

DETROIT CHARTER REVISION COMMISSION
PROPOSAL/ISSUE REVIEW SUMMARY

ISSUE NUMBER: GOS 213

ISSUE CATEGORY: Government Operations & Structure

SOURCE: Mayor Bing Administration
Letter, Rec'd December 21, 2010

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

RELEVANT ORDINANCE SECTION: Part III, Ch. 18,
Art. 5 (Purchases and Supplies)

RELEVANT LAW(S):

ISSUE/PROPOSAL STATEMENT: Review goods and services contracts for compliance with the City's Purchasing Ordinance, at the request of City Council. Grammatical change.

ARTICLE 4. THE LEGISLATIVE BRANCH

CHAPTER 2. AUDITOR GENERAL

Sec. 4-205. Powers and duties.

The auditor general shall:

1. Make audits of the financial transactions of all city agencies at least once every two (2) years or as otherwise directed by the city council. The auditor general shall have access to the financial and other records of all city agencies at any time.

2. Make a full report to the city council of each individual audit and file a copy with the mayor.

3. As soon as possible after the close of each fiscal year, make a report of the financial position of the city. The report shall be a public record.

4. Investigate the administration and operation of any city 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.

5. From time to time make reports to city agencies of irregularities of practice and erroneous accounting methods with recommendations for improving the accounting procedures and systems of the agencies.

Recommendations which are not put into effect by the agency shall be reviewed by the finance director, who shall advise the auditor general and the city council of action being taken with respect to the recommendations.

6. Upon request of the budget director, make available to the budget director all information useful in the preparation of the capital agenda or annual budget.

7. Settle all disputed claims in favor of or against the city to the extent and in the manner provided by ordinance. All appeals from determinations made by the auditor general shall be brought in the court provided by law. However, no proceedings may be brought upon a claim within the jurisdiction of the auditor general until the claim is rejected by the auditor general or until six (6) months have elapsed from the time of filing the claim with the auditor general.

8. At the request of City Council, review all contracts for goods and services for compliance with Section 8-205 of this Charter and the City's Purchasing Ordinance.

RATIONALE: *"This section requires that the Auditor General review all contracts for goods and services to ensure compliance with Section 8-205 and the City's Purchasing Ordinance. This change will provide Legislative Branch oversight of Executive Branch purchases of goods and services."* -Mayor Bing Administration, Letter, Rec'd December 21, 2010.

ANALYSIS:

DISPOSITION/COMMISSION ACTION:

NOTES: