

OBSERVATIONS FROM THE BALCONY: IT'S ABOUT VALUES NOT RULES

GCCMA

October 2023

VALUES

- Our personal beliefs
- Shaped by our life experience:
 - family
 - faith
 - friends/ associations
- Influenced by our professional obligations
- Can appear to be subjective, malleable,
- Conflicts happen

RIGHT VERSUS RIGHT CHALLENGES

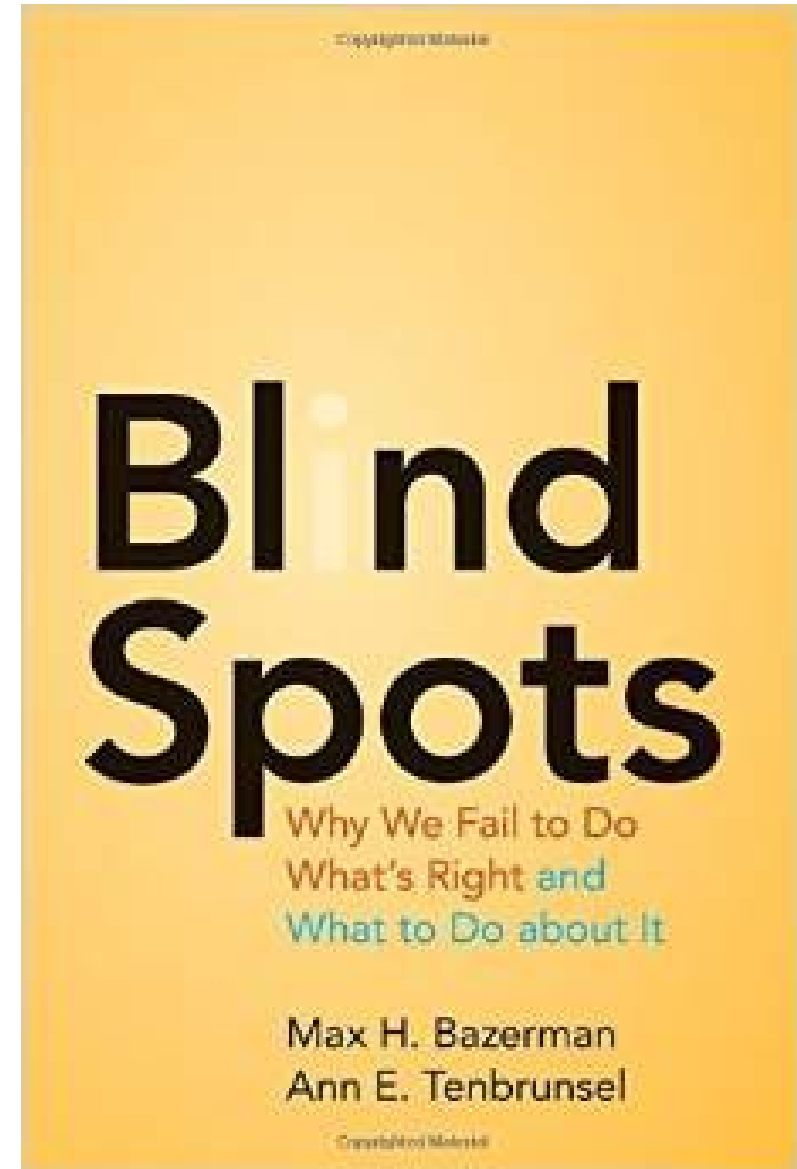
“The really tough decisions don’t center upon right versus wrong. They involve right versus right. They are genuine dilemmas precisely because each side is firmly rooted in one of our basic, core values.”

The common core values that stand as dilemmas paradigms are:

- Truth versus loyalty
- Individual versus community
- Short-term versus long-term
- Justice versus mercy

WE ALL HAVE BLIND SPOTS

“When it comes time to make a decision, our thoughts are dominated by thoughts of how we want to behave; thoughts of how we should behave disappear.”



