in gaining a clear understanding of the role and responsibilities of a councillor. These were addressed by the recommendations encouraging the City to make this information more accessible and through the implementation of the Councillor Role and Responsibility document discussed in more detail later in this report.

Related issues included the question of compensation to ensure that those with limited means can meet their financial needs while offering for Council, and access to supports such as childcare, or more flexible scheduling of Council activities. These issues are more structural in nature and more difficult to solve without proper data. The later recommendations on a compensation model and Councillor activity reporting are intended to be initial steps in addressing these barriers, first by providing a clear model with which to determine appropriate compensation, and a means of collecting data about the time and work requirements placed on Councillors, to permit future adjustment of compensation, and a review of activities for possible adjustment to timing and supports, to increase accessibility for all citizens.

Eliminating Barriers Recommendations

1. That Council move a motion of continued support for municipal voting privileges for Permanent Residents and request an update from the Government of New Brunswick with regard to this initiative.

2. That Council move a motion of support for municipal voting privileges for individuals who have reached 16 years of age by the date of the Municipal Election and who meet all other requirements.
3. That Council request that staff consult with the City of Moncton Accessibility Committee to identify any specific barriers to voting during Moncton Municipal elections
4. That the City of Moncton communicate via social media and the City of Moncton website to inform potential candidates about expectations of elected officials. the Councillor role description and Performance Outcomes.
5. That the City of Moncton make available to all candidates its contact list for organizations in Moncton to permit candidates to contact these organizations and communicate with them.

Citizen Engagement

Q. What do you mean by Citizen Engagement?

A. Research has demonstrated that citizens will select issues of interest to them, review information and advocate for specifics change and actions when this option is available to them. The easier it is for citizens to access information and communicate their concerns, the greater the rate of engagement. This leads to greater participation in public consultations, Council meetings and other democratic activities.

Q. How has Elections NB worked to support Citizen Engagement?

A. Elections NB has worked towards engaging citizens to votes, in particular the following:

- Electors with disabilities.
- Seniors – In house voting, additional advanced polls at treatment centers.
- Military – Targeted messaging, overseas voting coordination
- Inmates – Targeted messaging, special Ballot voting
- Youth Outreach Strategy – 13 campuses in NB were visited resulting in 2,888 votes
- Twitter / Facebook
- Employment of High School students at polls (aged 16+)

Q. What are some methods Moncton can use to engage citizens?

A. In terms of citizen engagement, there are traditional means of contact, such as public consultations, personal contact with the Mayor and Councillors, speaking at meeting of Council and to committees and written communications. In addition, it is clear that over the past 4 years, the popularity of social media has grown exponentially. This tool is the modern 'word-of-mouth' to share news and information, in an interactive fashion that fosters dialogue directly with residents. Increasingly, social media (Facebook[1] and Twitter[2], in the City of Moncton's case) serves as a

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[1] facebook.com/cityofmoncton.villedemoncton
[2] twitter.com/cityofmoncton

mechanism to foster public education and awareness-building regarding the municipality's operations.

Q. What role do citizen's organizations and other groups play in this process?
A. Many of the best known examples of citizen engagement were facilitated by groups such as the "Save Our Shops" committee that formed during the reduction of CN's workforce in Moncton, Sunday shopping, or the Riverkeepers discussion of issues related to the Petitcodiac River and Moncton's water system. Recent examples include groups formed related to the flouridation of Moncton's water and the future of the Moncton Farmers' Market. Communication with various groups regarding the activities of the City of Moncton enables these groups to support efforts to promote democracy and to engage citizens in the public process.

Q. What is the importance of Council Report Forms (CRFs) in Citizen Engagement?
A. CRFs play a key role in summarizing information for Councillors on key issues of City business, to assist them in voting and decision-making. If citizens are to be engaged, and advocate for specific positions on issues, they require information as well. If CRFs are essential to ensure that Councillors can make informed and educated decisions, then it is essential that citizens also have access to them to ensure their democratic participation and to permit them to demand accountability for decisions.

Citizen Engagement Recommendations

1. That Council in recognition of the importance of citizens' organizations in the preservation of democracy, request that staff communicate with all such groups in the Moncton area to inform them of the City of Moncton's role and responsibilities and the process for bringing questions and concerns to the City and to Council.
2. That the City of Moncton continue to use social media and electronic communication with the key citizens' organizations to inform them of any new materials published or created by the City.
3. That Councillor Report Forms be translated and made available on the City of Moncton web site prior to meetings and that related material be linked to the forms whenever possible
4. That the City of Moncton enhance its process for citizens to add an item to the agenda of a Council meeting, to explain the process and ensure those making presentations understand their responsibilities in the process.
5. That the City of Moncton develop an online method to receive public opinion on key issues to replace the former electronic forum.

Transparency and Accountability

Q. Why are there so many more recommendations under Transparency and Accountability than the other themes?
A. In our consultations it was apparent that one of the key factors affecting participation was cynicism. Many respondents shared that citizens often said, "My vote doesn't matter. It won't change anything." Given the strength of this factor, it was decided that Transparency and Accountability needed to be a key focus of the Committee and its recommendations.

Q. Why do we need a specific Role and Responsibility document for Councillors?
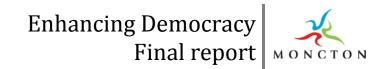
A. Most jobs have a job description, which allows potential applications to decide whether they are a good fit for the job, and what will be expected of them at work. The *Municipalities Act* lists specific requirements for Councillors and additional responsibilities have been outlined in the by-laws of the City of Moncton. Citizens considering offering for Council have not had such a clear description to review, thus the need for this document.

Q. What about Performance Outcomes? A Code of Conduct? Does this make things complicated?
A. Just as we have Job descriptions, there are also performance reviews in the workplace. Citizens have to look at a Councillor's performance and determine if he or she is the best person to serve on a future Council. Performance Outcomes help citizens to make this decision by providing them with information of the activities of a Councillor, attendance at Council, and participation and communication of Council's activities to constituents. This information, combined with a Councillor's voting record, can help citizens evaluate their Councillor. The information is also essential to determine if any future adjustments are needed to the Councillor Role and Responsibilities document or the Compensation model. The Code of Conduct outlines the behaviour expected from a Member of Council.

Q. Why the emphasis on Conflict of Interest?
A. In reviewing what caused the greatest increase in cynicism among voters, perceived breaches of Conflict of Interest led the list. Whether it was the sponsorship scandal, the elimination of the long-form census, questions about the use of Larry's Gulch or financial concerns related to Atcon, the public is the most frustrated by perceived conflicts by government and a lack of accountability for them. The solution to this starts with a clear understanding of Conflict of Interest by Council and greater transparency in voting and actions to reduce the possibility of conflicts. It should also be noted that the City of Moncton played a key national role in clarifying the nature of conflict-of-interest in municipal government through the 1979 court case *The Queen v. Wheeler*.

Q. Why do you recommend the creation of documents outlining the activities for Council within the next four years, the achievements of the past four years and yearly priorities between these documents?

A. How can citizens select the best candidates without knowing what they will be asked to do? A listing of upcoming activities that Council will be required to address engages citizens to ask potential Councillors how they would best meet these challenges and permits candidates to propose solutions and highlight their strengths. Likewise, reporting on the achievements helps citizens determine if Council was effective and where any change might be needed. Annual priorities show citizens the work that Council intends to accomplish, permitting engagement and advocacy for other issues as needed.

Q. Why do we need a new Compensation model for Council?

A. The current model makes no consideration for the skills and abilities required to be a Councillor, and is based on the average of all part-time work, rather than the average salary of a similar type of work.

We chose the Management role with not-for-profits because it has the same necessary skills: financial, interpersonal, human resources, leadership, etc and given the nature of a municipality, it seemed more appropriate than the role of a for-profit business manager.

Q. Why do you recommend an additional review of compensation after a year of operation?

A. The year will also include a year of Councillors reporting on their Performance Outcomes as described in the Appendix. With this information, a more precise determination of rate, number of hours etc. to finalize the model. Much of that information is currently lacking, or not well documented, making it difficult to justify any major changes in compensation.

Q. Did you discuss the possibility of full-time Councillors?

A. This option was discussed by the Committee, and while there was some consideration of the possibility, given the growth of the City of Moncton, and the related responsibilities, it was felt that the lack of documented information on present activities did not permit the recommendation of such a major change of role. The documentation of Councillor activities and the follow-up review after one year of implementation will permit this item to be revisited, if the data warrants it.

Q. What role does the voting record play in enhancing democracy?

A. Voting records are the objective record of a Councillor's role in particular decisions. If a Councillor claims to be an advocate of economic development, citizens can review votes to confirm or disprove that claim. If Councillors vote against preferred options, citizens can use this information to assist in making future voting choices. Organizations can use the voting records of Council on particular topics and of individual Councillors to assist their lobbying efforts and their efforts to educate the public.

Q. What is the importance of campaign contributions and budgets?
A. Without some transparency regarding contributions and budgeting, there is an increased possibility of Conflict of Interest as voting activities cannot be compared with donors to a Councillor's campaign. Likewise, without regulations related to campaign expenditures and expenses, candidates may be excluded from the electoral process simply by making the cost of entry too high for the average citizen.
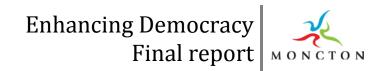
Q. Why the remaining recommendations?
A. The other recommendations, including two others from the 2011 Enhancing Democracy report, were seen as important to address issues that arise infrequently. The adjustment of Wards takes into effect the growth of Moncton, and the shifting of populations so that a similar number of residents are represented by each Councillor, ensuring better representation. An independent researcher provides access to an independent opinion when Councillors have concerns about a proposed recommendation and avoids putting staff in the conflict of being asked to critique their own recommendation.

The review of recall processes looks at possible mechanisms to remove Councillors through gross malfeasance or negligence. The recommendation that agencies, boards and commissions, as well as committees, provide more access to their minutes and reports follows logically from the recommendations to Council. If large decisions are going to be made on the recommendations of these groups, then more information should be provided to citizens to permit them to effectively evaluate these recommendations. All of these recommendations, while more specific in nature, do ensure greater accountability and transparency by avoiding occasional problems.

Transparency and Accountability Recommendations
1. That per the Councillor Role document discussed within the report, that individual Councillors be mandated to produce a monthly or quarterly communication with their constituents. That Council pass a motion to commit to the adoption and use of the included Performance Outcome reporting included in this report, including Councillor attendance and city-related activities
2. That the City of Moncton post prior to each Municipal election a list of any activities, major legal or regulatory obligations, contract negotiations and similar activities that will be undertaken during the next 4-year period, to permit voters to understand the work Councillors will be doing in that time period.
3. That, subsequent to the 2020 election, the City of Moncton should also repost the previous activities list along with a brief summary of the outcome of each activity listed, to provide voters with additional information on the achievements of that 4-year period.
4. That, in addition to the 4-year activity lists, Council meet to discuss its priorities for the upcoming year, followed by the release of an annual Council priorities list to better inform the public of upcoming activities.

5. That Council adopt the Councillor Role and Code of Conduct included with this report.
6. That Council pass a motion to commit to the adoption and use of the Performance Outcome reporting in this report, including Councillor attendance and city-related activities
7. That voting records for all public meetings of Council be available online, with voting data available as part of the City's Open Data initiatives to permit individuals to aggregate the voting record of individual Councillors or the voting patterns of one or more Councillors on particular topics or issues.
8. That Council adopt the Compensation model outlined in this report, along with a 1-year review (in 2017) of the Performance Outcome reporting by an outside party, to make any necessary adjustments to the Councillor role and compensation.
9. That the roles of Councillor-at-large, Deputy Mayor and Mayor also undergo the same development and review process, once the Councillor review is complete.
10. That Council move to collaborate with other New Brunswick Municipalities to request that the Government of New Brunswick adopt regulations regarding the funding of and expenditures on Municipal election campaigns consistent with the recommendations in the 2011 Enhancing Democracy Report.
11. That all Councillors be provided with the text of the Conflict of Interest portion of the Municipalities Act on an annual basis and have the opportunity to consult with legal counsel regarding any questions or concerns (clarification on that section of the Act only)
12. That the City of Moncton provide Councillors with reasonable access to the services of an independent researcher, to ensure that Councillors can obtain information on a particular issue without the conflict of interest generated by a member of City Staff researching alternatives to their own recommendation.
13. Per the 2011 Enhancing Democracy Report, " City Council should appoint a citizens' committee to review the boundaries after each decennial census numbers are made public, in order to ensure equitable voter distribution per ward"
14. Per the 2011 Enhancing Democracy Report, "City Council should ask the Province to review the rules regarding recall procedures "in comparison to other jurisdictions"
15. That the Agencies, Boards and Commissions associated with the City of Moncton be encouraged to provide their meeting minutes to the municipality indicating member voting for publication on the City's website.

Conclusion

We, the Enhancing Democracy Committee, are pleased to present this report to the people of Moncton, and to City Council. The process of developing this report has been itself a case study in civic engagement and has demonstrated how citizens can access information to help them make decisions and urge their leaders to do the same.

While voter turnout is often the metric that receives the most attention in discussions of democracy, it is not the only way to measure engagement and participation. As noted in this report residents can inform themselves about issues facing Moncton; form groups of common interest; advocate for issues with fellow citizens and with Council, and even offer for Council if the issue is of sufficient importance. Limited active participation in voting may indicate contentment with the *status quo*, or it may be a symptom of cynicism and frustration with the process. Engagement and consultation with and by residents throughout the four years mandate of a Council will demonstrate which situation is occurring and provide the necessary opportunities to build on a good mandate or create change following a poor one. That is truly enhanced democracy.

Once again, the Committee wishes to extend its gratitude to everyone who provided assistance during our consultations and in the preparation of this report, and we hope that Moncton will benefit from these recommendations and from a greater citizen engagement and participation in democracy.

