

City of Alexandria, Virginia

25
6-11-02

MEMORANDUM

DATE: JUNE 3, 2002

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: PHILIP SUNDERLAND, CITY MANAGER ^S

SUBJECT: PROPOSAL TO REMOVE CERTAIN RESTRICTIONS ON COUNCIL ADMINISTRATIVE AIDE SALARIES

ISSUE: City Council consideration of removing the restrictions on Council Administrative Aide salaries and allowing them to receive cost-of-living increases as approved by City Council.

RECOMMENDATION: That City Council amend the Special Regulation City Council Administrative Aides to permit the six Council Aides to receive the cost-of-living increase approved by Council in the Approved FY 2003 budget.

DISCUSSION: At the May 6, 2002 work session City Council asked that staff develop a method to allow Council aides to receive, as has been customary, the full cost-of-living increase included in the Approved FY 2003 Budget. Aides currently receive annual compensation of \$19,883 which, with a 2.5% COLA, would total \$20,380 in FY 2003. The Special Regulation for City Council Administrative Aides (Attachment 1) governs the compensation of those positions, and presently provides that each aide's salary cannot exceed the salary of his or her member of Council, which is \$20,000 per year. (This salary cap does not apply to the Administrative Aide to the Mayor, which has been established as a full-time City position.) Thus, under the current regulation, the full FY 2003 COLA of 2.5% may not be given to Council aides.

The proposed change to Paragraph A, Section IV, Salary and Fringe Benefits, of the Special Regulation removes that salary cap, and thus will allow Council aides to receive the full 2.5% cost-of-living increase in FY 2003 and beyond without regard to the salary of Council members. The proposed change is as follows:

- A. ~~In no event shall the salary of any administrative aide exceed that of his or her member of City Council as paid by the City; provided, however, that this subsection shall not apply to the administrative aide to the Mayor~~ The administrative aides shall receive as compensation such salary as the City Council may from time to time establish in adopting the City's annual budget. The salary for all aides shall be uniform; provided, however, that the City Council may separately determine the salary of the Mayor's aide.

This amendment will take effect immediately upon approval by City Council. If approved, thus, the six Council aides will be eligible to receive the COLA which will become effective on June 28, 2002 which is the first day of the first pay period of FY 2003.

FISCAL IMPACT: The total cost of providing the full 2.5% cost of living adjustment to a pay level of \$20,380 for the six Council Aides above the current salary cap of \$20,000 will be \$2,280 in FY 2003.

ATTACHMENTS:

Attachment 1: Proposed Amendment, Section IV, Special Regulation, City Council
Administrative Aides

Attachment 2: Current Special Regulation, City Council Administrative Aides

STAFF:

Gene Swearingen, Director, Office of Management and Budget
Paul Doku, OMB Analyst

PROPOSED AMENDMENT
SECTION IV - SALARY AND FRINGE BENEFITS
SPECIAL REGULATION
CITY COUNCIL ADMINISTRATIVE AIDES

IV. SALARY AND FRINGE BENEFITS

- A. ~~In no event shall the salary of any administrative aide exceed that of his or her member of City Council as paid by the City; provided, however, that this subsection shall not apply to the administrative aide to the Mayor~~ The administrative aides shall receive as compensation such salary as the City Council may from time to time establish in adopting the City's annual budget. The salary for all aides shall be uniform; provided, however, that the City Council may separately determine the salary of the Mayor's aide.
- B. Hours of work, vacation, leave and sick leave arrangements will be worked out between each administrative aide and his or her member of City Council, except that no compensation for accrued vacation leave or sick leave will be provided for any administrative aide when he or she leaves office.
- C. In the event that an administrative aide becomes disabled and is unable to perform the full duties of the position during any period of 60 days, all pay and benefits shall be terminated.
- D. Federal and State income taxes, Social Security taxes, and any other withholdings required by law will be withheld from each administrative aide's paycheck.
- E. The administrative aides will be eligible to participate in the group life insurance program and the group medical insurance program (single coverage only) that is available to general City employees, to the extent that insurance contracts permit such participation; there shall be no cost to the City for such participation.
- F. The administrative aides will not be eligible to participate in either the Virginia Supplemental Retirement System or the City's supplemental pension program.

SPECIAL REGULATION

CITY COUNCIL ADMINISTRATIVE AIDES

I. PURPOSE

The purpose of this Special Regulation is to establish a framework concerning the relationships, activities, compensation, expenditures, and accountability of administrative aides appointed as assistants to members of the City Council, including the Mayor. Hereafter in this Regulation, the term member of City Council will include the Mayor.

II. RELATIONSHIPS TO CITY COUNCIL AND CITY CLERK

- A. An administrative aide for any member of City Council shall only be appointed by the City Clerk after she has been advised by such member of City Council that he or she wishes such an administrative aide and names the aide to be appointed.
- B. No member of the immediate family of any member of City Council shall be eligible for appointment as an administrative aide. For the purpose of this section, the spouse, parent, child, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law or daughter-in-law shall be considered a member of the immediate family.
- C. The power to direct and remove each administrative aide resides only in his or her member of City Council.
- D. The administrative aide shall perform such secretarial, administrative and other tasks as may be required by his or her member of City Council. The City Clerk shall provide clerical services for the members of City Council in circumstances where such clerical services cannot be provided by the administrative aides, such services to include typing, copying and printing.

- E. An administrative aide to a Council member is prohibited from participating, directly or indirectly, in any political campaign for reelection to Council (or for election to another public office in the Commonwealth of Virginia) or elsewhere, on behalf of the particular member of Council for whom he or she is an aide.

An aide may participate in the political campaign for any elective office in the Commonwealth of Virginia or elsewhere on behalf of any person other than his or her Council member, and may serve on political committees.

1. The following activities are not considered to be political campaign activities and thus may be performed by a Council aide for or on behalf of his or her Council member:
 - a. displaying yard signs;
 - b. placing bumper stickers on his or her car;
 - c. attending public partisan or political meetings, but not participating directly or indirectly in the meeting except in the same manner as the general public; and
 - d. expressing his or her opinion, apart from the campaign context, on political subjects and candidates.
2. The following activities are considered to constitute participation in a political campaign, and thus may not be performed by a Council aide for or on behalf of his or her Council member:
 - a. making, directly or indirectly, financial contributions;
 - b. taking any part in the conduct or management of the campaign;
 - c. signing a petition/letter for campaigning purposes;
 - d. soliciting funds; and

- e. campaigning at the poll, (e.g., handing out literature).
- F. No administrative aide shall serve as a member of any City advisory board, commission or committee that is charged with making recommendations upon which his or her member of City Council will or may be voting. An administrative aide may serve as the designee of his or her member of City Council on a City advisory board, commission, or committee when the resolution creating said board, commission, or committee indicates that such a designee is permitted.

III. RELATIONSHIP TO CITY STAFF RESPONSIBLE TO CITY MANAGER

- A. The administrative aides will have a similar relationship to the City staff responsible to the City Manager as that defined in Section 4.04 of the City Charter for members of City Council:

"Neither the Council nor any of its members shall direct the appointment of any person to or his removal from any office or employment by the City Manager or by any of his subordinates, except as specifically provided in this Charter. Except for the purpose of inquiry the Council and its members shall deal with the administrative services solely through the City Manager, and neither the Council nor any member thereof shall give orders either publicly or privately to any subordinate of the City Manager. Any Councilman violating the provisions of this section or voting for a motion, resolution or ordinance in violation of this section shall be guilty of a misdemeanor and upon conviction thereof shall cease to be a Councilman. Provided, however, that nothing herein contained shall be construed as prohibiting any Councilman from discussing with the City Manager any appointment or removal."

- B. The primary points of contact in the City Manager's office for the administrative aides will be the City Manager on matters of major importance and the Council Assistance Officer and Citizen Assistance Officer on matters within their assignment areas; however, all members of the City Manager's office function as a unit and are available to assist the administrative aides.

- C. The City Manager's office shall provide or arrange for such clerical services for the members of City Council and administrative aides as cannot be provided by either the City Clerk or the administrative aides themselves.

IV. SALARY AND FRINGE BENEFITS

- A. In no event shall the salary of any administrative aide exceed that of his or her member of City Council as paid by the City; provided, however, that this subsection shall not apply to the administrative aide to the Mayor.
- B. Hours of work, vacation, leave and sick leave arrangements will be worked out between each administrative aide and his or her member of City Council, except that no compensation for accrued vacation leave or sick leave will be provided for any administrative aide when he or she leaves office.
- C. In the event that an administrative aide becomes disabled and is unable to perform the full duties of the position during any period of 60 days, all pay and benefits shall be terminated.
- D. Federal and State income taxes, Social Security taxes, and any other withholdings required by law will be withheld from each administrative aide's paycheck.
- E. The administrative aides will be eligible to participate in the group life insurance program and the group medical insurance program (single coverage only) that is available to general City employees, to the extent that insurance contracts permit such participation; there shall be no cost to the City for such participation.
- F. The administrative aides will not be eligible to participate in either the Virginia Supplemental Retirement System or the City's supplemental pension program.

V. OPERATING EXPENSES

A. Office Space

1. Office space shall be provided for each member of City Council and his or her administrative aide.
2. Office space may be either in a public building or a private home. If office space in a public building is desired, the City Manager shall make all necessary efforts to provide suitable space.

B. Non-Personal Operating Expenses

1. An appropriation of \$850 per year will be authorized by the City Council to pay non-personal operating expenses incurred by a member of City Council or authorized by him or her for his or her administrative aide. Non-personal operating expenses include transportation, postage, office supplies, copying, printing, telephone, and all other non-personal expenses that are necessary in the performance of official duties.
2. For accounting purposes, all non-personal expenditures by administrative aides will be paid or reimbursed on an actual expense basis. No allowances that are not subject to specific accounting will be authorized, and no cash advances for anticipated expenditures will be made. All documents authorizing payments will require the signature of the member of City Council involved.
3. All purchases by administrative aides will be made through the Finance Department, drawing supplies from City stores whenever possible. The Finance Director, through the City Manager, will advise as to what items are available.
4. Travel in the Washington metropolitan area and the Commonwealth of Virginia only will be authorized for administrative aides for attendance at meetings, conferences, and seminars and for other assigned work directly related to their

Council responsibilities. Travel outside this geographical area will be undertaken only in accordance with an affirmative vote of City Council in a public session.

- a. All such official travel by administrative aides will be subject to the provisions of the City's Administrative Regulations on the subject (Chapter 6), except that the use of City-owned vehicles will not be authorized.
- b. Travel reimbursement for the use of the privately-owned motor vehicles will be authorized at the rate 26 cents (\$.26) per mile, subject to the submission of a Daily Travel Record (Attachment A).
- c. Only mileage which is incurred as a result of travel on City business is to be shown on the travel record; mileage for transportation to and from the administrative aides home to his or her office or City Hall is not reimbursable.

C. Capital Outlay

1. Upon adoption of this Special Regulation, a one-time appropriation of up to \$1,000 will be authorized by the City Council for the purchase of such capital outlay items as are necessary for the furnishing of an office for each member of City Council and his or her administrative aide. These capital outlay items include desks, chairs, tables, typewriters, lamps, file cabinets and book shelves. All expenditures for capital outlay items must be approved by the member of City Council involved.
2. As replacement or additional capital outlay items are required, the necessary funds shall be requested by the member of the City Council involved and the request shall be incorporated by the City Manager into the normal budget review and approval process.
3. All capital outlay items purchased with City funds will remain the property of the City and will revert to the possession of the

City at such time as the member of City Council involved ceases to be a member of City Council.

VI. COUNCIL OVERSIGHT

- A. Any person who believes that an administrative aide has failed to comply with the provisions of section II (E) of this Special Regulation may file an allegation of such noncompliance ("Allegation") with the City Clerk. The Allegation shall be in writing, and shall set forth the alleged noncompliance with reasonable specificity. Any such Allegation shall be filed within 30 days of the alleged noncompliance, or within 30 days of the day the person filing the Allegation first became aware of the alleged noncompliance, whichever is later.
- B. The City Clerk shall transmit the Allegation to the members of Council forthwith, as well as to the aide identified in the Allegation.
- C. Within 30 days following transmission, or at the next regular scheduled meeting of Council, if longer, Council will convene in executive session to consider the Allegation.
- D. In the event council determines by majority vote that there is probable Cause to believe that a violation of section II(E) of this Special Regulation has occurred, the City Attorney, or in his discretion a competent attorney appointed by him as special counsel, shall investigate the matter and report thereon to City Council.
- E. Following receipt of the report prepared by the City Attorney or special counsel, the City Council shall meet in executive session to consider the report.
- F. If the City Council determines by majority vote that the Allegation is founded and that a violation of section II(E) of this Special Regulation has occurred, the City Council may adopt a resolution of censure, which may include a suggestion concerning the continued service of the council aide.

- G. Nothing in this section VI shall affect section II(C) of this Special Regulation which provides that an administrative aide may be removed only by the member of City Council who has appointed the aide.

Adopted by City Council - July 25, 1974

AMENDED II.E. - June 10, 1980

AMENDED II.E. - April 23, 1985

AMENDED II.E. - June 27, 1995

ADDED SECTION VI. - June 24, 1997

AMENDED IV.A. - March 10, 1998

Attachment A: Daily Travel Record

March 10, 1998 -- g:\clerk\misc\aidesreg



CITY OF ALEXANDRIA, VIRGINIA
DAILY TRAVEL RECORD

INSTRUCTIONS Form is to be completed in ink, original only, as travel is performed. Do not type. Abbreviations may be used when legible. Items 5 through 8 need only be completed on the last page for the month. Attach this form(s) by paper clip to the Mileage Travel Voucher, Form T-4.

	Date	Time	Miles Traveled	Location/Purpose
Depart				
Arrive				
Depart				
Arrive				
Depart				
Arrive				
Depart				
Arrive				
Depart				
Arrive				
Depart				
Arrive				
Depart				
Arrive				

5. Total Miles _____

6. Total Reimbursement Due \$_____

7. I certify that the mileage and expenses shown on this Daily Travel Record were incurred by me on City business on the dates shown and no part was caused by personal business.

 Signature of Employee Date

8. I certify that the trips shown above were made on City business and that no appropriate City vehicles were available for use at the time the trips were made.

 Signature of Supervisor Date