

CoNSTRUct (Charter Non-Structural Technical Review Committee)

<u>SUGGESTION</u>	<u>PRO'S</u>	<u>CON'S</u>	<u>COMMENTS</u>
<p>CHAPTER VIII - CITY ADMINISTRATION 8.3 Section 8.6 - Change 30 days to 60 days.</p>	<p>More time for internal & external candidates review.</p>	<p>Universal CON to all issues is cost of election, attorney time, staff time, etc.</p>	
<p>8.10 Move Accounting from under the City Clerk to under the Mayor.</p>	<p>We are the only City with this structure.</p>	<p>Checks and balances ?? Division of Power ??</p>	<p>I also think having the Accounting Department under the Clerk's Office is the proper organization. All historical precedents in the nation place the Clerk separate from the Executive to act as the official recorder for the entity, whether State or Local. Their obligation is to correctness in records and uninfluenced by "politics". (In my opinion, the Clerk is "the keeper of the flame of history".) Accounting is about the business of recording the business of the City to make sure the business is according to the approved budget and to the laws and regulations of the City. They don't set policy, they record whether what is done is according to policy. The Mayor is responsible for the fiscal operation and projections of the City. It is his job, through the Fiscal Department to forecast expenses and revenues, prepare the budget and run the City finances on a day-to-day basis. It is an executive function, not a recording function. I think the Charter is correct as it is. Fiscal and Accounting under the Mayor would compromise the separation of the spenders from the watchdogs, and provide an opportunity for problems</p>
<p><u>Potential Ancillary Changes along with Moving Accounting:</u></p> <p>Article 8.11.10 - Delete " Be chief accountant of the City and maintain a system of accounts which conform to such uniform systems as may be required by law" - duty of the clerk.</p>			<p>Section 8.11.10 - The charter was written specifically for "checks and balances". The Strong Mayor form of government with the Finance Director reporting to the Mayor and possibly the Accounting Division reporting to the Mayor leaves us open to the possible abuse of power and spending that is frequently seen too close to home. If we had a City Manager, responsible to CC, having the Accounting under the Finance Dept would be acceptable because the City Manager could be fired if he/she did not meet the wishes of the majority of CC. The Charter Commission thought long and hard on the separation of powers when this charter was written ... at one time all vouchers were presented to the Township Board for approval at each meeting. BJ</p> <p>Items to consider - Reorganizing the Accounting Division under the Mayor: a) In the past two years auditing standards have dramatically changed that is intended to help audited entities strengthen their internal controls. The focus and emphasis of the audits are on the internal controls, segregation of duties, and authorizations, and accounting procedures. The design and operations is key to avoid risks of financial statement errors and fraud. b) Everyone reports to someone and ultimately is linked to the top. We are all expected to maintain the highest levels of integrity and perception can be a key to public trust. c) It is critical to keep the checks and balances in place, so to have all checks and balances housed within the same area can allow opportunities of breaking down controls put in place and give the perception of mistrust.</p> <p>d) Any organization structure can work, but it is not necessary to give full control to one person to achieve the overall financial mission. e) It is imperative that working together and communication is key but separation to the point of decision-making should be considered. f) When making the decision to change controls you need to look at it from an operational and integrity perspective without looking at the people and/or personalities today. Who is here today may be different in five years (new employees and/or elected officials) who will have a different perspective, methodology and integrity. PL</p>

<p>8.12 Department of the Clerk - Section 8.11.5 - Need wording to tighten up what "all papers, documents, etc. means"; e.g over the years, lawsuits have been sent directly to the clerk, then they went to the mayor and in some instances to the depts directly. It is very difficult to be responsible for records you don't know exist. See Livonia Sec. 14 (d) Dept. of Law.</p>	<p>Need to have a proper listing of where documents are at. Up to date, better definition, ensures proper distribution of documents.</p>	<p>Administrative Issue, can this be handled by City Council drafting a Policy.</p>	<p>Susan to draft language. 5/7/08 meeting.</p>
<p>8.13 Section 8.12 Department of Treasurer; .2 states "...and in all cases give a receipt therefore;" The word 'give' should be replaced with 'produce', 'record', 'make' or 'create'.</p>	<p>Up to date wording.</p>		<p>Recommend use of word "Record". Can this change be made by City Council?? John Staran Opinion.</p>
<p>8.15 Section 8.13 - Need to address Nepotism with relation to elected officials - Review City of Dearborn - Chapter 3. Standards of Conduct</p>	<p>Expand to line of Supervision: For clarification: Consanguinity and Affinity... 1st degree: Parent/Child/Spouse, 2nd degree: Sibling/Step-child/Parent of Spouse/Grandchild, 3rd degree Nephew/Niece, Vertical relationship (non-horizontal).</p>		
<p>8.16 Section 8.3.16 - Duties of the Mayor, Change "Recommend" to "Advise" or eliminate.</p>	<p>Personnel policies and procedures are an administrative function.</p>		
<p>8.17 Section 8.9 - Administrative Departments: This section is in direct conflict with Section 1.5</p>	<p>Administrative authority is the Mayors not Councils.</p>		