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3. Proposed Councillor Role Document

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5. Proposed Councillor Report Form

6. Action Items based on Recommendations

Appendix 1 Thanks

The Enhancing Democracy Committee would like to thank the following individuals for their assistance with and contributions to our work, and for their individual efforts to enhance democracy:

Dawn Arnold

Kathryn Barnes

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Dave Owens

Tammy Palser

Paul A. Pellerin

Barb Quigley

Thomas Raffy

Angelique Reddy-Kalala

Nick Robichaud

Doug Robertson

Paulette Thériault

Appendix 2 Resources Consulted

The following resources have been selected from those reviewed by the Committee and are recommended to anyone wishing to understand more about democracy and municipal government in Moncton:

- Municipalities Act
- Municipal Elections Act
- Local Government Resource Manual (under revision)
- City of Moncton : 2011 Enhancing Democracy Report
- City of Moncton's Strategic Plan - Vision 2020
- City of Moncton By-Law A-202 Election of Members of Council, Remuneration & Ward Boundaries
- City of Moncton By-Law A-402 Proceedings of Council
- Willing to participate: Political engagement of young adults-Statistics Canada
- Factors associated with voting-Statistics Canada
- Handbook on Citizen Engagement: Beyond Consultation
- Civic Engagement : OECD

Appendix 3 Councillor Role, Responsibilities, Performance Outcomes and Code of Conduct

Role Definition
A Councillor of the City of Moncton is an individual, elected in a municipal election or by-election to one of the Ward or At-Large seats on the Moncton City Council.

Eligibility
General Requirements: To be a candidate for Moncton City Council, a person must be:
- 18 years of age on or before election day;
- a Canadian citizen;
- a resident of the province and the municipality for at least 6 months before election day; and
- a person is not qualified to be nominated as a candidate for councillor for a ward unless he is a resident of that ward when he is nominated.

Municipal Elections Act (Section 18)

Responsibilities
A Councillor of the City of Moncton takes on the following responsibilities[3]:

a. *Serves the Interests of the Whole Community*
   As stated in legislation, a councillor shall consider the welfare and interests of the entire municipality when making decisions and bring to the attention of council matters that may promote the welfare or interests of the municipality

Municipalities Act: 36(2.1)(a) and (b)

b. *Develops and Evaluates Policies, By-Laws*
   As part of the decision-making role, council members must take the time to evaluate and review the local government's by-laws, policies and agreements to ensure they continue to reflect community needs.

Municipalities Act: 36(2.1)(c)

c. *Attends Council and Committee Meetings*
   A councillor's attendance at, and active participation in, council meetings are required by legislation and are crucial if a local government is to work effectively. Council meetings provide the opportunity for sharing information, debate, consensus-building and ultimately, the making of decisions.

Municipalities Act: 36(2.1)(d)

d. *Policy development*
   Setting policy direction involves engaging in debate, providing input and ideas on programs, by-laws and policies and making decisions through the voting process at council meetings.

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[3] New Brunswick Local Government Resource Manual, pps 13-14
http://www2.gnb.ca/content/dam/gnb/Departments/lg-gl/pdf/LocalGovernmentResourceManual.pdf

e. *Representing the Community*
Councillors also serve to represent the broad interests of the community and as such, should bring these to the attention of council. There are decisions that council members will make that will unavoidably be unpopular. If council members can remember that they were elected to make decisions that are in the best interests of the whole community (both short and long term), it will help when difficult decisions have to be made.

f. *Financial Role*
In establishing the budget and subsequent tax rate, councillors must adhere to municipal accounting principles and financial policies when determining how a municipality will allocate its funds. Working with administrative staff, they must constantly assess needs in determining the level of services to bring to residents/businesses of the community.

g. *Conflict Resolution Role*
Differences of opinion amongst councillors and residents are a normal and healthy part of the decision-making process. To ensure that a thorough and fair process has been followed before reaching a final decision, councillors are expected to listen to and respect other's opinions on the issue, to review all administrative research, advice and options, as well as any policy and budgetary consequences, before voting on the matter.

h. *Other functions*
From time to time, councillors will be assigned other duties. This may range from sitting on specific committees to representing the community at a particular function where the mayor or deputy mayor is unable to attend. Councillors also have a legislated obligation to participate in any other body to which he or she has been appointed by the council.

Municipalities Act: 36(2.1)(d)

Performance Outcomes
In line with the description provided above, a Councillor's performance shall be documented with regard to the outcomes listed below. The broad variety of outcomes recognizes that Councillors bring different strengths and areas of interest to the role and they are free to focus on the areas that interest them and which permit them to best use their talents and abilities.

