

Jackie Henderson

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1-30-16

**From:** Allison Silberberg  
**Sent:** Monday, February 15, 2016 6:12 PM  
**To:** Jackie Henderson  
**Cc:** Allison Silberberg  
**Subject:** Fwd: Updated draft resolution  
**Attachments:** Ethics Resolution Jan 27 version.docx; ATT00001.htm

Hi Jackie,

Here you go. This was the final draft I gave my colleagues on January 18, 2016. It included all changes. As you may know, I shared a first draft of the resolution with my colleagues on December 18, 2015.

Thanks! Stay safe with the ice.

All my best,

Allison

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Begin forwarded message:

**From:** <[allison.silberberg@alexandriava.gov](mailto:allison.silberberg@alexandriava.gov)>  
**Date:** January 28, 2016 at 9:51:03 AM EST  
**To:** Justin Wilson <[justin.wilson@alexandriava.gov](mailto:justin.wilson@alexandriava.gov)>, Tim Lovain <[timothy.lovain@alexandriava.gov](mailto:timothy.lovain@alexandriava.gov)>, John Chapman <[john.taylor.chapman@alexandriava.gov](mailto:john.taylor.chapman@alexandriava.gov)>, Paul Smedberg <[Paul.Smedberg@alexandriava.gov](mailto:Paul.Smedberg@alexandriava.gov)>, <[willie.bailey@alexandriava.gov](mailto:willie.bailey@alexandriava.gov)>, "Del Pepper" <[Del.Pepper@alexandriava.gov](mailto:Del.Pepper@alexandriava.gov)>, Mark Jinks <[Mark.Jinks@alexandriava.gov](mailto:Mark.Jinks@alexandriava.gov)>, Jim Banks <[James.Banks@alexandriava.gov](mailto:James.Banks@alexandriava.gov)>  
**Subject:** Updated draft resolution

Dear Colleagues,

I am attaching the latest draft of the resolution. This draft includes additional changes from Mark. Everyone's changes have made this resolution stronger.

The basic difference between my approach and John's is whether to consider having a study group look at the possibility an ethics advisory commission. We should ensure that members of the study group come from across the community and have an expertise in this field.

I welcome your input. My thanks in advance.

All my best,

Allison

## DRAFT OF ETHICS RESOLUTION

January 27, 2016

WHEREAS, the citizens and officials of the City of Alexandria have long maintained a culture of governmental transparency and ethics; and

WHEREAS, best practices in municipal governance increasingly include programs for ethics education and commissions to provide advice for elected and appointed officials; and

WHEREAS, the employees of the City of Alexandria have shown leadership in adopting an ethics initiative in 2012 including a code of ethics; and

WHEREAS, City Council desires to affirm and establish the regional and national leadership of the City of Alexandria in maintaining the highest of ethical standards for elected and appointed officials;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ALEXANDRIA

1. That there be and hereby is established a study group to act at the direction of City Council and to be known as the Ad Hoc Ethics Study Group;
2. That the Ad Hoc Ethics Study Group shall have nine members appointed by City Council from among the citizens of Alexandria as follows: one member nominated by the Alexandria Bar Association; one member nominated by the Alexandria Federation of Civic Associations; one member nominated by the Chamber of Commerce; one member nominated by the City Manager; four members selected by City Council from citizen applications; and one member, who shall serve as Chair of the Ethics Study Group, nominated by the Mayor;
3. That the following persons shall be ineligible to serve as a member of the Ad Hoc Ethics Study Group: an officer of a political party; an elected official or current member of the Planning Commission, Board of Architectural Review, or Board of Zoning Appeals; a contractor for the City of Alexandria; or a person or private entity with a pending application, contract proposal or procurement bid for official action by the City of Alexandria, or anyone holding any known direct ownership or voting interest in such an applicant;
4. That the City Manager shall solicit and receive applications for membership on the Ad Hoc Ethics Study Group effective immediately; that City Council shall act on nominations for membership on the Ad Hoc Ethics Study Group at its legislative meeting on \_\_\_\_\_, 2016; and that the Ad Hoc Ethics Study Group shall convene immediately upon the appointment of at least five members thereof;

5. That the Ad Hoc Ethics Study Group shall

(a) draft and present to City Council an “Alexandria City Council Code of Conduct” and an ethics pledge for elected and appointed officials of the City of Alexandria (including all officials appointed by City Council and not to include the Commonwealth Attorney, Sheriff, or Clerk of the Circuit Court);

(b) consider and present to City Council recommendations for amendment of 11-406(a) of the City’s Zoning Code to lower the ownership reporting threshold set forth therein from ten percent to a lower percentage or to make such other changes as will increase the extent of disclosure of ownership information relevant to land use and zoning applications;

(c) review current City Council practice with regard to notice of executive sessions of City Council and present recommendations for enhanced current and annual reporting of the reasons for holding each executive session;

(d) review the reports of the Virginia Commission on Integrity and Public Confidence in State Government to determine whether and to what extent the findings and recommendations thereof might be incorporated in Alexandria’s law and city government practice, with special attention to opportunities for imposing further limits on gifts to public officials and authorizing state-level audits of officials’ financial disclosure forms;

(e) survey and consider recommendations with respect to adoption in Alexandria of best municipal ethics practices in the United States;

(f) analyze and consider recommendations for adoption of innovative technology to augment and improve transparency in government;

(g) review and consider recommendations with respect to disclosure requirements for officials of the City of Alexandria and applicants for official action by the City of Alexandria;

(h) consider and make recommendations with respect to the formation of an ongoing Ethics Advisory Commission for the City of Alexandria with the responsibility of establishing regular ethics education for elected and appointed officials, providing ethics advice at the request of an official or the City Manager, and considering ethics complaints by citizens and making reports thereon; and

(i) conduct such other reviews, analyses and investigation as may be directed by City Council;

6. That in any recommendation for the formation of an ongoing Ethics Advisory Commission, the Ad Hoc Ethics Study Group shall not (a) recommend any powers of or activities by such commission at variance with the Virginia State and Local Government Conflict of Interest Act, the Virginia Campaign Finance Disclosure Act, the Virginia Freedom of Information Act, or the Alexandria City Charter; or (b)

recommend any action or powers related to an act or omission occurring before the effective date of this resolution;

7. That the City Manager shall act as the initial convener of the Ad Hoc Ethics Study Group and that the City Attorney shall provide such administrative support and assistance to the Ad Hoc Ethics Study Group as is appropriate; and
8. That the Ad Hoc Ethics Study Group shall report its findings and any recommendations to City Council no later than May 16, 2016.