

## PROPOSED CHAPTER 2.9. CITY BUDGET AND EFFICIENCY OFFICER

### CHAPTER 2-9. - CITY BUDGET AND EFFICIENCY OFFICER.

#### § 2-9-1 – MISSION AND PURPOSE

- (A) The City Council Budget and Efficiency Officer's mission is to produce independent analyses of budgetary and fiscal issues to support the Austin City Council's budget process by issuing reports and reviews of proposed and existing programs.
- (B) The purpose of the City Budget and Efficiency Office is:
- (1) to provide the City Council and citizens with an independent and credible assessment of the budget;
  - (2) to strengthen the budget process that improves transparency, accountability, and participation;
  - (3) to influence the allocation of public funds through the budget;
  - (4) to demystify the technical language of the budget and to open up the budget to public scrutiny.

#### § 2-9-2 - APPOINTMENT.

- (A) The office of the city budget and efficiency officer (CBEO) is created under Section XXX (of Article XXX of the Charter. A majority of the council shall appoint a city budget and efficiency officer in accordance with the procedure established in Section 2-9-3 (*Selection Process*).
- (B) The council may not appoint a city council budget and efficiency officer who:
- (1) has served as the City's mayor, a council member, or city manager within five years before the date of the appointment; or
  - (2) is related, by affinity or consanguinity within the second degree, to the mayor, a council member, or the city manager.
- (C) The council shall provide the city council budget and efficiency officer with a discrete budget sufficient to perform the auditor's responsibilities and duties under this chapter.
- (1) The appropriations available to pay for the expenses of the city council budget and efficiency office during each fiscal year shall not be less than twenty percent of the appropriations available to pay for the expenses of the City Manager's Financial Services Budget office.
- (D) A majority vote of the members of the council is required to remove the city council budget and efficiency officer as provided by Section XXX (*City Council Budget and Efficiency Officer*) of Article XXX (Finance) of the City Charter.

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### § 2-9-3 - SELECTION PROCESS; CITY COUNCIL BUDGET AND EFFICIENCY OFFICER.

- (A) The council shall appoint a nominating committee to recommend candidates for city budget and efficiency officer. The committee shall consist of five members, including:
  - (1) three council members appointed by the council from the Council Audit/Finance Committee;
  - (2) the city auditor; and,
  - (3) the city's chief financial officer.
- (B) Not later than the 15th day after its members are appointed, the nominating committee shall hold its first meeting to consider applicants for the city council budget and efficiency officer. The committee shall select a chair and vice chair by majority vote.
- (C) Not later than the 90th day after its first meeting, the nominating committee shall recommend to the council three candidates selected by a majority of the committee members.
- (D) Not later than the 15th day after the council receives the nominating committee's recommendation, the council shall select a city council budget and efficiency officer from the recommended candidates.
- (E) If the city council budget and efficiency officer position is vacated, the city council budget and efficiency officer's first assistant shall serve as acting city budget and efficiency during the vacancy.

### § 2-9-4 - QUALIFICATIONS FOR CITY BUDGET AND EFFICIENCY OFFICER.

The city budget and efficiency officer must:

- (1) be knowledgeable in fiscal and budget analysis, public administration, and municipal finance and fiscal practices;
- (2) have a graduate degree in finance, economics, public administration, business or another relevant field.

### § 2-9-5 - POWERS AND DUTIES.

- (A) The city budget and efficiency officer shall conduct a budget and financial analysis of the City Manager's proposed budget.
- (B) The city budget and efficiency officer shall communicate directly with the council audit committee and the council, attend council audit and finance committee meetings, and regularly meet with council.
- (C) The city budget and efficiency officer shall prepare an annual budget options report of potential cost savings reforms and efficiencies.

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- (D) The city budget and efficiency officer may conduct a budget review of a current City function, program, service, or policy to determine if they are effective in achieving its stated or intended result or benefit.
- (E) The city budget and efficiency officer shall appoint such personnel and procure the services of experts and consultants within the appropriations available therefor, as may be necessary for the officer to carry out the duties and functions assigned.
- (F) The city budget and efficiency officer shall be authorized to secure such information, data, estimates, and statistics from city departments as the officer determines to be necessary for the performance of the functions and duties of the office, and such departments shall provide such information to the extent that it is available.
- (G) The city budget and efficiency officer shall from time to time publish reports as may be appropriate to enhance official and public understanding of the budgetary process and of the budget documents published by the City Manager and Council. The reports will include information, data, and analysis that enhance official and public understanding of matter relating to city revenues, expenditures, financial management practices and policies and related matters.

### § 2-9-6 - EMPLOYEES.

- (A) Except the council budget and efficiency officer and an assistant otherwise designated by the council budget and efficiency officer, an appointee or employee of the office is in the City's classified personnel service.
- (B) The council budget and efficiency officer has the authority to appoint, employ, and terminate an assistant or other personnel as necessary to operate the council budget and efficiency officer's office, independently of the direction of the city manager subject to the budget approval process and personnel policy established by the council for each City department.
- (C) The city manager or council may not direct the council budget and efficiency officer to appoint, employ, or terminate an assistant city council budget and efficiency officer or other office personnel, subject to the City's personnel rules and regulations.

### § 2-9-7 - ANNUAL WORK PLAN.

- (A) Not later than the 30th day before the beginning of a calendar year, the city council budget and efficiency officer shall submit an annual work plan to the council for review and comment through the council audit and finance committee.
- (B) An annual work plan under this section shall identify the scope of the budget review that the council budget and efficiency officer intends to conduct, including:
  - (1) the department, organization, service, program, function, and policy to be reviewed; and
  - (2) each potential budget and fiscal objective to be addressed.

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- (C) If the council budget and efficiency officer notifies the council audit and finance committee and obtains comments from the committee, an annual work plan may be amended by the city council budget and efficiency officer. The council budget and efficiency officer may request an amendment independently, or at the request of the council audit and finance committee.

### § 2-9-8 - REPORT PREPARATION AND RELEASE.

- (A) The city council budget and efficiency officer shall prepare a draft report for each budget review and deliver the report to the city council.
- (B) The city council or delegate this to the City Council budget and efficiency officer and will send the report to the city manager and request written comment on the reported budget review findings and a written response to each recommendation on or before a date agreed to by the city manager and the council budget and efficiency officer.

### § 2-9-10 - PEER REVIEW.

- (A) The council budget and efficiency officer is subject to peer review not less than once every three years by a professional, non-partisan, objective person or group, that includes budget and fiscal expertise or other professional with appropriate government municipal finance and budget expertise and experience.
- (B) Peer review shall determine budget efficiencies achieved through the work of the council budget and efficiency officer
- (C) After the council audit and finance committee has reviewed and approved the written peer review report, the committee shall provide a copy of the written peer review report to each member of the council.
- (D) The city council budget and efficiency officer shall pay the cost of the peer review, including reasonable travel and living expenses, from the council budget and efficiency officer budget.