

Hit Me With Your Best Shot


A Presentation on the AICP Code of Ethics
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What We Will Do Today


- ▶ Test your knowledge of the Code
 - ▶ Brief Code Review – hand out
 - ▶ Slam You with Scenarios
 - Shout Out Your Answers
 - ▶ Respond to Questions
 - ▶ Try to Have Fun
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Answer Sheet


- ▶ 1. F
- ▶ 2. F
- ▶ 3. T
- ▶ 4. F
- ▶ 5. T
- ▶ 6. T
- ▶ 7. T
- ▶ 8. F
- ▶ 9. T
- ▶ 10. T

- ▶ Our Code is divided into three sections:
 - ▶ Section A contains a statement of aspirational principles that constitute the ideals to which we are committed. However, an allegation that we failed to achieve our aspirational principles cannot be the subject of a misconduct charge or be a cause for disciplinary action.
 - ▶ Section B contains rules of conduct to which we are held accountable. If we violate any of these rules, we can be the object of a charge of misconduct. We shall be subject to the imposition of sanctions that may include loss of our certification.
 - ▶ Section C contains the procedural provisions of the Code.
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25 Elements in the Rules of Conduct

- ▶ Patti Salkin saw four themes:
 1. Conduct that is in essence illegal.
 2. Conduct that is less than truthful.
 3. Conduct that is not professional.
 4. Conduct that, in general, would cause a lack of public confidence.
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Conduct that is in essence illegal.

- ▶ Don't accept work that is illegal.
 - ▶ Don't talk to decisions-makers when such conversation is prohibited.
 - ▶ Don't make private deals when such deal-making is prohibited.
 - ▶ Don't unlawfully discriminate.
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Conduct that is less than truthful.


- ▶ Provide timely, clear, and accurate information.
 - ▶ Don't misrepresent the qualifications of others.
 - ▶ Don't solicit clients with misleading claims.
 - ▶ Don't misstate your qualifications.
 - ▶ Don't take credit for work done by others.
 - ▶ Disclose the interests of the client and do not conceal your employer.
 - ▶ Don't coerce others to make findings not supported by evidence.
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Conduct that is not professional.

- ▶ Don't reverse your public position without consultation and disclosure.
 - ▶ Don't moonlight unless your employer approves.
 - ▶ Don't sell services by implying an ability to influence decisions by improper means.
 - ▶ Don't accept work beyond your competence.
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Conduct that is not professional.

Continued

- ▶ Don't accept work you can't finish on time.
 - ▶ Don't fail to cooperate when an ethics charge is filed.
 - ▶ Don't retaliate against those who file the charge.
 - ▶ Don't threaten to file a charge or file a frivolous charge.
 - ▶ Don't commit a wrongful act that reflects on our professional fitness.
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Conduct that would, in general,
cause a lack of public confidence.

- ▶ As a public employee, don't accept an advantage related to employment.
- ▶ Don't use the power of the office to seek a special advantage.
- ▶ Don't do work, without disclosure and consent from employer, where there is the potential for gain to family or persons in our household.
- ▶ Don't use to personal advantage information that you've been asked to treat as confidential.


1. If you are going to finish the staff report before 5:00 pm, you'll have to skip the mandatory sexual harassment training. A friend offers to go in your place and sign in. You've had the training before.

Is this OK?



2. The newly elected Council member calls to request an advance copy of the staff report.

What do you answer and why?



3. You are a contract planner for the City of Lemon Peel. You prepared the successful grant application for climate planning, and drafted the RFP for consultant services to do the plan. You have also submitted a proposal to perform the planning services.

Is this a good idea?



4. You are a consulting planner with a multiyear contract with the City of Lemon Peel. The Planning Manager calls you and says all of the planners have taken an 18% salary cut and the Lemon Peel Council wants you to do the same.

Is that request ethical?

What should your response be?



5. A colleague is out of the office on sick leave. He confides in you that he has no plans to return to the office and will retire when his sick leave runs out. Your supervisor is making a valiant budget effort to save the position and has even gone out on a limb.

Should you tell your supervisor?



6. You are the senior planner for Lemon Peel. The Historic Preservation Commission will be considering a proposal brought by a neighborhood association to expand the Historic District as a strategy to stop a large apartment project. You are part of the staff team reviewing the apartment project. You believe strongly in historic preservation but, in this case, you also plan to testify against the proposal at the public hearing.


Is this ethical?

7. You're a member of the Lemon Peel employee group committee planning the holiday party. You've been asked to contact restaurants you've recently inspected for small gift certificates for the party.

Can you do this?



8. The realtor who sold you your house has become a friend. As a public agency planner, can you recommend her services to others if asked when you are working at the zoning counter?



9. You are a long time senior planner. Your boss, the young Lemon Peel City Planning Director, confides he's thinking of taking a job with the consulting law firm he's currently negotiating with over a threatened lawsuit.

Should you do anything?

Should the Director take the job?

10. A counter applicant threatens to complain about you because you said his project was “Mickey Mouse.” He says if he gets expedited review, he’ll keep his mouth shut.

What should you do?




11. With two positions eliminated, there are not enough consulting planners in the firm to complete all the pending projects. Your boss urges you to do a simple cut and paste for the project with the least likelihood of generating repeat business. You are to concentrate on the project that could be the beginning of a highly remunerative relationship.

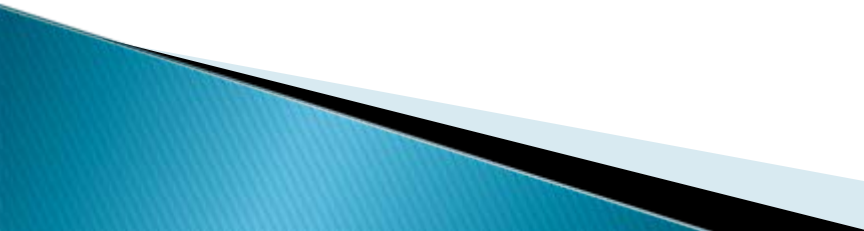
Is this ethical?



12. Should your office staff accept a gift basket from developers?


Does it matter whether they have a project currently before the City?




13. Should the planning staff accept a gift basket from planning consultants? Does it matter whether they are bidding on a contract with the city at the time they offer the basket? Is it OK if the planning consultant seeking a contract with the City leaves the gift basket in the Finance Department and the planners eat the fruit while standing in Finance and not in Planning?
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14. Is it ethical for a public planner to accept tickets to a banquet from a developer?

What if the banquet is to honor a community organization that provides low income housing?




15. You are attending an ethics training for the required 1.5 hours of CM credit. Twenty minutes into the session your boss calls. You leave to take the call and miss the remainder of the session. Can you record the session on your CM log?




16. You are a young planner managing your first project. You have approved the very expensive monthly invoices for the past ten months and note that not many tasks have been completed. The very nice consultant explains the lack of progress most courteously. Is there a problem here?

17. The Lemon Peel City Manager tells you that the Redevelopment Agency approved the construction of a parking garage downtown. You are to conduct a community workshop, but you are warned that the project is nailed down and that no changes will be made, regardless of the outcome of the meeting. How do you handle this assignment? Is there an ethical issue?



18. Community Development Block Grants are managed by the Lemon Peel Housing and Redevelopment Agency. You work for the planning department which has received from the HRA for comprehensive planning. This year the CDBG funding was reduced and the Housing and Redevelopment Agency will be competing for funding against other city agencies. Is this ethical?

19. Your spouse works for the City Planning Agency. You work for the County Planning Department. The strong position she has taken on the proposed expansion of the County's facility within the City limits is creating political fall out. Are you a loyal spouse or a loyal County employee? At this point, you know all of the City's proposed strategies and wonder how to use the information.



20. The Lemon Peel planning staff has had their work week reduced because of the current economic client. The last project the junior planner reviewed was for a new fast food restaurant. Their real estate locator has offered the planner a part-time job helping with site selection.

Is it ethical to take the job?

21. A consulting architect on a project in Lemon Peel is also a planning commissioner in the adjacent City of Orange Rind. The consulting architect meets with planning staff of Lemon Peel to attempt to negotiate the conditions of approval of a project – in order to obtain a final certificate of occupancy. At the outset of the meeting, the consulting architect provides Lemon planning staff with a business card from the Architecture Firm and another from the planning commission of Orange Rind. Is it ethical to hand out the planning commission business card when not acting in an official capacity for the City of Orange Rind?

22. You work for and live in (a home that you own) in the City of Orange Rind. You are managing the General Plan Update. Should you excuse yourself from matters affecting your neighborhood?

