



**Philip J. LaTessa
City Auditor**

CASH & INVESTMENTS AUDIT
APRIL 1, 2007 – JUNE 30, 2007

Introduction:

As required under Article V, Section 5-503, of the Charter of the City of Syracuse, the annual audit of the City of Syracuse's cash and cash equivalents activity for the period April 1, 2007 through June 30, 2007 was conducted. The purpose of this audit is to review cash and investment activity as set forth in the City of Syracuse Investment Policy and the City of Syracuse Charter, as adopted by the Common Council. The examination was administered in accordance with the *Generally Accepted Government Auditing Standards*, issued by the Comptroller General of the United States and *Standards for the Professional Practice of Internal Auditing*, as circulated by the Institute of Internal Auditors.

These standards require that we plan and perform the examination to afford a reasonable basis for our judgments and conclusions regarding the organization, program, activity or function under examination. It was not our objective to, and we do not, express an opinion on the financial statements of the City of Syracuse, New York, or provide assurance as to either the City's internal control structure or the extent of its compliance with statutory and regulatory requirements and guidance of the Office of the State Comptroller.

The management of the City of Syracuse, New York, is responsible for the City's financial affairs and for safeguarding its resources. This responsibility includes establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that resources are safeguarded against loss from unauthorized use or disposition; that transactions are executed in accordance with management's authorization and are properly recorded; that appropriate financial records are prepared; that applicable laws, rules and regulations are observed; and that appropriate corrective action is taken in response to audit findings.

This report is intended solely for the information of the Mayor and Common Council of the City of Syracuse, New York, yet it is understood to be a matter of public record and its distribution is not limited. Further information regarding this audit is available at the City of Syracuse's Audit Department upon request. The Audit Department would like to thank the personnel who assisted and cooperated with us during the audit.

Scope:

The scope of the examination entailed reviewing the bank statements, collateralized deposit data, general ledger and related records for the period April 1, 2007 through June 30, 2007.

Objectives:

The original objectives of the cash and investment audit were as follows:

1. Determine whether the cash balances represent all cash and cash items on hand, in transit to or in financial institutions and are properly recorded.
2. Determine whether funds are properly collateralized.
3. Assess the cash balances in non-interest bearing accounts.

Methodology:

To reach the assurance that the cash balances represented all cash items on hand, in transit to or in appropriate financial institutions and properly recorded, and that all investments and cash funds are properly collateralized, the Department of Audit tested the City's cash and cash equivalents activity for each month in the audit period. For the liquid asset (cash) accounts belonging to the City departments, the Department of Audit tested the information found on the Bank Reconciliations and Schedules of Collateral to the corresponding bank and collateral statements via the financial institutions. Once the proper figures were determined, they were traced to the general ledger detail to ensure all cash items were properly represented and recorded. The collateralized funds were recalculated to ensure accuracy.

For the City's cash equivalent (investment) accounts, the figures found in the City's general ledger were checked to the appropriate supporting documentation from the financial institution to ensure proper representation and recording.

The Department of Audit interviewed Finance Department staff, including the Systems Accounting Manager, with the purpose of getting a fuller understanding of the influences affecting the timeliness of the reconciliations done as a part of cash management.

Conclusion:

While the review for the period April 1, 2007 through June 30, 2007 did bring the Office of the City Auditor to the conclusion that with reasonable assurance the City's cash and cash equivalent balances were free from material misstatements, it was unable to confirm that all city accounts were properly collateralized for the months of April and May. The Department of Finance was unable to supply schedules of collateral for those two months, creating impairment to the audit. For the month of June, 2007, the Office of the City Auditor concluded that the HSBC Bank Account was under collateralized by \$54,281, and the JP Morgan Chase Bank Account was under collateralized by \$12, 342.

Auditor's Note:

On April 4, 2008, the Audit Department issued the cash and investments audit report for the quarterly period from January 1, 2007 through March 30, 2007, covering the third quarter of the 2006/07 fiscal year. That audit included mention of a finding reported on other occasions during the auditing of the city's cash and investments which pertained to the large compensating balance retained at JP Morgan Chase Bank on behalf of the City of Syracuse. The amounts retained as compensating balances have been reduced substantially over the last year and a half. For the Quarter covered by this audit, the Chase balance remained constant at \$4.5 million; this is considerably less than the \$10 million that was carried in a non-interest bearing account for well over a year, as previously noted in audits.

In addressing the prior finding, the Finance Department informed the City Auditor that actions had taken over time to ameliorate the excessively large amount of cash that the City has kept in a non-interest bearing account over the last several years. Specifically, the City had taken steps as follows: The City took the initiative to print the 2007 Onondaga County Property Tax bills at

the City in order to use larger coupons, similar to the coupons utilized by the City for City and City School District tax bills. This eliminated the special handling problem that had existed when the county tax bill payments needed to be input manually; the larger coupons avail themselves to scanning, unlike the smaller coupons. Lastly, systems were instituted to allow data to be exchanged between the lockbox processor and the City Information Systems Department via e-mail in formatted text.

The Commissioner of Finance took further action to address the compensating balance issue by using the above-noted steps as a foundation to move forward from in soliciting proposals for a new lock box services contract. This initiative was taken in early 2007 and is described in more detail in the following section.

Background:

The Office of the City Auditor, over the last several years, has raised questions as to why the City would leave such large amounts of cash in accounts with virtually no activity and not producing any interest earnings for the City. The explanation provided relates to the fact that this particular bank account is a compensating balance bank account. Compensating balances are balances held in accounts that generate no interest earnings and are used by the bank in lieu of charging for a specified set of services, predominantly in this instance, the lockbox operation.

JP Morgan Chase had been selected in February 2003, based on a Request For Proposal (RFP) to provide lockbox services to the City relative to the collection of taxes, parking tickets and water billing. The Law Department determined that the Commissioner of Finance had the authority to negotiate the contract and that Council approval was not required.

The fees that were charged by the bank under the 2003 arrangements were \$0.345 for tax coupons and water stubs, and \$0.74 for parking ticket stubs, and while these fees were deemed to be competitive in the local banking community, it was recognized by the Commissioner of Finance, in late 2005 and early 2006, that it was in the city's best interest to re-bid the lock box services contract. It was determined that the City was interested in getting proposals by means of a request for qualifications (RFQ) process and in early 2007, an RFQ bid (#07-113) was issued with a deadline of February 28, 2007 for submittal.

Materials reviewed by the Office of the City Auditor indicated that three entities responded – Chase Bank, M & T and Partners Trust Banks. Four banks returned letters of declination (Key, HSBC, Citizens and Bank of America). The determination was made to award to Chase Bank who submitted the lowest cost proposal by \$14,180. The Commissioner of Finance made his selection of JP Morgan Chase Bank based on their presentation as to pricing and service which were noted to be the sole competitive factors.

On May 29, 2007, the City notified JP Morgan Chase by means of written communication that informed the bank that it had been awarded the contract for the years 2007, 2008, and 2009 with two (2) additional one-year extensions at the option of the City. The fees for 2007 through 2009 are to remain the same as the rates in place under the 2003 contract. The tax coupon and water stub handling cost will increase in 2010 to \$0.354 and to \$0.362 in 2011. The fee for the parking ticket stubs also remains at the current level for 2007-2009 and is increased to \$0.759 in 2010 and \$0.778 in 2011.

Additionally, in the fall of 2005, the City of Syracuse administration, through the efforts of the Commissioner of Finance, began working with the Common Council in order to obtain legislative

approval to introduce options for paying property taxes by means of credit card or e-Check via the internet. The Finance Commissioner took the lead role for the City in heading up a consortium of City and Onondaga County personnel in researching the requirements of New York State General Municipal Law, Section 5(b) and in the interviewing of prospective service providers as required by regulations adhered to by the City of Syracuse. The service provider selected, Municipal-Payments.com, an internet site owned and operated by Systems East, Inc. was determined to have the most user-friendly website and was capable of handling the complicated four-payment cycle of the City and County (for City residents) tax bills.

On December 19, 2005, the Common Council approved two ordinances that authorized the electronic payment option. The first ordinance, #601-2005, authorized the Commissioner of Finance to accept payment of property tax bills, including all applicable fees, interest and penalties by Credit Card or e-Check via the internet in accordance with General Municipal Law (GML) Section 5(b). The proposed payment option was seen as a convenient method of payment should taxpayers chose to use the internet and as an enhancement that could reduce the administrative time for processing the over-the-counter and mail-in payments.

The second ordinance, #602-2005, provided for the waiving of the competitive bidding process for the selection of vendor to be contracted with to be the internet site for the acceptance of real property tax payments by credit card or e-Check for the City of Syracuse. A waiver of the competitive process was requested due to the fact that this undertaking was a collaborative project with Onondaga County and Systems East, Inc. had been able to meet the requirements of the joint property tax collection system. The term of the agreement was established to be for one year, with two one year renewal options exercisable by the City. Ordinance #602 further specifies that any charges associated with the individual transaction are to be paid by the internet user, not the City.

On May 8, 2006, the Common Council took action to extend internet payment capability to include payments for billing originating with the City of Syracuse Water Fund. Ordinances #195 and #196 of 2006 amended the two ordinances previously approved in 2005 to authorize internet payments specifically for water billing with incidental fees being charged back to the water fund.

Finally, on October 9, 2007, the Common Council took further action to expand the utilization of internet payment options to cover parking tickets and related charges. Ordinances #561 and #562 of 2007 opened up the possibility for individuals wishing to use credit cards or e-Check payment options for parking ticket charges and the City is in the process of instituting this new level of service as this audit is being issued. Future extensions of the internet payment option are possible as the City continues to examine the benefits of making such payment options available.

The addition of internet receipts accounts meant that new reconciliations, with the same requirements as all other bank accounts, would need to become part of the monthly bank reconciliation process. Anticipating that the new payment options would create the need for additional levels of coordination, the City's Finance Department put together for internal use a preliminary document that was intended to outline the differences in the operation of these accounts, in contrast to other accounts, and initial solutions to problems that might be, in the early

stages of the implementation of electronic payment processes, potential problems that could arise with the expansion of electronic transmissions as a desirable payment option.

Detailed in the preliminary "Internet Account Reconciliation" outline is the following information:

The structure of the 412 account was set up so that it would collect data on taxpayer-initiated payments made through the Municipal-Payments.com website. This website is operated by the firm awarded the City contract and allows each department that is folded into the internet payment option (Treasury, Water, Parking Tickets, etc.) to run a daily report from the website, prepare a cash report and apply payments to taxpayer accounts. Each department may prepare two separate cash reports: one for credit card and another for e-Check payments. Deposits made to the bank will start at two per day-one for all credit card payments and another for all e-Checks. Note that Systems East does not receive or disburse cash; it only provides the interface through its Municipal-Payments.com website. This website collects payment data and passes the information to the City and to the companies processing credit card and e-Check transactions.

Based upon the selection of payment method, the transactions are relayed to the bank by Global Payments (for credit cards) or ACH Direct (for e-Check). Each of these entities makes available an audit trail report which ties to the deposit into the 412 account. The websites are Authorize.net for credit cards and PaymentsGateway.net for e-Checks. Generally, the four cash reports will tie into the two deposits in the bank. The reconciliation should assure that all deposits reported by Systems East/Municipal-Payments.com have indeed been credited to the City's bank account.

The Office of the City Auditor's initial review of bank reconciliations, one year ago, in the April-June, 2006 quarter (which was the first audited period where internet activity appeared) indicated some discrepancies existed between bank statements and what was appearing in the General Ledger for the 412 account. Subsequent interviews with Finance Department staff suggested some timing issues had been associated with the implementation of the new payment options. It was anticipated by Finance Department staff that later bank reconciliations would become smoother and easier to complete with further attention having been devoted to reconciliation development for internet activity.

Discussions that occurred between the Finance Department and the Office of the City Auditor have included the assertion by Finance that the 412 account is being adequately reconciled. Based on our conversations with Finance Department staff about the particulars of the account, we believe that this is the case; however, the complicated nature of the account has made a third party reconciliation difficult and time consuming. While the review of the information received by the Office of the City Auditor made it possible to determine that the cash and cash equivalent balances were in fact free from "material misstatements", an exact reconciliation was not possible.

The Office of the City Auditor is continuing to communicate with the Finance Department to develop a process for a third party review/audit focusing exclusively on the 412 account with the intention of it leading to an entirely separate audit from the quarterly Cash and Investment Audit program.

Findings:

Finding 1: Lack of Schedules of Collateral For April and May, 2007 Prevent Confirmation that Accounts are Adequately Collateralized

It was found that the collateral schedules for April and May, 2007 were not available to confirm adherence to the City's Investment Policy as mandated by local ordinance.

Recommendation: During the period covered by this quarterly audit, the Finance Department experienced staff turnover which resulted in some activities being assigned lower prioritization in the monitoring and documenting of some of the functions housed within the Bureau of Accounts. While the Finance Department staff continued to review the collateralization levels implemented by the banks used by the City for the purpose of confirming compliance with New York State Finance Law, it fell behind in quantifying the accounts' monthly coverage. The Finance Department should immediately resume documenting that adequate collateralization is in place on a monthly basis to confirm due diligence is occurring in a basic and vital responsibility of the Finance Department.

Management Response:

The Department of Finance is currently reviewing collateral reports to ensure adequate collateralization.

Finding 2: Investments Held By HSBC and JP Morgan Chase Banks Under-Collateralized In June, 2007

It was found that the collateral provided by HSBC Bank did not reach the required 102 % level and was under funded by \$54,281.38. Likewise, the collateral provided by JP Morgan Chase Bank was under-collateralized by \$12, 341.53.

Recommendation: The Finance Department should implement closer reviews of the monthly collateral summaries ensuring that all banks are in compliance with the collateralization requirements of the City of Syracuse as mandated by local ordinance.

Management Response:

The Department of Finance does review the monthly collateral detail provided by the banks. Occasionally, month-end activity leaves the banks with slightly less than 102% collateral and we address such shortages with the banks.

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City of Syracuse
June 13, 2008