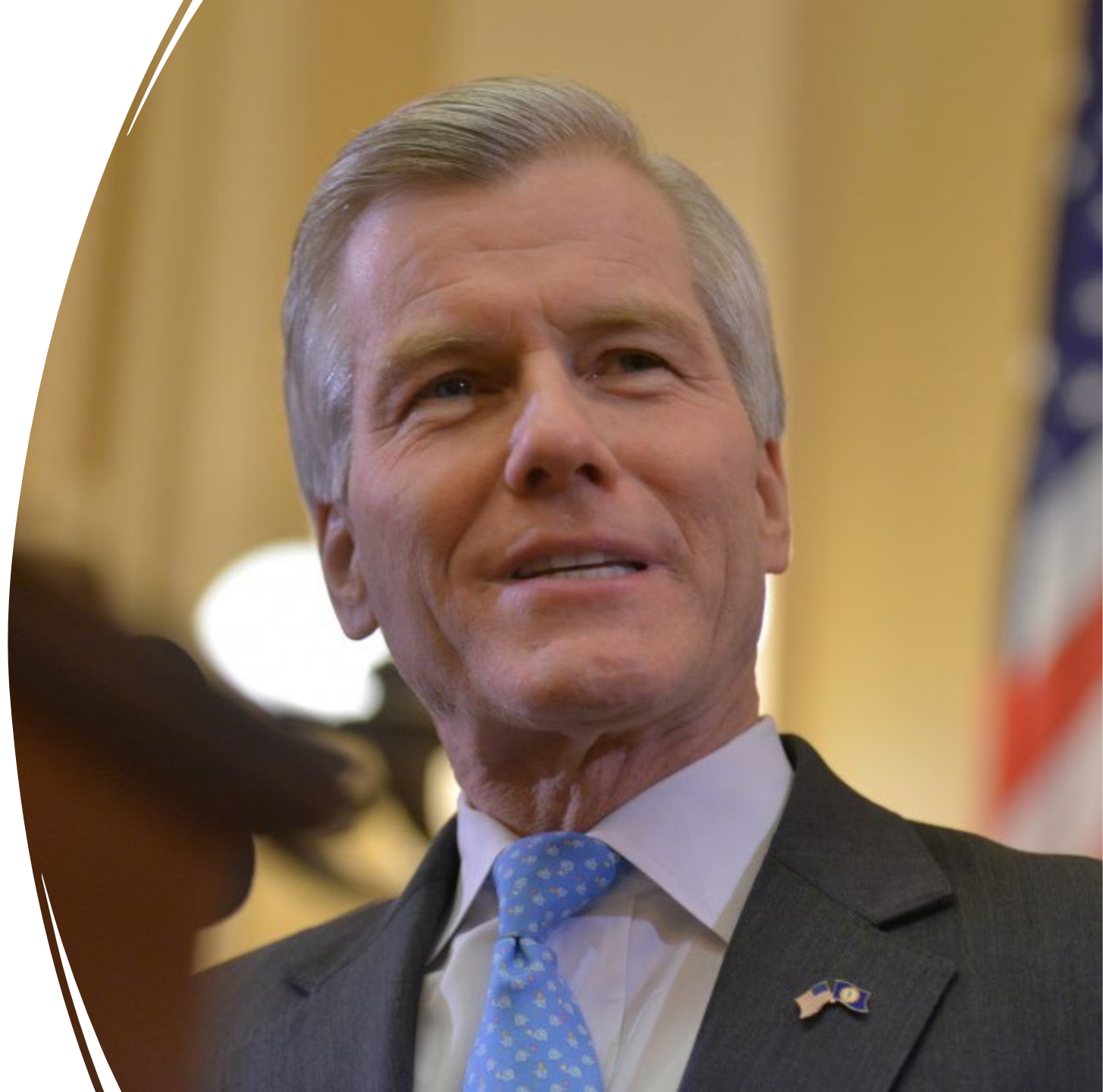


‘INDIAN FOOD INSPECTOR IN HOT WATER’

Drops new \$1200 phone into scenic reservoir

- Step 1: Send divers
- Step 2: Drain the reservoir of 530,000 gallons of water
- Step 3: Attempt to legitimize actions!
 - Claimed phone contained sensitive government information
 - He had permission to drain the reservoir

“EVERYDAY ACTS V THE
SACRED TRUST”



EVERYDAY ACTS

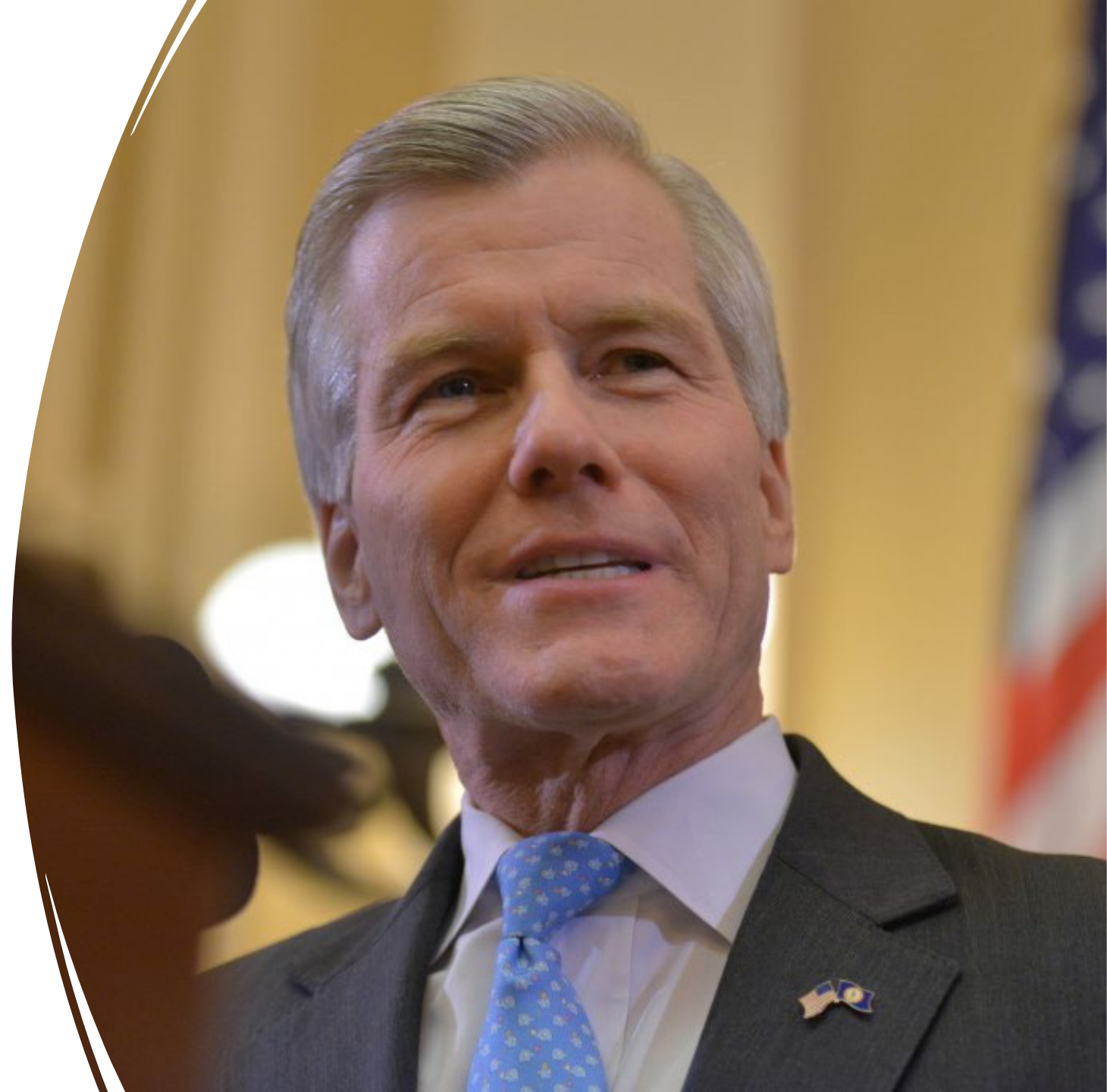
Star Scientific,
Inc: wanted the
renowned state
universities to
conduct medical
research on their
dietary pills

The Governor:

- Set up meetings with state health officials
- Appeared at promotional events
- Hosted a launch luncheon at the Governor's mansion

THE GOVERNOR'S POINT OF VIEW

- Just helping a constituent gain access to other public figures
- Never took any official action to benefit Star Scientific Inc. CEO Jonnie Williams or pressured other state officials to do so



HOWEVER.....

\$20,000 in
designer clothing
and accessories for
Governor's wife

\$6,500 engraved
Rolex watch

\$15,000 in
catering for their
daughter's
wedding

Golf trips and free
family vacations

Three loans
totaling \$120,000

SUPREME COURT OVERTURNED THE BRIBERY CONVICTION ON APPEAL

“There is no doubt that this case is distasteful; it may be worse than that.. But our concern is not with tawdry tales of Ferraris, Rolexes and ball gowns. It is instead with the broader legal implications of the government’s boundless interpretation of the federal bribery statute.”

Justice Roberts



WHAT VALUES WERE IN CONFLICT (OR ABSENT) FOR THE GOVERNOR?

-
- Acting in the public's interest
 - No personal gain
 - Trust
 - Transparency



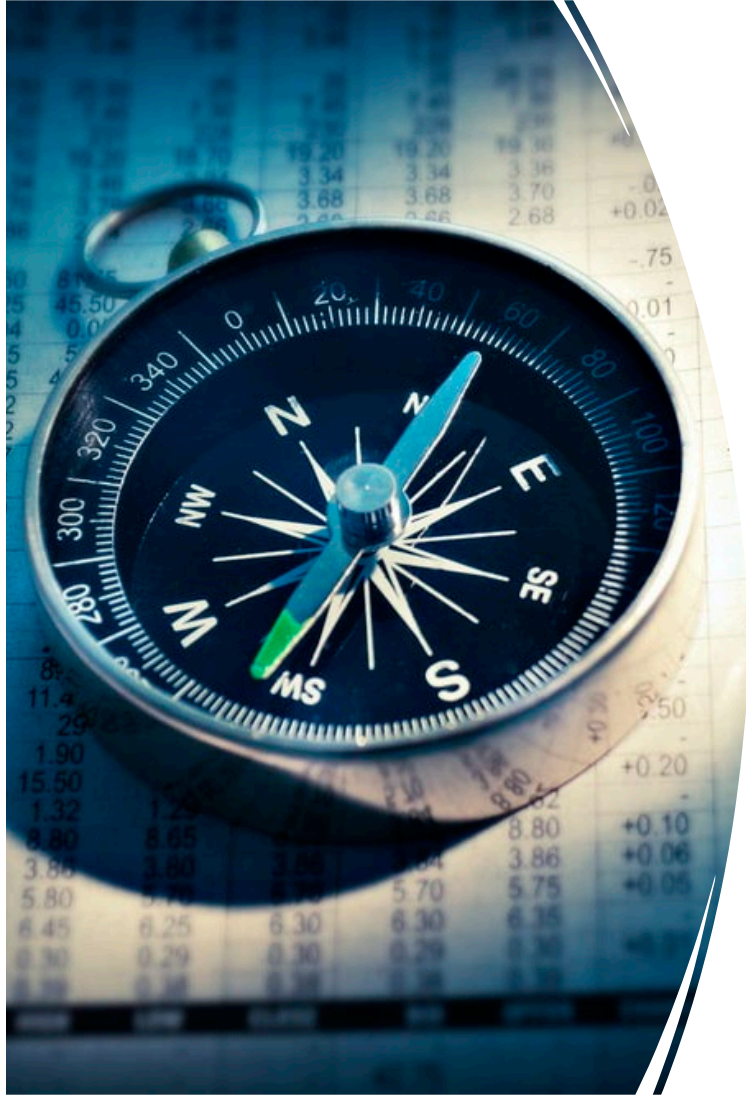
OUR ETHICAL FOUNDATION

ETHICAL FOUNDATION OF PUBLIC SERVICE



1. Public office is a public trust
2. You are independent, impartial and responsible to the public
3. Decisions and policy are made by government via the right channels
4. Public must have confidence in the integrity of the government

OUR VALUES



VALUES IN THE ICMA CODE OF ETHICS

- Respect for Democracy and role of elected official
- Integrity
- Fairness and Equity
- Trust and Honesty
- Transparency
- Commitment
- Competency
- Political Neutrality

GFOA

- Integrity and honesty (trustworthiness)
- Producing results for my community
- Treating People Fairly
- Diversity and Inclusion
- Reliability and consistency (trustworthiness)

APA

- Pursue and faithfully serve the public interest
- Act with integrity
- Work to achieve economic, social and racial equity
- Safeguard the public trust
- Improve planning knowledge, increase public understanding of planning activities

SHARED VALUES

- Personal integrity, honesty, and accountability
- Openness and transparency
- Impartiality and evidence-based decision making
- Respect for the democratic process, the law, and the respective roles of elected and appointed officials
- Neutrality in partisan political matters
- Obligation to address ethical violations
- Stewardship of public and community resources.





VALUES IN REAL LIFE

- What is your #1 value?
- Describe how it influences your conduct and shapes your choices? Why is it critical to the profession?
- THE STORY! Tell us about a real moment in time when you intentionally applied this value?

DRIVER 1

NATIONAL POLITICS FILTERING INTO LOCAL GOVERNANCE

“All politics is local” has become “all politics is national.”

