

**CITY OF BELL, CALIFORNIA**

**Single Audit Report**

**For the Year Ended June 30, 2010**



**Certified Public Accountants.**

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**CITY OF BELL, CALIFORNIA**  
**Single Audit Report**  
**For the Year Ended June 30, 2010**

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Sacramento

Walnut Creek

Oakland

Newport Beach

San Diego

Seattle

**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***

The Honorable City Council  
of the City of Bell, California

We have audited the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the City of Bell, California (City), as of and for the year ended June 30, 2010, which collectively comprise the City's basic financial statements, and have issued our report thereon dated October 17, 2012. Our report includes a qualified opinion as a result of a departure from accounting principles generally accepted in the United States of America related to the allocation of direct payroll and benefit expenditures to certain funds based on budget estimates. Our report also includes three paragraphs emphasizing the following matters: defaults on the 2007 Taxable Lease Revenue Bonds and the 2009 Promissory Note; uncertainties related to certain claims and lawsuits; and the dissolution of the Bell Community Redevelopment Agency. 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**

Management of the City is responsible for establishing and maintaining effective internal control over financial reporting. In planning and performing our audit, we considered the City's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over financial reporting that might be significant deficiencies or material weaknesses and therefore, there can be no assurance that all deficiencies, significant deficiencies, or material weaknesses have been identified. However, as described in the accompanying schedule of findings and questioned costs, we identified certain deficiencies in internal control over financial reporting that we consider to be material weaknesses.

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 and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. We consider the deficiencies described in the accompanying schedule of findings and questioned costs as items 2010-01 to 2010-06 to be material weaknesses.

## Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's 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 instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards* and which are described in the accompanying schedule of findings and questioned costs as items 2010-05 and 2010-06.

The City's responses to the findings identified in our audit are described in the accompanying schedule of findings and questioned costs. We did not audit the City's responses and, accordingly, we express no opinion on the responses.

This report is intended solely for the information and use of the City Council, management and others within the City, and federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

*Macias Fini & O'Connell LLP*

Los Angeles, California  
October 17, 2012

Sacramento

Walnut Creek

Oakland

Newport Beach

San Diego

Seattle

**Independent Auditor's Report on Compliance with Requirements  
That Could Have a Direct and Material Effect on Each Major Program and on  
Internal Control Over Compliance in Accordance with OMB Circular A-133 and  
the Schedule of Expenditures of Federal Awards**

The Honorable City Council  
of the City of Bell, California

**Compliance**

We have audited the City of Bell, California's (City), compliance with the types of compliance requirements described in the *OMB Circular A-133 Compliance Supplement* that could have a direct and material effect on each of the City's major federal programs for the year ended June 30, 2010. The City's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts, and grants applicable to each of its major federal programs is the responsibility of the City's management. Our responsibility is to express an opinion on the City's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes 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 audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination of the City's compliance with those requirements.

As described in item 2010-07 in the accompanying schedule of findings and questioned costs, the City did not comply with requirements regarding allowable costs/cost principles that are applicable to its Community Development Block Grants-Entitlement Grants Cluster (CFDA Nos. 14.218 and 14.253) program. Compliance with such requirements is necessary, in our opinion, for the City to comply with requirements applicable to this program.

In our opinion, except for the noncompliance described in the preceding paragraph, the City complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2010. The results of our auditing procedures also disclosed other instances of noncompliance with those requirements, which are required to be reported in accordance with OMB Circular A-133 and which are described in the accompanying schedule of findings and questioned costs as items 2010-08 and 2010-09.

## **Internal Control Over Compliance**

Management of the City is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts, and grants applicable to federal programs. In planning and performing our audit, we considered the City's internal control over compliance with the requirements that could have a direct and material effect on a major federal program to determine the auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over compliance.

Our consideration of internal control over compliance was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over compliance that might be significant deficiencies or material weaknesses and therefore, there can be no assurance that all deficiencies, significant deficiencies, or material weaknesses have been identified. However, as discussed below, we identified certain deficiencies in internal control over compliance that we consider to be material weaknesses and other deficiencies that we consider to be significant deficiencies.

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. We consider the deficiency in internal control over compliance described in the accompanying schedule of findings and questioned costs as item 2010-07 to be a material weakness.

*A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance. We consider the deficiencies in internal control over compliance described in the accompanying schedule of findings and questioned costs as items 2010-08 and 2010-09 to be significant deficiencies.

