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**Review of FY07/08 Enhanced Marine Law
Enforcement Grant (EMLEG)**

Report of Audit 08/09-XX-06

December 18, 2009



Office of Management and Budget

Internal Audit

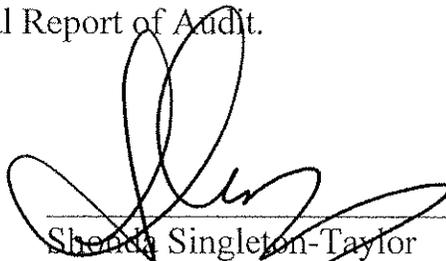
MEMORANDUM NO. 09-61

DATE: December 18, 2009

TO: Franklin Adderley, Chief of Police
Kathleen Gunn, Director of Grants and Legislative Affairs

SUBJECT: *Review of FY07/08 Enhanced Marine Law Enforcement Grant (EMLEG)*

Enclosed is the "subject" Final Report of Audit.



Shonda Singleton-Taylor
Acting Director, Office of Management and Budget

Attachment - Final Report of Audit No. 08/09-XX-06

c: City Commission
George Gretsas, City Manager
David Hebert, Assistant City Manager
Allyson C. Love, Assistant City Manager
Ted Lawson, Assistant City Manager

SST/am

REPORT OF AUDIT NO. 08/09-XX-06

DATE: April 3, 2009

TO: Franklin Adderley, Chief of Police
Kathleen Gunn, Director of Grants and Legislative Affairs

FROM: Renee C. Foley, Assistant Internal Audit Director/5851

SUBJECT: *Review of FY07/08 Enhanced Marine Law Enforcement Grant (EMLEG)*

BACKGROUND

The City of Fort Lauderdale (City) Police Department applied to the Broward County Marine Advisory Committee for funding from the Enhanced Marine Law Enforcement Grant Program (EMLEG). The City was awarded \$136,234 for FY07/08. The purpose of the EMLEG program is to provide ways and means of improving boating safety in Broward County by enhancing or supplementing marine law enforcement activities and improving boating safety education. The Police Department is responsible for fulfilling the operational requirements of the grant agreement. The Grants Office is responsible for the administration and monitoring of the City's compliance with the requirements of the terms and conditions in the grant agreement.

SCOPE

As part of the grant agreement between the City and Broward County (grantor), the City's Internal Audit Division was required to determine whether the revenues and amounts received from grantor were expended in accordance with the agreements and to determine compliance with the various requirements. To this end, we provided the County with a special report together with a financial statement for the EMLEG program (**Exhibit**). As part of the grant review, our overall objective was to evaluate the effectiveness and adequacy of the City's internal control systems and procedures used for the program. We discussed policy and procedures, processes, and reviewed documentation for the period of October 1, 2007 through September 30, 2008. Judgmental sampling methods were used in reviewing documents. The review was performed in accordance with generally accepted government auditing standards and included such tests of internal controls considered necessary, during the period November 2008 through February 2009.

REPORT OF AUDIT NO. 08/09-XX-06

OVERALL EVALUATION

Although the City expended over 75% of the funds allocated within the grant period as required, management can improve their effectiveness over the administration and monitoring of grant agreement and City policy compliance. Overtime cards were submitted late; thus, employees were not paid timely and delayed submission of quarterly reimbursement requests sent to/cash received from the grantor. The 3rd and 4th Quarter Progress Reports submitted to grantor did not include Status Reports that contained certification. A supervisor did not always sign Officer Daily Patrol Reports. Policy and procedures for the administration and monitoring of the EMLEG grant were not updated/distributed.

FINDING 1

Overtime cards were submitted late; thus, employees were not paid in the proper bi-weekly pay period that delayed submission of quarterly reimbursement requests to/payments received from grantor.

Policy and Standards Manual Chapter 6, Section 32, subsection 1 states, "Employees must submit the appropriate timekeeping documentation to their immediate supervisor at the end of the work day/shift during which the overtime was worked.... It is each supervisor's responsibility to train their employees regarding the following:...the requirement that all overtime documentation must be submitted for supervisory approval in a timely manner.... Supervisors (including acting supervisors) are required to review overtime documentation submitted by their employees and to timely approve/disapprove this documentation so that the payment of the cash overtime...is included in the pay check issued for the bi-weekly pay period during which the overtime was worked."

Police Information Bulletin (I.B.) No. 2008-070 dated 5/12/08 states, "The Department recently conducted an internal audit, which revealed that numerous overtime cards were not submitted within two weeks of the date the overtime occurred. Those overtime cards that were not submitted in accordance with Policy #109, will be returned via the employee's chain of command for review and appropriate action. Policy #109 Section C.3 "Completed overtime forms shall be forward by the employee to their immediate supervisor within two weeks of the date of overtime." Section C.6 "Supervisors shall review overtime forms to ensure the form is properly completed...." In the future overtime cards that are submitted to supervisors in violation of policy 109 must be accompanied by a memo indicating the reason for the delay. The memo must be reviewed and approved by a Captain before being forwarded to Payroll for processing...."

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Our review of 27 payments to Patrol Officers/Public Safety Aides (PSAs) for patrol hours worked during FY07/08 revealed the following conditions found.

	# of Days		Occurrences
	Low	High	Exceeded 2 Weeks
Per overtime support documentation			
Date worked vs. date scantron signed by officer	0	46	1
Date scantron signed by officer vs. date signed by supervisor	0	17	4
Date overtime was worked vs. date signed by supervisor	0	51	5
Date signed by supervisor vs. scantron batch date	0	15	2
Date overtime was worked vs. scantron batch date	5	52	10
Date overtime was worked vs. date paid	13	61	12

- 1 (4%) payment was up to 46 days from the date officer worked the overtime to date their scantron was signed.
- 4 (15%) payments exceeded two (2) weeks from the date the employee signed the scantron to the date supervisor signed scantron.
- 5 (19%) payments exceeded two (2) weeks from the date overtime was worked to the date supervisor signed scantron.
- 2 (7%) payments exceeded two (2) weeks from the date supervisor signed scantron to Police Payroll batch run date.
- 12 (44%) payments were not paid timely and up to 61 days subsequent to date of overtime hours worked.
- No memorandums were evidenced by the Marine Unit and/or Police Payroll for scantrons that were submitted for payment late.

Furthermore, lack of timely submission of overtime cards caused delays in submission of reimbursement requests and receipt of payments from grantor.

Police I.B. No. 2008-070 was not enforced since neither return for correction(s) to employees nor memorandums were evidenced for overtime scantrons/cards submitted late.

Timely submission of overtime cards ensures employees are paid in the proper bi-weekly pay period and allows quarterly reimbursement requests to be sent to/cash received from grantor promptly.

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**RECOMMENDATIONS AND
MANAGEMENT COMMENTS**

The *Operations Support Division Captain* should:

Recommendation 1. *Enforce Police I.B. No. 2008-070 to supervisors and their respective employees.*

Management Comment. *Management concurred with the finding and recommendation and stated:* “Agree. We will issue a subsequent information bulletin addressing the monitoring requirements and enforcement as recommended.” **Estimated completion date December 31, 2009.**

Recommendation 2. *Require Marine Unit Sergeant to document/log overtime cards returned to employees for corrections and/or incomplete/not properly completed scantron forms. If employees do not return overtime card timely, memorandum should accompany scantron indicating the reason for the delay.*

Management Comment. *Management concurred with the finding and recommendation and stated:* “Agree with recommendation. Upon implementation of the new “real-time” payroll system this issue will be addressed without additional documentation. In the meantime, the Marine Unit Sgt. will continue to monitor and document all OT cards needing to be returned for correction(s) and a memo will be generated if any overtime forms are submitted late (after 2 weeks) as required.” **This item is closed.**

Recommendation 3. *Review and approve above memorandum prior to forwarding to Payroll for processing.*

Management Comment. *Management concurred with the finding and recommendation and stated:* “Agree with recommendation. Operations Support Division Captain will review and approve above memorandum prior to forwarding to payroll for processing.” **This item is closed.**

The *Support Services/Administrative Division Captain* should:

Recommendation 4. *Require Clerk III to follow-through to resolution with Police Captain on any scantrons submitted late without memorandum to indicate the reason for the delay.*

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Management Comment. *Management concurred with the finding and recommendation and stated:* “Agree with recommendation. Clerk III will follow-through to resolution with Police Captain on any scantrons submitted late without memorandum to indicate the reason for the delay.” **This item is closed.**

Recommendation 5. *Consider transitioning from manual scantron cards to a fully automated system to manage overtime and improve efficiency, which should include but not be limited to an audit trail of transactions, approvals and justification for overtime occurrences, as well as the capability to interface with CAD, I/Leads Records Management and Cyborg Payroll Systems.*

Management Comment. *Management concurred with the finding and recommendation and stated:* “This transition is in progress and is anticipated to be operational in approximately 6 months.” **Estimated completion date April 2010.**

FINDING 2

The City did not submit signed EMLEG Statistic Report to grantor for the 3rd and 4th quarters. Furthermore, Officer Daily Patrol Reports were not always signed by a supervisor.

Grant Agreement, Article 5 Method of Billing and Payment, Section 5.1.4 states, “In addition, GRANTEE shall provide COUNTY with quarterly progress reports, on forms approved by the Contract Administrator or his/her designee.”

Process for Patrol Officers Volunteering to Work EMLEG to Submittal of Quarterly Reports to the County states, “The hours are worked by the Officer for that shift, who documents their hours on the Officer Daily Patrol Report, which gets submitted for signature approval by the Supervisor and is submitted to the Grants office. These daily reports are stored electronically by Marine Unit Service Aide.”

Our review of Quarterly EMLEG Statistic (Progress) Reports for FY07/08 revealed reports with certification were not submitted to grantor for the 3rd and 4th quarters. Furthermore, Public Safety Aide (PSA) signed several Officer Daily Patrol Reports instead of Police Sergeant/ Acting Supervisor.

Public Safety Grants Manager started with the City during the 3rd quarter and was not aware that the Statistic Report with Marine Unit Sergeant’s certification should have been obtained and submitted with statistics detail.

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Submission of authorized Officer Daily Patrol Reports by a supervisor and Quarterly Progress Reports provides certification of the accuracy of hours/statistics to the grantor and satisfies compliance with the grant agreement requirement.

RECOMMENDATIONS AND MANAGEMENT COMMENTS

The *Director of Grants and Legislative Affairs* should require the *Public Safety Grants Manager* to:

Recommendation 6. *Obtain statistic/progress report with certification from the Marine Unit Sergeant for each quarter and submit with/attached to statistics detail in Excel.*

Management Comment. *Management concurred with the finding and recommendation and stated: “Grants and Legislative staff concur with recommendation and will begin collecting suggested information. This item is closed.*

The *Marine Unit Sergeant* should:

Recommendation 7. *Sign all Officer Daily Patrol Reports. Appointed Acting Supervisor should sign if Marine Unit Sergeant is on leave.*

Management Comment. *Management concurred with the finding and recommendation and stated: “Agree with recommendation. The Acting Sergeant will sign daily patrol reports if the Marine Unit Sergeant is not present.” This item is closed.*

FINDING 3

Policy and procedures for the administration and monitoring of the EMLEG grant were not updated and distributed.

Report of Audit No. 07/08-XX-05, The Assistant to the City Manager should: “Recommendation 5. Establish written policies and procedures for the administration/monitoring of the EMLEG Grant to assist in defining areas of responsibility; thereby, improving overall management oversight of the usage of grant funds and distribute to

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Grants Office for implementation and Marine Unit staff for informational purposes. Management Comment. Management concurred with the finding and recommendation and stated: The existing written policies and procedures for EMLEG must be updated. This will be done by the Grants Manager in coordination with the Police Department Marine Unit to clearly define staff roles and responsibilities for compliance and utilization. Upon finalization, a copy will be forwarded to Internal Audit Division for inclusion in the grant file. Estimated completion date February 29, 2008.”

Our review included a follow-up to determine if management took corrective actions in response to recommendations contained in the prior year audit report¹ that revealed recommendation 5 and response above to update/distribute policy and procedures was not implemented.

Updated policies and procedures that clearly define areas of responsibility for the administration and monitoring of the grant between the Grants Office and Marine Unit will enhance compliance with grant agreement requirements.

RECOMMENDATIONS AND MANAGEMENT COMMENTS

The *Operations Support Division Captain* should require the *Marine Unit Sergeant* to:

Recommendation 8. *Establish standard operating procedure (SOP) defining staff roles and responsibilities for compliance with and utilization of the EMLEG grant. Forward a copy of SOP to the Public Safety Grants Manager to incorporate in overall policy and procedures for the administration/monitoring of the EMLEG grant.*

Management Comment. *Management concurred with the finding and recommendation and stated: “Agree with recommendation. Marine Sergeant will coordinate response with Grants Manager.” This item is closed.*

The *Director of Grants and Legislative Affairs* should require the *Public Safety Grants Manager* to:

Recommendation 9. *Establish written policy and procedures defining staff roles and responsibilities for the Grants Office, review/incorporate SOP above in coordination with the Police Department Marine Unit (eliminate any*

¹ Report of Audit No. 07/08-XX-05.

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overlapping and/or include omitted areas), and distribute overall written policy and procedures to the Grants Office and Marine Unit Sergeant for implementation.

Management Comment. *Management concurred with the finding and recommendation and stated:* Grants and Legislative staff concur with the finding and will establish policies and procedures. **Estimated completion date January 2010.**

FINDING 4

Detection and follow-up through to resolution has not occurred for overpayment received in FY07/08 from grantor for FY06/07 (Exhibit).

Payment received for FY06/07 had no billable hours to justify an overpayment; however, was not returned to the grantor.

Public Safety Grants Manager contacted the grantor's Contract Administrator in December 2008, who did not have any documentation readily available. However, to date no further follow-up to resolve overpayment issue has occurred.

Prompt detection and research of overpayment will result in resolution within a reasonable period of time, closeout to the financials, and allow for timely return of amount due back to grantor.

RECOMMENDATION 10

The Director of Grants and Legislative Affairs should require the Public Safety Grants Manager to research the overpayment through to resolution to amount due back to grantor (see Exhibit-\$740 or \$721.50).

MANAGEMENT COMMENT

Management concurred with the finding and recommendation and stated: Staff will research the overpayment to resolution. **This item is closed.**

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EVALUATION OF MANAGEMENT COMMENTS

Management comments provided and actions taken and/or planned are considered responsive to the recommendations.



C I T Y O F F O R T L A U D E R D A L E

December 23, 2008

Melanie Mercado
December 23, 2008
Hand Delivered

Bob Harbin, Director
Broward County Parks and Recreation Division
950 NW 38th Street
Oakland Park, Florida 33309

Subject: Special Report – Fiscal Year 2007/2008 Enhanced Marine Law Enforcement Grant Agreement between Broward County and the City of Fort Lauderdale

Dear Mr. Harbin:

The Internal Audit Division has applied certain audit procedures, as discussed below, to the accounting records of the City of Fort Lauderdale (City) in order to determine compliance with the requirements applicable to the **Enhanced Marine Law Enforcement Grant (EMLEG)**, as detailed in the accompanying schedule of revenues and expenditures for the period October 1, 2007 to September 30, 2008. The management of the Police Department is responsible for the City's compliance with those requirements. Our responsibility is to determine whether the revenues received from Broward County were expended in accordance with the agreement and to determine compliance with those requirements based on our review.

We conducted our audit in accordance with generally accepted 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 material noncompliance with the requirements referred to above occurred. An audit includes examining, on a test basis, evidence about the City's compliance with those requirements.

The results of our tests indicate that with respect to the items tested, the City complied in all material respects with the provisions of the agreement and the revenues and amounts received from Broward County were expended in accordance with the agreement.

With respect to the items not tested, nothing came to our attention that caused us to believe the City had not complied in all material respects with those provisions.

Mr. Bob Harbin

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12/23/03

However, a check was received from the County on 9/25/08 for \$5,827.50 (Attachment) for FY06/07 EMLEG; \$5,087.50 was for 137.5 aggressive hours not approved in the 4th quarter, but under consideration at the close of that grant period. An amount of \$18.50 (0.5 hour) was also not approved, but may have been included in the reimbursement. Thus, we were unable to determine whether the variance was \$740 or \$721.50. The City has contacted the County Contract Administrator for a detailed breakdown of the check to determine the amount due back to the County.

Sincerely,



Allyson C. Love

Director, Office of Management and Budget

ACL/RF/cnj/09-08/ROA No. 08/09-XX-05

Enclosures– Exhibit and Attachment

c: John R. Fiore, Associate Planner, Broward County Parks and Recreation
Division, Planning and Design Section
George Gretsas, City Manager
Kathleen Gunn, Assistant City Manager
Stephen Scott, Assistant City Manager
David Hebert, Assistant City Manager
Franklin Adderley, Chief of Police
Michael Kinneer, Director of Finance
Lynda Flynn, City Treasurer
Dawn Johnson, Treasury Accountant II
Amy Aiken, Assistant to the City Manager
Tymira Mack, Public Safety Grants Manager
MaryAnn Slough, Assistant to the City Manager

City of Fort Lauderdale
Enhanced Marine Law Enforcement Grant
Schedule of Revenues and Expenditures
For the Period Ending December 23, 2008

	Contract Award	Actual
REVENUES:		
<u>Intergovernmental - Public Safety</u>		
Broward County Grant	\$136,234.00	\$78,255.00
Due from Broward County		<u>25,567.00</u>
 Total Revenues		 <u>\$103,822.00</u>
 EXPENDITURES:		
<u>Current</u>		
Other Professional Service	\$97,242.00	
Fuel	<u>6,580.00</u>	
 Total Expenditures		 <u>\$103,822.00</u>
 Excess of Revenues Over - (Under) Expenditures		 <u><u>\$0.00</u></u>

VENDOR: VC0000030061
DATE PAID: 9/10/2008

BOARD OF COUNTY COMMISSIONERS
BROWARD COUNTY - FORT LAUDERDALE, FLORIDA

DISB. CAT:

Page 1 of 1
CHECK NO: 001146389

INVOICE NUMBER	PURCHASE ORDER NUMBER	DESCRIPTION	NET
QTR4-07		EMLEG	\$5,827.50

PAGE TOTAL: \$5,827.50
CHECK TOTAL: \$5,827.50



BOARD OF COUNTY COMMISSIONERS
BROWARD COUNTY - FORT LAUDERDALE, FLORIDA

83-1012
1632

CHECK NO.
001146389

DATE: 9/10/2008
CHECK NO: 001146389



ACCOUNTS PAYABLE

AMOUNT

PAY ***Five Thousand Eight Hundred Twenty Seven Dollars And 50 Cents*

***\$5,827.50*

To the Order Of: CITY OF FORT LAUDERDALE
100 N ANDREWS AVE
FT. LAUDERDALE, FL 33301

Lois Wexler
County Commissioner

Ernie Henry
Interim County Administrator

