

RESOLUTION No. 37265 As Amended

Refer Charter amendment to protect Auditor's independence to voters at the May 16, 2017 Special Election. (Resolution)

WHEREAS, robust oversight is a cornerstone of good public sector governance; and

WHEREAS, Portland's elected Auditor is responsible for carrying out the City's oversight work, which includes audits and investigations; and

WHEREAS, City Charter provisions related to the Auditor's Office are outdated and do not reflect the changes in the Auditor's oversight responsibilities over the last 30 years; and

WHEREAS, City Charter provisions do not contain adequate safeguards to protect the independence of the Auditor's oversight work; and

WHEREAS, best practices and professional standards call for the Auditor's Office to be structurally independent from the agencies that are subject to the Auditor's oversight; and

WHEREAS, voter-enacted protections in City Charter are necessary to provide the Auditor's Office with the needed independence and are particularly critical in a commission form of government where the Mayor and Commissioners have dual legislative and executive responsibilities; and

WHEREAS, the City Charter amendment protects the Auditor's independence by allowing the Auditor to seek advice from independent legal counsel and making the Auditor responsible for staffing decisions and procurements; and

WHEREAS, the City Charter amendment provides a more independent budget process for the Auditor's Office but respects City Council's fiduciary responsibilities; and

WHEREAS, the City Charter amendment requiring the Auditor to establish internal controls and arrange for periodic external reviews will provide more transparent and comprehensive accountability than currently exists; and

WHEREAS, the Auditor's Office will remain in the City's overhead model, allowing the Auditor's Office to continue to use the City's subject matter and technical expertise; and

WHEREAS, the Auditor is committed to maintaining consistency with City rules, policies and practices, except where those rules and policies impair the Auditor's independence; and

WHEREAS, in 2001 the City Council, by ordinance, established the Office of the Ombudsman to receive and investigate the public's complaints against City agencies; and

WHEREAS, the Office of the Ombudsman is not explicitly described in the City Charter along with other core duties of the City Auditor; and

WHEREAS, the Office of the Ombudsman provides a unique benefit to the community by safeguarding the rights of individuals and promoting fairness and justice in the provisions of City services; and

WHEREAS, adding the Office of the Ombudsman to the City Charter will protect the independence of its investigations and reflects a best practice; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council will submit a Measure for an Act, amending the City of Portland Charter, Chapters 2 and 4, attached as Exhibit A, to the voters of the City of Portland in Multnomah County, Clackamas County, and Washington County at the May 16, 2017 Special Election in the City of Portland; and

BE IT FURTHER RESOLVED, that the City Council submits the ballot title, which includes the caption, question and summary, to be contained in the May 16, 2017 Special Election Ballot, as shown in Exhibit B; and

BE IT FURTHER RESOLVED, that the City Council directs the Auditor to publish the ballot title, as shown in Exhibit B, in accordance with City Code; and

BE IT FURTHER RESOLVED, that the Auditor may submit an explanatory statement for publication in the voters' pamphlet; and

BE IT FURTHER RESOLVED, that the Auditor is directed to forward to the County Elections Office all material necessary to place this measure on the May 16, 2017 Special Election Ballot;

BE IT FURTHER RESOLVED, that the Auditor of the City of Portland is hereby authorized to incur expenses necessary and incident to the conduct of such Special Election; and

BE IT FURTHER RESOLVED, that if the City's voters approve the measure at the May 16, 2017 Special Election, it may be necessary to amend City Code and administrative rules to implement the Charter change.

Adopted by the Council: FEB 01 2017

Auditor Mary Hull Caballero
Prepared by: Margie Sollinger
Date Prepared: January 17, 2017

Mary Hull Caballero
Auditor of the City of Portland
By


Deputy

Place a measure on the May 16, 2017 ballot to amend City Charter provisions to protect Auditor's independence. (Resolution)

<p>INTRODUCED BY Auditor Mary Hull Caballero <i>Mary Hull Caballero</i></p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance & Administration – Wheeler</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Eudaly</p> <p>BUREAU APPROVAL City Auditor's Office Auditor Mary Hull Caballero</p> <p>Prepared by: Margie Sollinger Date Prepared: January 17, 2017</p> <p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>City Auditor Office Approval: required for Code Ordinances <i>Toni OK</i></p> <p>City Attorney Approval: <i>W. To form</i> required for contract, code, easement, franchise, charter, Comp Plan <i>1/18/17</i></p> <p>Council Meeting Date: January 25, 2017</p>	<p>CLERK USE: DATE FILED <u>JAN 18 2017</u></p> <p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>Susan Parsons</i></u> Deputy</p> <p>ACTION TAKEN:</p> <p style="text-align: center;">JAN 25 2017 CONTINUED TO FEB 01 2017 <i>at 3:15 p.m.</i> TIME CERTAIN</p>
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AGENDA
<p>TIME CERTAIN <input checked="" type="checkbox"/> Start time: 2pm</p> <p>Total amount of time needed: 90 minutes (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Eudaly	4. Eudaly	✓	
Wheeler	Wheeler	✓	