

*RMAC*

FROM	NAME & TITLE	Robert Cenname, Budget Director	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Bureau of the Budget and Management Research Room 432, City Hall (410) 396-4774		
	SUBJECT	City Council Bill #20-0491 – Charter Amendment – City Auditor – Powers and Duties		

TO

DATE:

The Honorable President and  
Members of the City Council  
City Hall, Room 400

February 20, 2020

**Position: Does Not Oppose**

The Department of Finance is herein reporting on City Council Bill 20-0491, Charter Amendment – City Auditor – Powers and Duties, the purpose of which is to authorize the City Auditor to issue subpoenas to certain individuals and entities and require that a copy of certain completed audit reports are provided to the audited agency.

**Background**

Article V, Section 8, of the Baltimore City Charter outlines the general powers and duties of the Department of Audits. The City Charter provides that in accordance with generally accepted government standards and state and federal law, the City Auditor shall at appropriate intervals conduct an audit of the financial transactions of every municipal agency; conduct an annual audit of all accounts, revenues, and receipts of the City; may audit the expenditure of City-granted funds by any public or private agency that receives such funds; may audit City contracts, grants, sub-grants, and other agreements as required by the terms of those instruments; and shall make such other audits as the Comptroller or the Board of Estimates may request.

Article V, Section 11, of the Baltimore City Charter outlines the biennial audits of principal agencies.

This Charter amendment will provide the City Auditor with the ability to issue a subpoena to any municipal officer, municipal employee, or any other person receiving city funds to compel the production of materials related to those funds, and require that completed audit reports are submitted to the principal agency that was audited.

**Fiscal Impact**

There is no anticipated fiscal impact.

**Conclusion**

This measure does not appear to have a fiscal impact. However, the Department of Finance defers to the Department of Law on the legal implications this measure will have on existing statutes, particularly Maryland’s Public Information Action (“PIA”).

**For the reasons stated above, the Department of Finance does not oppose City Council Bill 20-0491.**

cc: Henry Raymond  
Matthew Stegman  
Nina Themelis