



Legislation Text

File #: O-2021-7, Version: 1

CONSIDERATION OF ORDINANCE O-2021-7 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF NORMAN, COUNTY OF CLEVELAND, STATE OF OKLAHOMA, ON THE 3RD DAY OF NOVEMBER, 2020, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED VOTERS OF THE CITY OF NORMAN THE QUESTION OF APPROVING OR REJECTING ORDINANCE NO. O-2021-6, WHICH ORDINANCE PROPOSES TO ADD ARTICLE V CREATING THE POSITION OF MUNICIPAL AUDITOR TO BE APPOINTED AND REMOVED BY THE CITY COUNCIL, RENUMBER ARTICLE DESIGNATIONS SET FORTH IN THE CHARTER AFTER ARTICLE V ACCORDINGLY, AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND: In the FYE19 Budget, City Council included funding for a new position of City Auditor and support staff, envisioned to be an independent source of review of City operations and finances to ensure an efficient and economic operation of City government. By Resolution R-1819-66 (as amended), Council appointed a Charter Review Commission to recommend whether language should be added to the Charter “related to the appointment and removal of a City Auditor that would be a full time employee of the City of Norman and appointed and subject to removal by the City Council”. The Charter Review Commission discussed this issue at its meeting on September 9, 2019, and unanimously recommended not to add such language to the Charter. Discussions of the Commission seemed to reflect an understanding of the potential need for an internal auditor from time to time but the Commission was unsure whether a full-time position was needed to accomplish this task given the ability of the City to hire independent auditors on an as-needed basis. Ultimately, although added to the FYE2020 budget, the position was not filled because language was not added to the Charter.

During its consideration of the FYE21 budget, Council amended the proposed budget to reduced salaries and benefits in the Police Department General Fund by \$245,000 to provide for the implementation of an internal auditor program. A lawsuit was filed related to this and other actions taken during the budget adoption process that seeks to have a Court determine that such funds were reallocated unlawfully (*FOP v. City of Norman*, Cleveland County District Court, CJ-2020-661). This lawsuit is in its very early stages. Recent conversations with Councilmembers indicate a desire to move forward with an amendment to the Charter that would submit to the voters the question of adding a City Auditor position that would be an additional employee of the City Council. Provided this ordinance and the companion ordinance calling the election are adopted, this question would be submitted to the voters on November 3, 2020. Because state and federal elections are set for the same date, the cost to the City of conducting this special election is greatly reduced.

DISCUSSION: Ordinance O-2021-6 would amend the Charter by adding a new Article V titled “City Auditor”. Section 1 acknowledges the creation of the office of City Auditor. Since the auditor is envisioned to be a City Council employee, Section 2 mirrors the language found in Article III, Section 1 which discusses the appointment and removal process for the City Manager, except for

qualifications specific and desirable for an auditor (related degree, CPA designation, and at least 5 years' experience in auditing). Finally, Section 3 outlines the general duties of the City Auditor. The City Auditor will be required to advise City Council and the City Manager of financial and operational audits relating to the efficient and economic operation of Norman City government and other related matters as may be required by the City Council or the City Manager.

Ordinance O-2021-7 calls the election for the Charter amendment set forth in O-2021-6 on November 3, 2020 in conjunction with state and federal office elections.

RECOMMENDATION: During discussion at the City Council Retreat on October 16 and 17 about possible Charter amendments, Council expressed a preference to package this amendment with other potential Charter amendments to submit to the voters later in 2021. Based on this discussion, Staff recommends Ordinance O-2021-7 be rejected.