Councillors' performance outcomes will be documented by the City Clerk's Office and a performance report will be provided to Council for their review and consideration prior to being posted on the City of Moncton website. Should Council deem the performance of one or more members to be significantly below the performance requirements, Councillors may request that the matter be added to the agenda of a future Council meeting.

a. *Serves the Interests of the Whole Community*
- To participate in one or more committees that address an item of interest to the entire City of Moncton
- To be a City of Moncton liaison with the board or leadership of one or more community organizations that involves the entire City of Moncton

- To inform Council of any conflict of interest in accordance with the conflict of interest provisions of the *Municipalities Act*

b. Develops and Evaluates Policies, By-Laws / d. Policy development
- Participate in by-law or policy reviews
- Communicate to residents regarding any by-law or policy changes that will have a significant impact on their Ward or the entire community, as well as identify a communication channel for residents who wish to provide input on the matter
- Participates in provincial or national organizations and working groups on issues related to policies or by-laws

c. Attends Council and Committee Meetings
- Strive to attend 70% of Council meetings, unless the absence is due to illness or representing the City at another function
- Strive to attend 70 % of City of Moncton committee meetings for which the Councillor is a committee member
- Encourage residents to consult Council and/or Committee minutes via the City of Moncton website, except those that are confidential

e. Representing the Community
- Participating on committees or boards of community organizations
- Attending events within Moncton to represent the City of Moncton
- Representing the City of Moncton at provincial, national or international events
- Communicating with individuals at other levels of government on behalf of the concerns of residents within a Councillor's ward or within the City as a whole

f. Financial Role
- Participating in the Capital budget process
- Participating in the Operating budget process
- Communicating with and consulting residents regarding issues and concerns related to the budgeting processes
- Participating in activities to increase the economic development of the City of Moncton

g. Conflict Resolution Role
- Presenting issues of concern to residents to Council for consideration
- Facilitating access to the process to address Council or City Staff for residents with issues of concern
- Working with other Councillors to address issues of conflict between Wards and communicating the issues and efforts at resolution to residents
- Where possible, working to resolve conflict with other levels of government on issues of concern to the City of Moncton

h. Other functions
- Providing a monthly or quarterly communications update to residents on key issues and the Councillor's actions related to Council
- Participating in activities to increase the positive reputation of the City of Moncton, or to encourage residents to participate in activities beneficial to the City
- Encouraging residents to participate in the democratic activities in the City of Moncton, including voting, committees, planning and other civic initiatives

These activities provide a general framework which can be used to evaluate a Councillor's performance, but must be considered in the context of that Councillor's skills and abilities as well as any extenuating circumstances that may impact performance while remaining beyond the Councillor's control.

Code of Ethics and Conduct[4]

Ethics and rules of conduct that guide and govern elected Councillors during city council proceedings and during their functions on behalf of the municipality.

1) **Main Objective**
   a) To give Councillors representing the City of Moncton within municipal organizations a tool with which they can carry out their tasks and responsibilities more easily by adhering to rigorous values and moral principles as well as sound ethical standards.

   b) To provide a means whereby city council proceedings are conducted with respect and decorum for anyone attending meetings and assemblies that involve municipal affairs.

2) **Governing Principle**

   City councillors shall:

   a) carry out their functions and organize their business affairs so as to preserve and maintain the confidence of citizens with regard to the integrity, objectivity, impartiality and transparency of the decisions made by the municipality, or the municipal organizations with which they are affiliated.

   b) adopt prudent and open conduct so as to preserve and maintain the confidence of citizens with regard to the integrity, objectivity, impartiality and transparency of municipal institutions and those who manage them.

   c) To prevent conflicts of interest, they shall
      i) avoid being or knowingly placing themselves in situations that may lead to a conflict of interest or that may put their personal interests or those of their relations in conflict with the sound execution of their duties, tasks and functions.

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[4] Adapted with gratitude from the Code prepared by the City of Dieppe

ii) refrain from holding direct or indirect interest in any contract with the City of Moncton or a municipal organization.

iii) make public any facts or situations that could put their or their relatives' or relations' personal interests in conflict with the duties, tasks and responsibilities of their office.

iv) avoid any situation that could damage their reputation, that of the municipality, or of a municipal organization.

d))To preserve a sense of honour and integrity, they

i) consider that using confidential information—to which they are privy by virtue of their position—for their or their relatives' or relations' own personal interests is dishonest and reprehensible.

ii) adopt an attitude of restraint with respect to facts or information that could damage the interests of the municipality or a municipal organization.

iii) refrain from soliciting, accepting or receiving a benefit for themselves or the irrelatives or relations in exchange for a pronouncement, intervention or service.

iv) refrain from using or allowing the use of the municipality's or a municipal organization's resources, goods or services for purposes other than those for which they were intended (for operational or administrative purposes—not to serve particular interests).

v) refrain from using their position's authority for personal gain or for that of their relations at the expense of the interests of the municipality or municipal organizations.

e) To preserve respect for the effective, democratic local government, represented by the members of the Moncton city council, they

i)respect the legislative and administrative provisions that govern the municipality's and municipal organizations' decision- making mechanisms.

ii) forego partisan work connected to the election of a council member and refrain from any political alliance that could prevent them from performing their duties with absolute integrity, objectivity and impartiality.

iii) respect the established line of authority within the organization, as well as the structure of the decision-making process.

f) To ensure sound and effective management and a profound sense of social responsibility, they

i) understand and respect the City of Moncton's Respectful Workplace Policy.

ii) abstain from any offensive comments on the issues facing the municipality or its organizations.

iii) endeavour to serve their community's best interests and strive for the betterment of the organization.

iv) seek to constantly improve their related knowledge and skills.

v) develop a positive attitude by refraining from unfounded criticism or judgment of any member of a municipal or affiliated organization.

g) To ensure exceptional service, they
   i) perform their role as Councillors in accordance with the mission, vision, values and guidelines of the City of Moncton.
   ii) promise to meet the needs of their citizens, without any discrimination, and taking into account the collective interest.
   iii) ensure that staff understand and abide by their employer's policies and rules and implementation of same.
   iv) develop attitudes and behaviours that promote transparent, frank, honest, courteous, respectful and polite communications between the population, city council, staff (municipal employees) and municipal organizations.
   v) act with discretion with the same concern for justice and equity for all.

(3) **Corrective Measures**
   a) The city council is responsible for enforcing this code and taking any corrective measures.
   b) Any Councillor may request that Council discuss a breach of this Code during a private session.
   c) Council may impose, by majority vote, one or more sanctions on Councillors or who fail to abide by this Code.
   d) Councillors may contest the corrective measure set by Council and request that a lesser or more lenient measure be set, as the case may be.
   e) Depending on the nature and severity of the Code of Ethics and Conduct violation, Council may impose the following measures:
      i) a verbal apology;
      ii) a written apology;
      iii) a verbal retraction of what was said;
      iv) a written retraction of what was said;
      v) a public or private reprimand by Council;
      vi) expulsion from the meeting room for the remainder of the meeting;
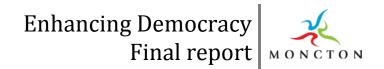   vii) any other action deemed necessary by the council through a majority vote by the members present.

Conflict of Interest

   (1) Conflicts of interest are governed by section 90.1 to 90.91 of the *Municipalities Act*[5].

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[5] http://laws.gnb.ca/en/ShowPdf/cs/M-21.01.pdf

Appendix 4 Compensation

Background: In reviewing different compensation models, it became clear that the role of Councilors is very similar to that of managers within non-profit organizations, both in terms of knowledge and abilities required (Finance, Human Resources, Interpersonal Communication, Policy Development, etc) and given the service-oriented, rather than profit-oriented nature of municipal governance.

For this reason, salary surveys within the non-profit industry were reviewed in the construction of this model. It was decided that the survey produced by the Canadian Society of Association Executives (CSAE) provided the level of detail with regard to activities as well as with regard to type of organization to permit a reasonable compensation calculation. Given the regular, recurring nature of this survey, it can be used in years to come, and will reflect the compensation provided to individuals with similar tasks and competencies as Moncton City Councillors.

An added benefit is that should the Councillor role change in the future, or should there be a desire to review the compensation model for the Mayor, or Deputy Mayor, the additional categories would support such an activity.

It should be noted that the compensation amount will still permit one third of compensation in the form of a tax-free allowance recognizing the costs related to performing Council functions. There will also be a means for Councillors to opt out of receiving tickets and other favours as these may be considered additional income with tax implications. The allowance for Councillors with more than 8 years of service shall also be retained given the realities of transitioning to other medical plans, or expenses related to the return to work that are required when leaving public service.

Given the limited information available on the role of the Mayor, Deputy Mayor and Councillors-at-Large, it was determined to focus on adjusting the compensation of Councillors, which will also adjust the compensation of the Mayor and Deputy under the current multiplier formula. It has been recommended that role and compensations reviews be carried out for these offices as well.

Model: Councillors will be compensated according to the following formula:

The Canadian Society of Account Executives (CSAE) salary survey will be used in years ending in 5 or 0 to calculate salary. Other years will use the Consumer Price Index (CPI) adjustment for the previous year and apply it to the previous year's salary. Thus salaries will be determined using CSAE data in the first year of every 5 year cycle and adjusted using CPI data for the remaining four years of the cycle. This means that salaries will readjust to be in line with the current regional compensate for not-for-profit managers every five years.

During the initial year of the five year cycle, annual compensation will be calculated using the CSAE national salary average for a "D" level role in a local association, adjusted for the regional differential between Atlantic Canada and the National Average (Atlantic Average Salary/National Average Salary). This amount, which reflects the average regional salary for a "D"-level role in a

local organization, would then be multiplied by .5625 (22.5/40) to calculate the salary that reflects the current part-time nature of the Councillor role.

During the remaining four years of the cycle, the previous year's salary will be modified using the Consumer Price Index (CPI) adjustment for the previous year.

Appendix 5 Information for a Sample Councillor Report Form

Councillor Name: Ward (or At Large):

Committee Memberships:

Attendance:

Council Meetings   (attended/total)

Committee Meetings   (attended/total)

Communications

Date of last Resident update   Where available

Any special Resident Communications

Communication with other levels of government on issues related to the City of Moncton

Participation

Community Boards or Organizations

Events Attended

Budget and By-Law activities

Other Activities

Appendix 6 Action Items

THEME		RECOMMENDATIONS	ACTIONS	RESPONSIBILITY	TIMELINE
Municipal Education	1.	That the City of Moncton, in collaboration with other New Brunswick Municipalities request that New Brunswick School Curriculum related to citizenship, elections and voting be enhanced to reflect the importance of municipal service, municipal elections and include practical activities to reinforce this material.	Correspondence to the 4 Municipal NB Associations & Premier/Minster of Local Government	City Clerk's Office	Q3 2016
	2.	That the City of Moncton in conjunction with other New Brunswick Municipalities request that materials being developed for newcomers and refugees coming to New Brunswick include information on municipal government, its role and responsibilities and the importance of democracy at the municipal level, and that once developed, City officials and staff work with local multicultural organizations to provide this information and respond to any questions that arise.	Correspondence to the 4 Municipal NB Associations & Premier/Minster of Local Government/Elections NB	City Clerk's Office Economic Development – Immigration	Q4 2016
	3.	That Council request a review of previous efforts by the City of Moncton to interact with students at City Hall and in local schools, to determine the most effective means of providing access for these students to Municipal officials, with the goal of explaining the role and responsibilities of Municipal government and its impact on youth, with the goal of supporting their understanding of democracy and citizen participation.	Report to be prepared and submitted for Council's consideration; led by SI, in collaboration with other stakeholders	Mayor's Office Mayor's Youth Advisory Committee HR & Strategic Initiatives School Districts	Q1 2018

THEME	RECOMMENDATIONS	ACTIONS	RESPONSIBILITY	TIMELINE
	4. That the City of Moncton identify a list of citizens' organizations (civic, religious, charitable, service, etc.) that discuss issues related to municipal government and related areas of concern, and provide the leadership of these groups with information on the role and responsibilities of the City of Moncton, upcoming issues and activities, and the opportunity to request a presenter from the City of Moncton to discuss these issues or to hear concerns	Create distribution list Provide information	Strategic Initiatives City Clerk's Office Corporate Communications	Q3 2016

THEME	RECOMMENDATIONS	ACTIONS	RESPONSIBILITY	TIMELINE
Eliminating Barriers	1. That Council move a motion of continued support for municipal voting privileges for Permanent Residents and request an update from the Government of New Brunswick with regard to this initiative.	Request update	Clerk's Office	Q3 2016
	2. That Council move a motion of support for municipal voting privileges for individuals who have reached 16 years of age by the date of the Municipal Election and who meet all other requirements.		City Council Elections NB	Q1 2017
	3. That Council request that staff consult with the City of Moncton Accessibility Committee to identify any specific barriers to voting during Moncton Municipal elections	Link to Elections NB page after deadline for candidates to run	Parks & Leisure S. Accessibility Committee	Q2 2016
	4. That the City of Moncton communicate via social media and the City of Moncton website to inform potential candidates about expectations of elected officials. the Councillor role description and Performance Outcomes.	Create social media campaign	City Clerk's Office Communications	
	5. That the City of Moncton make available to all candidates its contact list for organizations in the City of Moncton to permit candidates to contact these organizations and communicate with them.			

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THEME	RECOMMENDATIONS	ACTIONS	RESPONSIBILITY	TIMELINE
Citizen Engagement	1. That Council in recognition of the importance of citizens' organizations in the preservation of democracy, request that staff communicate with all such groups in the Moncton area to inform them of the City of Moncton's role and responsibilities and the process for bringing questions and concerns to the City and to Council.	Create distribution list Provide information	City Clerk's Office	Q3 2016
	2. That the City of Moncton continue to use social media and electronic communication with the citizens' organizations to inform them of any new materials published or created by the City.		Communications	Ongoing
	3. That Councillor Report Forms be translated and made available on the City of Moncton web site prior to meetings and that related material be linked to the forms whenever possible	Review of current process and processes in other jurisdictions Evaluation of e-tool capabilities and budget implications	Communications City Clerk's Office Information Systems All Departments	Q2 2020
	4. That the City of Moncton enhance its process for citizens to add an item to the agenda of a Council meeting, to explain the process and ensure those making presentations understand their responsibilities in the process.	Update website with further explanation on this process and create form.	City Clerk Strategic Initiatives	
	5. That the City of Moncton develop an online method to receive public opinion on key issues to replace the former electronic forum.		Communications	

THEME		RECOMMENDATIONS	ACTIONS	RESPONSIBILITY	TIME LINE
Transparency and Accountability	1.	That per the Councillor Role document discussed within the report, that individual Councillors be mandated to produce a monthly or quarterly communication with their constituents. That Council pass a motion to commit to the use, adoption and use of the included Performance Outcome reporting included in this report, including Councillor attendance and city-related activities	Create online form for Council to submit Clerk's office to compile and post on website	City Council City Clerk's Office Communications	
	2.	That the City of Moncton post prior to each Municipal election a list of any activities, major legal or regulatory obligations, contract negotiations and similar activities that will be undertaken during the next 4-year period, to permit voters to understand the work Councillors will be doing in that time period.	Create List Post online	City Manager Strategic Management group Communications	Q2 2016
	3.	That, subsequent to the 2020 election, the City of Moncton should also repost the previous activities list along with a brief summary of the outcome of each activity listed, to provide voters with additional information on the achievements of that 4-year period.			Q2 2020
	4.	That, in addition to the 4-year activity lists, Council meet to discuss its priorities for the upcoming year, followed by the release of an annual Council priorities list to better inform the public of upcoming activities.		City Council Strategic Management Group	Q3 2016
	5.	That Council adopt the Councillor Role and Code of Conduct included with this report.	Add to procedural by-law; include in orientation; Form to sign?	Clerk's office Legal City Council	Q3 2016
	6.	That Council pass a motion to commit to the adoption and use of the Performance Outcome reporting in this report, including Councillor attendance and city-related activities.			

THEME	RECOMMENDATIONS	ACTIONS	RESPONSIBILITY	TIMELINE
	7. That voting records for all public meetings of Council be available online, with voting data available as part of the City's Open Data initiatives to permit individuals to aggregate the voting record of individual Councillors or the voting patterns of one or more Councillors on particular topics or issues.	Review options for online search functions	City clerk's office Information systems	Q2 2018
	8. That Council adopt the Compensation model outlined in this report, along with a 1-year review (in 2017) of the Performance Outcome reporting by an outside party, to make any necessary adjustments to the Councillor role and compensation.	Staff be directed to review budgetary implications, and report back to Council	City Manager/HR / Payroll/City Clerk's Office/Finance	Q3 2017
	9. That the roles of Councillor-at-large, Deputy Mayor and Mayor also undergo the same development and review process, once the Councillor review is complete.		City Manager/HR / Payroll/City Clerk's Office/Finance	
	10. That Council move to collaborate with other New Brunswick Municipalities to request that the Government of New Brunswick adopt regulations regarding the funding of and expenditures on Municipal election campaigns consistent with the recommendations in the 2011 Enhancing Democracy Report.	Send correspondence	3 Associations of elected officials Mayor's office	
	11. That all Councillors be provided with the text of the Conflict of Interest portion of the Municipalities Act on an annual basis and have the opportunity to consult with legal counsel regarding any questions or concerns (clarification on that section of the Act only)	Orientation following election	City Solicitor Communication	Q3 2016
	12. That the City of Moncton provide Councillors with reasonable access		Communicat	

THEME	RECOMMENDATIONS	ACTIONS	RESPONSIBILITY	TIMELINE
	to the services of an independent researcher, to ensure that Councillors can obtain information on a particular issue without the conflict of interest generated by a member of City Staff researching alternatives to their own recommendation.		ions	
	13. Per the 2011 Enhancing Democracy Report, " City Council should appoint a citizens' committee to review the boundaries after each decennial census numbers are made public, in order to ensure equitable voter distribution per ward"		Strategic Initiatives	Q3 2016
	14. Per the 2011 Enhancing Democracy Report, "City Council should ask the Province to review the rules regarding recall procedures "in comparison to other jurisdictions			
	15. That the Agencies, Boards and Commissions associated with the City of Moncton be encouraged to provide their meeting minutes to the municipality indicating member voting for publication on the City's website.			