

RESOLUTION NUMBER R- 304215

DATE OF FINAL PASSAGE OCT 24 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY AND MACIAS, GINI & O'CONNELL, LLP TO PERFORM AUDITS OF THE FISCAL YEAR 2008 FINANCIAL STATEMENTS OF THE CITY AND ITS COMPONENT UNITS AND SINGLE AUDITS OF THE CITY AND THE REDEVELOPMENT AGENCY.

WHEREAS, the City retained the audit firm of Macias, Gini & O'Connell, LLP [Macias] to audit the City's financial statements for fiscal years 2004-2007; and

WHEREAS, the City requires the services of a qualified audit firm with the capacity to begin work on the City's audits immediately; and

WHEREAS, on July 7, 2008, the Independent Budget Analyst [IBA] presented to the Audit Committee a proposed scope of work, fee schedule and engagement letter to retain Macias, and a sole source memorandum requesting authorization to enter into a sole source agreement with Macias; and

WHEREAS, on July 8, 2008, the Department of Purchasing and Contracting approved the sole source request for the City to enter into an agreement with Macias to audit the City's fiscal year 2008 financial statements and related audits [Sole Source Case No. 1894]; and

WHEREAS, the Audit Committee voted unanimously to refer the proposed agreement with Macias to the full City Council and directed the IBA to research the audit costs incurred by similar public agencies for financial statement audits and the IBA presented its findings to the Audit Committee [Report No. 08-96] on September 5, 2008, which was also referred to the City Council; NOW, THEREFORE,

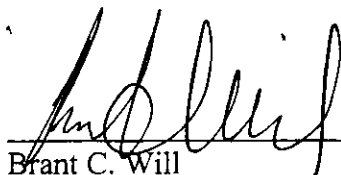
BE IT RESOLVED, by the Council of the City of San Diego as follows:

Section 1. That the Mayor or his designee is authorized to enter into an agreement with Macias to audit the fiscal year 2008 financial statements of the City and its component units, and perform Single Audits of the City and Redevelopment Agency, as approved by the Audit Committee, and under the terms and conditions set forth in Document No. RR-**304215** and in an amount not to exceed \$1,272,505.

Section 2. That the Comptroller is authorized to expend up to \$1,272,505, solely and exclusively for the purpose of providing funds for the above-referenced agreement, contingent upon the Comptroller first furnishing one or more certificates demonstrating that the funds necessary for such expenditures are on deposit in the City Treasury.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

  
\_\_\_\_\_  
Brant C. Will  
Deputy City Attorney


BCW:jdf  
9/23/2008  
10/07/2008.COR.Copy  
Or.Dept:IBA  
R-2009-357

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 7 2008.

ELIZABETH S. MALAND  
City Clerk

By  FOR:  
Deputy City Clerk MARY ZUMAYA

Approved: 10-24-08  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

**The City of San Diego  
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

**CERTIFICATE OF UNALLOTTED BALANCE**  
ORIGINATING

AC 2900238  
DEPT NO: 030

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \_\_\_\_\_ Fund: \_\_\_\_\_

Purpose: \_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ By: \_\_\_\_\_

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT	
TOTAL AMOUNT											

FUND OVERRIDE

FD 4:35 PM

**CERTIFICATION OF UNENCUMBERED BALANCE**

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$1,272,505.00

Vendor: Macias Gini & O'Connell, LLP

Purpose: Approve and authorize the IBA to execute a sole-source agreement with above vendor for Outside Audit Services, for an amount not to exceed \$1,272,505. Authorize the expenditure in the amount not to exceed \$1,272,505 in total for the purpose of funding this agreement, which will be charged per the FY09 FTE schedule.

Date: September 23, 2008

By: *Pam Ballant* 9/23/08  
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT	
			SEE		ATTACHED					\$1,272,505.00	
TOTAL AMOUNT											\$1,272,505.00

FUND OVERRIDE

AC-361 (REV 2-92)

AC 2900238

R 304215

OCT 07 2008