

RESOLUTION NO. 63,019-N.S.

EXPANDING CURRENT COUNCIL DIRECTIVES TO INCLUDE LANGUAGE ESTABLISHING THE CITY AUDITOR'S AUTHORITY TO AUDIT IN ALL APPROPRIATE CITY AGREEMENTS OR CONTRACTS

WHEREAS, the City Auditor, by Charter, has the authority and responsibility to conduct performance audits, financial audits, and special studies of all phases of Berkeley government in accordance with government auditing standards; and

WHEREAS, City Auditor staff have, for many years, performed audits of City systems, programs, taxes, and contracts; and

WHEREAS, management and employees in the public sector are responsible for taxpayer use of public resources and should be held accountable for carrying out this responsibility efficiently and effectively; and

WHEREAS, existing contract language and administrative practice grants the City Auditor authority to audit personal services, construction, and community agency contracts.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley directs the City Manager to ensure that a right to audit clause giving authority to audit to the City Auditor or the City Auditor's designee should be included in all contracts where such right to audit may reduce the risk of noncompliance with contract terms.

BE IT FURTHER RESOLVED, that, if the City Manager determines that certain individual contracts, or types of contracts, should not be subject to audit because of the low level of risk involved, or for some other reason, the City Manager shall so notify the City Auditor, in writing, before the contract is executed.

The foregoing Resolution was adopted by the Berkeley City Council on July 19, 2005 by the following vote:

Ayes: Councilmembers Anderson, Capitelli, Maio, Moore, Olds, Spring, Worthington, Wozniak and Mayor Bates.

Noes: None.

Absent: Nonc.

Attest: Sara T. Cox
Sara T. Cox, City Clerk

Tom Bates
Tom Bates, Mayor