

13-1298

1301298

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
Readings
 Consent V Vote RC Vote

AN ORDINANCE BY COUNCILMEMBER YOLANDA ADREAN

TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1 ET SEQ., AS AMENDED, BY AMENDING PART 1 (CHARTER AND RELATED LAWS), SUBPART A (CHARTER), ARTICLE II (LEGISLATIVE), CHAPTER 6 (CITY INTERNAL AUDITOR), SO AS TO AMEND THE ROLES AND RESPONSIBILITIES OF THE AUDIT COMMITTEE AND THE CITY AUDITOR; AND FOR OTHER PURPOSES.

ADOPTED BY
NOV 18 2013
COUNCIL

As Amended

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

Date Referred: 10/07/13
Referred To: *Fin/Exec*
Date Referred: 10/21/13
Referred To: *Finance/Exec*
Date Referred:
Referred To:

Fin./Exec
Committee
Date 10-16-13
Chair *Telica M. Moore*
Action *as amended*
Fav. Adv. Hold (see rev. side)
Other
2nd Rd, 1st adoption
Members
C. J. Adams
Yolanda Adrean
Harold Smith
Refer To

Fin./Exec
Committee
Date 10-30-13
Chair *Telica M. Moore*
Action
Fav. Adv. Hold (see rev. side)
Other
Members
C. J. Adams
Yolanda Adrean
Harold Smith
Refer To

Committee
Date
Chair
Action
Fav. Adv. Hold (see rev. side)
Other
Members
Refer To

Committee
Date
Chair
Action
Fav. Adv. Hold (see rev. side)
Other
Members
Refer To

CERTIFIED
NOV 18 2013
COUNCIL PRESIDENT PROTEM

CERTIFIED
NOV 18 2013
Ronda Daphine Johnson
MUNICIPAL CLERK

MAYOR'S ACTION
APPROVED
NOV 27 2013
WITHOUT SIGNATURE
BY OPERATION OF LAW

AN ORDINANCE
BY
AMENDED BY FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE BY COUNCILMEMBER YOLANDA ADREAN AS AMENDED BY FINANCE/EXECUTIVE COMMITTEE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1 ET SEQ., AS AMENDED, BY AMENDING PART 1 (CHARTER AND RELATED LAWS), SUBPART A (CHARTER), ARTICLE II (LEGISLATIVE), CHAPTER 6 (CITY INTERNAL AUDITOR), SO AS TO AMEND THE ROLES AND RESPONSIBILITIES OF THE AUDIT COMMITTEE AND THE CITY AUDITOR; AND FOR OTHER PURPOSES.

AN ORDINANCE AND CHARTER AMENDMENT 13-O-1298
BY COUNCILMEMBER YOLANDA ADREAN
AS AMENDED BY FINANCE EXECUTIVE COMMITTEE

AS FURTHER AMENDED BY THE ATLANTA CITY COUNCIL

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1 ET SEQ., AS AMENDED, BY AMENDING PART 1 (CHARTER AND RELATED LAWS), SUBPART A (CHARTER), ARTICLE II (LEGISLATIVE), CHAPTER 6 (CITY INTERNAL AUDITOR), SO AS TO AMEND THE ROLES AND RESPONSIBILITIES OF THE AUDIT COMMITTEE AND THE CITY AUDITOR; AND FOR OTHER PURPOSES.

WHEREAS, Chapter Six (6) of the Charter of the City of Atlanta (“City”) establishes the position of the City Internal Auditor and the City’s Audit Committee; and

WHEREAS, Chapter Six (6) of the Charter has not been significantly amended since 1996; and

WHEREAS, since that time, there have been significant developments in the roles, responsibilities and composition of public sector audit committees; and

WHEREAS, pursuant to Section 6-308(a) of the Charter, the governing body, defined as the Atlanta City Council through the Finance/Executive Committee, shall provide annually for an independent audit of the accounts and other evidences of financial transactions of the city and departments, boards, and commissions thereof; and

WHEREAS, pursuant to Section 2-604(c)(5) of the Charter, the City’s audit committee is responsible for providing oversight of the external audit efforts and coverage; and



WHEREAS, in the area of procurement for the external financial audit, the Government Finance Officers Association's ("GFOA") Recommended Practices include the use of multiyear agreements and the use of a periodic full scale competitive process with the participation of all qualified firms, and

WHEREAS, GFOA also recommends an audit procurement process structured so that the principal factor in the selection of an independent auditor is the auditor's ability to perform a quality audit; and

WHEREAS, currently, the Charter and the Code of Ordinances of the City do not provide guidance in procuring a quality audit; and

WHEREAS, based on the United States Comptroller General's *Government Auditing Standards*, the recommended practices of the GFOA and the Association of Local Government Auditors ("ALGA"), and a review of the Audit Committee's composition, role and responsibilities, including the audit procurement process, compared to those of other local government audit committees, it is in the best interest of the City to clearly define the roles, responsibilities, and composition of the City's audit committee, and to provide guidance for the committee on procuring a quality external audit and providing oversight of the external audit efforts and coverage, as required by the Charter; and

WHEREAS, the City desires to amend the Charter to better define audit functions within the City.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS as follows:

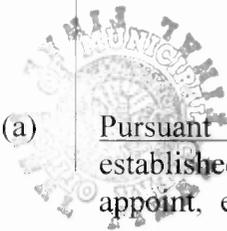
SECTION 1: That Article II (Legislative), Chapter 6 (City Internal Auditor), of the Charter of the City of Atlanta is amended, as set out below in bold and strikeout text, to revise said Chapter as follows:

CHAPTER 6. - CITY ~~INTERNAL~~ AUDITOR

Section 2-601. - Selection; removal.

- (a) There is hereby created the office of city ~~internal~~ auditor. The city ~~internal~~ auditor must be a certified internal auditor or a certified public accountant, demonstrating at least ten (10) years' experience in public financial and fiscal practices, performance and financial auditing, and municipal accounting. The city ~~internal~~ auditor shall be appointed by a majority of the members of the audit committee for a period of five (5) years, subject to confirmation by a majority of the council. Removal of the city ~~internal~~ auditor from office before the expiration of the designated term shall be for cause by a vote of two-thirds (2/3) of the members of city council.
- (b) The city ~~internal~~ auditor need not be a resident of the city at the time of his or her appointment, but he or she shall reside in the city within six months of such appointment and continue to reside therein throughout such appointment.
- (c) The city ~~internal~~ auditor shall not be involved in partisan political activities or the political affairs of the city.

Section 2-602. - Appointment of assistance and employees.



(a) Pursuant to Chapter 114 of the Code of Ordinances and within the budget approval process and established personnel policies for all departments, the city ~~internal~~ auditor shall have the power to appoint, employ, and remove such assistants, employees, and personnel as he or she may deem necessary for the efficient and effective administration of the office. Neither the members of the council, the president of the council, nor the mayor shall in any manner dictate the appointment or removal of any such officer or employee whom the auditor is empowered to appoint. ~~The present employees in the division of internal auditing of the finance department are hereby transferred to the city internal auditor's office and shall serve such assistants and employees to the city internal auditor as provided herein.~~

(b) Neither the members of the council, the president of the council, nor the mayor shall in any manner attempt to influence or dictate the appointment or removal of any such officer or employee whom the auditor is empowered to appoint.

Section 2-603. - Powers and duties.

The city ~~internal~~ auditor and city ~~internal~~ auditor's office shall be charged with the following duties and responsibilities:

- (1) The conduct performance and financial audits of all departments, offices, boards, activities, and agencies of the city in order to independently determine whether:
 - a. Activities and programs being implemented have been authorized by the council, state law, or applicable federal law or regulations and are being conducted and funds expended in compliance with applicable laws;
 - b. The department, office, or agency is acquiring, managing, protecting, and using its resources, including public funds, personnel, property, equipment, and space, economically, efficiently, and effectively and in a manner consistent with the objectives intended by the authorizing entity or enabling legislation;
 - c. The organization, programs, activities, functions, or policies are effective, including the identification of any causes of inefficiencies or uneconomical practices, such as inadequacies in management information systems, internal and administrative procedures, organization structure, use of resources, allocation of personnel, purchasing policies, and equipment;
 - d. The desired result or benefits are being achieved;
 - e. Financial and other reports are being provided that disclose fairly, accurately, and fully all information that is required by law, that is necessary to ascertain the nature and scope of programs and activities, and that is necessary to establish a proper basis for evaluating the results of programs and activities including the collection of, accounting for, and depositing of revenues and other resources;
 - f. Management has established adequate operating and administrative procedures and practices, systems, or accounting internal control systems and internal management controls; and
 - g. Indications of fraud, or abuse or illegal acts are present.
- (2) To submit at the beginning of each fiscal year an audit schedule to the audit committee for review and comment. The schedule shall include the departments, offices, boards, activities, subcontractors, and agencies subject to audit for the period. This schedule may be amended during the period after review by

the audit committee. Additionally, the city auditor may initiate and conduct any other audits deemed necessary;

- (3) To submit an annual report to the council and mayor indicating audits completed, major findings, corrective actions taken by administrative managers, and significant findings which have not been fully addressed by management;
- (4) To perform such other duties and responsibilities as provided for by this Charter or ordinance.

Section 2-604. - Audit committee; established; powers and duties generally; compensation.

- (a) To ensure independence of the audit function, an audit committee is hereby established. The audit committee is an independent management committee and not a public board, commission, or committee as specified in article 3 herein. The audit committee shall comprise five voting members who shall include the ~~mayor or~~ mayor's appointee, ~~the president of the council or~~ the president of council's appointee, and three at-large members appointed by the entire city council. The three at-large members shall be residents of the city and shall possess the independence, experience and collective technical expertise necessary to carry out the duties of the Audit Committee. This expertise includes but is not limited to knowledge of financial auditing, performance auditing, financial reporting and accounting. The minimum professional standards for all members shall include at least ten years of experience as a certified public accountant or as a certified internal auditor, or ten years of professional management experience in audit, finance, or law. At all times, at least one member shall be a certified public accountant. with expertise in auditing, preferably internal or management auditing, and shall be either a certified public accountant, certified internal auditor, or certified management auditor Members shall be appointed for four ~~three~~-year terms and until their successors have been appointed and qualified. The three at-large members of the Audit Committee are limited to two full consecutive terms, with one term intervening before they become eligible for reappointment. Appointments shall be made so that not more than one term of office shall expire in any one year. Members of the committee shall select a chairperson from among its members yearly.
- (b) The audit committee shall consult with the city ~~internal~~ auditor regarding technical issues and work to assure maximum coordination between the work of the city auditor's office and the needs of the council, the mayor, and departments and the coordination of external audit efforts.
- (c) The audit committee shall meet as needed to perform its duties but shall not meet less than once quarterly and shall be responsible for:
 - (1) Providing general direction to the audit function by reviewing the auditor's annual audit plan and any proposed amendments thereto and submitting the plan and the committee's recommendations to the council;
 - (2) Reviewing and approving audit reports before the final audit report is issued;
 - (3) Sending copies of ~~draft and~~ final ~~internal~~ audit reports to the mayor, president of the council, and members of the council;
 - (4) Performing an evaluation of the city ~~internal~~ auditor annually and reporting the results of the evaluation and effectiveness of the audit function annually to the council;
 - (5) Providing oversight of the external audit efforts and coverage, pursuant to Section 2-604(d); and
 - (6) Performing such other duties as provided for by an ordinance of the council.

(d) To assist the City Council in fulfilling the requirements of Charter section 6-308(a) and to the extent that services of an external auditor are otherwise necessary, the city shall employ such outside audit services according to the procedure set forth below:

- (1) Every five years or at such regular intervals as determined by City Council, an independent public accounting and audit firm must be engaged by the City to conduct the City's annual external audit for a contractual period of up to five years.
- (2) At the beginning of each competitive selection process, the Audit Committee is authorized to oversee the establishment of a written policy detailing the selection criteria for the financial auditor.
- (3) The selection of the auditor must be through the use of a competitive process with a comprehensive request for proposals document. The audit committee shall provide guidance to the Department of Procurement in the preparation of the request for proposals, including criteria for selection.
- (4) The written request for proposals to prospective financial auditors must include the criteria and weightings for the selection.
- (5) The Audit Committee shall appoint an evaluation committee to review proposals in response to the financial auditor RFP. The evaluation committee shall be composed of at least three (3) members including the mayor's appointee, on the Audit Committee, the president of council's appointee on the audit committee, and one at-large appointee on the audit committee appointed by the City Council. At all times, at least one member shall be a certified public accountant.
- (6) Each member of the evaluation committee shall assign points to each of the proponents based on a rating scale established by the audit committee. The evaluation committee shall recommend no more than three proponents to the audit committee based on the ratings of each member.
- (7) The audit committee shall review the recommendations of the evaluation committee and make a final recommendation for selection of the City's financial auditor to the Finance/Executive Committee for consideration.
- (8) Once the final recommendation for selection has been made to the Finance Executive Committee, for consideration, the selection is to be presented to the City Council for approval.

(e) Each member of the audit committee as established by section 2-604 of the Charter of the City of Atlanta who is not an elected official or employee of the City of Atlanta shall be paid ~~\$100.00~~^{\$50.00} as compensation for each meeting of the board the member attends, but in no event shall the total amount paid to any member exceed the sum of ~~\$1000.00~~^{500.00} in any one calendar year.



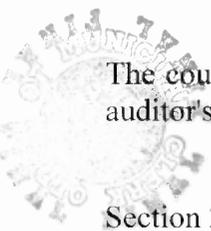
Section 2-605. - Access to records and property.

- (a) All city officers and employees shall allow the city ~~internal~~ auditor immediate access to any and all books, records, documents, personnel, processes (including meetings) and other requested information, including automated data, pertaining to the business of the city and within their custody regarding powers, duties, activities, organization, property, financial transactions, contracts, and methods of business required to conduct an audit or other official duties. In addition, such officers and employees shall provide access for the auditor to inspect all property, equipment, and facilities within their custody. Further, all contracts with outside contractors, vendors and agencies shall include an audit clause to provide for the city auditor's access to all records, and those of their subcontractors, needed to verify compliance with the terms specified in the contract. The City ~~Internal~~ Auditor shall not participate in any activity, decision or meeting that would impair independence of such auditor or violate applicable government auditing standards.
- (b) The City ~~Internal~~ Auditor shall not publicly disclose any information received during an audit that is considered confidential by nature by any local, state, or federal law or regulation.
- (c) Any reports issued by the City ~~Internal~~ Auditor shall be made available for public inspection or copying ~~at a reasonable cost pursuant to the Georgia Open Records Act.~~
- (d) In the event any city officer or employee shall fail to allow access to any requested information as required in this section, the City Council shall have the power to compel the production of said information by subpoena. If any person duly subpoenaed shall fail to allow access to said information, the City Council shall report such failure to any court of record or judge thereof, who may make such order as shall be proper as to the future production of any such information and who may, after due notice and opportunity to be heard, punish him or her for failure to comply therewith.

Section 2-606. - Quality assurance reviews.

- (a) The audit activities of the city ~~internal~~ auditor's office shall comply with the U.S. Comptroller General's *Government Auditing Standards*, including requirements for periodic external quality assurance reviews ("peer reviews"). A copy of the written report of the independent review shall be furnished to the council, president of the council, mayor, and members of the audit committee and made available to the public.
- (b) ~~The quality review shall determine compliance with generally accepted governmental auditing standards and the quality of audit effort and reporting, including but not limited to staff qualifications, due professional care, and quality assurance; fieldwork standards such as planning, supervision, and audit evidence; and reporting standards such as report content, presentation, and timeliness.~~
- (c) ~~The city shall provide for the cost of peer reviews from funds appropriated to the city ~~internal~~ auditor's budget or other in-kind support as appropriate.~~

Section 2-607. - Funding of auditor's office.



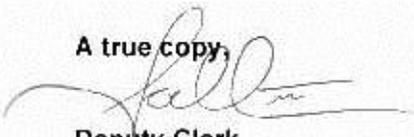
The council shall provide funds necessary for the facilities, equipment, and staffing of the city internal auditor's office to carry out the responsibilities specified herein and by ordinance.

Section 2-608. - Special audits.

The president of the council or members of council may request the city auditor to perform special audits or assignments of a limited scope intended to determine the accuracy of information provided to council, costs and consequences of recommendations made to the council, and other information concerning the performance of departments, offices, or agencies of the city. After consultation with the audit committee, a special audit requested by the president of the council or members of the council may become an amendment to the annual audit schedule.

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SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

A true copy,



Deputy Clerk

ADOPTED *as amended* by the Council
APPROVED as per City Charter Section 2-403

NOV 18, 2013
NOV 27, 2013



Exhibit "A"

**NOTICE OF PROPOSED AMENDMENT
TO THE CHARTER OF THE CITY OF ATLANTA**

Notice is hereby given that an Ordinance has been introduced to amend the Charter of the City of Atlanta (Ga. Laws, 1996, p. 4469, et seq.) approved April 15, 1996, as amended, said Ordinance being captioned as follows:

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1 ET SEQ., AS AMENDED, BY AMENDING PART 1 (CHARTER AND RELATED LAWS), SUBPART A (CHARTER), ARTICLE II (LEGISLATIVE), CHAPTER 6 (CITY INTERNAL AUDITOR), SO AS TO AMEND THE ROLES AND RESPONSIBILITIES OF THE CITY AUDITOR AND THE AUDIT COMMITTEE; AND FOR OTHER PURPOSES.

A copy of the proposed Ordinance and Charter Amendment is on file in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the clerks of the Superior Courts of Fulton and DeKalb Counties, Georgia for the purpose of examination and inspection by the public.

This _____ day of _____, 2013.

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta



follows:

SECTION 1: That Article II (Legislative), Chapter 6 (City Internal Auditor), of the Charter of the City of Atlanta is amended, as set out below in bold and strikeout text, to revise said Chapter as follows:

CHAPTER 6. - CITY ~~INTERNAL~~ AUDITOR

Section 2-601. - Selection; removal.

- (a) There is hereby created the office of city ~~internal~~ auditor. The city ~~internal~~ auditor must be a certified internal auditor or a certified public accountant, demonstrating at least ten (10) years' experience in public financial and fiscal practices, performance and financial auditing, and municipal accounting. The city ~~internal~~ auditor shall be appointed by a majority of the members of the audit committee for a period of five (5) years, subject to confirmation by a majority of the council. Removal of the city ~~internal~~ auditor from office before the expiration of the designated term shall be for cause by a vote of two-thirds (2/3) of the members of city council.
- (b) The city ~~internal~~ auditor need not be a resident of the city at the time of his or her appointment, but he or she shall reside in the city within six months of such appointment and continue to reside therein throughout such appointment.
- (c) The city ~~internal~~ auditor shall not be involved in partisan political activities or the political affairs of the city.

Section 2-602. - Appointment of assistance and employees.

- (a) Pursuant to Chapter 114 of the Code of Ordinances and within the budget approval process and established personnel policies for all departments, the city ~~internal~~ auditor shall have the power to appoint, employ, and remove such assistants, employees, and personnel as he or she may deem necessary for the efficient and effective administration of the office. Neither the members of the council, the president of the council, nor the mayor shall in any manner dictate the appointment or removal of any such officer or employee whom the auditor is empowered to appoint. ~~The present employees in the division of internal auditing of the finance department are hereby transferred to the city internal auditor's office and shall serve such assistants and employees to the city internal auditor as provided herein.~~
- (b) Neither the members of the council, the president of the council, nor the mayor shall in any manner attempt to influence or dictate the appointment or removal of any such officer or employee whom the auditor is empowered to appoint.

Section 2-603. - Powers and duties.

