

8-22-18

ORDINANCE NO. 30969

An ordinance amending Chapter 2, "Administration," of the Dallas City Code by amending Section 2-17.2; providing additional organizations from which to select a member of the nominating commission; deleting the U.S. Government Accountability Office member requirement; amending the annual revenue of a publicly-traded company; providing that members may be a current or former executive of a publicly-traded company; providing that a member must be a resident of the City of Dallas; providing a saving clause; providing a severability clause; and providing an effective date; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Section 2-17.2, "Selection of City Auditor; Nominating Commission," of Article I, "In General," of Chapter 2, "Administration," of the Dallas City Code is amended to read as follows:

"SEC. 2-17.2. SELECTION OF CITY AUDITOR; NOMINATING COMMISSION.

(a) Before the end of each term of a city auditor, or at such other times when a vacancy occurs or is anticipated to occur in the office of city auditor, the city council shall appoint a nominating commission to select a city auditor in accordance with Chapter IX, Section 1 of the city charter. The commission shall be composed of five members, including a chair and vice-chair, meeting the following qualifications:

(1) One member must be a representative selected by the board of directors of the Dallas Chapter of one of the following professional organizations, including the: [T]exas Society of Certified Public Accountants (TSCPA); Institute for Internal Auditors (IIA); Information Systems Audit and Control Association, Inc. (ISACA); Financial Executives International (FEI); Association of Government Accountants (AGA); or other such organizations experienced in accounting and auditing.

(2) ~~[One member must be the Dallas regional director of the United States Government Accountability Office, or the highest ranking auditor of the Dallas division of the United States Government Accountability Office.~~

(3) Four [~~Three~~] members must meet any one of the following qualifications:

(A) Be a current or former managing or founding partner of a multi-national public accounting firm with offices located in the city, excluding any firm under current contract with the city to provide external audit services.

(B) Be one of the following persons associated with a publicly-traded company headquartered in Dallas County that has at least 500 million [~~one billion~~] dollars in annual revenue:

(i) the current or former chief financial officer;

(ii) the current or former chief auditor of an internal audit group;

or

(iii) the current or former chief executive officer [~~or a person who has served as the chief executive officer within the preceding three years~~].

(C) Be a former mayor or council member of the city.

(D) Be a current or former city auditor of the city.

(b) [~~Notwithstanding the general board qualifications of Section 8-1.4(a)(1) and (2) of this code,~~] A [a] person appointed to the city auditor nominating commission under Subsection (a)(2) or (a)(3)(B) of this section is not required to be a resident or qualified voter of the city of Dallas.

(c) The commission shall, within 15 days after being appointed, hold its first meeting to consider nomination of a person to serve as city auditor. Within 180 days after its first meeting, the commission shall nominate to the city council one or more candidates for city auditor selected by a majority of the commission members. The city council shall, within 30 days after receipt of the nomination, accept one of the nominated candidates or reject all of the candidates.

(d) If the city council rejects all candidates nominated for city auditor, it shall immediately notify the commission and request the nomination of different candidates. Commission members shall serve until the city council accepts a candidate nominated by them to be city auditor.

(e) The director of human resources of the city shall assist the commission, when necessary, in seeking and screening applicants for the position of city auditor.

(f) Notwithstanding Subsections (a) through (e) of this section, at the end of a city auditor's term (including any period in which a city auditor is holding over), the city council government performance and financial management [~~finance and audit~~] committee may, on its own initiative or at the direction of the city council, act as a nominating commission and, by a majority vote, nominate the incumbent city auditor for reappointment by the full city council. If a

majority of the government performance and financial management [~~finance and audit~~] committee does not vote to nominate the incumbent city auditor for another term, or if, upon receiving the nomination from the finance and audit committee, a majority of the city council does not vote to reappoint the incumbent city auditor for another term, then the nominating process described in Subsections (a) through (e) must be followed.”

SECTION 2. That Chapter 2 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.


SECTION 3. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 4. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 5. That this ordinance shall take effect immediately from and after its passage on August 22, 2018, in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

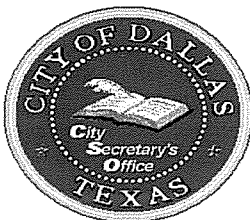
APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By 
Assistant City Attorney

AUG 22 2018

Passed _____



PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL AUG 22 2018

ORDINANCE NUMBER 30969

DATE PUBLISHED AUG 25 2018

ATTESTED BY: