

# Memorandum



CITY OF DALLAS

DATE February 4, 2021

TO Honorable Members of the Government Performance and Financial Management Committee

SUBJECT **Appointment of the City Auditor**

## **Background – Appointment of the City Auditor**

Dallas City Charter Chapter IX, Sec. 1 provides for the selection of a city auditor, who holds office for a period of two years and until a successor shall be chosen and shall qualify, and who is appointed by the city council after being “nominated in accordance with a nomination procedure established by ordinance.” Dallas City Code, Chapter 2, § 2-17.2 outlines the process for nomination, selection, appointment, and reappointment of the city auditor. The appointment of the city auditor does not include a written contract of employment.

City Auditor Mark Swann’s signed offer letter is dated March 27, 2019. Mr. Swann’s appointment date was originally June 1, 2019, but was amended to start May 1, 2019. Thus, the conclusion of the two-year period is May 1, 2021, but, in accordance with the Charter, the city auditor holds office for a period of two years and until reappointment or a successor shall be chosen and qualifies.

## **Process**

Dallas City Code, Chapter 2, § 2-17.2 provides that the Government Performance and Financial Management Committee (GPFM) may act (as directed by the City Council or on its own initiative) as the nominating committee and nominate the incumbent city auditor for reappointment by the City Council. Reappointment under this process would require a majority vote of nomination by GPFM, and a majority vote of reappointment from the City Council. If the city auditor is not reappointed, the process for City Council appointment of a city auditor nominating commission must be followed, as outlined in Dallas City Code, Chapter 2, § 2-17.2(a) through (f).

## **Timeline and Next Steps**

Mr. Swann’s two-year period concludes on May 1, 2021. If the intent is to nominate the incumbent for reappointment, the GPFM may nominate Mr. Swann as the incumbent city auditor for City Council approval. If approved, by majority vote of the City Council, the incumbent will be notified of the reappointment by letter.

Please feel free to reach out to me or Nina Arias, Director of Human Resources, if you have any questions or need additional information.

DATE February 4, 2021  
SUBJECT Employment Contract of the City Auditor

Sincerely,

A handwritten signature in black ink, appearing to read "Kimberly E. Tolbert". The signature is fluid and cursive, with a large initial "K" and a stylized "T" at the end.

Kimberly Tolbert  
Chief of Staff

- c: T.C. Broadnax, City Manager  
Chris Caso, City Attorney  
Mark Swann, City Auditor  
Biliera Johnson, City Secretary  
Preston Robinson, Administrative Judge  
Majed A. Al-Ghafry, Assistant City Manager  
Jon Fortune, Assistant City Manager
- Joey Zapata, Assistant City Manager  
Dr. Eric A. Johnson, Chief of Economic Development and Neighborhood Services  
M. Elizabeth Reich, Chief Financial Officer  
M. Elizabeth (Liz) Cedillo-Pereira, Chief of Equity and Inclusion  
Directors and Assistant Directors