

MCCRC Accountable Government Subcommittee

Reflection Questions on the County Auditor's Amendments

The Multnomah County Auditor has proposed the following amendments to the County Charter:

1. Amend the Charter to establish the Auditor's budgetary independence from the County Chair.

Auditor's rationale:

This removes an existing conflict of interest in budget-setting for the Auditor's Office. Everything the Auditor can audit reports to the Chair, Sheriff, or DA. The Chair, as county CEO, proposes the county's budget, including the Auditor's budget. This process conflicts with ALGA's guidance and with the generally accepted government auditing standards that Charter says the Auditor is to follow. The standards say that decisions about funding for auditors should not be controlled by officials subject to audit; this raises the potential for the official to cut the auditor's budget in retaliation for audit results that the official doesn't like, or to simply maintain a budget level that does not allow for the auditor's office to grow with the jurisdiction. Amending the Charter to ensure the Auditor's budgetary independence from the Chair will ensure the Auditor is operating in compliance with the generally accepted government auditing standards that Charter requires, and will also enable the Auditor to conduct audits without the fear of budgetary retaliation.

Reflection questions:

- Do you agree that a conflict of interest exists?
- Does the fact that the auditor's recommendations align with ALGA's best practice recommendations give you more confidence about this change than if the amendment were suggested without the ALGA reference?
- Do you support the general gist of this amendment?
- Do you need any additional information to make up your mind? Please identify that information.
- If you oppose this amendment, why?
- Do you have any suggested revisions to the proposed amendment?
- Does this amendment reflect at least one of MCCRC's shared values: Justice, Inclusive Democracy, Access & Belonging, Transparency and Innovation?

- 2. Increase the Auditor's budget to at least 1% of a five-year rolling average of the county's adopted general fund expenditures budget and give the Auditor the authority to establish a Community Budget Advisory Committee for the Auditor's office.**

Auditor's rationale:

Amending the Charter to ensure the Auditor's budgetary independence from the Chair will put the power to set the Auditor's budget in the peoples' hands. If the County Auditor's Office were funded similarly to the Metro Auditor and Portland Auditor's audit and ombuds functions, the County Auditor would receive an amount equal to at least 1% of a five-year rolling average of the county's adopted general fund expenditures budget. Currently, the Auditor receives about 0.32% of the general fund expenditures budget per year. We anticipate that funding at a 1% level would enable us to double the number of audits we conduct at any one time, while also making it possible for us to have dedicated staff for community engagement and audit teams specialized in specific subjects, such as health and public safety, in order to speed up audit processes.

Reflection questions:

- Do you agree that the Auditor's office should have a larger budget?
- Do you think 1% is a reasonable number? If not, what number is fair?
- Do you like the idea of putting the Auditor's budget in the people's hands?
- Do you think that the benefits of being able to do more audits outweigh the added cost?
- Increasing the auditor's budget may come at the expense of other departments' budgets. Is that a concern for you?
- The influx of federal funds during the pandemic may skew the 5-year rolling average. Is that a concern for you?
- Do you support the general gist of this amendment?
- Do you need any additional information to make up your mind? Please identify that information.
- If you oppose this amendment, why?
- Do you have any suggested revisions to the proposed amendment?
- Does this amendment reflect at least one of MCCRC's shared values: Justice, Inclusive Democracy, Access & Belonging, Transparency and Innovation?

3. Establish the Good Government Hotline in the Charter (it is currently not mentioned).

Auditor's rationale:

This amendment would ensure the ongoing existence of the Good Government Hotline, which is the county's fraud, waste, and abuse of position hotline. The County Auditor established the Good Government Hotline in 2007 to provide county employees and community members with a confidential method for reporting suspected fraud, waste, or abuse of position. In 2011, the state legislature passed a law called "Establishment of local government waste hotline." The Auditor has operated the Good Government Hotline in compliance with this law. But in 2019, the County Attorney and county leadership raised that the Good Government Hotline might not comply with the state's law because the Board of County Commissioners never established the hotline in Code. The County Attorney also indicated to the Auditor that the Board cannot pass Code governing the Auditor, presenting a conundrum for how to ensure that the hotline complies with state law. Putting the hotline in Charter would solve this problem.

Reflection questions:

- Do you agree that the Good Government Hotline should be codified in the Charter?
- The hotline exists already, but this amendment would codify it and protect its future existence. Do you think that's necessary?
- Do you think the amendment should require the hotline to exist, or simply give the Auditor the authority to operate it if they chose to?
- Do you support the general gist of this amendment?
- Do you need any additional information to make up your mind? Please identify that information.
- If you oppose this amendment, why?
- Do you have any suggested revisions to the proposed amendment?
- Does this amendment reflect at least one of MCCRC's shared values: Justice, Inclusive Democracy, Access & Belonging, Transparency and Innovation?

4. Establish and ombuds office for the County.

Auditor's rationale:

If the funding for the Auditor's Office increases to the 1% level described under Item 2, the Auditor would have the funding to establish an ombuds office. We seek to establish an ombuds similar to the one at the Portland Auditor's Office. An ombuds would respond to members of the public to resolve complaints about county services and practices. Ombuds conduct impartial investigations and resolve problems informally. They also have the authority to recommend remedial action or a change in policy. The hotline and ombuds functions would provide issue-specific accountability, while audits provide systems-level accountability.

Reflection questions:

- Do you agree that the Charter should establish an ombuds office?
- This office does not exist today. Do you think it's important enough to be established in the Charter?
- There are costs associated with establishing this office. Do you feel that the benefits of having this office outweigh the costs?
- Do you think the amendment should require the ombuds to exist, or simply give the Auditor the authority establish and supervise this office if they chose to?
- Do you support the general gist of this amendment?
- Do you need any additional information to make up your mind? Please identify that information.
- If you oppose this amendment, why?
- Do you have any suggested revisions to the proposed amendment?
- Does this amendment reflect at least one of MCCRC's shared values: Justice, Inclusive Democracy, Access & Belonging, Transparency and Innovation?

5. Guarantee the Auditor's unconstrained and timely access to employee information and any records related to audit activity, and to include a right-to-audit clause in all contracts with all outside contractors and subcontractors.

Auditor's rationale:

This amendment would ensure the Auditor's Office's access to timely information. One principle of government auditing standards is that Auditor should have access to records and government officials as needed to conduct each audit. Adding this language to Charter would help the Auditor avoid repeats of situations in which county programs have not provided necessary access in a timely manner. For example, the Auditor did not have audit-level, read-only access to the county's financial and human resources data system after it went live in 2019. This was despite repeated inquiries from the Auditor starting in the fall of 2017 to ensure we would have comparable access to the new system as we did to the prior one. It took until the end of 2019 – and multiple meetings, requests, and examples of how other jurisdictions had provided Auditors with access – for our office to get the access we need to be able to serve our accountability function. Amending the Charter to specifically include information about the Auditor's access to information would improve transparency with county employees and community members about the Auditor's authority to access information.

Reflection questions:

- Do you agree with that the Auditor's access needs to be fortified in the Charter?
- Do you agree that all contracts with outside vendors and service providers should have a right-to-audit clause?
- Do you think that the Auditor's right to this information could place a burden on other offices that would have to comply with information requests?
- Do you support the general gist of this amendment?
- Do you need any additional information to make up your mind? Please identify that information.
- If you oppose this amendment, why?
- Do you have any suggested revisions to the proposed amendment?
- Does this amendment reflect at least one of MCCRC's shared values: Justice, Inclusive Democracy, Access & Belonging, Transparency and Innovation?

Multnomah County Charter Review Committee

Shared Values

Justice:

- Healing and justice are central to Multnomah County's government
- Justice extends to all people, and especially people who have been historically marginalized.
- Leading with race is important because of the inequities embedded in governance, with the understanding that it will help create an intersectional approach to this work.

Inclusive democracy:

- Multnomah County's government depends on active participation and representation of the communities people live in.
- People can access and participate in government using their preferred language.
- Outreach is a key value of democracy:
 - Decisions are informed by culturally-specific research and outreach.
 - Relationships should be an authentic, long lasting partnership; they should not be transactional in nature.

Access and belonging:

- People know how to access their leaders and decision-makers.
- People feel that they (and their communities) are a part of decision-making.
- Government reflects the communities it represents.

Transparency:

- People understand how their county government works.
- People are able to be heard by their government, and influence decision-making.
- Communication with the public by the government is clear, and communities are sought out for their input.

Innovation:

- Government is able to change and adapt to address historic and persistent problems.
- Change is embraced as a way to better serve communities.