



CHARTER REVIEW COMMITTEE

Fraud, Waste & Abuse Subcommittee
August 18, 2021

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BACKGROUND

- The City Council-requested further research from the Charter Review Committee on the issues surrounding a publication of an annual report on written complaints or whistle-blower complaints, alleging fraud, waste, abuse, or criminal conduct and a potential need for an oversight position of such program.
- The CRC identified an Ad Hoc Committee to conduct further research and report back to the full CRC findings in order to decide whether additional oversight was needed, and if so, what that would look like
- The need for a published report is needed and should be implemented immediately as per the last Charter Review Committee findings.



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BACKGROUND

- Through research, the need for additional oversight comes by way of an additional City salary position, either a City Auditor or Inspector General, which would require placement on the ballot of a statewide general election
- At the 4/21/21 CRC meeting, it was approved to direct the subcommittee to explore the creation of a new position with recommendations including options of outside audit agency, appointed or elected position, and point of contact.



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DISCUSSION

1. After hours of interviews, research and discussion the subcommittee is ready to present our options to the full Charter Review Committee
2. Tonight, we ask for discussion and approval by this committee on our final direction.
3. With approval from this committee, we will present our idea to City Council for their direction and approval to continue the additional work needed to formulate proposed ballot proposals, charter language and other necessary details.



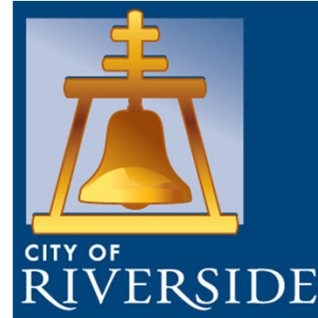
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Accountability Options

- Job Title Options
 1. City Controller
 2. Inspector General
 3. Chief Accountability Officer
- How should the position be hired?
 1. Appointed
 2. Elected
- Subpoena Powers?
 - Full
 - Light
 - None
- Structure/Reporting
 1. Who does this position report to?



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Job Title/Description Options

Option 1: City Controller

- The City Charter establishes the Controller as an elected official and gives the Controller the responsibility for serving as the auditor. The Controller is required to exercise general supervision over the accounts of all officers and departments of the City. Under the Charter all City payments must be approved by the City Controller. The Controller also prepares the official financial reports for the City and is responsible for financial and performance audits of all City Departments and programs.

Option 2: Inspector General

- Performs complex investigative enforcement work; work involves coordinating and conducting investigations of criminal violations; administrative investigations of allegations of employee misconduct; and investigations of waste, fraud, and abuse; and serving as lead worker providing direction to others; works under limited supervision with moderate latitude for the use of initiative and independent judgment.



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Job Title/Description Options

Option 3: Chief Accountability Officer

Although there had been previous Charter Committee discussions and/or proposals to have this newly titled position be Chief Accountability Officer, we determined upon further research that particular position description does not ultimately satisfy the goal of “consolidation of auditing, investigation, risk management into one city unit overseen by a Charter or Elected official” (Agenda item #5 – February 17, 2021). Nor does it represent oversight of Fraud, Waste, Abuse and Whistleblowing activities. The representation of this title was focused primarily as an extension of school district environments and private industry.

- Under the direction of the Superintendent, the Assistant Superintendent/Chief Accountability Officer plans, organizes, manages, and directs the formulation of system-wide strategies for creating, evaluating, and administering performance systems in the Kent School District...
- The Chief Accountability Officer provides leadership and strategic direction for accountability planning, implementation of performance measurement and reporting practices for the district. The Chief Accountability Officer will be responsible for leading student and program research, performance measurement and reporting practices...
- The Chief Accountability Officer (CAO) position is responsible for leading student and program research, performance measurement and reporting practices for all parts of the district to support timely and reliable monitoring of district, departmental and school-based administrative and instructional programs by employing data-driven decision making management practice...



Appointed or Elected

Appointed

- Advisory Board is selected via open application process, which may include:
 - Law Enforcement
 - Community Members
 - Business Leaders
 - “Outside” Elected officials

Elected

- Person is elected in a general election conducted every 4 years

Additional Things to Consider

- Who selects and appoints the Advisory Board? This can be viewed as subjective and unfair.
- Election goes to the public to vote, but if the voter turnout is small, this may not be ideal
- What is an ideal time to have person in this position?
- What is the process to removing someone from this position, elected or appointed?



Subpoena Powers

Full Subpoena Powers

- The Inspector General shall have the power to subpoena witnesses, administer oaths and require the production of records subject Civil Procedure.
- To perform the duties of office, the Inspector General may issue a subpoena to require:
 - Any person to appear under oath as a witness
 - The production of any information, document, report, account or other material
- The Inspector General may enforce any subpoena issued pursuant to this subsection in any court of competent jurisdiction.

Light Subpoena Powers

- City departments and other entities are expected to cooperate with the Inspector General when requested to do so. This cooperation may take the form of responding to formal information requests or providing staff support to the Inspector General on a limited basis as the needs and legal restrictions of City departments

No Subpoena Powers



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Structure

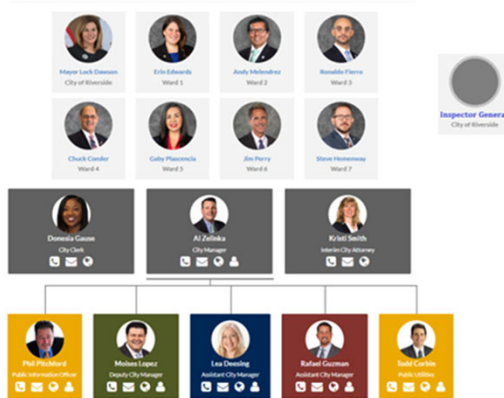
The position could report:

- directly to the people (if elected)
- to the City Council (if appointed)
- the City Manager (if appointed)
- Neither, they would be an independent entity

Things to consider:

- Who is IDEAL for this position to report to?
- Should this position require oversight or not?
- What is the best way to avoid direct influence or abuse of power over this position?

City Organizational Chart



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Reporting

- The Inspector General shall annually report to the Council and the Mayor regarding their activities and investigations.
- Within 60 days of the end of each fiscal year, the Inspector General shall issue a published report to the Committee that separately lists investigations and other assistance efforts completed during the fiscal year.
- The Inspector General shall notify members of the media and the public of the issuance of the published report.
- The Office of the Inspector General shall provide copies of the published report upon request.



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Decision Summary

Job Title

- Controller
- Inspector General
- CAO

How to get the job

- Elected
- Appointed

Subpoena Powers

- Full
- Light
- None

Organizational Chart

- Confirm subcommittee recommendation

Reporting

- Confirm subcommittee recommendation



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