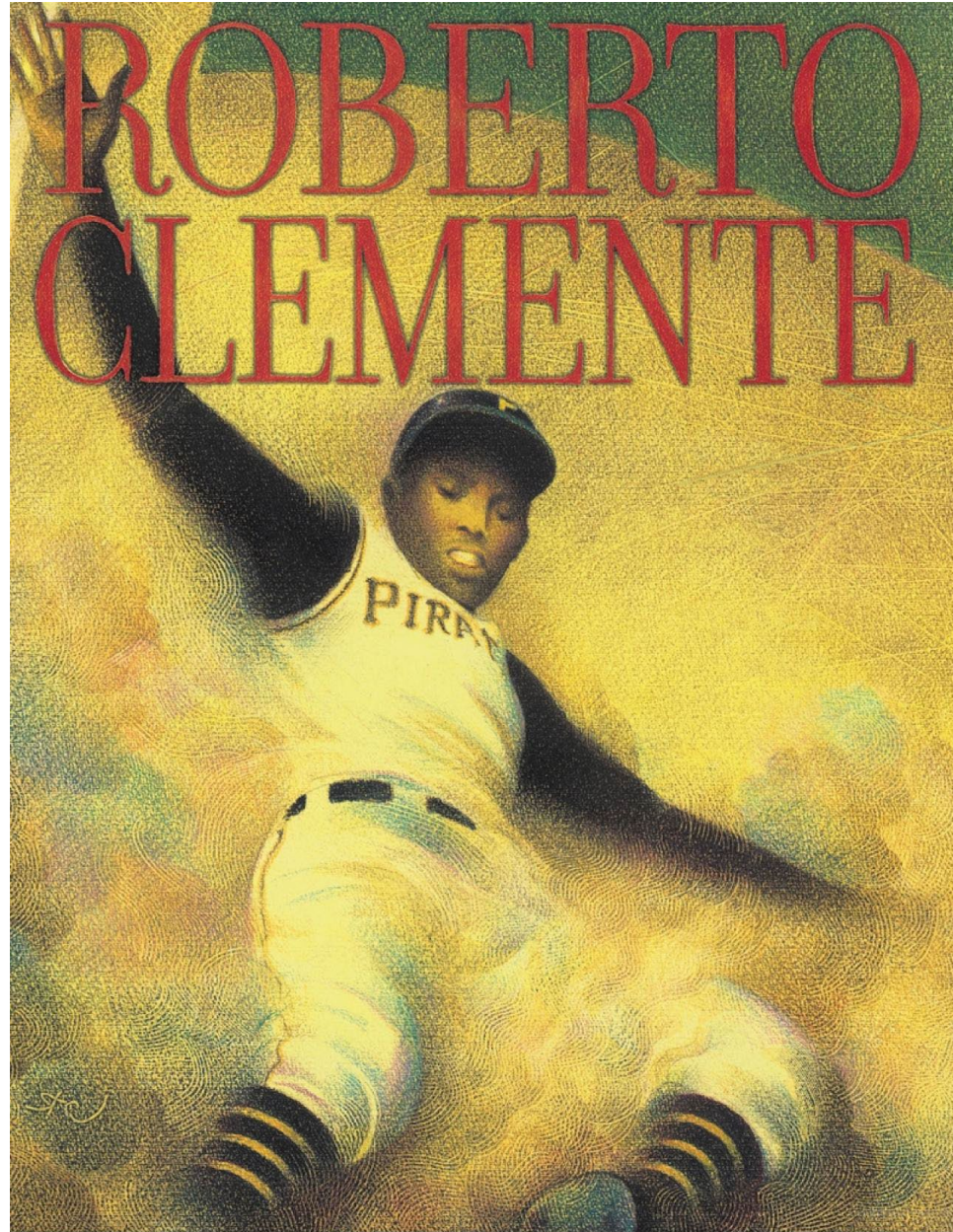
“The **deep division** in national politics has crept its way into local governing bodies...local elections influenced by outside funding and individuals running for City Council who **want to be legislators, not members of a governing body**. The **art of politics**—cultivating consensus and legitimately debating an issue and being willing to be influenced by others—**is quickly disappearing.**”

- Julia Novak, Former City Manager in the Northeast and current local government consultant

POLITICAL NEUTRALITY

TENET 7

Refrain from all political activities which undermine public confidence in professional administrators.



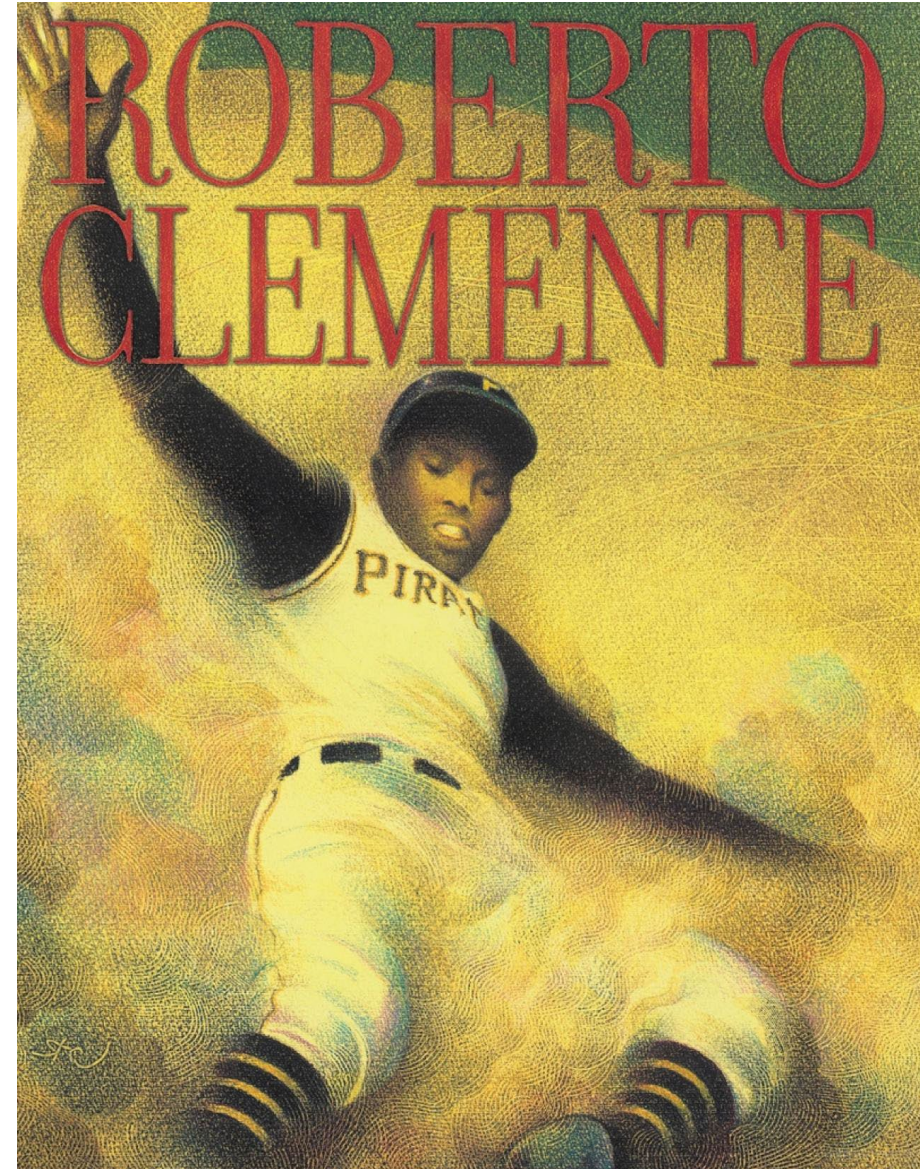
EDUCATING OUR CHILDREN

- Latest issue in your town is the school board's decision to remove books from classrooms
- Topic hasn't crossed over to Town Library shelves (yet)



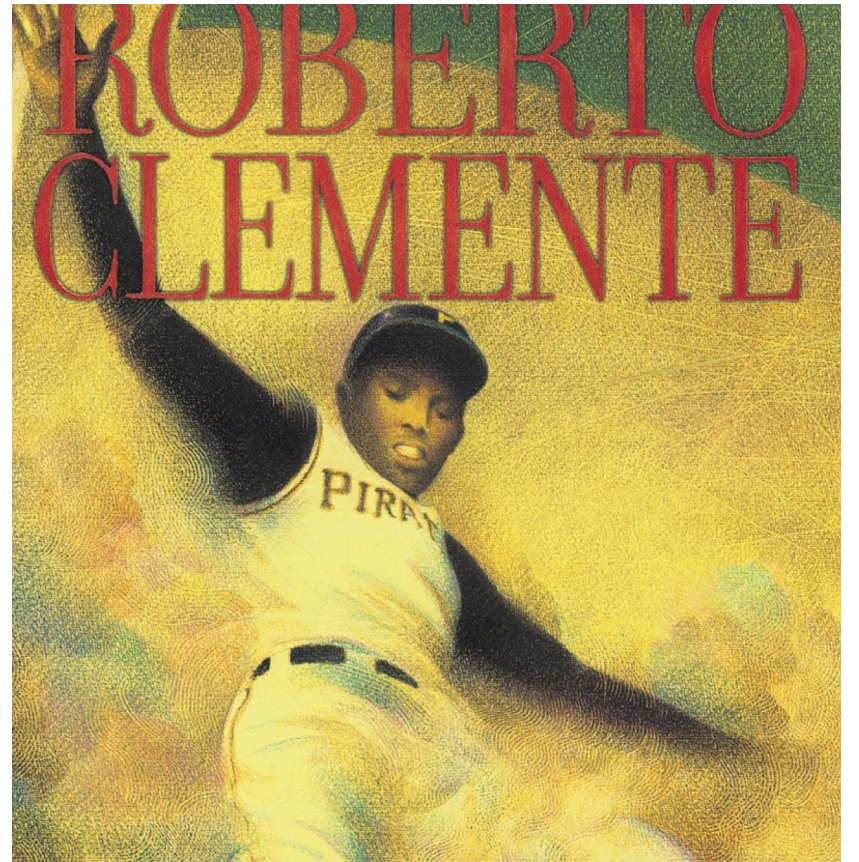
EDUCATING OUR CHILDREN

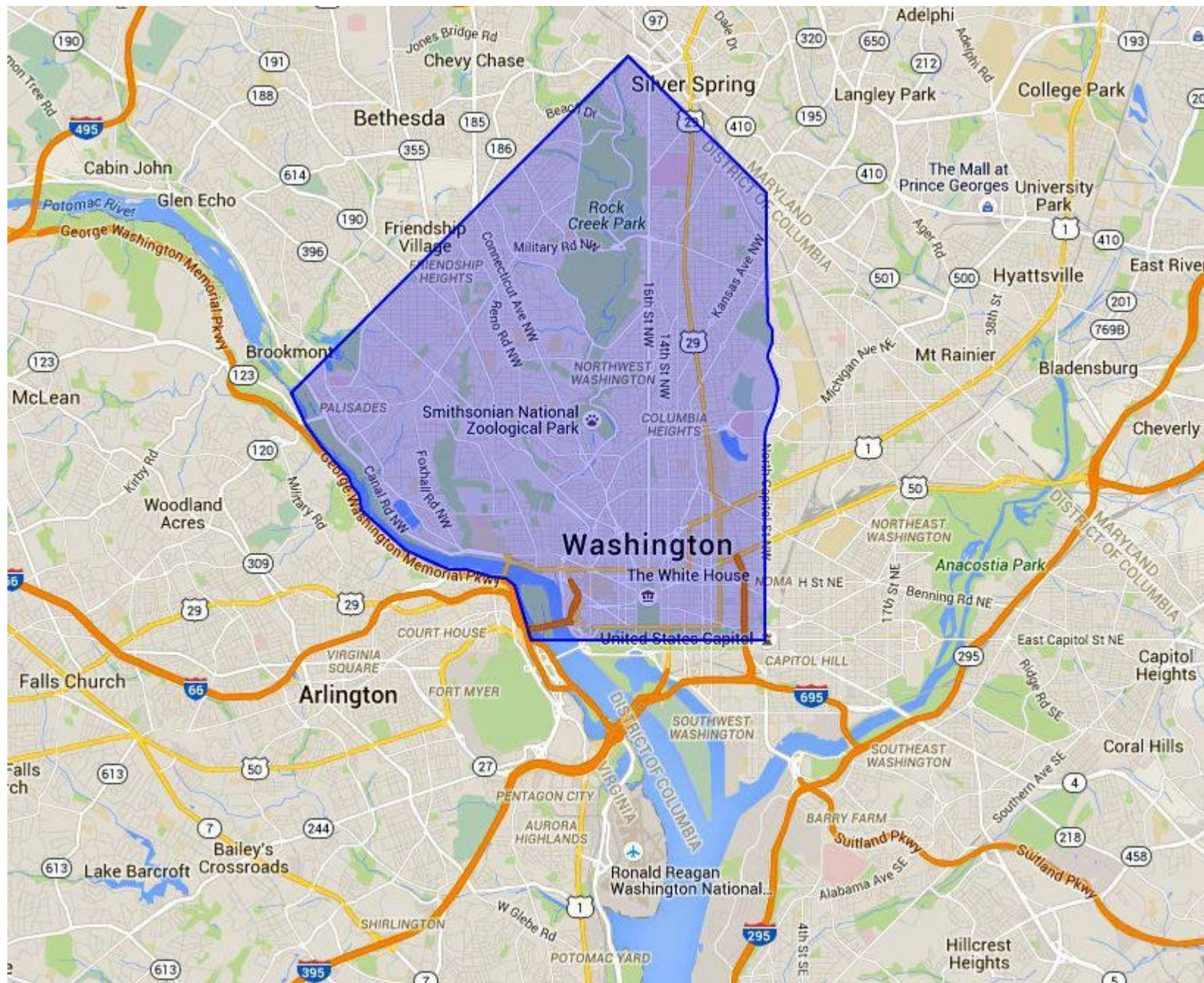
- Your children aren't school age
- You've stayed on the sidelines
- Decision to "ban" this book has moved you onto the field!
- Are you engaging in "political activity" if you get involved?



COULD YOU? SHOULD YOU?

1. Attend a school board meeting to voice your concerns?
2. Comment on social media?
3. Call out specific school board members?
4. Join a public demonstration?
5. Wait and see?







- You are part of the Prince Georges County, Maryland economic development team
- You live in Arlington County, Virginia
- Arlington County is in the “hunt” to land Amazon. Needs to diversify commercial base
- County officials acknowledged that public funds will be used to lure Amazon to Arlington
- Based on your technical expertise, this is very bad public policy. **YOU ARE OUTRAGED!!**

SHOULD YOUR APPROACH INCLUDE THESE STEPS?