## **Schedule of Expenditures of Federal Awards**

We have audited the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the City as of and for the year ended June 30, 2010 and have issued our report thereon dated October 17, 2012, which contained qualified opinions on those financial statements as a result of a departure from accounting principles generally accepted in the United States of America related to the allocation of direct payroll and benefit expenditures to certain funds based on budget estimates. Our report also includes three paragraphs emphasizing the following matters: defaults on the 2007 Taxable Lease Revenue Bonds and the 2009 Promissory Note; uncertainties related to certain claims and lawsuits; and the dissolution of the Bell Community Redevelopment Agency. Our audit was performed for the purpose of forming our opinions on the financial statements that collectively comprise the City's basic financial statements. We have not performed any procedures with respect to the audited financial statements subsequent to October 17, 2012.

The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by OMB Circular A-133, and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain other procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards is fairly stated in all material respects in relation to the basic financial statements as a whole.

The City's responses to the findings identified in our audit are described in the accompanying schedule of findings and questioned costs. We did not audit the City's responses and, accordingly, we express no opinion on the responses.

This report is intended solely for the information and use of the City Council, management and others within the City, and federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

*Macias Fini & O'Connell LLP*

Los Angeles, California

October 26, 2012

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**CITY OF BELL, CALIFORNIA**  
**Schedule of Expenditures of Federal Awards**  
**For the Fiscal Year Ended June 30, 2010**

Federal Grantor/ Pass Through Grantor/ Program Title	Catalog of Federal Domestic Assistance Number	Program Identification Number	Expenditures of Federal Awards
<b>U.S. Department of Housing and Urban Development:</b>			
Passed through Community Development Commission of the County of Los Angeles:			
Community Development Block Grants/Entitlement Grants	14.218	D96061-09	\$ 37,908
Community Development Block Grants/Entitlement Grants	14.218	D96064-09	44,152
Community Development Block Grants/Entitlement Grants	14.218	D96065-09	99,975
Community Development Block Grants/Entitlement Grants	14.218	600511-09	3,690
Community Development Block Grants/Entitlement Grants	14.218	D96069-09	337,999
Community Development Block Grants/Entitlement Grants	14.218	D99075-09	129,893
<b>Total CDBG</b>			<u>653,617</u>
Community Development Block Grant ARRA Entitlement Grants (CDBG-R) (Recovery Act Funded)	14.253	REC088-09	118,438
Community Development Block Grant ARRA Entitlement Grants (CDBG-R) (Recovery Act Funded)	14.253	REC040-09	6,480
<b>Total CDBG ARRA</b>			<u>124,918</u>
<b>Subtotal Community Development Block Grants-Entitlement Grants Cluster</b>			<u>778,535</u>
<b>Total U.S. Department of Housing and Urban Development</b>			<u>778,535</u>
<b>U.S. Department of Justice:</b>			
Direct Program:			
Edward Byrne Memorial Justice Assistance Grant	16.738	2010DJBX1281	14,922
Passed through City of Los Angeles:			
ARRA - Edward Byrne Memorial Justice Assistance Grant	16.804	C-116875	51,310
Passed through State of California:			
Public Safety Partnership and Community Policing Grants	16.710	2008CKWX0474	21,159
<b>Total U.S. Department of Justice</b>			<u>87,391</u>
<b>U.S. Department of Labor:</b>			
Passed through West San Gabriel Valley Consortium:			
Workforce Investment Act Youth Activities	17.259	CA20309CB	38,619
ARRA - Workforce Investment Act Youth Activities	17.259	-	7,332
<b>Subtotal Workforce Investment Act Cluster</b>			<u>45,951</u>
<b>Total U.S. Department of Labor</b>			<u>45,951</u>

Continued

See Notes to the Schedule of Expenditures of Federal Awards.

**CITY OF BELL, CALIFORNIA**  
**Schedule of Expenditures of Federal Awards**  
**For the Fiscal Year Ended June 30, 2010**

<b>Federal Grantor/ Pass Through Grantor/ Program Title</b>	<b>Catalog of Federal Domestic Assistance Number</b>	<b>Program Identification Number</b>	<b>Expenditures of Federal Awards</b>
<b>U.S. Department of Transportation:</b>			
Passed through California Department of Transportation:			
Highway Planning and Construction	20.205	ESPL 5272(009)	465,817
Highway Planning and Construction	20.205	ESPL 5272(010)	418,992
<b>Subtotal Highway Planning and Construction Cluster</b>			<u>884,809</u>
<b>Total U.S. Department of Transportation</b>			<u>884,809</u>
<b>U.S. Department of Treasury:</b>			
Direct Program:			
Federal Asset Forfeitures	21.000	-	22,864
<b>U.S. Department of Homeland Security:</b>			
Passed through Los Angeles County:			
State Homeland Security Grant Program	97.067	2008-0006	23,512
<b>Total Expenditures of Federal Awards</b>			<u><u>\$ 1,843,062</u></u>

See Notes to the Schedule of Expenditures of Federal Awards.

**CITY OF BELL, CALIFORNIA**  
**Notes to the Schedule of Expenditures of Federal Awards**  
**For the Fiscal Year Ended June 30, 2010**

**(1) General**

The accompanying schedule of expenditures of federal awards (Schedule) presents the activity of all federal award programs of the City of Bell, California (City). The Schedule includes federal awards received directly from federal agencies as well as federal awards passed through other agencies. The City's reporting entity is defined in Note 1 to the City's basic financial statements.

**(2) Basis of Accounting**

The accompanying Schedule is presented using the modified accrual basis of accounting, which is described in the notes to the City's basic financial statements.

**(3) Relationship to Basic Financial Statements and Federal Financial Reports**

Information reported in the accompanying Schedule agrees with the amounts reported in both the basic financial statements and related federal financial reports for the federal award programs. Revenues from federal award programs are reported as intergovernmental revenues in the basic financial statements.

**(4) Loan Programs with Continuing Compliance Requirements**

The City participates in the Community Development Block Grants – Entitlement Grants Cluster program (CFDA Nos. 14.218 and 14.253) of the U.S. Department of Housing and Urban Development, which is subject to continuing compliance requirements. The outstanding loans balance with continuing compliance requirements for the program is \$364,652.

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**CITY OF BELL, CALIFORNIA**  
**Schedule of Findings and Questioned Costs**  
**For the Fiscal Year Ended June 30, 2010**

**Section I – Summary of Auditor’s Results**

***Financial statements:***

Type of auditor’s report issued:	Qualified
Internal control over financial reporting:	
• Material weakness(es) identified?	Yes
• Significant deficiency(ies) identified ?	None reported
• Noncompliance material to financial statements noted?	Yes

***Federal Awards:***

Internal control over major programs:	
• Material weakness(es) identified?	Yes
• Significant deficiency(ies) identified?	Yes
Type of auditor’s report issued on compliance for major programs:	Qualified for Community Development Block Grants - Entitlement Grants Cluster and unqualified for Highway Planning and Construction Cluster
Any audit findings disclosed that are required to be reported in accordance with Section 510(a) of OMB Circular A-133?	Yes
Identification of major programs:	
<u>CFDA Number</u>	<u>Name of Federal Program</u>
CFDA Nos. 14.218 / 14.253	Community Development Block Grants - Entitlement Grants Cluster
CFDA No. 20.205	Highway Planning and Construction Cluster
Dollar threshold used to distinguish between Type A and Type B programs:	\$300,000
Auditee qualified as a low-risk auditee?	Yes

**CITY OF BELL, CALIFORNIA**  
**Schedule of Findings and Questioned Costs (Continued)**  
**For the Fiscal Year Ended June 30, 2010**

**Section II – Financial Statement Findings**

**Finding 2010-01: Internal Control over Significant Accounting Procedures**

***Criteria***

An organization should have a system of internal controls, which are suitably designed to allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements of the entity's financial statements on a timely basis. Formal written policies and procedures are in integral part of a system of internal controls. Such policies and procedures are established to ensure integrity over financial reporting, including compliance with provisions of laws, regulations, contracts, and grant agreements that could have a direct and material effect on the financial statements, and to safeguard assets. An effective system of internal controls also needs to operate as designed. Key duties and responsibilities need to be divided or segregated among different people to reduce the risk of error or fraud. This should include separating the responsibilities for authorizing transactions, processing and recording them, reviewing the transactions, and handling any related assets. No one individual should control all key aspects of a transaction or event.

***Condition, Cause and Effect***

Due to the lack of formal policies and procedures over the City's accounting processes and functions related to financial reporting, we identified the following material weaknesses in internal controls during our audit:

1. Capital assets:
  - a. The capital assets subsidiary ledger was not complete or current. Disposed assets were included on the capital assets subsidiary ledger. Without a current subsidiary ledger of all capital assets held by the City, the safeguarding of assets may be compromised, the account balances for capital assets may not be accurate, and obsolete items may go unnoticed.
  - b. Construction in progress (CIP) was not properly classified. Costs of \$2.4 million were improperly classified as CIP but should have been classified as land. In addition, \$900 thousand of expenses related to maintenance of capital assets not owned by the City were improperly recorded as CIP. As result, CIP was overstated by \$900 thousand.
  - c. Land acquisitions in the amounts of \$1.5 million were not properly capitalized in prior years, resulting in the understatement of capital assets.
  - d. The City informally capitalizes capital assets greater than \$5,000. However, the City does not have a formal written capitalization policy for financial reporting or grant compliance. Without a formal capitalization policy, it is possible that capital asset purchases of either individually, or group purchases of similar assets, significant amounts are not being recorded as such and are not on the schedule of capital assets.
  - e. It is unknown when the last physical inventory of capital assets was conducted by the City. A properly designed system of internal controls should establish guidelines for a periodic physical inventory of capital assets, which reconciles physical counts to accounting records to ensure recorded capital assets exist and to safeguard capital assets.
2. Liabilities and cash disbursements:
  - a. The City does not have formal policies and procedures for determining year-end accruals for accounts payable and other accrued liabilities. Based on our search for unrecorded liabilities through examining subsequent disbursements, we determined that the City under accrued liabilities by \$360 thousand. Proper cutoffs at year-end are critical for the accuracy of reporting transactions in the proper period. Without proper cutoffs, expenditures/expenses and payables may not be accurately stated.

**CITY OF BELL, CALIFORNIA**  
**Schedule of Findings and Questioned Costs (Continued)**  
**For the Fiscal Year Ended June 30, 2010**

- b. Some of the cash disbursements subjected to our testing did not have proper supporting documentation or the warrant package was incomplete.
  - c. There is lack of segregation of duties within the Finance Department. The cash disbursement system is accessible via a password; however, the password is shared among the various users of the system. New vendors can be established by any user in the system. The approval process is performed verbally. Lack of documentation over the approval process can cause the City to be at higher risk for inaccurate and unauthorized payments.
  - d. There is no formal procedure for preparing and approving cash disbursement journal entries. We found instances where wire transfers and manual checks were not posted in a timely manner and were not reported in the warrant register.
  - e. There was no safeguard over the blank check stock or over the check signing signature plate. These deficiencies cause the City to be at a high risk for unauthorized payments.
3. Contracts and procurement:
- a. The City does not have procurement policies and procedures relating to issuing and entering into contracts with vendors. During our audit, we found instances where the City failed to competitively bid projects, there was no contract on file for the vendor, and/or that many of the existing contracts had expired.
  - b. The retention amount on all construction related contracts was not recorded properly in the general ledger. The retention amount was withheld during the life of the contract; however, the liability related to the retention amount was not recorded until the completion of the project. This resulted in liabilities being understated by the amount of the cumulative retention payable of \$126,530 at fiscal year-end. The lack of policies and procedures for handling retentions has created an inconsistency for the handling of retentions from vendor to vendor.
4. Long-term advances between funds:
- The City has not established a repayment schedule for various long-term advances among the funds. During our audit, we determined that advances of \$4.3 million should have been recorded as transfers between the funds because repayment was not expected within a reasonable period of time as set forth in generally accepted accounting principles (GAAP). The lack of policies and procedures over the proper recording of interfund transactions can lead to improper financial reporting and inconsistencies in recording similar transactions.
5. Cash handling, cash receipts, bank reconciliations and investments:
- a. The cash receipts system for the City is outdated and constrictive. The system requires that the prior month's transactions be completed, approved and posted before the current month's data can be entered. This delays the recording of the current month's transactions. In addition, the delays resulted in lost or misplaced documentation, which supports the cash receipt transaction and the recording thereof. During our review of cash receipts, we noted that there were over \$2 million of cash receipts, which had not been posted to the general ledger.
  - b. Various departments within the City handle the cash receipts process differently. The City does not have policies and procedures for cash handling for all City functions and departments. Such policies and procedures should address segregation of duties and include a thorough review of all receipts and their recording.
  - c. We noted that bank account reconciliations were not performed in a timely manner. The bank account reconciliation for the City's general checking account was not performed until May 31, 2011. Bank reconciliations should be performed on all bank accounts in a timely manner after month-end. The bank reconciliations should be formally approved. Any discrepancies should be investigated and all

