

CITY OF BALTIMORE
RESOLUTION _____
Council Bill 20-0491
(Charter Amendment)

Introduced by: Councilmember Henry, President Scott, Councilmembers Dorsey, Burnett,
Bullock, Cohen, Clarke, Middleton, Sneed, Reisinger, Schleifer, Pinkett

Introduced and read first time: February 10, 2020

Assigned to: Equity and Structure Committee

Committee Report: Favorable

Council action: Adopted

Read second time: April 27, 2020

A RESOLUTION OF THE MAYOR AND CITY COUNCIL CONCERNING

Charter Amendment – City Auditor – Powers and Duties

FOR the purpose of authorizing the City Auditor to issue subpoenas to certain individuals and entities; requiring the City Auditor to provide a copy of certain completed audit reports to the agency audited; and submitting this amendment to the qualified voters of the City for adoption or rejection.

BY proposing an amendment to

Article V - Comptroller

Section(s) 8 and 11(e)

Baltimore City Charter

(1996 Edition)

SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the City Charter is proposed to be amended to read as follows:

Baltimore City Charter

Article V – Comptroller

§ 8. Department of Audits – General powers and duties.

(a) *In general.*

In accordance with generally accepted government auditing standards and State and federal law, the City Auditor:

(1) shall at appropriate intervals conduct an audit of the financial transactions of every municipal agency, except the Department of Audits;

(2) shall conduct an annual audit of all accounts, revenues, and receipts of the City;

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter stricken by amendment.

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1 (3) shall conduct biennial audits of principal agencies, as provided in § 11 of this
2 article;

3 (4) may audit the expenditure of City-granted funds by any public or private agency
4 that receives such funds;

5 (5) may audit City contracts, grants, subgrants and other agreements as required by
6 the terms and conditions of these instruments and, when the contracts, grants,
7 subgrants and other agreements require that audits be conducted by other auditors,
8 review such audits; and

9 (6) shall make such other audits as the Comptroller or the Board of Estimates may
10 request, provided that those requested audits do not, in the judgment of the City
11 Auditor, unduly hinder the performance of regular audits.

12 (B) *SUBPOENA.*

13 (1) TO PERFORM THE DUTIES OF HIS OR HER OFFICE, THE CITY AUDITOR MAY ISSUE A
14 SUBPOENA TO ANY MUNICIPAL OFFICER, MUNICIPAL EMPLOYEE, OR ANY OTHER
15 PERSON RECEIVING CITY FUNDS TO REQUIRE THE PRODUCTION OF ANY INFORMATION,
16 DOCUMENT, REPORT, RECORD, ACCOUNT, OR OTHER MATERIAL.

17 (2) THE CITY AUDITOR MAY ENFORCE ANY SUBPOENA ISSUED PURSUANT TO THIS
18 SUBSECTION IN ANY COURT OF COMPETENT JURISDICTION.

19 (C) [(b)] *Reports.*

20 The City Auditor shall make reports of all such audits to the Comptroller and, at the same
21 time, to each of the other members of the Board of Estimates.

22 **§ 11. Department of Audits – Biennial audits of principal agencies.**

23 (e) *Publication of reports.*

24 Reports of all audits conducted under this section shall be:

25 (1) posted on a public website maintained by the City Comptroller;

26 (2) filed with the Department of Legislative Reference; [and]

27 (3) SUBMITTED TO THE PRINCIPAL AGENCY AUDITED; AND

28 (4) [(3)] submitted to each member of:

29 (i) the Board of Estimates;

30 (ii) the City Council;

31 (iii) the Biennial Audits Oversight Commission.

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1 **SECTION 2. AND BE IT FURTHER RESOLVED**, That this proposed amendment to the City
2 Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection,
3 in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form specified by the
4 City Solicitor.

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City