1. Contribute to a PAC opposing the County's efforts
2. Write an op-ed opposing the incentives
3. Attend the County Board meeting to voice your opinion
4. Launch a social media campaign
5. Call the County Board Chair
6. Call the County Manager

POLITICAL NEUTRALITY

TENET 7: LINE OF DEMARCATION

BIG "P"
POLITICS:
CANDIDATES

SMALL "p"
POLITICS:
ISSUES

BIG “P” POLITICS & POLITICAL NEUTRALITY

- Candidate running for public office? Don't:
- Sign petitions
- Endorse (social media)
- Donate to the campaign
- Donate to entity that supports
- Attend fundraisers (or party events)
- Be one!
 - Start an exploratory committee?

TENET 7

Refrain from all political activities which undermine public confidence in professional administrators.

Personal Advocacy of Issues.
Members share with their fellow citizens the right and responsibility to voice their opinion on public issues. Members may advocate for issues of personal interest only when doing so does not conflict with the performance of their official duties.

THE APPROACH MATTERS

WHAT IMPACT DOES
VOICING YOUR OPINION
HAVE ON YOUR ROLE?

Convenor or facilitator on community issues

Neutral mediator to resolve disputes

Source of facts, objective and credible recommendations

Guardians of the process

Service provider

Leader

TENET 3

Demonstrate by word and action the highest standards of ethical conduct and integrity in all public, professional, and personal relationships in order that the member may merit the trust and respect of the elected and appointed officials, employees, and the public.

Guidelines:

1. Public Confidence
2. Length of Service
3. Appointment Commitment
4. Credentials
5. Professional Respect
6. Reporting Ethics Violations
7. Confidentiality
8. Seeking Employment
9. Relationships in the Workplace
10. Influence
11. Conflicting Roles
12. Conduct Unbecoming

WHAT SHOULD YOU DO?

- Your first year as county manager was fantastic!
- Beginning of year two, not so good. Militant group harassing elected officials and staff, disrupting public meetings, running a slate of candidates, flooding social media with false info.
- Incumbents decline to run for re-election. Your assistant quit.
- If the militants win seats, you are done. Should you start looking for a new position now?

WAS THIS ETHICAL?

- 10 years as a planner (AICP). Apply for Assistant City Manager position in another local government
- Very competitive recruitment process. Lands the job!
- 11 months into the position, walks into the Manager's office on a Friday afternoon
- Resigns with 2 weeks notice to return to old job

VALUES BEHIND THE “TENURE RULE”

- Integrity
- Commitment
- Respect for role of management
- Obligation to leave the organization in better shape than you found it

THE “TENURE RULE”

- Professional tenure is 2 years
 - Do your homework
 - Special exceptions
 - Applies only to CAO
 - Short tenure is exception not a pattern
 - Honor all conditions of employment with the organization



STEPPING INTO THE VOID

- You enthusiastically accept an offer of employment for a city manager position and council approves your agreement.
- You give your 30-day notice.
- A week later, media reports your new mayor is indicted. Relates to development deals in this rapidly growing city. A council member is implicated.
- Executive recruiter & council never disclosed during the recruitment. You have HUGE concerns about joining this organization.

BEYOND THE CALL OF DUTY

- 5-year tenure as manager produced great successes. Millions in funding for broadband, infrastructure, economic development. Future is bright!
- Manager announces resignation giving 6 months notice
- Very rural community; limited staff; no successor in place

BEYOND THE CALL OF DUTY

- Authority Board overseeing broadband implementation is worried about the future:
 - Can the departing manager** agree to work for the Authority as a consultant?
- City council starts recruiting process. Weak candidate pool. Growing very concerned
 - Can the departing manager agree to work for the City as a consultant?

COMPLICATING FACTORS

- City attorney negotiated the agreement to retain the manager's services
- City attorney also represents the manager's consulting firm
- Both authority board and council approved consulting agreement while manager was still an employee

THE PROFESSION'S COMMITMENT TO EQUITY, INCLUSION AND DIVERSITY

- Tenet 1. We believe professional management is essential to effective, efficient, equitable, and democratic local government.
- Tenet 4. Serve the best interests of all community members
- Tenet 9. Keep the community informed on local government affairs. Encourage and facilitate active engagement and constructive communication between community members and all local government officials.
- Tenet 11. Manage all personnel matters with fairness and impartiality.



WHAT ARE YOUR CORE VALUES?

It doesn't matter what core values you have. It matters that you have core values, that you preserve them over time, that you are passionately committed to them, and that you align your behaviors and your organizational practices and structures and strategies with those core values.

Jim Collins

OBSERVATIONS FROM THE BALCONY

- Be crystal clear about your personal values
- Understand what you signed on for
- Maintain a healthy ego
- Have the courage to do what's right
- Be an ethical leader

