

**CITY OF SAN JOSE
LIBRARY PARCEL TAX FUND
(A Fund of the City of San José)**

**Independent Auditor's Reports,
Financial Statements,
Required Supplementary Information,
and Independent Accountant's Report**

For the Year Ended June 30, 2009

CITY OF SAN JOSE
LIBRARY PARCEL TAX FUND
(A Fund of the City of San José)
For the Year Ended June 30, 2009

Table of Contents

	<i>Page(s)</i>
Independent Auditor’s Report	1-2
Financial Statements:	
Balance Sheet	3
Statement of Revenues, Expenditures and Changes in Fund Balance	4
Notes to the Financial Statements	5-6
Budgetary Schedule (Required Supplementary Information):	
Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual:	
Budgetary Basis	7
Note to the Required Supplementary Information	8
Other Reports:	
Independent Auditor’s Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with <i>Government Auditing Standards</i>	9-10
Independent Accountant’s Report on Compliance with Measure S.....	11



MACIAS GINI & O'CONNELL LLP
Certified Public Accountants & Management Consultants

WALNUT CREEK
2121 N. California Blvd., Suite 750
Walnut Creek, CA 94596
925.274.0190

SACRAMENTO

OAKLAND

LOS ANGELES

NEWPORT BEACH

SAN DIEGO

City Council and
Members of the Citizen's Oversight Committee
City of San José, California

Independent Auditor's Report

We have audited the accompanying financial statements of the Library Parcel Tax Fund, a fund of the City of San José (City), as of and for the year ended June 30, 2009, as listed in the table of contents. These financial statements are the responsibility of the City's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over financial reporting as it pertains to the Library Parcel Tax Fund activities. Accordingly, we express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.


As discussed in Note 2, the financial statements of the Library Parcel Tax Fund are intended to present the financial position and the changes in financial position of only that portion of the nonmajor governmental funds of the City that is attributable to the transactions of the Library Parcel Tax Fund. They do not purport to, and do not, present fairly the financial position of the City as of June 30, 2009, and the changes in its financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Library Parcel Tax Fund as of June 30, 2009 and the changes in financial position thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated October 2, 2009, on our consideration of City's internal control over financial reporting as it pertains to the Library Parcel Tax Fund activities and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

The Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual identified in the accompanying table of contents are not a required part of the fund financial statements but is supplementary information required by accounting principles generally accepted by the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it. The Library Parcel Tax Fund has not presented the management's discussion and analysis that accounting principles generally accepted in the United States has determined is necessary to supplement, although not required to be part of, the fund financial statements.

This report is intended solely for the information and use of the City Council, the Citizen's Oversight Committee, the City Auditor and the City's management and is not intended to be and should not be used by anyone other than these specified parties.


Certified Public Accountants
Walnut Creek, California

October 2, 2009

CITY OF SAN JOSE
LIBRARY PARCEL TAX FUND
(A Fund of the City of San José)
Balance Sheet
June 30, 2009

Assets

Equity in pooled cash and investments held in the City Treasury	\$ 5,934,336
Receivables:	
Parcel tax	27,134
Interest	<u>22,528</u>
Total assets	<u><u>\$ 5,983,998</u></u>

Liabilities and Fund Balance

Liabilities:	
Accounts payable	\$ 83,377
Accrued salaries, wages and payroll taxes	<u>203,996</u>
Total liabilities	<u>287,373</u>
Fund balance:	
Reserved for encumbrances	23,486
Unreserved:	
Designated for:	
Retirement pre-payment	13,507
Contingency reserve	100,000
Millennium circulation system replacement	550,000
Undesignated	<u>5,009,632</u>
Total fund balance	<u>5,696,625</u>
Total liabilities and fund balance	<u><u>\$ 5,983,998</u></u>

See accompanying notes to the financial statements.

CITY OF SAN JOSE
LIBRARY PARCEL TAX FUND

(A Fund of the City of San José)

Statement of Revenues, Expenditures and Changes in Fund Balance
For the Year Ended June 30, 2009

Revenues:

Library parcel tax	\$ 6,964,147
Investment income	173,923
	<hr/>
Total revenues	7,138,070
	<hr/>

Expenditures:

Personal services	4,728,910
Materials acquisition	1,717,367
Non-personal services/equipment	704,986
Automation projects	814,257
Intergovernmental	44,054
	<hr/>
Total expenditures	8,009,574
	<hr/>
Change in fund balance	(871,504)
Fund balance, beginning of year	6,568,129
	<hr/>
Fund balance, end of year	\$ 5,696,625
	<hr/> <hr/>

See accompanying notes to the financial statements.

CITY OF SAN JOSE
LIBRARY PARCEL TAX FUND
(A Fund of the City of San José)
Notes to the Financial Statements
For the Year Ended June 30, 2009

NOTE 1 – DESCRIPTION OF REPORTING ENTITY

In November 2004, registered voters of the City of San José (City) approved Measure S, a parcel tax for Library purposes. The parcel tax replaced the ten-year Library Benefit Assessment District that ended on June 30, 2005. Beginning on July 1, 2005, the parcel tax is collected with the annual Santa Clara County property taxes for each fiscal year until June 30, 2015. Proceeds from the library parcel tax may only be expended for Library purposes, including the following:

- the acquisition of library books and materials and related costs to maintain library collections at all libraries;
- the development and delivery of homework and educational programs for all age groups to support literacy and lifelong learning;
- the repair, equipping and staffing of libraries; and
- the cost of collection and administration of the Library Parcel Tax.

