

DETROIT CHARTER REVISION COMMISSION

PROPOSAL/ISSUE REVIEW SUMMARY

ISSUE NUMBER: GOS 170

ISSUE CATEGORY: Government Operations & Structure

SOURCE: Richard Mack

RELATED CHARTER SECTIONS: §4-205 ([Auditor General] Powers and Duties)

Letter, December 26, 2010

RELEVANT ORDINANCE SECTION:

RELEVANT LAW(S):

ISSUE/PROPOSAL STATEMENT: Broaden investigative powers of Auditor General to include city departments and authorities. Investigate contracts at the request of any elective officer for compliance with Charter and City ordinances, with full investigative powers under paragraph 4.

Sec. 4-205. - Powers and duties.

4. For any purpose, iinvestigate the administration and operation of any city department, authority or agency and report findings and recommendations to the city council and the mayor. The auditor general may request and shall be given necessary assistance and information by each agency. The auditor general may subpoena witnesses, administer oaths, take testimony, require the production of evidence relevant to a matter under investigation, enter and inspect premises within the control of any agency during regular business hours.

To enforce a subpoena or order for production of evidence or to impose any penalty prescribed for failure to obey a subpoena or order, the auditor general shall apply to the appropriate court.

8. At the request of any elective officer, review and investigate all contracts for goods and services, and all documents related to said contracts, for compliance with this Charter and the City's Ordinances. The investigative powers of the Auditor General, spelled out in paragraph 4 above, shall be applicable.

RATIONALE: "Given the recent scandals endured by our City, it is apparent that the office of Ombudsman is not powerful enough. Thus, the Mayor's proposal to eliminate the office altogether is indefensible. The fact that the use of the Ombudsman is not what the Mayor feels is important does not detract from the importance from those persons who have filed complaints. Indeed, many of the recent scandals may have been avoided or mitigated if more authority had been vested in the ombudsman. The power of the Ombudsman's office can be strengthened by permitting the use of volunteers, thus alleviating the financial concern of the Mayor."-Richard Mack, Esq., Letter, December 26, 2010.

ANALYSIS:

DISPOSITION/COMMISSION ACTION:

NOTES: