

Summary of Changes to City Code related to the City Auditor and Ethics Review Commission

Chapter 2-3 – City Auditor

- Adding definitions of fraud, waste, abuse, and personal benefit
- Adding a clause that investigative work will follow industry standards
- Clarifying that we manage an anonymous reporting system for wrongdoing and what that entails
- Clarifying the types of allegations that will be referred to the City Manager for resolution
- Adding reporting at least twice annually to the Council Audit and Finance Committee from the City Auditor and the City Manager regarding investigations of fraud, waste, or abuse
- Specifies process for reporting on substantiated investigations including:
 - Subject's right to representation
 - Subject and any involved party ability to review the draft report and provide a response to be included in the final report
- Defines separate processes for employees covered by a civil service system and City officials who are not covered by a civil service system:
 - City Auditor conducts the investigation and provides results to management for employees covered by a civil service system
 - Determination of a violation made by management for these employees
 - City Auditor conducts the investigation and provides the results to the Ethics Review Commission for certain employees not covered by a civil service system (this includes City executives and select Council appointees—City Clerk, Court Clerk, Commission members)
 - Determination of a violation made by the Ethics Review Commission for these employees
- *Proposals for handling allegations involving City Council and appointees/direct hires of the City Council:*
 - Proposal A:
City Auditor refers any material allegations against City Council members, City Council staff, the City manager, or the City Auditor to the Ethics Review Commission for investigation (may utilize outside counsel to investigate) and final determination
 - Proposal B:
City Auditor hires outside expertise to investigate any material allegations against a City Council member, City Council staff, or the City Manager

Chapter 2-7 – Ethics and Financial Disclosure

- Specifies process for handling complaints and referrals that the Ethics Review Commission receives from the City Auditor
- Updates timelines and responsibilities for sworn complaints
- Establishes a referral process from the Ethics Review Commission to the City Auditor