The City Council may, by resolution of the City Council, increase the Library Parcel Tax rates if the City Council finds that the cost of living in the City as shown on the Consumer Price Index (CPI) has increased over the preceding period. The increase in the Library Parcel Tax rate shall not exceed the increase in the CPI for the applicable period, but in no event shall the increase exceed 3 percent. For the year ended June 30, 2009, the increase in the Library Parcel Tax rate was 2.77 percent.

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of Presentation

The accompanying financial statements present only the financial position and the changes in financial position of the Library Parcel Tax Fund and do not purport to, and do not, present fairly the City's financial position as of June 30, 2009, and the changes in its financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America.

A special revenue fund (governmental fund) is used to account for the City's Library Parcel Tax activities. Special revenue funds are used to account for the proceeds of specific revenue sources that are legally restricted to expenditures for specified purposes.

Basis of Accounting

The Library Parcel Tax Fund activity is reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. The City considers parcel tax (property tax) revenues and investment income to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures are generally recorded when a liability is incurred, as under accrual accounting. However, expenditure related to vacation, sick leave, claims and judgments are recorded only when payment is due.

CITY OF SAN JOSE
LIBRARY PARCEL TAX FUND
(A Fund of the City of San Jose)
Notes to the Financial Statements (Continued)
For the Year Ended June 30, 2009

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Fund Balance

In the governmental fund financial statements, reserves and designations segregate portions of fund balance that are either not available or have been earmarked for specific purposes. The various reserves and designations are established by actions of the City Council and management and can be increased, reduced or eliminated by similar actions.

Portions of unreserved fund balance may be designated to indicate tentative plans for financial resource utilization in a future period. Such plans or intent are subject to change and have not been legally authorized or may not result in expenditures.

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make certain estimates and assumptions that affect the reported amounts and disclosures. Accordingly, actual results may differ from those estimates.

NOTE 3 – CASH AND INVESTMENTS

Cash and investments balances of the Library Parcel Tax Fund are pooled and invested in the City's investment pool. The Library Parcel Tax Fund's portion of this pool is displayed on the balance sheet as "equity in pooled cash and investments held in the City Treasury." Income earned or losses arising from pooled investments are allocated on a monthly basis by the City's Finance Department to the Library Parcel Tax Fund based on the average weekly cash balances. These investments are reported at fair value in the accompanying financial statements and the corresponding change in fair value of investments are reported in the year in which the change occurred.

It is not possible to disclose relevant information about the Library Parcel Tax Fund's separate portion of the investment pool. At June 30, 2009, the City's investment pool invested in U.S. government and agency securities, commercial paper, negotiable certificates of deposit, corporate medium term notes, and California's Local Agency Investment Fund as authorized by the City's investment policy. The weighted average maturity of the City's investment pool is 259 days. Additional information regarding the characteristics of the City's entire investment pool can be found in the City's basic financial statements.

NOTE 4 – INTERGOVERNMENTAL EXPENDITURES

The City issued lease revenue bonds and commercial paper notes to pay for the City Hall construction costs. The Library Parcel Tax Fund's share of the debt service is calculated as a percentage of library staff occupying the City Hall coupled with an estimated use of the Council Chambers and other City Hall offices. For the year ended June 30, 2009, the Library Parcel Tax Fund's share of the debt service paid to the City was \$44,054.

CITY OF SAN JOSE
LIBRARY PARCEL TAX FUND

(A Fund of the City of San José)

Schedule of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual

Budgetary Basis

For the Year Ended June 30, 2009

	Original Budget	Final Budget	Budgetary Basis Actual	Variance Over (Under)	GAAP Adjustments	GAAP Basis
Revenues:						
Library parcel tax	\$ 6,500,000	\$ 6,500,000	\$ 6,964,147	\$ 464,147	\$ -	\$ 6,964,147
Investment income	100,000	100,000	159,501	59,501	14,422	173,923
Total revenues	<u>6,600,000</u>	<u>6,600,000</u>	<u>7,123,648</u>	<u>523,648</u>	<u>14,422</u>	<u>7,138,070</u>
Expenditures:						
Personal services	3,846,078	4,938,582	4,728,910	209,672	-	4,728,910
Materials acquisition	1,784,012	1,920,113	1,721,938	198,175	(4,571)	1,717,367
Non-personal services/equipment	623,197	843,197	705,601	137,596	(615)	704,986
Automation projects	1,105,100	1,405,100	832,557	572,543	(18,300)	814,257
Intergovernmental	74,259	44,054	44,054	-	-	44,054
Total expenditures	<u>7,432,646</u>	<u>9,151,046</u>	<u>8,033,060</u>	<u>1,117,986</u>	<u>(23,486)</u>	<u>8,009,574</u>
Change in fund balances	<u>\$ (832,646)</u>	<u>\$ (2,551,046)</u>	(909,412)	<u>\$ 1,641,634</u>	37,908	(871,504)
Fund balance, beginning of year			6,335,689		232,440	6,568,129
Prior year encumbrances			188,809		(188,809)	-
Fund balance, end of year			<u>\$ 5,615,086</u>		<u>\$ 81,539</u>	<u>\$ 5,696,625</u>

See accompanying note to the required supplementary information.

