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PM
PUBLIC MANAGEMENT

INSIDE

CAN RESILIENCY BE LEARNED?

Definitely, with collaboration, know-how, and hard work

ADVANCING PROFESSIONAL LOCAL GOVERNMENT MANAGEMENT WORLDWIDE

ICMA 100th ANNIVERSARY 1914 • 2014

PM
PUBLIC MANAGEMENT

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BY MARTHA PEREGO

CREATING ETHICAL DILEMMAS FOR THE STAFF

The big failure of leadership

Ask or direct a staff member to do something unethical, and you place the person in an untenable position of great risk. How many will muster up the courage to challenge their supervisors?

If they do the right thing, will they face possible job loss or retribution? Or do they go along with the hope that doing so will preserve their employment?

And if the unethical conduct is later revealed, how do they know for certain that they too won't be held accountable for their actions? Those who create ethical dilemmas for their employees demonstrate a complete failure of leadership.

How do leaders do this? The Machiavellian types take the bold approach and just order their direct reports to do things that are clearly unethical. Faced with a direct order or the opportunity to please the boss, who wouldn't comply?

The Subtle Slide

The vast majority of ethical dilemmas are created by leaders in a more subtle manner. It's the friendly request for assistance on a personal matter.

The lack of clear communication, often accompanied by a sense of urgency to get it done, sends the tacit message to staff that it's okay to violate a rule or policy. In this instance, to accomplish the leader's desired outcome.

Perhaps it is a pattern of a leader's noncompliance with organizational protocol that leaves staff with the impression that the leader is actually exempt from the rules. This can include a leader's failure to act on information delivered to the leader by staff, and a leader's failure to respect boundaries. Worse yet are those requests that are implicitly coercive.

Here are just a few real-world examples for consideration:

- A New York State Supreme Court Justice was recently censured for using public resources for personal gain. The judge repeatedly had staffers pick up her child at school and then babysit either in the courthouse or at her home. She also had her office staff drive her on personal errands.
- A city manager obtained a $10,000 unsecured, below-market-rate loan from the city to use as a down payment on a home. The loan, which was not outlined in the manager's employment agreement, was never approved by city council. When the request was submitted to finance, the check was issued. All of this was later disclosed by a district attorney's investigation. The city attorney also had full knowledge of the loan.
- An audit of county-issued credit cards revealed numerous personal charges made by the county manager to the county card. It was a clear violation of county policy. The personal charges were hard to miss since they included doctor visits, clothing purchases at major retail outlets, and items for the home.

  Yet the credit card bill was paid each month, often without receipts, explanation, or reimbursement of the personal expenses.
- In a case from the past decade, the former city manager and deputy city manager of San Diego each paid $25,000 in financial penalties for their roles in misleading investors in municipal bonds. The Securities and Exchange Commission (SEC) charges

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alleged these officials and others knew the city had been intentionally underfunding its pension obligations so that it could increase pension benefits but defer the costs.

The charges also alleged that they were aware that the city would face severe difficulty funding its future pension and retiree health care obligations unless new revenues were obtained, benefits were reduced, or city services were cut. The SEC alleged that despite extensive knowledge, they failed to inform municipal investors about the severe funding problems in bond disclosure documents.

The city manager signed the closing letter for one of the bond offerings, falsely certifying that it was accurate and did not contain any misleading statements. The deputy regularly reviewed and revised the false and misleading disclosure documents, and signed the closing letter for two of the five bond offerings.

In doing so, the deputy falsely certified the disclosures as accurate and not containing any misleading statements. She also reviewed and made presentations to the rating agencies.

Culture Matters

There are more facts that make each of these situations unique. But each shares a common thread: In the face of unethical conduct by the leader, opportunities for staff to intervene to stop that conduct were ignored.

From the individual asked to pay a bill or issue a check in violation of city policy to the department director who had oversight responsibilities, all failed in their ethical responsibility to act. What about all the others who, while not central to the drama, certainly had knowledge of the activity? Why didn't they intervene?

The takeaways from these examples? Leaders, it is not all about you! Consider the impact of your conduct on the employees and the organization before you act. Don't create ethical dilemmas for your staff.

Lastly, work to ensure that your organizational culture empowers employees to challenge unethical conduct no matter where it comes from. PM

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HAS THERE EVER BEEN A TIME WHEN YOU FREAKED OUT EVERYONE IN THE ROOM—COUNCILMEMBERS OR OTHERWISE—AND WHY?

MICHAEL STEIGERWALD, ICMA-CM
City Manager
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Keeping people informed generally avoids situations where they would otherwise be blindsided.

That being said, you can't always be ahead of every issue. In my first months as city manager, the city's revenues declined. The adopted budget, however, had projected an increase.

This left me facing a 10 percent revenue deficit in my first fiscal year. Despite a healthy reserve, I met with staff members to show them just how quickly this reserve would be gone if we didn't change our ways fiscally.

While the initial shock was evident, staff responded with optimism and determination. Not since that time has a proposed budget required major cuts to balance, and we came out of the recession without increasing taxes, service cuts, or significant layoffs.

Though it's not my preferred method, sometimes freaking out people is just the ticket to initiating organizational change.

MARTIN REEVES
Chief Executive
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Coventry is delivering a project to persuade residents to adopt more physically active lifestyles.

To give this important work an electric shock during a meeting of senior leaders of health across the city, public health consultants, and senior local authority officials, I announced that we would be closing the major street around the city (ring road) for a day to enable residents to reclaim the roads and streets.

There had been no previous discussion about the practicality of this, and I only thought of it on the spur of the moment. It had never been done before and colleagues thought I was mad, that business would suffer, that the city would go into meltdown, and that people would die as they went around the ring road.

Instead, thousands turned up with friends and family, business footfall increased, and no one was injured. In fact, residents had fun and hopefully will be inspired to be more physically active in the future.

MARY LOU BROWN
City Administrator
Grand Island, Nebraska
cityadministrator@grand-island.com

The mayor requested my resignation for what was explained to me as political reasons. I submitted it with an effective date 90 days into the future and agreed to work from home and be available for questions during that time.

After several weeks of this arrangement, the mayor determined that he preferred I work from city hall. In spite of all that had occurred, I agreed to physically return to the office.

His decision to bring me back was not a public one, so when I showed up in the office, it took employees and elected officials by complete surprise and was slightly awkward for the first few minutes.

When it came time for my resignation to become effective, the mayor asked me to stay in my position, which I still am in today.

ROBERT HARRISON
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I was called to a grisly scene in a city stream where a buck had been hit by a car and then scavenged by stray dogs. These animals had become a pack and had been seen roaming the city during the previous two weeks.

A week later, a dozen residents came to a city council meeting to share their fears about "killer dogs" in the community. The mayor asked what I'd found at the scene. My answer: A deer struck and killed by a car—and the circle of life.

Residents didn't like that answer, however, and continued to panic about the dogs. The city had to take action, and the police department captured the dogs.

While the facts were accurate, the episode reinforced that I always need to be aware of the audience, the setting, and its pre-existing perceptions before speaking at a public meeting. PM

CITYLINKS FOSTERS CLIMATE CHANGE COORDINATION

1

Adapting to and mitigating the effects of climate change require coordination among cities and counties that face hurricanes, flooding, and other challenges that they cannot address alone. Through ICMA's CityLinks program, Durban, South Africa, and Fort Lauderdale and Broward County, Florida, are exchanging lessons learned as they each work with multiple jurisdictions to meet similar challenges.

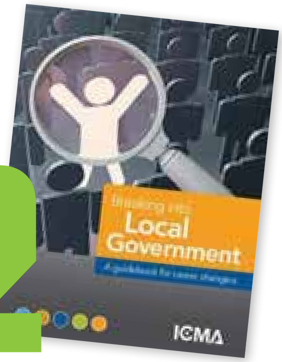
▸ **icma.org/citylinksclimate**

BREAKING INTO LOCAL GOVERNMENT

ICMA's handbook can help those transitioning into professional administrator positions. It includes case studies, resources, and more to support a possible career change.

▸ icma.org/breakingintolg

2



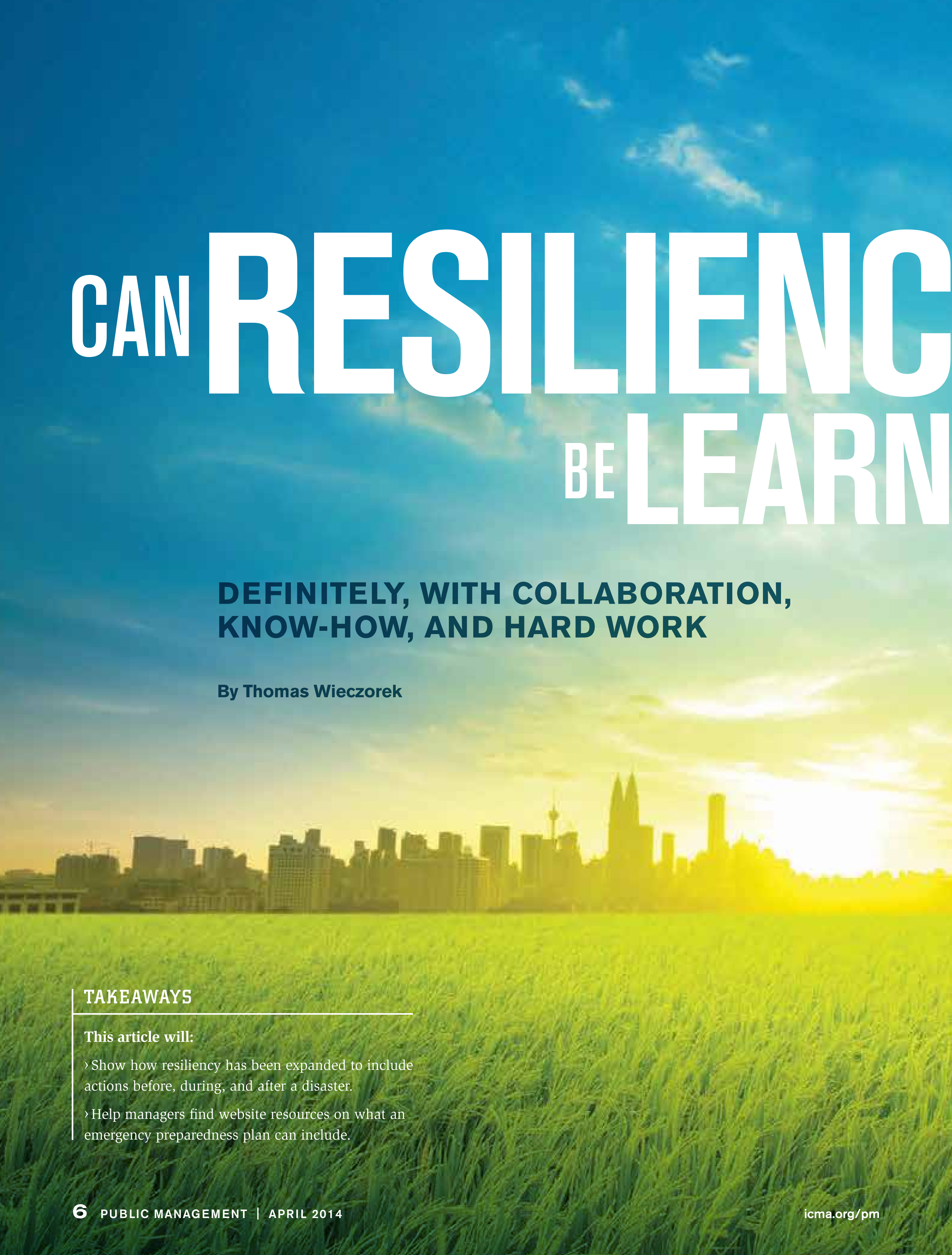
icma anniversary

MOMENT IN HISTORY

IN MONTRÉAL FOR ITS ANNUAL CONFERENCE, in 1924, the City Managers' Association changed its name to the International City Managers' Association in recognition of the many Canadian membership applications the organization had received. At that same conference, members formally adopted the City Manager's Code of Ethics, which consisted of 13 articles and was influential in establishing standards of ethics for all local government organizations. The code was subsequently amended in 1938, 1952, 1969, 1972, 1976, 1995, and 1998.

To learn more about the many milestones in the history of ICMA, its members, and the local government management profession, visit **icma.org/anniversary** and scroll through the anniversary timeline on the home page. Also watch this space in *PM*, where an anniversary moment is included each issue.

ICMA 100th ANNIVERSARY 1914 ▪ 2014



CAN RESILIENC BE LEARN

DEFINITELY, WITH COLLABORATION, KNOW-HOW, AND HARD WORK

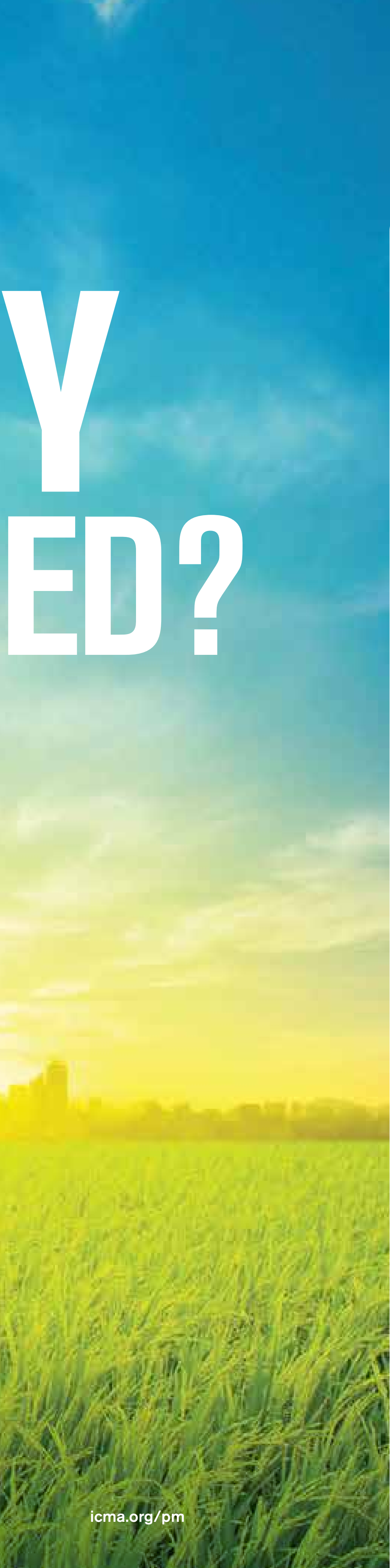
By Thomas Wieczorek

TAKEAWAYS

This article will:

› Show how resiliency has been expanded to include actions before, during, and after a disaster.

› Help managers find website resources on what an emergency preparedness plan can include.



A new hurricane starts to build its strength in the ocean during the late summer months and begins a direct path toward the mainland. Two communities are within the target zone of the massive storm and will fall victim to its wind, rain, and tidal surges. After lashing the two populated areas for hours, the storm moves on, leaving in its path a number of victims that may include the communities themselves.

One community responds well to the disaster and begins recovery immediately. Following plans developed well before the crisis occurred, residents, industry, and businesses join city efforts to help remove debris, open roadways, and return life to a state of pre-storm normalcy.

The other community seems to languish. Its residents become increasingly frustrated and angry. They lash out at responders, various levels of government, industry, businesses, and anyone willing to listen.

Why can there be such disparity when it comes to recovering from human-made and natural disasters and crises? Work by researchers, responders, and government officials (local, state, and federal representatives) during the past three years has shown that prevention and mitigation, which leads to building resilient communities, must occur before a disaster or crisis hits.

The subsequent studies resulted in updates to the *National Response Framework* guide that included redefining each of the five mission areas covered under the framework: response, recovery, mitigation, preparedness, and protection.

Resiliency, simply defined, is the ability to overcome challenges of all kinds and bounce back stronger and wiser.[1] Communities that wait and attempt to undertake resiliency planning while responding to and recovering from disasters are often destined for a lengthy, if not impossible, undertaking. As self-help author Alan Lakein would say: "Failing to plan, they have planned to fail."

> RESILIENCY, SIMPLY DEFINED, IS THE ABILITY TO OVERCOME CHALLENGES OF ALL KINDS AND BOUNCE BACK STRONGER AND WISER.

Planning Framework

A focus on resiliency began with the issuance of Presidential Policy Directive 8 (PPD-8)[2] in 2011 that includes these two points:

- Threats that pose risk to the security of the nation include acts of terrorism, cyberattacks, pandemics, and catastrophic natural disasters.

- National preparedness is the shared responsibility of all levels of government, private and nonprofit sectors, and individual residents.

Following release of PPD-8, the five mission areas that had been redefined as part of the National Planning Frameworks—prevention, protection, mitigation, response, and recovery—were used by the Federal Emergency Management Agency (FEMA) to establish the National Preparedness Goal. While similar to past efforts, the new definitions rely on knowledge gained through response to disasters of all types since the U.S. Department of Homeland Security (DHS) was created following September 11, 2001.

All of the directive documents involved numerous revisions by a host of interested parties, including ICMA, and have now been published on the FEMA website at http://www.fema.gov/national-preparedness-goal.

ONE OFTEN-ASKED QUESTION IS WHERE **COMMUNITIES WILL FIND THE MONEY TO DO EVERYTHING THAT IS NEEDED TO BECOME RESILIENT AND RECOVER FROM A DISASTER.**

When looking at how communities can engage stakeholders to reduce risk and prevent catastrophic outcomes, the five study groups established through PPD-8 sought to encourage resiliency and build resilient communities. While preparedness normally focuses on pre-disaster actions to survive the crisis, resiliency should be undertaken at all stages and focus not only on survival but also on creating full or better conditions following an event.

Two terms are often used interchangeably in the area of crisis management: sustainability and resiliency. The topic was discussed during a 2013 ICMA Annual Conference session presented by the Community and Regional Resilience Institute (CARRI), which stated, "A community's resilience is demonstrated by how well the community continues to meet its citizens' expectations even in the face of adversity. Sustainability is about maximizing efficiency; resilience is about optimizing the balance between efficiency and redundancy.

"In this sense, sustainability and resilience are not antipodes [opposites], nor at right angles, but they are complementary concepts, both important to community success." ICMA views sustainability with a similar lens, focusing on actions that help communities thrive over time.

Role of Leadership

Community efforts to recover from crisis have been distinguished by the presence of—or conversely, lack of—strong leadership. Most important to planning how a community will handle a disaster is to ensure the community is challenged to think of how it will respond, exercise plans that have been created, and then use those plans to assist the community through response and recovery.

In some communities, a vacuum in elected leadership may lead to informal groups, faith-based organizations, nonprofits, private or corporate entities, public groups, and associations taking the lead. When I was starting out as a city manager, the community where I was hired was experiencing such a vacuum.

A group of business leaders, spearheaded by the presidents of two local bank-holding companies, formed a nongovernmental organization that ultimately passed a bond issue to build a new high school/community college, established a recreational organization, revitalized the downtown, and attracted or retained several new industries. The community ultimately elected a new mayor and council that took the reins from the private organization, and the local government administrators continue to lead the community to this day.

Collaboration and Partnership Building

The same groups that may fill gaps when there is not a strong elected leadership should also be consulted when a community evaluates how it will handle crisis situations. Ideally the collaboration will be led by local government but in the absence of strong local leadership, guidance may be headed by representatives of the business, industry, or nonprofit community. An all-hazard community risk assessment should be conducted that will involve many of the same individuals.

A robust all-hazard community risk assessment begins with identifying what hazards a community might face (human-made and natural) followed by identifying what may be at risk from each hazard. "At risk" factors may include specific populations, strategic industry, historic assets, critical infrastructure, or various combinations of each.

It is from this hazard and risk assessment that plans are developed to protect the at-risk areas or minimize to what degree they may be impacted by a crisis. The plans must also include who will be in charge of this risk reduction effort as well as who would respond should a crisis occur.

The goal of any planning should be a minimization of impact from each hazard a community will face, with carefully choreographed plans of what will happen should pre-crisis efforts be insufficient to deal with the hazard. Examples of the community risk assessments can be found at these websites:

- http://www.fbu.me.uk/workplace/irmp/irmpdoc/irmp_front_section.pdf

- http://www.publicsafety.gc.ca/cnt/rsrcs/pblctns/ll-hzrd
- www.fema.gov/pdf/plan/slg101.pdf (Note: site is being revised at this writing).

Of particular importance is the involvement of major businesses, industry, nonprofit organizations, and other governmental agencies. The closure of a major industry could be just the crisis to which a community must respond; having some ideas of how and what industrial leaders could do if such an event happened may help in the response to such a loss.

All-hazard community risk assessments are finding their way into the United States through a group called Vision 20/20 (http://www.strategicfire.org), which originally began with funding from the U.S. Department of Homeland Security, Assistance to Fire Fighters Prevention and the Safety Grant Program, Institution of Fire Engineers-U.S. Branch (http://www.strategicfire.org).

The work done by Vision 20/20 builds on efforts in the United Kingdom (UK) to focus funding in the fire service on efforts that prevent incidents from occurring. The system of most U.S. and Canadian departments uses a concept known as Standards of Response Coverage (SORC), which was developed in the UK beginning in the 1930s to respond to an anticipated attack by Germany.

In order to survive the attack and deploy resources, communities developed SORCs to deploy emergency resources. The last iteration of SORC guidance was published in the UK in 1985, when research began on the outcomes of this standard deployment. The research found that when an incident occurred, loss was the likely outcome.

This finding led the UK to move toward a new concept called Integrated Risk Management Planning (IRMP). IRMPs were required for all fire and rescue services with a goal of preventing incidents from occurring (The UK Fire Rescue Service, which serves England, Wales, Scotland and Ireland, has approximately 50 agencies that are similar to fire departments in the United States. Larger entities are known as brigades, which may have subdivisions for specific services.)

Since adopting IRMP, research and experience have shown substantial decreases in the number of fires, injuries, and deaths to residents as well as responders, and a greater awareness of risks by the general public. Richmond, British Columbia, Canada, recently learned about the IRMP process and integrated the model into its strategic plans following a presentation by Retired Chief Tony McGuirk from Merseyside Fire District in the UK, who described the value of the process to his fire district.

Comprehensive community risk assessments must involve input not just from local government but also business, industry, nonprofits, and even state and federal (national) agencies. Identifying what hazards a community may face can be time-consuming and agencies like the National Oceanic and Atmospheric Administration or United States Geological Services may have detailed information relevant to the hazard and specific community.

As defined earlier, the process for outlining what is at risk with each hazard is likely to be more robust with contributions outside the normal local government organization. The U.S. Chamber of Commerce, for example, has a good deal of information on its website for helping the business community to become resilient, which can be found at https://www.uschamber.com/sites/default/files/legacy/chambers/files/A%208.1%20Crisis%20Plan%20Houma-Terrebonne%20Chamber.pdf.

Before Seeking Funding

Funding is limited for conducting community risk assessments and creating all-hazard risk assessments as well as moving towards IRMP (http://www.fema.gov/hazard-mitigation-assistance). The business community, public utility systems (water, sewer, storm sewer, electric, and gas), and community associations (particularly tax increment financing districts) may be excellent partners in helping create all-hazard risk assessment plans and integrating those plans with risk prevention and mitigation efforts.

All have substantial financial risk and a lot at stake should a disaster or crisis occur; so it is in their best interests as well as the public's for the community—its residents and its service providers—to know how to recover quickly and at a higher level.

Testing Emergency Plans

Plans as outlined in earlier portions of this article and those on various websites are excellent, but only if they have been

REMEMBER THESE NAMES

The concepts and the organizational resources noted in this article include:

- Community and Regional Resilience Institute (CRRI); http://www.resilientus.org
- Emergency Management Institute (EMI); http://training.fema.gov/emi
- Emergency Management Assistance Compact (EMAC); http://www.emacweb.org
- Integrated Risk Management Planning (IRMP); http://www.dcs.gla.ac.uk/irmp
- National Emergency Management Association (NEMA); http://www.nemaweb.org
- National Planning Frameworks; http://www.fema.gov/national-planning-frameworks
- Standards of Response Coverage (SORC); http://www.aptosfire.com/Default.aspx?tabid=82
- U.S. Federal Emergency Management Agency (FEMA); http://www.fema.gov

exercised. The problem with most community risk assessments and community risk plans is that they are never exercised and applied. Response efforts that resulted in well-documented failure were caused not from lack of planning but from failing to become knowledgeable about what was in the plans through a well-prepared exercise.

These efforts remind me of the gymnasium to which I belong and which fills to near overflowing around the second week of January. Fortunately by the second week of February, the numbers have tapered off and returned to normal, so once again the machines, weights, and classes can be used. Community risk plans are no different: Managers have to take them out, conduct exercises, and evaluate the results, which may lead to changes for future response.

The U.S. Department of Homeland Security had indicated it would begin requiring communities to have completed all-hazard risk assessment plans (also known as threat, hazard identification, and risk assessments (THIRAs) in federal documents) prior to applying for pre- and post-disaster funding. But THIRAs are best when they have been tested and deficiencies identified before being required. Leaders do not want to find out they have not identified weaknesses during a disaster or when a response is necessary.

Can Resiliency Be Achieved Alone?

One often-asked question is, where will communities find the money to do everything that is needed to become resilient and recover from a disaster? Some resources for funding pre-disaster work have been identified in this article.

In addition, your state emergency management organization may have funds for preparing all-hazard risk assessments from its annual federal appropriation through the Department of Homeland Security or from disaster declarations, of which a certain portion must be targeted toward mitigating future events.

Your state may also present free programs and classes on crisis leadership. Other areas to research are FEMA and the Emergency Management Institute (EMI) located in Emmitsburg, Maryland (http://training.fema.gov/emi). Programs from these organizations can be taken online with successful completion leading to certification as a professional emergency manager (PEM).

Communities should also be aware of the Emergency Management Assistance Compact (EMAC), which provides resources when a community exhausts its own response capability. The EMAC system is managed by the National Emergency Management Association (NEMA) and is a state-to-state mutual-aid network that delivers assistance through pre-negotiated contracts.

These contracts have identified mission-ready packages that may include people or equipment designed to respond to the needs of a community in another state. Liability and payments are handled at the state levels, thereby freeing local communities to concentrate on response. Communities should arrange to meet with their state emergency management representatives to discuss EMAC.

If a community wishes to contribute to EMAC efforts, specific guidelines have been established to prevent unsolicited or freelancing by responders, and legal documentation, including training, education, equipment, skills, and insurance filed with your state emergency management officer, is required. ICMA sits on the EMAC Advisory Board and can arrange for webinars or workshops on how to use EMAC.

EMAC was created because no one can afford all of the resources that are required to respond to a variety of incidents. Collectively, communities can respond as demonstrated by the response to Hurricane Sandy, which drew mission-ready packages to the east coast from as far away as California and Oregon.

That storm recovery was one of the largest uses of EMAC to date. Mission-ready packages are being proposed for assisting with after-disaster response, particularly for continued operations.

Developing all-hazard risk management plans, integrating risk assessments, collaborating with the business and industry sectors of your community along with nonprofits and other local governments, and getting to know them along with your state emergency officials are the building blocks to successfully prepare for and respond to crisis events.

Finding yourself in the response mode without having done planning—or exercised your plans or even discussed them—means that your focus is not limited to the end result of recovery. Rather, you have to attempt to catch up with events that may already be unfolding with a focus on recovery that has in many cases been undefined.

Resilient communities don't wait for the event but, rather, have planned for it and thus the response becomes almost routine. It is that distinction that results in the distinction of how communities emerge from disaster. PM

ICMA RESOURCE

ICMA's book titled *Emergency Management: Principles and Practice for Local Government, 2nd Edition*, focuses on the areas of response, recovery, mitigation, preparedness, and protection that are described in this article. For more information, search for item number 43482 on the ICMA bookstore's website at http://bookstore.icma.org.

ENDNOTES

1 Online source: http://www.fema.gov/media-library-data/20130726-1828-25045-9470/national_preparedness_goal_2011.pdf.

2 Standard Blog Post, Resilient Institute, Community and Regional Resilience Institute, P.O. Box 6856, Oak Ridge, Tennessee: http://www.resilientus.org/sustainability-and-community-resilience-iii-the-evolution-of-a-community.

THOMAS WIECZOREK, a former city manager, is director, ICMA Center for Public Safety Management, Washington, D.C., which is one of four Centers serving ICMA members (twieczorek@icma.org).

TAKEAWAYS

› During the attack on Pearl Harbor, the fast thinking and sound judgment of a young junior officer were crucial to the survival of a U.S. Navy destroyer.

› At the local government level, events can often unfold quickly, demanding immediate and thoughtful action, many times by those outside of senior management.

› When local government managers use techniques to invest in their staff's professional development, the entire organization can be better prepared to successfully handle unforeseen situations.

A **MANAGEMENT LESSON** FROM *PEARL HARBOR*

How to ready assistants for unexpected challenges

By Nate Nickel

This past December marked the 72nd anniversary of the surprise attack on Pearl Harbor. There were countless acts of heroism and tragedy that infamous day. I believe there is one particular story that illustrates a meaningful lesson that applies to local government management.

Like all the ships of the Pacific Fleet that morning, the destroyer USS *Aylwin* was moored at the dock. Since it was a Sunday, half of the crew, all senior officers, and the ship's commanding officer were enjoying liberty on shore. As a result, the officer in charge of the *Aylwin* that day was a young ensign named Stanley B. Caplan, who had a grand total of eight months of prior sea experience.

When the Japanese attack began, Ensign Caplan suddenly found himself in the middle of an unexpected war, with only a skeleton crew and no commanding officer. He was now the person who had to make the decisions and he had to make them fast.

The first thing Ensign Caplan did, without being told by any superior officer, was to order the ship's boilers started so that they could get under way. Some 30 minutes later, he received formal orders to get the ship steaming and out of Pearl Harbor as soon as possible.

Since the boilers had already been started, the *Aylwin* was able to start moving, avoiding a nearby bomb blast in the process. In fact, the ship left the mooring pier so quickly that the anchor chain and a stern line were torn off. Other ships were not so fortunate that day.

Faced With a Decision

As the ship was leaving the harbor, under full aerial attack, the crew saw a strange sight. Trailing about a thousand yards behind the ship was a small motorboat carrying the *Aylwin's* commanding officer and the other senior officers, who had scrambled after the attack began to join their shipmates.

The officers were waiving frantically for the ship to stop so they could get on board and resume command. (If you've ever watched the 1965 movie *In Harm's Way* starring John Wayne, there is an early scene in it that's based on this event.)

So what did the inexperienced young officer do when faced with this situation? Did he stop and wait for his commander to get on board? Under normal conditions, that decision would not have required much thought, especially if Ensign Caplan valued his future Navy career. In this circumstance, however, doing so would have jeopardized both the ship and the lives of the crew.

As a result, Ensign Caplan never hesitated in making his decision and continued at full speed toward the ocean, leaving the motorboat and its occupants bouncing around helplessly in his wake. The officers eventually had to quit the chase and later unceremoniously boarded another ship.

We can only guess, but it's probably a safe bet that the commander and his senior officers used some choice language while watching their young subordinate leave them all behind without a second thought. Unlike many ships that day, however, the *Aylwin* made it safely out of Pearl Harbor, survived the attack unscathed, and was ready for further combat operations in the Pacific Ocean.

Hard Decisions

The scenario that played out aboard the *Aylwin* is similar to those that local government managers can face. No matter how much a manager might plan on overseeing projects or supervising staff and daily routine tasks, unexpected changes can and will occur. And when they do, they usually happen suddenly, with little or no warning.

The person faced with these situations will often be thrust into the immediate role of making critical and timely decisions. The consequences for not making the right decisions can be steep. As a result, the safe route that is normally a no-brainer simply cannot be followed.

Perhaps unsettling to local government managers is the fact that they might not even be available to help out when everything unravels. They might be out inspecting a project in the field, conducting an executive retreat with elected officials, attending a meeting at the fire headquarters, out of town for a state conference, or maybe they just happened to call in sick that day.

The result? Without the manager present, other people in these moments may find themselves responsible for making spot judgments, rendering important decisions, and taking fast action, all of which could be while under stress.

In order to be successful in these situations, these people will need to rely on their intuition, knowledge, prior training, and experience. They might be a younger management team member, someone from another department, a frontline employee, or a new hire.

THE SCENARIO THAT PLAYED OUT ABOARD THE AYLWIN IS SIMILAR TO THOSE THAT LOCAL GOVERNMENT MANAGERS CAN FACE. NO MATTER HOW MUCH A MANAGER MIGHT PLAN ON OVERSEEING PROJECTS OR SUPERVISING STAFF AND DAILY ROUTINE TASKS, UNEXPECTED CHANGES CAN AND WILL OCCUR.

Neither you nor they might have ever anticipated that person being placed in that position, but they are, all the same. As the manager, you're now the one figuratively chasing the ship while someone else is running the show.

Can you think of an example from your career? We've probably all either personally experienced these moments firsthand, or have seen others thrust into the role of dealing with them: The neighborhood association meeting that was supposed to be a simple meet-and-greet ends up going sideways. An extremely angry resident shows up at the counter, demanding that a zoning violation fine be waived or he's going to sue the city.

Or, a routine project update presentation at the chamber of commerce turns into a heated debate on a local policy. A journalist calls out of the blue and needs an immediate interview. The list can go on and on, but all such situations have a similar trait: The senior manager isn't there and a junior subordinate may need to make important decisions, quite literally on the spot.

Here are ways that managers can help train and prepare junior management team members to better handle these types of situations:

TAKING THE TIME TO INVEST IN ASSISTANTS AND AIDES EARLY AND OFTEN IS EXTREMELY IMPORTANT. NOT ONLY WILL IT HELP THEM LEARN, DEVELOP, AND GROW IN THEIR CAREERS, BUT IT CAN ALSO MEAN THE DIFFERENCE WHEN THINGS ARE ON THE LINE AND THESE SAME PEOPLE NEED TO MAKE IMPORTANT DECISIONS ON THE SPOT.

Create leadership academies. A good number of local governments have created internal leadership academies. These can be great opportunities for a city or county to grow their own in-house talent and can be done in ways that are easy on the budget.

As a senior manager, find ways to share your insights with others. It's also a great way to retain organizational knowledge, plus it can be a fun way for staff members to connect together and build camaraderie. Menlo Park, California, was featured on a CAL-ICMA webinar last year for its innovative municipal leadership academy for staff.

Menlo Park is a relatively small municipal organization that has taken the initiative to create an in-house leadership academy for its staff. Operating for six years, it is not limited to only managers and executive personnel but is open to all employees. By emphasizing leadership development for a diverse range of employees and allowing their organization to become stronger on multiple levels, it has produced positive results for the city's management team. If you're thinking of starting a leadership academy, it's an interesting example to learn from.

The October 17, 2013, webinar titled "Managing Human Capital — Best Practices," which features the academy, is available on the "Agendas and Archives" tab of the CAL-ICMA Coaches Corner website at http://icma.org/en/ca/programs/coaching.

Support professional development. Such opportunities as conferences, state chapter meetings, educational sessions, webinars, and others provide an excellent opportunity for employees to keep up with current topics, trends, and best practices. They also are a way to network with peers from other communities, which can be a tremendous asset.

Learning how others successfully handled a particular situation, or sometimes more importantly, the lessons they may have learned from their mistakes, can provide major dividends later down the road for your staff.

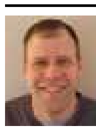
Take time to mentor. Simply taking time to talk with junior employees on an individual basis can make a huge difference. Chances are, any seasoned manager has a wide number of stories to tell—both funny and cautionary—and nuggets of advice to share. Finding time to stop by and check in with employees can be a great opportunity for them not only to learn from your wisdom and experiences, but for you to coach them as well.

These are lessons that can be valuable and often have a lasting impact on people's careers. I can speak from experience; I have often used the advice passed down to me many years ago by a former city manager for whom I worked.

There is no magic bullet, but the basic formula is easy enough to find: Taking the time to invest in assistants and aides early and often is extremely important. Not only will it help them learn, develop, and grow in their careers, but it can also mean the difference when things are on the line and these same people need to make important decisions on the spot.

So, what happened to Ensign Caplan? His commanding officer, the same one left behind waving and yelling for him to stop, recommended him for special commendation. He specifically cited Ensign Caplan for "superbly taking command" and his conduct aboard the USS Aylwin as "a most amazing and outstanding achievement."

Hopefully, you will be able to use the same words when describing the actions of assistants and aides when their time to be tested comes. PM



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CITY HALL

BY DOUGLAS AYRES

SHORING UP LOCAL GOVERNMENT REVENUES

It's time to tap overlooked sources

Public services provided by local governments are in dire financial condition in the aftermath of the Great Recession. Especially threatened are the basics: law enforcement, fire and emergency medical services, and road and street maintenance. Other governmental activities, including parks, libraries, culture, planning, and basic government support, have been forced to the back burner.

The recession set in motion a destructive wave of consequences, including massive losses in the value of taxable real estate, government employee pension funds, and retail sales tax revenues. The setting of fuel taxes per gallon rather than by percentage of cost has also resulted in a significant reduction in the basic component of street and highway maintenance revenues. Most such revenues now must be used for new construction, with maintenance levels significantly reduced, deferred, or actually eliminated.

Additional Revenue Needed

It has become clear that greater diversification must be achieved to resuscitate government revenues. Otherwise, essential services will continue to be reduced and the lesser-valued activities all but eliminated. Old and new revenue streams could be the answer.

First, local governments should significantly broaden the sales tax base to include the full cost of labor-intensive services. Haircuts and other personal care, for example, are services and could be taxed. Business-related computations would be avoided and tax income increased if the entire tax on an auto repair bill included not only parts but labor too, thus taxing the total goods and services provided. National statistics currently indicate that greater than one third of consumer purchases are of services and not just goods.[1]

Second, implement the Municipal Business System[2] and apply the private sector cost and profit/loss regimen to each of the specific services and then identify the distinct beneficiaries for each discreet government service. Thus, the exact true and full costs to match beneficiary-provided revenues would be known.

This lack of municipal-service identification and full-service cost data has allowed a major diversion of general tax revenues to subsidize the consumers receiving each limited client service. Discovery processes and computer programs exist to define and to alleviate such leaky cost recovery knowledge.

Specific services in local jurisdictions have been shown to divert as much as half of general property and sales tax revenues solely to benefit special service recipients. Recovery of those monies by charging specific full-cost recovery service fees not only secures massive amounts of new revenues but also achieves greater equity in the use of tax revenues for community-wide benefit services only.

Governing bodies should have specific knowledge of the full cost versus the special benefit of every service so that open decisions can be made about use of general taxes for general public benefit or for taxes diverted to special services for the limited clientele.

Third, it's time to return to greater use of local improvement districts, which are also known as special assessment districts. All 50 states have statues allowing specific benefits to specific properties to be paid for by specific amounts of incurred service and/or construction costs.

The majority of local infrastructure historically has been provided by assessment/improvement district levies. But that use declined with the increase of requirements for developers to provide infrastructure and development impact fees. Unfortunately, however, maintenance, improvement, and replacement of these developer-built infrastructure additions have been left to local governments, without adequate revenue sources to provide them.

Return to Basics

Two other major omissions of cost awareness and thus distribution among distinct services are overhead and true fixed-asset replacement cost, not original or historic expense. Through an unfortunate economic confluence, the costs of local infrastructure maintenance and replacement and service operational costs have been doomed to be financed by the Big Two—property taxes and sales taxes. Special service fees and charges as well as special assessments have tended to be forgotten, overlooked, or unused.

It is time to return to basics. All four local government revenue sources—property taxes, full economic transaction taxes including retail sales, specific limited service fees and charges, and local improvement assessments—must be tapped for local government to return to a more stable financial footing. PM

ENDNOTES

1 Bureau of Economic Analysis, U.S. Department of Commerce; Table 2.4.5 Personal Consumption Expenditures by Type of Product; 2012.

2 Information found in *Consumer Government – via the Art of Full Disclosure* by Douglas W. Ayres; www.consumergovernment.com. This book is included as part of Member Books on ICMA's website at http://icma.org/en/press/bookstore/member_authors/member_books.

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BY JOHN FOSTER

A UNIVERSE OF UNCERTAINTIES

Risk management must align with the ever-changing marketplace

How are you reducing the risk of risk? Put another way: How is your organization's strategy explicitly leveraging clarity of purpose, internal processes, and human resources to reduce and manage the risks that your organization encounters now or will encounter in the future? If the answer is "not very well" or "I don't know," the organization's identity could be in jeopardy.

Gone with the wind are the days when leaders thought of risk management only in terms of how much insurance coverage was needed. Now they acknowledge the growth of risks in five organizational dimensions: strategy, operations, capital structure, human capital, and brand.

To quote Harvard Business School strategy experts Robert Kaplan and Dr. David Norton: "We must elevate the topic of risk management to a level of visibility more in alignment with the dynamic nature of the ever-changing marketplace." Today, I believe that risk is defined as the universe of *uncertainties* that affect an organization.

While I acknowledge that government is not a business, the public sector shares many of the same risks in terms of a need for clear thinking in strategy and use of scarce resources for taxpayers at a time when budgets are shrinking and there is increased demand for greater accountability and transparency.

When you add to these risks the challenges associated with unfunded pension liabilities and the loss of institutional knowledge through attrition, the need for recruitment and retention strategies becomes abundantly clear as an important component of risk management.

So what are you doing to address these areas? How are you questioning your answers to challenge the status quo?

Where to Start

I recommend starting with an assessment of your organization's current situation as a means for better understanding its risk profile and risk awareness levels beyond the traditional insurance areas. Distractions from growth, daily routines, crisis management, and generally being part of an organization can cause drift.

In the press of these distractions, why the organization exists may no longer be as clear. Whether we are doing the right things poorly or the wrongs things well are questions we fail to ask anymore. These represent real and immediate opportunities for an organization.

Leaders and managers within any organization making an effort to manage risk might consider adding the PESTEL analysis to their toolbox. PESTEL can be completed by anyone, anywhere without the aid of an outside adviser. Traditionally used to analyze trends in new or emerging markets, it's an acronym that represents six dimensions of the macro environment in which organizations operate: political, economic, social, technological, environmental, and legal.

So what's in your toolbox that you haven't used in a while? Consider how you are defining and dealing with the new models of risk. PM

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BY CHERYL HUGHES

PALMDALE'S POWERFUL TOOL

A community engagement success story

Articles in *PM* often address the difficult challenges facing local governments today and how they continue to deliver effective services given reductions in both their revenues and staffing. This story tells how Palmdale, California, is using one powerful tool to address its service needs.

One of the key components of Palmdale's strategic plan for creating a sustainable community is community engagement. Residents, community groups, and businesses are the catalysts to making this type of engagement the powerhouse that it is.

The city realized the energy that its residents have and put that energy to work on October 5, 2013, at a makeover event for one of the most widely used parks in the city, Domenic Massari Park. Community members successfully completed myriad projects, bringing life back into the park and at the same time, contributing to the strategic plan component.

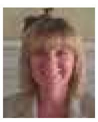
Activating the Community

When I first began to discuss the idea about community partnering and collaborating as a way to accomplish this park's revitalization projects, no one could have imagined the level of enthusiasm that the community would demonstrate. Here is what took place:

- The process began by creating a team that would conceptualize, organize, and plan the event, including promotional and operational aspects. The team worked closely with Palmdale's communications manager on media alerts and press releases.
- Team members took part in a radio broadcast aimed at reaching the community's Hispanic population and spoke about the importance of the event and what it could do for Palmdale.
- The city's website was used, and the city also created flyers for display at the park, along with having public safety officers distribute them to park patrons.
- To engage and entice the business community to support the event, businesses were offered recognition in the winter edition of *Palmdale News*, a magazine mailed to households every quarter.
- The team contacted local pizza establishments around the immediate area of the park and requested pizza donations for the volunteers, and each one of those establishments graciously granted the requests.
- Several home supply stores supported the event by donating materials and allowed their employees to volunteer their time. A coffee chain donated coffee, and other local businesses offered supplies or services for free or at significantly reduced costs to the city.
- Project accomplishments on that picture perfect day included repairing soccer and baseball fields; painting the inside and outside of buildings, painting baseball benches, baseball dugouts, curbs in parking lots, and many other gates and fixtures throughout the park; spreading decomposed granite in parking lot medians; planting new shrubbery within the park and parking lots; installing sod; and filling in park tree wells with concrete as trees no longer grow in them due to health conditions.

The work also included beginning a special project repurposing park light fixtures by creating round, colorful spheres and putting them atop fixtures in the playground area.

The positive feedback and inquiries into future community events received from residents, businesses, and more than 50 city staff who were involved will have a long-lasting impact. When this article was written, planning had already begun for the 2014 *Semester of Service*, which includes a community event one Saturday each month from January to April. This begins with the "Desert Reveal" event in January, where illegally dumped items in the native desert scape are removed to once again reveal the area's natural beauty. PM



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BY KATHY VACCARO

UPDATE ON THE AFFORDABLE CARE ACT

Find out about delayed provisions and those taking effect in 2014

When the Patient Protection and Affordable Care Act (PPACA) was signed into law in 2010, Cigna expected many of the major provisions to be implemented by 2014. The opening of the health insurance marketplaces was really the culmination of many sweeping changes driven by the law.

While many provisions have been implemented, there have been delays for others. In some cases, the delay reflects the administration's recognition that more implementation time is needed.

So with that in mind, let's review what's actually taking shape, along with a few provisions that have seen delays in their effective dates.

Employer Mandate Delayed Until 2015

Of course, the most significant change we've seen is the delay of the "employer mandate" from 2014 until 2015. Employers potentially affected by this new set of rules now have a bit more breathing room.

If your local government has 50 or more full-time and full-time equivalent employees, you now have until January 1, 2015, to offer coverage that meets the affordability and minimum value standards. If coverage meeting these standards is not offered to full-time employees who work at least 30 hours a week and their dependent children up to age 26, the company could face penalties beginning in 2015.

It's still unclear whether the employer mandate will apply to non-calendar-year plans immediately on January 1, 2015. In the absence of regulatory guidance, employers with non-calendar-year plans should consider complying with the employer mandate with their plan year beginning in 2014 to avoid having to make mid-plan year changes on January 1.

As a result of the one-year delay in the employer mandate, the IRS also delayed for one year the reporting required by large employers subject to the mandate. Starting in 2015, employers will report details regarding their compliance with the mandate to the IRS and their employees.

Other Employer Responsibilities

Implementation of the auto-enrollment requirement applicable to employers with more than 200 full-time employees has also been delayed. Based upon what we know, this provision requires these employers to automatically enroll, or re-enroll, all full-time employees, unless the employees indicate otherwise. The frequently-asked-questions section of the Department of Labor website indicates that automatic enrollment will not go into effect until regulations are issued.

PPACA also requires that entities providing minimum essential coverage, including insurers and employers sponsoring self-funded health plans, provide information to the IRS and the covered individuals. In September 2013, the Treasury Department announced the delay of this reporting requirement from 2014 to 2015, and that reporting for the 2014 calendar year is optional.

These reporting provisions will serve to assist the government in determining the impact of the employer mandate, as well as individuals' eligibility for the federal premium tax credits available through health insurance marketplaces. While in their formative phase, these provisions will create additional administrative responsibilities for employers starting in 2015. We urge you to stay tuned for more details on all these employer responsibilities in 2014.

Health Insurance Marketplace Rollout

Despite the well-publicized problems with the online enrollment process, the implementation of the health insurance marketplaces is moving forward, with two modifications.

Individuals who enroll in a plan through the marketplace by March 31, 2014, will not have coverage until May 1. Such enrollees, however, will not have to pay a penalty under the individual mandate in 2014, even though they may be without coverage for more than three months. They will be able to claim a hardship exemption from the individual mandate penalty.

The other change relates to the Small Business Health Option Program (SHOP) marketplace. For states whose SHOP marketplace is operated by the federal government, online enrollment and employer choice will not be available until 2015. Small businesses can still compare plans online, and other alternatives are available for enrollment in 2014.

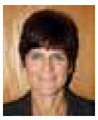
Beginning in 2015, the employee-choice option will allow small employers to determine how much they will contribute toward the cost of employee coverage and offer their employees a choice of marketplace plans from different carriers at a certain level (bronze, silver, and so forth).

What's Taking Effect This Year

Now that we're all caught up on the delays, let's take a look at some of the key provisions that *are* taking effect in 2014, as originally planned. I would encourage you to take a look at Cigna's interactive timeline at www.cigna.com/health-care-reform/timeline for more details on these items:

- Essential health benefits.
- Cost-sharing limits.
- No pre-existing conditions for all ages.
- No annual dollar limits on essential health benefits.
- Wellness program incentives.
- Guaranteed availability and renewability.
- 90-day maximum waiting period.
- Health insurance industry fee on insurers.
- Reinsurance fee on insured and self-insured plans.

For further updates and clarifications, visit InformedOnReform.com (www.cigna.com/health-care-reform), Cigna's comprehensive website for news and insights on emerging issues and concerns relating to PPACA. PM



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Roger is contributing author and editor of *Town and Gown Relations: A Handbook of Best Practices* (McFarland, 2013). This is a handbook of national best practices in this dynamic and evolving field!

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BY TUMIKO RUCKER, ICMA-CM

ON THE BEACHFRONT

Tackling erosion, wildlife, and legal challenges

The town of Kiawah Island, South Carolina—a gated residential community with 1,685 residents that includes a resort—faced one of its biggest challenges in 2006. Severe beach erosion threatened its primary asset, the pristine Kiawah Beach.

The erosion was so extensive that it jeopardized a portion of the prestigious 18-hole Ocean Course golf course. Exposed irrigation lines and sod floating off with the tide was hardly the makings for a pleasant day of golf. Both the beach and the golf course are major contributors to Kiawah Island's economy.

To tackle the problem, the town endeavored to complete its first beach restoration project. With support of the Kiawah Island Golf Resort, Kiawah Island Community Association, and then real estate developers Kiawah Development Partners, the town began the tedious process of applying for state and federal permits.

A Complicated Process

We applied to the Department of Health and Environmental Control's Office of Ocean and Coastal Resource Management; the U.S. Fish and Wildlife Management; and the U.S. Army Corps of Engineers to begin the work. Since I had been town administrator for only three months, this task was not envisioned as a first major project, but it did become one.

The permitting process was a daunting task that lasted nearly six months and required several concessions from the town. These concessions focused around the beachfront wildlife, including loggerhead sea turtles as well as piping plover, least terns, and Wilson's plover shorebirds.

The town worked with its expert biologist and beach consultants Coastal Science and Engineering to redesign the East End project and reduce its scope to minimize impact to the habitat. The project, however, consisted of moving 550,000 cubic yards of sand from an adjacent sand shoal.

The sand would be used to "lend Mother Nature a helping hand" and complete the attachment (of the sand shoal) by placing the sand in the fill areas affected by erosion. The completed project was designed to stabilize and smooth out the shoreline and allow sand to move naturally down the coastline over time.

A condition of the permit included a five-year monitoring program to count the bird populations, in particular the piping plover, along the beach in the project area.

Another was a condensed work schedule that would limit construction to a two-week period of time.

The construction schedule was further constrained by the turtle nesting season, such that no vehicles were allowed on the beach until the "all clear" was issued, meaning no loggerhead sea turtles' tracks or nests were identified in the project area. After working through these details, the town was prepared to begin work, but instead was greeted with a lawsuit from the South Carolina Environmental Law Project, a local conservation organization.

Our Day in Court

The town then consulted with an attorney who specialized in defending similar cases. We engaged Ellison Smith, who had a style and comical demeanor that kept us on our toes, but he helped prepare the biologist and myself for our day in court.

We sat patiently, waiting to be called to testify and support the East End beach project. The tension in the court room was thick, and it was obvious that the two opposing attorneys had faced off before. For us, it was more than disarming an opponent; the future of the town's single largest asset rested with us.

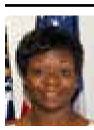
After a day of deliberations, testimony, and questioning, an administrative law court judge concluded the session and rendered a decision to allow the town of Kiawah to proceed with the project. Finally, we were authorized and prepared to begin work.

Arriving at the work site by 5 a.m. each day, with temperatures soaring to 100 degrees, the crews moved truckloads of sand from one area to another. Bulldozers filled truckload after truckload until the inlet breach was closed and all 550,000 cubic yards of sand were successfully moved.

The wildlife, however; were not convinced that having all the people, bulldozers, and trucks in their beach sanctuary was a good idea. In particular, a species of birds called least terns took exception to our presence and launched an aerial attack as they dove towards us with their long sharp beaks. This was a daily greeting as we attempted to walk through the project area that bordered their protected bird habitat and nesting area.

Despite the varied challenges ranging from permitting, wildlife concessions, lawsuits, and soaring temperatures, the project was a huge success for Kiawah, the wildlife, and the golf course. The total project cost the town approximately $3.6 million and has stood the test of time.

There now are hundreds of added yards of beachfront for seabirds, turtles, golfers, and beachgoers alike to enjoy. And no more aerial attacks by the terns. PM



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