

Ordinance No. 24-O-25

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA, PROVIDING FOR A REFERENDUM ELECTION TO BE HELD ON NOVEMBER 5, 2024, FOR THE PURPOSE OF DETERMINING WHETHER THE CITY CHARTER SHOULD BE AMENDED REGARDING THE ROLE OF THE INSPECTOR GENERAL; AMENDING SECTIONS 32, 33, AND 34 OF THE CHARTER OF THE CITY OF TALLAHASSEE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 24, 2024, the City Commission voted to submit to the electors a proposed charter amendment regarding the role of the Inspector General; and

WHEREAS, pursuant to Section 166.031(1), Florida Statutes, the City Commission must adopt proposed charter amendments by ordinance; and

WHEREAS, the City Commission intends to submit the following charter amendment regarding the role of the Inspector General to the electors of the City of Tallahassee at a referendum election to be held in conjunction with the general election on November 5, 2024; and

WHEREAS, the proposed charter amendment will not take effect unless approved by a majority of those electors voting in the next general election.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF TALLAHASSEE, FLORIDA, AS FOLLOWS:

Section 1. Section 32 of the Charter is hereby amended and shall read as follows:

INSPECTOR GENERAL

Sec. 32. - Appointment, tenure, qualifications.

There shall be an inspector general.

The inspector general shall head the Office of the Inspector General and shall be appointed by the city commission without regard to political affiliation based on integrity, capability for strong leadership, and demonstrated ability and experience in accounting, auditing, financial analysis, law, management analysis, public administration, investigation, or other closely related fields.

The inspector general reports to the city commission and is operationally independent.

Operationally independent shall be defined as "not prohibited, prevented, impaired, or limited

1 from initiating, carrying out, or completing any audit, investigation, inspection or performance
2 review” as deemed necessary by the inspector general.

3 The inspector general shall be the appropriate local official for the purpose of receiving all
4 whistleblower complaints as provided for in state statute.

5 The inspector general may be removed based on specific charges initiated by the city c
6 ommission for the following: neglect of duty, abuse of power or authority, discrimination, gross
7 insubordination, or ethical misconduct. A copy of the charges shall be transmitted to the i
8 nspector general at least 60 days prior to any vote for removal, and the inspector general shall
9 have an opportunity to be heard in person and by the city commission prior to any vote on
10 removal. The inspector general may only be removed upon the affirmative vote of a two-thirds
11 majority of the city commission. The inspector general shall be removed without a vote of the c
12 ity commission in the event the inspector general is convicted or enters a guilty plea or *nolo*
13 *contendere* plea to a state or federal felony.

14 The inspector general shall serve a term of five years. Six months prior to the end of the term,
15 the city ommission shall determine whether to renew the contract; if no action is taken by the c
16 ity commission 30 days prior to the end of the term, the inspector general shall automatically be
17 reappointed.

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19 Section 2. Section 33 of the Charter is hereby amended and shall read as follows:
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21 Sec. 33. - Office of the Inspector General.

22 The Office of the Inspector General is to conduct audits, investigations, reviews, and inspections
23 of programs and operations administered or financed by the city to provide increased
24 accountability and oversight; improve program and operational efficiency and effectiveness; and
25 detect, deter, prevent, and eradicate fraud, waste, abuse, mismanagement, and misconduct.

26 . The Office of the Inspector General shall have full access to records, data, personnel, and other
27 information necessary to carry out its function.

28 The Office of the Inspector General shall be funded by the General Fund at a level to be
29 established in ordinance by the city commission.

30 Any audits or investigations conducted by the Office of the Inspector General shall conform with
31 appropriate professional standards as determined by the city commission.

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34 Section 3. Section 34 of the Charter is hereby amended and shall read as follows:
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36 Sec. 34. - Audit committee.

37 There shall be an audit committee whose members are appointed by the city commission. The
38 members shall be commissioners or citizens or a combination of both. The audit committee will
39 advise the city commission regarding the audit activities of the Office of the Inspector General .

1 The commission shall provide by ordinance for the organization and duties of the audit
2 committee.

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5 Section 4. Conflicts. All ordinances or parts of ordinances in conflict herewith are
6 hereby repealed to the extent of such conflict.

7 Section 5. Severability. If any portion of this Ordinance is for any reason held invalid or
8 declared to be unconstitutional, inoperative, or void by any court of competent jurisdiction, such
9 holdings shall not affect the validity of the remainder of this Ordinance.

10 Section 6. Effective Date. This Ordinance shall become effective only upon approval of
11 the related City of Tallahassee referendum in the 2024 general election.

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INTRODUCED in the City Commission on the 8th day of May, 2024.

PASSED by the City Commission on the 19th day of June, 2024.

CITY OF TALLAHASSEE

By: _____
John E. Dailey
Mayor

ATTEST:

APPROVED AS TO FORM:

By: _____
James O. Cooke, IV
City Treasurer-Clerk

By: _____
Amy M. Toman
City Attorney