CITY OF SAN JOSE
LIBRARY PARCEL TAX FUND
(A Fund of the City of San José)
Note to the Required Supplementary Information
For the Year Ended June 30, 2009

Budgetary Information

The adopted budget represents the financial and organizational plan by which the policies and programs approved by the City Council will be implemented. It includes: (1) the programs, projects, services and activities to be provided during the fiscal year; (2) estimated revenues available to finance the operating plan; and (3) the estimated spending requirements of the operating plan. The City Charter requires that the City establish a budgetary system for general operations and prohibits expending funds for which there is no legal appropriation. Annual budgets are prepared for the Library Parcel Tax Fund.

The annual appropriation ordinance adopts the budget at the appropriation level by expenditure category (personal services, non-personal services) within departments. Accordingly, the lowest level of budgetary control exercised by the City Council is the appropriation level within a department.

Budgetary Results Reconciled to GAAP

The budgetary process is based upon accounting for certain transactions on a basis other than the accounting principles generally accepted in the United States (GAAP) basis. The results of operations are presented in the accompanying budget and actual comparison schedules in accordance with the budgetary process (budgetary basis) to provide a meaningful comparison with the budget.

The major differences between the budgetary basis actual and GAAP basis are as follows:

- Certain accounts such as the change in fair value of investments included in the City's GAAP basis amounts, for which no formal budgets are prepared, are excluded from the budgetary basis financial statements.
- Year-end encumbrances are recognized as the equivalent of expenditures in the budgetary basis financial statements, while encumbered amounts are not recognized as expenditures on the GAAP basis until the equipment, supplies, or services are received.



MACIAS GINI & O'CONNELL LLP
Certified Public Accountants & Management Consultants

WALNUT CREEK
2121 N. California Blvd., Suite 750
Walnut Creek, CA 94596
925.274.0190

SACRAMENTO

OAKLAND

LOS ANGELES

NEWPORT BEACH

SAN DIEGO

City Council and
Members of the Citizen's Oversight Committee
City of San José, California

**Independent Auditor's Report on Internal Control Over Financial Reporting and on
Compliance and Other Matters Based on an Audit of Financial Statements
Performed in Accordance with *Government Auditing Standards***

We have audited the accompanying financial statements of the Library Parcel Tax Fund, a fund of the City of San José (City), as of June 30, 2009 and for the year then ended, and have issued our report thereon dated October 2, 2009. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the City's internal control over financial reporting as it pertains to the Library Parcel Tax Fund activities as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements but not for the purpose of expressing an opinion on the effectiveness of the Library Parcel Tax Fund internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Library Parcel Tax Fund internal control over financial reporting.


A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies in internal control such that there is a reasonable possibility that a material misstatement of the Library Parcel Tax Fund's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

This report is intended solely for the information and use of the City Council, the Citizen's Oversight Committee, the City Auditor and the City's management and is not intended to be and should not be used by anyone other than these specified parties.


Certified Public Accountants
Walnut Creek, California

October 2, 2009



MACIAS GINI & O'CONNELL LLP
Certified Public Accountants & Management Consultants

WALNUT CREEK
2121 N. California Blvd., Suite 750
Walnut Creek, CA 94596
925.274.0190

SACRAMENTO

OAKLAND

LOS ANGELES

NEWPORT BEACH

SAN DIEGO

City Council and
Members of the Citizen's Oversight Committee
City of San José, California

Independent Accountant's Report on Compliance with Measure S

We have examined the City of San José's (City) compliance with certain provisions of Measure S for the year ended June 30, 2009 as follows:

- Parcel tax is used for buying needed books and materials; preventing severe reductions in hours; and preventing deep cuts in children's reading programs.
- The City's annual parcel tax, \$25 (2006 annual parcel tax) for single-family residences and proportional for other properties, will be adjusted for inflation capped at 3% annually and will be limited to ten years.
- Independent audits will be performed.
- A citizen oversight committee will be established.

Management is responsible for the City's compliance with those requirements. Our responsibility is to express an opinion on the City's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and, accordingly, included examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination on the City's compliance with specified requirements.

In our opinion, the City complied, in all material respects, with the aforementioned requirements for the year ended June 30, 2009.

This report is intended solely for the information and use of the City Council, the Citizen's Oversight Committee, the City Auditor and the City's management and is not intended to be and should not be used by anyone other than these specified parties.

Macias Gini & O'Connell LLP
Certified Public Accountants
Walnut Creek, California

October 2, 2009