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1 appointment is to fill a vacancy. An appointment to fill a vacancy shall be for
2 the unexpired term. Terms shall begin on the first day of September. The
3 Committee members shall elect the Committee Chair annually.

4 (C) The Committee shall meet monthly or upon the call of the Chair or a
5 majority of its members.

6 (D) Committee members shall not receive compensation for their
7 service. Voting members of the Committee shall not serve on any other city
8 board, commission or task force.

9 (E) The Chief Administrative Officer and the Director of Council Services
10 or their designees may attend all Committee meetings.

11 (F) If an Official is the subject of an investigation, then the ex officio
12 members, their designees, the Chief Administrative Officer and the Director of
13 Council Services shall be recused from all meetings where that particular
14 investigation is being discussed and they shall not have access to the
15 investigative file during the pending investigation.

16 (G) The Committee is a management committee and not a public board,
17 commission or committee as specified by §§ 2-6-1-1 et seq. and not subject to
18 the Open Meetings Act. The Committee is not formed to formulate public
19 policy nor is authority to formulate public policy delegated to the Committee.

20 (H) The Director or the Inspector General may only be removed from
21 office upon an affirmative vote of two-thirds (2/3) of the members of the
22 Committee. Within five days of removal of the Director or Inspector General,
23 the Committee shall report the reasons for that removal to the Mayor and the
24 Council.

25 (I) The Committee shall annually recommend a budget to the Mayor and
26 Council that may include a salary adjustment for the Director or the Inspector
27 General.

28 (J) The Committee shall provide the Director and the Inspector General
29 with guidance, priorities and potential areas for investigations and audits. The
30 Committee may also lend advice to the Director and the Inspector General
31 regarding technical issues that may arise.

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1 (K) The Committee shall coordinate the work of the Office of Internal
2 Audit and the Office of the Inspector General with the Mayor's and Council's
3 needs.

4 (L) The Committee shall not prohibit the Director or the Inspector
5 General from initiating, carrying out or completing any audit, investigation or
6 review. If a majority of the Committee members finds that an audit,
7 investigation or review is questionable, then the Committee shall issue a
8 cautionary statement to the Director or the Inspector General, as appropriate.

9 (M) The Committee shall review and approve all audit and investigatory
10 reports at each meeting.

11 (N) The Committee shall prepare a job description, specify qualifications
12 for applicants, work with the Director of the Human Resources Department to
13 advertise for the position and develop the applicant search procedure and
14 make recommendations to the Council on the selection of the Director and the
15 Inspector General.

16 (O) Any discipline of the Director or the Inspector General, as provided
17 by § 3-1-6 ROA 1994, shall be by the Committee. The Director and the
18 Inspector General shall report to the Committee for approval of vacation, sick,
19 emergency and city business leave.”

20 SECTION 2. Section 2-10-6 ROA 1994 is amended as follows:

21 “§ 2-10-6 SELECTION AND RETENTION OF DIRECTOR.

22 (A) (1) The Committee, through its staff, shall receive applications from
23 candidates, interview candidates and shall submit to Council the names of the
24 three candidates that it finds to be the best qualified to be Director indicating
25 its ranking and the Council shall select the Director from the three by adoption
26 of a resolution. The Committee’s recommendation to Council shall be based
27 on the candidates’ integrity, capability for strong management and
28 demonstrated ability in accounting, auditing, financial analysis, law,
29 management analysis, public administration, investigation, criminal justice
30 administration or other closely related fields.

31 (2) In lieu of recommending three candidates to the Council, the
32 Committee may recommend to the Council the reconfirmation of the
33 incumbent Director whom the Council may choose to reconfirm. Should the

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1 Council decline to reconfirm the incumbent Director, the Council President will
2 notify the Committee that it needs to provide the Council with three alternate
3 candidates pursuant to the provisions of Subsection A(1).

4 (B) No former or current official or employee, except for a person who
5 held the position of Director or Internal Auditor, may be appointed Director
6 within four years of that person's period of service.

7 (C) Prior to the final selection of the Director, the candidate shall be
8 fingerprinted and shall provide two fingerprint cards or the equivalent
9 electronic fingerprints to the Committee to obtain the candidate's Federal
10 Bureau of Investigation record. Records and related information shall be
11 privileged and shall not be disclosed to anyone other than Committee
12 members. The city shall pay for the cost of obtaining the Federal Bureau of
13 Investigation records.

14 (D) The selected candidate shall be confirmed by Council every four years
15 following appointment pursuant to the provisions of Subsection A above.

16 (E) The Director may only be removed from office upon an affirmative vote
17 of two-thirds (2/3) of the members of the Committee.”

18 SECTION 3. Section 2-17-5 ROA 1994 is amended as follows:

19 “§ 2-17-5 SELECTION AND RETENTION OF INSPECTOR GENERAL.

20 (A) (1) The Committee, through its staff, shall receive applications from
21 candidates, interview candidates and shall submit to the City Council the
22 names of the three candidates that it finds to be the best qualified to be
23 Inspector General indicating its ranking and the Council shall select the
24 Inspector General from the three by adoption of a resolution. The Committee's
25 recommendation to Council shall be based on the candidates' integrity,
26 capability for strong management and demonstrated ability in accounting,
27 auditing, financial analysis, law, management analysis, public administration,
28 investigation, criminal justice administration or other closely related fields.

29 (2) In lieu of recommending three candidates to the Council, the
30 Committee may recommend to the Council the reconfirmation of the
31 incumbent Inspector General whom the Council may choose to reconfirm.
32 Should the Council decline to reconfirm the incumbent Inspector General, the
33 Council President will notify the Committee that it needs to provide the

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1 Council with three alternate candidates pursuant to the provisions of
2 Subsection A(1).

3 (B) No former or current official or employee, except for a person who
4 held the position of Inspector General, may be appointed Inspector General
5 within four years of that person's period of service.

6 (C) The Inspector General shall be certified as a Certified Inspector
7 General or obtain that certification within two years of his appointment. Other
8 professional certifications, such as certified public accountant, certified
9 internal auditor and certified fraud examiner are recommended.

10 (D) Prior to the final selection of the Inspector General, the candidate
11 shall be fingerprinted and shall provide two fingerprint cards or the equivalent
12 electronic fingerprints to the Committee to obtain the candidate's Federal
13 Bureau of Investigation record. Records and related information shall be
14 privileged and shall not be disclosed to anyone other than Committee
15 members. The city shall pay for the cost of obtaining the Federal Bureau of
16 Investigation records.

17 (E) The selected candidate shall be confirmed by Council every four
18 years following appointment pursuant to the provisions of Subsection A
19 above.

20 (F) The Inspector General may only be removed from office upon an
21 affirmative vote of two-thirds (2/3) of the members of the Committee.”

22 SECTION 4. SEVERABILITY CLAUSE. If any section, subsection, sentence,
23 clause, word or phrase of this Ordinance is for any reason held to be
24 unconstitutional or otherwise invalid by any court of competent jurisdiction,
25 such decision shall not affect the validity of the remaining portions of the
26 Ordinance. The Council, the Governing Body of the City of Albuquerque,
27 hereby declares that it would have passed this Ordinance and each section,
28 subsection, sentence, clause, word or phrase thereof irrespective of any one
29 or more sections, sentences, clauses, words or phrases being declared
30 unconstitutional or otherwise invalid.

31 SECTION 5. COMPILATION. Sections 1-3 of this Ordinance shall be
32 incorporated in and made part of the Revised Ordinances of Albuquerque,
33 New Mexico, 1994.

1 SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect five days
2 after publication by title and general summary.

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