**CITY OF BELL, CALIFORNIA**  
**Schedule of Findings and Questioned Costs (Continued)**  
**For the Fiscal Year Ended June 30, 2010**

- errors and omissions should be posted to the general ledger.
- d. There is no policy or procedure for accounting for stale dated checks. As a result, there were numerous stale dated checks carried as outstanding checks in the City's bank account reconciliations.
6. Business license revenue:
- a. The City does not have a policy and procedure to formally approve a schedule of business license fees. The absence of a policy or approved schedule has resulted in motels being charged varying amounts without a rationale for the differences.
  - b. The City has used the 1997 Municipal Code adjusted for inflation to calculate the business license fees for commercial businesses and for apartments; however, we were unable to recalculate the rates.
  - c. The City does not have a control procedure to verify that the amount of business license fee paid is the correct amount due.
7. Salaries, employee benefits and compensated absences:
- a. The City did not follow their policy and procedure for City Council's approval of employee salaries or pay rates. This resulted in payments to employees that were not approved by the City Council.
  - b. The City had an informal employee loan program that was not approved by the City Council and there were no policies or procedures in place for the program. This resulted in incomplete loan records and loans that were not properly recorded in the general ledger. Employee loans were not handled consistently and, in some cases, the repayment schedules were either missing or incomplete. In addition to the employees, some members of the City Council also received loans. Subsequently, the City reported the outstanding loans to members of the City Council, City officials, and City employees in the amount of \$530,521 and \$462,425 as of June 30, 2010 and June 30, 2009, respectively.
8. Year-end close process:
- a. The City does not have a documented year-end close process. We found that the process was disorganized and fragmented, which resulted in many audit adjustments to record missed transactions or to correct errors. There should be a year-end workplan identifying year-end closing deliverables and responsible individuals, which is consistently followed each year-end.
  - b. There was a misunderstanding between the roles and responsibilities of the City for financial reporting and the auditors in performing the audit.
9. Pass-through agreements:
- Bell Community Redevelopment Agency (Agency) has several pass-through agreements to distribute incremental property taxes to the County of Los Angeles and other special districts, which are identified on the property tax remittance advices from the County; however, the City was unable to locate or identify current agreements.

***Recommendation***

We recommend that the City review all of its major functions and services and develop, approve and implement formal written policies and procedures to ensure that the City's system of internal control over financial reporting and the safeguarding of assets is suitably designed. We further recommend that the City take immediate action to develop the policies and procedures related to the material weaknesses noted above. The City should perform periodic monitoring reviews to determine that the controls are functioning as intended and that the correct controls are in place. The City should also perform periodic risk assessments of the control environment to determine whether changes in policies and procedures are warranted when there are changes in the operating environment.

**CITY OF BELL, CALIFORNIA**  
**Schedule of Findings and Questioned Costs (Continued)**  
**For the Fiscal Year Ended June 30, 2010**

We further recommend that the City collect and review all contracts and agreements to determine their validity and take corrective action as necessary.

***Management Response and Corrective Action Plan***

The City appreciates the objectives of the audit team in identifying weakness within the internal control processes of the City. The City is committed to improving its processes by identifying and amending them in the future to improve the internal controls of the City. The City further commits to ensuring that the proper approvals and authority are provided for contracts, wages and benefits or any other areas where it is prudent and within best practices to provide those approvals and authorities. The positions of accounting manager and finance director were recently appointed; therefore, the City plans to be in compliance by June 2013.

Responsible parties for corrective action are:

Josh Betta- Finance Director

Hector Vazquez- Accounting Manager

**Finding 2010-02: Other Control Deficiencies over Financial Reporting**

***Criteria***

The City is responsible for preparing its financial statements in accordance with government GAAP. Accordingly, the organization should have personnel sufficiently knowledgeable about governmental financial reporting.

***Condition, Cause and Effect***

City accounting personnel did not have sufficient experience in governmental financial reporting. As a result, we identified the following errors in financial reporting, which were corrected by management:

1. The 2005 Lease Revenue Bonds and the Series 2007 General Obligation Bonds bond project funds' were classified as unrestricted cash and investments rather than properly reported as restricted cash and investments. This resulted in reclassifications of \$798,223 for the 2005 Lease Revenue Bonds and \$24,362,173 for the Series 2007 General Obligation Bonds between unrestricted and restricted cash and investments.
2. The City's Supplemental Retirement Plan (Plan) was not previously reported in the City's annual financial statements. The City is the trustee of the Plan and has custody of its assets; as such the Plan should be reported as a Pension Trust Fund in the City's financial statements.
3. Management did not identify and disclose all related party transactions in the financial statements.
4. The City recorded property taxes receivable for taxes that were never levied by the City. This resulted in a prior period adjustment of \$5.2 million to beginning net assets.
5. An interfund loan of \$4,252,286 due from the Community Redevelopment Agency Debt Service Fund to the General Fund was not repaid within one year. This resulted in a reclassification from a short-term interfund loan to a long-term interfund loan.

**CITY OF BELL, CALIFORNIA**  
**Schedule of Findings and Questioned Costs (Continued)**  
**For the Fiscal Year Ended June 30, 2010**

***Recommendation***

We recommend that the City develop policies and procedures for complying with all applicable reporting requirements for governmental entities. We further recommend that the City place qualified individuals in the positions of conducting and overseeing the financial reporting process.

***Management's Response and Corrective Action Plan***

1. Staff will change the Bell Community Housing Authority cash account for the 2005 Lease Revenue Bonds from unrestricted cash and investments to restricted cash and investments for future financial statements.
2. The City acknowledges that it is the trustee of the Supplemental Retirement Plan (Plan) and will include it in future annual financial statements.
3. Current Management is fully aware of the improprieties of past management. The City will disclose any related party transactions on all future financial statements.
4. The City acknowledges the back log of issues in the improprieties of past management and focusing on avoiding these unfortunate events by establishing policies and procedures to ensure the City's compliance with applicable reporting requirements.

The positions of accounting manager and finance director were recently appointed; therefore, the City plans to be in compliance by June 2013.

Responsible parties for corrective action are:

Josh Betta- Finance Director

Hector Vazquez- Accounting Manager

**Finding 2010-03: Management Override of Internal Controls**

***Criteria***

An organization should have a system of internal controls, which are suitably designed to allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements of the entity's financial statements on a timely basis. Formal written policies and procedures are an integral part of a system of internal controls. Such policies and procedures are established to ensure integrity over financial reporting, including compliance with the provisions of laws, regulations, contracts and grant agreements that could have a direct and material effect on the financial statements, and to safeguard assets. City Council is responsible for exercising oversight of financial reporting and related internal. This oversight responsibility is established to, among other things, reduce the risk of management override of controls.

***Condition, Cause and Effect***

Due to the lack of an internal control system with formal policies and procedures and the lack of oversight by the City Council, we identified areas where there appeared to be management override of internal controls as follows:

1. Salaries, employee benefits and compensated absences:
  - a. Although there were Memorandums of Understanding (MOU) for the various employee groups at the City, we found that not all employees were compensated in accordance with the applicable MOU. In addition, the accrual for vacation and sick leave for some of the employees, we tested was not in accordance with the MOU. We also found several employees who were compensated

**CITY OF BELL, CALIFORNIA**  
**Schedule of Findings and Questioned Costs (Continued)**  
**For the Fiscal Year Ended June 30, 2010**

through employee agreements outside the MOUs that had not been approved or authorized by the City Council. These agreements had been signed and approved by the former Chief Administrative Officer (CAO); however, we found no evidence to support that authority.

- b. The City does not have policies and procedures for the allocation of direct or indirect payroll expenses and related benefits to City funds and functions. We found various employee payroll expenses and the related benefits allocated to various functions and funds based on budget estimates. These allocations were directed by either the former CAO or the former Assistant Chief Administrative Officer (ACAO).
2. We found evidence of management override of procurement and payment controls because work was performed and vendors were paid without valid authorized contracts.
3. The City management and/or employees “paid” their loans by cashing out their unused sick and vacation balance. These loan reductions should be included in the accounting records and be included in the reportable wages on the W-2. However, we found that the CAO had loan reductions in prior years of approximately \$184,000 that were not included on his W-2 under reportable wages nor were these reductions recorded in the City’s general ledger.

***Recommendation***

We recommend that when the City designs its policies and procedures related to its system of internal control over financial reporting and the safeguarding of assets as set forth in our recommendation in finding 2010-01, such controls should specifically identify segregation of duties in the various functions of government and should reduce the risk of management override of such controls through City Council oversight.

***Management Response and Corrective Action Plan***

Current management and elected officials are well aware of the improprieties of former management and City Council. The City of Bell has new objectives and is committed to ensuring that there is proper documentation, authority, approvals and adherence to the rules and policies for the future of the City of Bell. The positions of accounting manager and finance director were recently appointed; therefore, the City plans to be in compliance by June 2013. Responsible parties for corrective action are: Josh Betta- Finance Director; and Hector Vazquez- Accounting Manager.

**Finding 2010-04: Information Technology (IT) Control Weaknesses**

***Criteria***

IT controls are a critical mechanism for ensuring the integrity of information systems and the reporting of the City’s finances.

***Condition, Cause and Effect***

Due to a lack of personnel who are responsible for IT related functions, we noted the following deficiencies in IT controls during our audit:

***1. City lacks central governance of IT strategy and activities***

The Committee of Sponsoring Organizations of the Treadway Commission (COSO) standards require that the top level of governance establish policies and procedures for its entire organization. Additionally, the COSO framework standards encourage that continual monitoring of these controls

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exist to ensure that the documented controls are actually being adhered to by staff. Such governance is integral to providing direction and establishing an entity's control environment by issuing enterprise-wide policies and procedures and providing oversight over IT activities. No such IT policies or procedures, however, exist within the City.

As a result of the lack of governance, the City has negligible IT controls. For example, the City has no IT policies and procedures in place that specify the control environment, password standards, or what IT-related activities are permissible in the workplace.

***Recommendation***

The City should designate or hire an IT Manager. This individual should work directly with the Chief Administrative Officer and Department heads, and outside expertise as necessary, to identify and implement IT policies and procedures governing all areas of IT controls, including hardware, software, user access, vendor activities, and general and application-specific IT security.

***Management's Response and Corrective Action Plan***

At its June 20, 2012 meeting, the City Council retained the services of the City of Brea (under the business name of "BreaIT") to provide Information Technology support services for the City of Bell, in other words serve as the City's IT Manager. The contract with Relia-Tech was terminated as part of the June 20, 2012 Council action. The BreaIT provides customized contract services to 15 local government agencies in the greater Los Angeles area. The services for the City of Bell include:

- Ongoing day to day support of the City's computer system
- Assistance in the acquisition of new back up, antivirus, necessary firewall, licensing, and hardware and software systems
- Access to government purchasing systems
- Recommendations on high, medium, and low priority upgrades to the City's overall IT system
- Development of a multi-phased long term IT Master Plan
- Support in the development and implementation of policies and systems related to security, access, and back up needs.

Ongoing support services by the BreaIT include an Account Manager who oversees the services provided to the City of Bell as well as 16 hours a week of on site services to manage the day to day services. Additionally, the BreaIT provides emergency services support for the system as well as remote on line support.

With the help of BreaIT the City of Bell has established a Technology Steering Committee as an IT governance body. This committee is in the process of developing and implementing IT policies and procedures.

Responsible parties for corrective action are Ana Gutierrez- Management Analyst and BreaIT.

**2. *No contractual agreements for the City's outsourcing of network administration and financial system programming and support***

All services performed by outside entities for the City should be performed under contract. The most recent City contract with Relia-Tech, which provides network administration, expired June 30, 2010. The City also did not have any contract with Data Stream Business Solutions (DataStream), which provides financial programming and support. Neither City finance personnel nor DataStream

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personnel could locate any contracts executed between the two parties. The last services change was an hourly rate change communicated by letter from DataStream to the City on August 28, 2007.

Contracts, which specify clear deliverables, performance criteria, ownership of assets, consideration, and delineation of liability, are critical to assuring that the City 1) is clearly specifying required services, and receiving those services, 2) understands and agrees to ownership of IT assets such as the financial system source code, and 3) is limiting its liability for unforeseen events.

***Recommendation***

The Chief Administrative Officer should 1) determine specific required services, including IT control-oriented services, 2) determine, via negotiation and forensic documentation analysis as required, ownership of its financial system software, and 3) determine desired contractual terms and conditions for IT support vendors. After identifying their IT needs versus the services being provided by their current contractors, the City should evaluate if it should continue with current vendors or issue new RFPs. The City should subsequently document and execute new contracts with its information technology service providers.

