

City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 16, 2003

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: PHILIP SUNDERLAND, CITY MANAGER *PS*

SUBJECT: AMENDMENT TO THE SPECIAL REGULATION FOR CITY COUNCIL ADMINISTRATIVE AIDES

ISSUE: Authorization of purchase of used office equipment by City Council members and their aides whose service is concluding.

RECOMMENDATION: That City Council amend the Special Regulation to offer members of City Council whose terms are concluding and their aides the opportunity to purchase computers and office equipment, which was used by them during their terms, at fair market value.

BACKGROUND: As support to members of City Council and their aides, the City provides computers and related equipment, as well as a limited dollar amount for the purchase of office equipment. At the end of this term of Council, a few members of Council whose service on Council is concluding, and their aides, have asked if they can purchase their assigned computers and certain of the assigned office equipment. In order for this to occur, the following amendment to Section V of the Special Regulation would need to be approved (new material is underlined):

V.C. 3. At such time as the member of City Council ceases to be a member of City Council, that Council member and his or her Administrative Aide may opt to purchase a capital outlay item, including a computer or computer related equipment used by that member or aide during the term of the City Council member at a fair market value determined by the City's Director of Finance.

V.C. 34. All capital outlay items purchased with City funds that are not purchased by a member of Council or his or her aide pursuant to Section V (C)(3) 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 ceases to be a member of City Council

FISCAL IMPACT: There is no overall fiscal impact to the City as the cost to purchase the used computers and office equipment will be set at fair market value. The net effect is the conversion of the residual value of the used equipment from a capital asset to a cash payment of equal value.

ATTACHMENT: Special Regulation City Council Administrative Aides

STAFF:

Mark Jinks, Assistant City Manager

Kendel Taylor, Budget Analyst, Office of Management and Budget

Dan Neckel, Director, Finance

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. 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.

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 of 34.5 cents (\$0.345) 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 aide's 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.

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- 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 I.E. - June 10, 1980

AMENDED I.E. - April 23, 1985

AMENDED I.E. - June 27, 1995

ADDED SECTION VI. - June 24, 1997

AMENDED IV.A. - March 10, 1998

AMENDED IV.A. - June 11, 2002

Attachment A: Daily Travel Record

June 11, 2002 -- h:\clerk\misc\aidereg



**CITY OF ALEXANDRIA, VIRGINIA
DAILY TRAVEL RECORD**

Page _____ of _____ pages

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