

**BEFORE THE BOARD OF DIRECTORS OF THE
KINGSBURG TRI-COUNTY HEALTH CARE DISTRICT**

**IN THE MATTER OF:
Resolution Conditionally Awarding
Contract for FY2019-20 Annual Audit
Following Request for Proposals.**

RESOLUTION 2020-

DRAFT

WHEREAS, the Kingsburg Tri-County Health Care District (“**District**” or “**KTHCD**”) is local public agency existing under the Local Health Care District Law (the “**Act**”) [Health and Safety Code §§ 32000 *et seq.*];

WHEREAS, the District’s territorial boundaries are fully encompassed by portions of the counties of Fresno, Tulare and Kings, and includes the City of Kingsburg (estimated population of ~12,000 residents as of 2018) and vast portions of rural agricultural land;

WHEREAS, the District’s FY2018-19 audited financial statements reflect total revenues of \$1,053,755 and the District total revenues for FY2019-20 are not expected to significantly increase or decrease in comparison to the prior fiscal year;

WHEREAS, on September 7, 2012, AB-1345 was enacted, adding section 12410 to the California Government Code, subsection (b) of which generally provides that, commencing with FY2013-14, a local agency shall not employ an auditor if the auditor has performed audit services for that local agency for six consecutive fiscal years, unless the State Controller has waived this requirement upon finding that another eligible public accounting firm is not available to perform the audit;

WHEREAS, on or about July 15, 2020, the District publicly advertised a request for proposals for independent auditing services (“**RFP**”) on its public website, and sent a copy of the RFP to several certified public accounting firms in cities within Fresno and Tulare counties, either for them to submit a proposal of their own or to forward it to qualified colleagues who can submit a proposal;

WHEREAS, on August 20, 2020 the deadline for receipt of proposal expired with the District having received only one proposal, from its longtime independent auditor Rick Jackson, CPA, on behalf of JWT and Associates LLP, which has provided auditing services to the District well beyond the window authorized by Government Code § 12410(b); and

WHEREAS, at the District’s Board of Directors (“**Board**”) desires to proceed with an annual independent audit utilizing the services of Rick Jackson, CPA, and JWT and

Associates LLP, contingent upon approval of a waiver under Government Code § 12410(b) from the State Controller’s Office (“SCO”).

UPON MOTION OF BOARD MEMBER _____, SECONDED BY BOARD MEMBER _____, THE FOLLOWING WAS PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS AT AN OFFICIAL MEETING HELD September 9, 2020, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:



ATTEST: _____
Lori Sanders, Board Secretary

NOW THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS:

1. Found that the foregoing recitals are true;
2. Found that aside from the one timely proposal the District received from Rick Jackson, CPA, on behalf of JWT and Associates LLP, another eligible public accounting firm is not available to perform the FY2019-20 annual independent audit;
3. Authorized the signing of a written request to the SCO for a waiver under Government Code § 12410(b);
4. Contingent upon a waiver, approval or other clearance from the SCO which would allow Rick Jackson, CPA and JWT and Associates LLP to complete the District’s FY2019-20 independent audit, authorized the Board Chairman to sign an agreement with Rick Jackson, CPA, and JWT and Associates LLP; and
5. Contingent upon a waiver, approval or other clearance from the SCO which would allow Rick Jackson, CPA and JWT and Associates LLP to complete the District’s FY2019-20 independent audit, authorized the Board Chairman and staff to proceed with all reasonably necessary and convenient steps to proceed with the FY2019-20 independent audit.
