

Summary of Proposed Changes to City Code for Discussion at 01/24/2024 AFC Meeting

PARTS 1 - 2: Chapter 2-1 City Boards

- § 2-1-8 COUNCIL AUDIT AND FINANCE COMMITTEE
 - o Allows for auditor judgment when assessing risks associated with boards and commissions which have been low, historically. Removes companion language in § 2-1-46.

PARTS 3 - 8: Chapter 2-3 City Auditor

- § 2-3-2 SELECTION PROCESS; CITY AUDITOR VACANCY
 - o Assigns members of the Council AFC as the nominating committee to select candidates to fill a city auditor vacancy and adjusts the timeline, accordingly. The AFC replaces three Council Members, the State Auditor, and the City Manager as the nominating committee.
- § 2-3-5 POWERS AND DUTIES
 - o Adds language to prevent a City department or commission from subpoenaing information from the City Auditor that could be withheld under the Public Information Act. This mirrors language added by Council regarding Ethics Review Commission powers in section 2-7 that addressed a concern with a Municipal Civil Service Commission subpoena.
 - o Updates language related to City Manager reporting on follow-up recommendations and investigations to match current practice.
 - o Minor adjustments to accurately define terms and powers of the City Auditor, especially related to special request projects.
- § 2-3-7 ANNUAL AUDIT PLAN AND SPECIAL AUDITS
 - o Removes minor timing constraint on requirement to submit an annual audit plan.
 - o Moves section on distributing reports to § 2-3-5 POWERS AND DUTIES.
- § 2-3-8 REPORT PREPARATION AND RELEASE
 - o Clarifies how audit reports will be communicated and retained for record purposes.
 - o Defines standards for how adjustments to a final report will be handled.
- § 2-3-10 PEER REVIEW
 - o Identifies standards to follow for a peer review and the process for communicating results.
- § 2-3-11 ACCESS TO RECORDS AND PROPERTY
 - o Simplifies language about what records/media are affected (removes outdated media types).

PARTS 9 - 10: Chapter 2-7 Ethics and Financial Disclosure

- § 2-7-64 DISCLOSURE OF CONFLICT OF INTEREST
 - o Adds “employees” to sections applicable to a “City official.”
- § 2-7-65 SUBSTANTIAL INTEREST OF RELATIVE
 - o Adds definition of “spouse” to include domestic partner (language from § 2-7-71).

PART 11: Chapter 25-9 Water and Wastewater

- § 25-9-286 – AUDITOR REVIEW; RELEASE OF OFFICIAL STATEMENT
 - o Assigns work to an auditor with the appropriate expertise to perform the task. We found no instance where the City Auditor was asked to perform this task.