



## Legislation Details (With Text)

<b>File #:</b>	16-0699	<b>Version:</b>	0	<b>Name:</b>	Charter Amendment - Biennial Agency Audits
<b>Type:</b>	Mayor and City Council Res.	<b>Status:</b>	Enacted		
<b>File created:</b>	6/20/2016	<b>In control:</b>	City Council		
<b>On agenda:</b>		<b>Final action:</b>	7/21/2016		
<b>Enactment date:</b>		<b>Enactment #:</b>	16-31		
<b>Title:</b>	Charter Amendment - Biennial Agency Audits For the purpose of amending the section on agency audits to require that the City Auditor conduct performance audits of principal agencies at least twice during every 4-year term of the Mayor and City Council; adding to the list of agencies subject to these audits; establishing a staggered schedule for these audits; redefining certain terms; providing for public posting of audit reports; and submitting this amendment to the qualified voters of the City for adoption or rejection.				
<b>Sponsors:</b>	Eric T. Costello, President Young, Sharon Green Middleton, Bill Henry, Mary Pat Clarke, Brandon M. Scott, Nick Mosby, Helen L. Holton, Warren Branch				
<b>Indexes:</b>	Agency, Audits, Biennial, Charter Amendment				
<b>Code sections:</b>					
<b>Attachments:</b>	1. 16-0699~1st Reader, 2. OIG 16-0699, 3. Audits 16-0699, 4. City Solicitor 16-0699, 5. Finance 16-0699, 6. 16-0699~3rd Reader				

Date	Ver.	Action By	Action	Result
8/8/2016	0	Mayor	Signed by Mayor	
7/18/2016	0	City Council	Advanced to 3rd Reader on same day	
7/18/2016	0	City Council	Approved and Sent to the Mayor	
7/18/2016	0	Judiciary and Legislative Investigations	Recommended Favorably with Amendment	
7/12/2016	0	Judiciary and Legislative Investigations	Recommended Favorably with Amendment	Pass
6/28/2016	0	Judiciary and Legislative Investigations		
6/23/2016	0	The City Council	Refer to Inspector General	
6/23/2016	0	The City Council	Refer to Dept. of Finance	
6/23/2016	0	The City Council	Refer to Dept. of Audits	
6/23/2016	0	The City Council	Refer to City Solicitor	
6/23/2016	0	The City Council	Refer to Dept. of Health	
6/20/2016	0	City Council	Assigned	
6/20/2016	0	Judiciary and Legislative Investigations	Scheduled for a Public Hearing	
6/20/2016	0	City Council	Introduced	
6/20/2016	0	Judiciary and Legislative Investigations	Scheduled for a Public Hearing	

Introduced by: Councilmember Costello

## A Resolution Entitled

A Resolution of the Mayor and City Council concerning

**Charter Amendment - Biennial Agency Audits**

For the purpose of amending the section on agency audits to require that the City Auditor conduct performance audits of principal agencies at least twice during every 4-year term of the Mayor and City Council; adding to the list of agencies subject to these audits; establishing a staggered schedule for these audits; redefining certain terms; providing for public posting of audit reports; and submitting this amendment to the qualified voters of the City for adoption or rejection.

By proposing to amend

Article VII - Executive Departments

Section 4.5

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 VII. Executive Departments**

**§ 4.5. Agency audits.**

(a) *Definitions.*

(1) *General.*

In this section, the following terms have the meanings indicated.

(2) *Audit.*

[(i)] “Audit” means [an] a performance audit [undertaken] that, in accordance with generally accepted government auditing standards and federal and state law[.],

[(ii)] “Audit” includes both: (A) a financial audit of an agency’s financial transactions, including all accounts, revenues, and receipts; and (B) a performance audit that] assesses an agency’s practices to determine whether the agency is operating economically and efficiently and whether corrective actions for improving its performance are appropriate.

(3) *Principal agency.*

“Principal agency” means any of the following executive departments:

(i) *Group A -*

1. [(i)] Department of Finance.
2. [(iii)] Department of Public Works.
3. [(iv)] Fire Department.
4. [(vi)] Department of Housing and Community Development.

5. [(x)] Department of General Services.
6. [(vii)] Baltimore Development Corporation.
7. [(xiii)] Mayor's Office of Information Technology.
8. Mayor's Office of Human Services.

(ii) *Group B* -

1. [(ii)] Department of Law.
2. [(xii)] Department of Human Resources.
3. [(ix)] Department of Transportation.
4. [(v)] Police Department.
5. [(viii)] Department of Recreation and Parks.
6. [(xi)] Department of Planning.
7. Department of Health.
8. Mayor's Office of Employment Development.

(b) [*Quadrennial*] Biennial *audit required*.

(1) *In general*.

At least [once] twice during every 4-year term of the Mayor and City Council, [each principal agency] the City Auditor shall [arrange for] conduct an audit of [its] each principal agency's operations for the preceding [4] 2 fiscal years.

(2) *Staggered schedule*.

These audits shall be staggered so that:

- (i) audits of the principal agencies listed in subsection (a)(3)(i) as "Group A" are initiated in even-numbered calendar years; and
- (ii) audits of the principal agencies listed in subsection (a)(3)(ii) as "Group B" are initiated in odd-numbered calendar years.

[(c) *By whom to be conducted*.]

[The audit shall be conducted by:

- (1) the City Auditor; or
- (2) an independent certified public accountant or firm of certified public accountants.]

(c) [(d)] *Costs of audit*.

In each fiscal year preceding the fiscal year in which an audit is to be conducted under this section, the [principal agency] Board of Estimates shall include the costs of [the] each audit to be conducted in the [estimates that it submits for the] next year's Ordinance of Estimates.

(d) *{Reserved}*

(e) *Reports.*

Reports of all audits conducted under this [subtitle] section shall be:

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

(2) submitted to:

(i) the Board of Estimates; and

[(1) the Mayor;]

[(2) the City Comptroller; and]

[(3) the President of the City Council.]

(ii) each member of the City Council.

**Section 2. And be it further resolved,** That the first group of audits under this amendment shall be initiated in January 2017.

**Section 3. And be it further resolved,** That this proposed amendment to the City Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection, in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form specified by the City Solicitor.