The city ~~internal~~ auditor and city ~~internal~~ auditor's office shall be charged with the following duties and responsibilities:

- (1) The conduct performance and financial audits of all departments, offices, boards, activities, and agencies of the city in order to independently determine whether:

- a. Activities and programs being implemented have been authorized by the council, state law, or applicable federal law or regulations and are being conducted and funds expended in compliance with applicable laws;
 - b. The department, office, or agency is acquiring, managing, protecting, and using its resources, including public funds, personnel, property, equipment, and space, economically, efficiently, and effectively and in a manner consistent with the objectives intended by the authorizing entity or enabling legislation;
 - c. The organization, programs, activities, functions, or policies are effective, including the identification of any causes of inefficiencies or uneconomical practices, such as inadequacies in management information systems, internal and administrative procedures, organization structure, use of resources, allocation of personnel, purchasing policies, and equipment;
 - d. The desired result or benefits are being achieved;
 - e. Financial and other reports are being provided that disclose fairly, accurately, and fully all information that is required by law, that is necessary to ascertain the nature and scope of programs and activities, and that is necessary to establish a proper basis for evaluating the results of programs and activities including the collection of, accounting for, and depositing of revenues and other resources;
 - f. Management has established adequate operating and administrative procedures and practices, systems, or accounting internal control systems and internal management controls; and
 - g. Indications of fraud, or abuse or illegal acts are present.
- (2) To submit at the beginning of each fiscal year an audit schedule to the audit committee for review and comment. The schedule shall include the departments, offices, boards, activities, subcontractors, and agencies subject to audit for the period. This schedule may be amended during the period after review by the audit committee. Additionally, the city auditor may initiate and conduct any other audits deemed necessary;
 - (3) To submit an annual report to the council and mayor indicating audits completed, major findings, corrective actions taken by administrative managers, and significant findings which have not been fully addressed by management;
 - (4) To perform such other duties and responsibilities as provided for by this Charter or ordinance.

Section 2-604. - Audit committee; established; powers and duties generally; compensation.

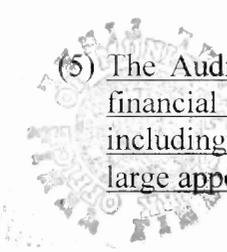
- (a) To ensure independence of the audit function, an audit committee is hereby established. The audit committee is an independent management committee and not a public board, commission, or committee as specified in article 3 herein. The audit committee shall comprise five voting members who shall include the ~~mayor or~~ mayor's appointee, ~~the president of the council or~~ the president of council's appointee, and three at-large members appointed by the entire city council. The three at-large members shall be residents of the city and shall possess the independence, experience and collective technical expertise necessary to carry out the duties of the Audit Committee. This expertise includes but is not limited to knowledge of financial auditing, performance auditing, financial reporting and accounting. The minimum professional standards for public members shall include at least ten years of experience as a certified public accountant or as a certified internal auditor, or ten years of professional management experience in audit, finance, or law. with expertise in auditing, preferably internal or management auditing, and shall be either a certified public accountant, certified internal auditor, or certified

~~management auditor~~ Members shall be appointed for four three-year terms and until their successors have been appointed and qualified. The three at-large members of the Audit Committee are limited to two full consecutive terms, with one term intervening before they become eligible for reappointment. Appointments shall be made so that not more than one term of office shall expire in any one year. Members of the committee shall select a chairperson from among its members yearly.

- (b) The audit committee shall consult with the city ~~internal~~ auditor regarding technical issues and work to assure maximum coordination between the work of the city auditor's office and the needs of the council, the mayor, and departments and the coordination of external audit efforts.
- (c) The audit committee shall meet as needed to perform its duties but shall not meet less than once quarterly and shall be responsible for:
 - (1) Providing general direction to the audit function by reviewing the auditor's annual audit plan and any proposed amendments thereto and submitting the plan and the committee's recommendations to the council;
 - (2) Reviewing and approving audit reports before the final audit report is issued;
 - (3) Sending copies of ~~draft and final internal~~ audit reports to the mayor, president of the council, and members of the council;
 - (4) Performing an evaluation of the city ~~internal~~ auditor annually and reporting the results of the evaluation and effectiveness of the audit function annually to the council;
 - (5) Providing oversight of the external audit efforts and coverage, pursuant to Section 2-604(d); and
 - (6) Performing such other duties as provided for by an ordinance of the council.

(d) To assist the City Council in fulfilling the requirements of Charter section 6-308(a) and to the extent that services of an external auditor are otherwise necessary, the city shall employ such outside audit services according to the procedure set forth below:

- (1) Every five years or at such regular intervals as determined by City Council, an independent public accounting and audit firm must be engaged by the City to conduct the City's annual external audit for a contractual period of up to five years.
- (2) At the beginning of each competitive selection process, the Audit Committee is authorized to oversee the establishment of a written policy detailing the selection criteria for the financial auditor.
- (3) The selection of the auditor must be through the use of a competitive process with a comprehensive request for proposals document. The audit committee shall provide guidance to the City Auditor and the Department of Procurement in the preparation of the request for proposals, including criteria for selection.
- (4) The written request for proposals to prospective financial auditors must include the criteria and weightings for the selection.



(5) The Audit Committee shall appoint an evaluation committee to review proposals in response to the financial auditor RFP. The evaluation committee shall be composed of at least three (3) members including the mayor's appointee or the president of council's appointee on the audit committee, one at-large appointee on the audit committee and the City Auditor or designee.

(6) Each member of the evaluation committee shall assign points to each of the proponents based on a rating scale established by the audit committee. The evaluation committee shall recommend no more than three proponents to the audit committee based on the ratings of each member.

(7) The audit committee shall review the recommendations of the evaluation committee and make a final recommendation for selection of the City's financial auditor to the Finance/Executive Committee for consideration.

(8) Once the final recommendation for selection has been made to the Finance Executive Committee, the selection is to be presented to the City Council for approval.

(e) Each member of the audit committee as established by section 2-604 of the Charter of the City of Atlanta who is not an elected official or employee of the City of Atlanta shall be paid ~~\$100.00~~\$50.00 as compensation for each meeting of the board the member attends, but in no event shall the total amount paid to any member exceed the sum of ~~\$1000.00~~ 500.00 in any one calendar year.

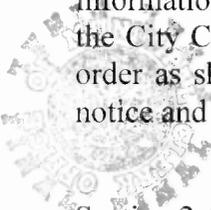
Section 2-605. - Access to records and property.

(a) All city officers and employees shall allow the city ~~internal~~ auditor immediate access to any and all books, records, documents, personnel, processes (including meetings) and other requested information, including automated data, pertaining to the business of the city and within their custody regarding powers, duties, activities, organization, property, financial transactions, contracts, and methods of business required to conduct an audit or other official duties. In addition, such officers and employees shall provide access for the auditor to inspect all property, equipment, and facilities within their custody. Further, all contracts with outside contractors, vendors and agencies shall include an audit clause to provide for the city auditor's access to all records, and those of their subcontractors, needed to verify compliance with the terms specified in the contract. The City ~~Internal~~ Auditor shall not participate in any activity, decision or meeting that would impair independence of such auditor or violate applicable government auditing standards.

(b) The City ~~Internal~~ Auditor shall not publicly disclose any information received during an audit that is considered confidential by nature by any local, state, or federal law or regulation.

(c) Any reports issued by the City ~~Internal~~ Auditor shall be made available for public inspection or copying ~~at a reasonable cost~~ pursuant to the Georgia Open Records Act.

(d) In the event any city officer or employee shall fail to allow access to any requested information as required in this section, the City Council shall have the power to compel the production of said



information by subpoena. If any person duly subpoenaed shall fail to allow access to said information, the City Council shall report such failure to any court of record or judge thereof, who may make such order as shall be proper as to the future production of any such information and who may, after due notice and opportunity to be heard, punish him or her for failure to comply therewith.

Section 2-606. - Quality assurance reviews.

- (a) The audit activities of the city ~~internal~~ auditor's office shall comply with the U.S. Comptroller General's *Government Auditing Standards*, including requirements for periodic external quality assurance reviews ("peer reviews"). A copy of the written report of the independent review shall be furnished to the council, president of the council, mayor, and members of the audit committee and made available to the public.
- (b) ~~The quality review shall determine compliance with generally accepted governmental auditing standards and the quality of audit effort and reporting, including but not limited to staff qualifications, due professional care, and quality assurance; fieldwork standards such as planning, supervision, and audit evidence; and reporting standards such as report content, presentation, and timeliness.~~
- (e) The city shall provide for the cost of peer reviews from funds appropriated to the city ~~internal~~ auditor's budget or other in-kind support as appropriate.

Section 2-607. - Funding of auditor's office.

The council shall provide funds necessary for the facilities, equipment, and staffing of the city ~~internal~~ auditor's office to carry out the responsibilities specified herein and by ordinance.

Section 2-608. - Special audits.

The president of the council or members of council may request the city auditor to perform special audits or assignments of a limited scope intended to determine the accuracy of information provided to council, costs and consequences of recommendations made to the council, and other information concerning the performance of departments, offices, or agencies of the city. After consultation with the audit committee, a special audit requested by the president of the council or members of the council may become an amendment to the annual audit schedule.

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.



Exhibit "A"

NOTICE OF PROPOSED AMENDMENT
TO THE CHARTER OF THE CITY OF ATLANTA

Notice is hereby given that an Ordinance has been introduced to amend the Charter of the City of Atlanta (Ga. Laws, 1996, p. 4469, et seq.) approved April 15, 1996, as amended, said Ordinance being captioned as follows:

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1 ET SEQ., AS AMENDED, BY AMENDING PART 1 (CHARTER AND RELATED LAWS), SUBPART A (CHARTER), ARTICLE II (LEGISLATIVE), CHAPTER 6 (CITY INTERNAL AUDITOR), SO AS TO AMEND THE ROLES AND RESPONSIBILITIES OF THE CITY AUDITOR AND THE AUDIT COMMITTEE; AND FOR OTHER PURPOSES.

A copy of the proposed Ordinance and Charter Amendment is on file in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the clerks of the Superior Courts of Fulton and DeKalb Counties, Georgia for the purpose of examination and inspection by the public.

This _____ day of _____, 2013.

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta

2

**CITY COUNCIL
ATLANTA, GEORGIA**

13-O-1298

AN ORDINANCE BY COUNCILMEMBER YOLANDA ADREAN AS AMENDED BY FINANCE/EXECUTIVE COMMITTEE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1 ET SEQ., AS AMENDED, BY AMENDING PART 1 (CHARTER AND RELATED LAWS), SUBPART A (CHARTER), ARTICLE II (LEGISLATIVE), CHAPTER 6 (CITY INTERNAL AUDITOR), SO AS TO AMEND THE ROLES AND RESPONSIBILITIES OF THE AUDIT COMMITTEE AND THE CITY AUDITOR; AND FOR OTHER PURPOSES.

Review List:

Atlanta City Council	Completed	10/22/2013 1:22 PM
Finance/Executive Committee	Completed	10/17/2013 2:39 PM
Atlanta City Council	Completed	10/23/2013 6:35 PM
Finance/Executive Committee	Pending	

HISTORY:

10/07/13	Atlanta City Council	REFERRED WITHOUT OBJECTION
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RESULT:	REFERRED WITHOUT OBJECTION	Next: 10/16/2013 1:00 PM
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10/16/13	Finance/Executive Committee	APPROVED ON CONDITION
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RESULT:	APPROVED ON CONDITION [4 TO 1]	Next: 10/21/2013 1:00 PM
AYES:	Alex Wan, Felicia A. Moore, Yolanda Adrean, Howard Shook	
NAYS:	Clarence "C. T." Martin	
ABSENT:	Natalyn Mosby Archibong	
AWAY:	Aaron Watson	

RESULT:	SECOND READING [12 TO 0]	Next: 10/30/2013 1:00 PM
AYES:	Watson, Wan, Martin, Smith, Shook, Winslow, Moore, Young Jr., Bottoms, Bond, Archibong, Adrean	
ABSENT:	Joyce Sheperd, Kwanza Hall	
AWAY:	H. Lamar Willis	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action	
<i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY - BLUE BACK

RCS# 3142
11/18/13
2:10 PM

Atlanta City Council

13-O-1298

CHARTER AMENDMENT TO AMEND THE ROLES OF
THE AUDIT COMMITTEE AND CITY AUDITOR
ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 0
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	B Mitchell