

CITY CODE REVISIONS RELATED TO THE CITY AUDITOR AND ETHICS REVIEW COMMISSION

Office of the City Auditor
November 16, 2015

Background: Roles

Council-appointed City Auditor:

- manages a fraud reporting hotline and conducts investigations of fraud, waste, or abuse

Council-appointed Ethics Review Commission:

- Hears and rules on complaints alleging violations of various sections of City Code including code of ethics, campaign finance, lobbyists

City Council Audit and Finance Committee (per City Code):

- provides assurance to the council that the City is in compliance with applicable law and regulation, conducting its affairs ethically, and maintaining effective internal controls against a conflict of interest or fraud

Procedural Changes: City Code 2-3

- Subject's right to representation
- Subject and involved parties ability to provide a response to the report prior to issuance
- Periodic reporting on investigations to the Audit and Finance Committee by the City Auditor and City Manager
- Processes for different types of employees/officials

City Officials

Civil Service
Employees

Municipal Civil Service

State Civil Service
(Public Safety)

Non-Civil Service
Employees and Officials

City Executives

City Attorneys

Temporary Employees

Council-Appointed
Commissioners

Council, Council Staff,
and City Manager

City Officials

Non-Civil Service
Employees and Officials

Investigated by City Auditor

Council, Council Staff,
and City Manager

Auditor hires external investigator

Substantiated investigations would result in a complaint filed by
the City Auditor to the Ethics Review Commission

Procedural Changes: City Code 2-7

- ❑ Fraud and abuse included in Code of Ethics
- ❑ Ethics Review Commission has jurisdiction over interference in personnel matters by City Council
- ❑ Processes for Ethics Review Commission to self-initiate complaints and receive complaints from the Auditor
- ❑ Complainant and respondent required to attend final hearing
- ❑ Ethics Review Commission has subpoena power for witnesses or information
- ❑ Ethics Review Commission can request investigative assistance from the City Auditor

Next Steps

- Ethics Review Commission approved these revisions on November 10, 2015

Next:

- Recommendation from Audit and Finance Committee to City Council
- Legal review of proposed revisions
- Adoption by the City Council