RESOLUTION NUMBER R- 302152

DATE OF FINAL PASSAGE DEC 18 2006

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO ENTER INTO A NINTH AMENDMENT TO THE AGREEMENT BETWEEN THE CITY AND KPMG FOR AUDITING SERVICES ON THE CITY'S FISCAL YEAR 2003 CAFR AND AUTHORIZING THE AUDITOR AND COMPTROLLER TO PAY FROM THE CITY'S PUBLIC LIABILITY FUND UP TO \$1,320,000 FOR SUCH AUDIT SERVICES

WHEREAS, on January 27, 2004, the City filed a voluntary financial disclosure concerning, in part, certain errors and correctible statements in the City's Fiscal Year 2002 Comprehensive Annual Financial Report [CAFR]; and

WHEREAS, the City retained the firm of KPMG LLP [KPMG] to audit the City's FY 2003 financial statements before the issuance of the City's FY 2003 CAFR; and

WHEREAS, pursuant to accounting standards and practices, KPMG must continue to conduct additional auditing work in excess of that which has already been funded; and

WHEREAS, the City Council has authorized the appropriation of \$4.4 million to this point and the request of the Mayor at this time is not to exceed \$6.6 million; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego as follows:

Section 1. That the Mayor is authorized to enter a Ninth Amendment to the Agreement with KPMG for auditing services on the City's FY 2003 CAFR.

Section 2. That the Auditor and Comptroller is authorized to expend up to \$2,200,000, solely and exclusively for the purpose of providing funds for the amendment to the above-

referenced agreement contingent upon the Auditor and Comptroller first furnishing one or more certificates demonstrating that the funds necessary for expenditures are on deposit in the City Treasury.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

Brant C. Will

Deputy City Attorney

BCW:ai 12/1/06

12/15/06COR.COPY

Or.Dept:CFO R-2007-635

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of <u>DEC - 4.2006</u>.

ELIZABETH S. MALAND City Clerk

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Deputy City Clerk

Approved: 12.18-06

(date)

JERRY SANDERS, Mayor

Vetoed:

(date)

JERRY SANDERS, Mayor

The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC	2700374	

BY: AUDITOR AND COMPTROLLER'S DEPARTMENT ACCOUNTING DATA ACCOUNTING DATA TOTAL AMOUNT FUND OVERRIDE CERTIFICATION OF UNENCUMBERED BALANCE I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the her ched resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do her er certify, in conformity with the requirements of the Charter of the City of San Diego; and I do her be purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said mo actually in the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said mo actually in the Treasury, to gether with the moneys anticipated to come into the Treasury, to the credit of said appropriation, misse unencumbered. No Exceed: \$1,800,000.00 EXPMIG. LLP AUthorizing the expenditure for the ninth amendment to the agreement with KPMG for services provided in Fiscal Year. ACCOUNTING DATA AC					•				ORIGINATING	DEPT. NO.:	240
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sed by the Council of The City o	f San Diego on _	DEC 0:4	2006 by	the following vo	te:
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Scott Peters		`. <u>U</u>			
Kevin Faulconer	Ø	´ U			
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Anthony Young		Z			٠.
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AUTHENTICATED BY:		Mayor o	. The City of Bair.	Diego, Camonna	
.* *-			ELIZABETH S.	NAAT ANDO	
(Seal)	· · · · · · · · · · · · · · · · · · ·	City Clerk	of The City of San		 .ia.
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