***Management's Response and Corrective Action Plan***

At its June 20, 2012 meeting, the City Council entered into a one year contract with the BreaIT to provide IT services for the City of Bell. The contract included a delineation of services to be provided as described under item 1 above. Relia-Tech is no longer providing services to the City of Bell.

The City continues to use DataStream for support of the finance computer system. Due to the number of expired contracts, the City has not had an opportunity to update the contractual relationship with DataStream. However, DataStream has been supportive of the needs and issues that have arisen with the City's financial system. The 2012-13 City Budget includes funds for the acquisition of a new financial system for the City. As part of the acquisition of this new system, it is anticipated that the City will enter into contracts that will required to acquire and maintain the new Finance system.

Responsible parties for corrective action are Ana Gutierrez- Management Analyst and BreaIT.

**3. *The City does not have an IT Strategic Plan***

Best practices in IT general controls should ensure that strategic IT plans are developed that are aligned with the goals and objectives of the agency as a whole. The City, however, has not developed an IT Strategic Plan. Without a Strategic Plan in place, IT initiatives may not be in alignment with City needs, and the City may find difficulty in justifying required IT expenditures.

***Recommendation***

Once the City hires an IT Manager, the IT Manager should work with the Chief Administrative Officer and all City departments to develop an IT Strategic Plan. This plan should ensure that IT initiatives are aligned with the goals and objectives of the City.

***Management's Response and Corrective Action Plan***

As the City's IT Manager, BreaIT staff is assisting Bell in the development of a multi-phased IT Strategic Plan. To support this effort, the IT Steering Committee is working with the BreaIT staff and the City Manager. Currently the Steering Committee is addressing the highest priority items of security, backup, and virus protection, with a secondary goal of identifying the next highest priority

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items to be addressed utilizing the “computer upgrade funds” included in the 2012-13 City Budget. The Steering Committee is currently working in developing a longer range, multi-year IT Strategic Plan.

Responsible parties for corrective action are Ana Gutierrez- Management Analyst and BreAIT.

**4. *A formal policy and procedure for managing changes or development to the financial system has not been established***

Change control is a formal process used to ensure that changes to a product or system are introduced in a controlled and coordinated manner. Today’s computer applications and network infrastructure are extremely complex, and require careful control and testing of changes in order not to disrupt an organization’s operations. What seems like an innocuous code change can have disastrous impacts on a downstream process or data integrity. The City, however, has no formal control documentation for how the financial system vendor will manage system changes. Change control, including testing, is currently only based on the institutional knowledge of those involved.

***Recommendation***

The City should formally document change control processes with its financial systems vendor, including roles, ownership, and responsibility for testing and approvals at both the financial system vendor and within the City.

***Management’s Response and Corrective Action Plan***

Currently, the City continues to use DataStream for support of its financial system. The 2012-13 City Budget includes funds for the acquisition of a new financial system for the City. As part of a new system acquisition will be the development of the necessary policies and procedures related to change control processes.

The City of Bell is in the process of updating the City’s network infrastructure. This will provide additional capabilities to better provide and manage users and grant and/or restrict access to systems.

Responsible parties for corrective action are Ana Gutierrez- Management Analyst and BreAIT.

**5. *The City has no strategy for managing the configuration of its IT assets, including servers, networks and networking equipment, software, and desktop computers.***

IT management practices require that the City identify and manage its configuration, or inventory, of servers, PCs, networks, and networking equipment. This configuration is essential to assuring that IT components are controlled and updated as necessary. As part of managing this configuration, the City should determine when IT assets become obsolete or unserviceable and develop an end-of-life replacement strategy.

The server housing the City’s financial system, as well as the City firewall, are at their end of useful life and spare parts or software updates are no longer readily available. Several of the City’s desktop computers are over seven years old, and no longer have available spare parts. A failure of the City’s server hosting the financial system, network firewall, or older desktop computers could jeopardize City operations, or leave the City network vulnerable, for an extended period of time.

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In addition, the City's antivirus software license expired in June 2011. City computers consequently do not have up-to-date antivirus definitions. This increases the potential of a computer virus or Trojan causing a loss of sensitive City data.

Finally, the City's network topography is not documented. Understanding of the City's network topography is dependent on the institutional memory of the City's network support vendor. Should either the City need to change network support vendors, or key individuals at the City's network support vendor become unavailable, the City's ability to upgrade or repair its network infrastructure would be greatly hindered.

***Recommendation***

The City should formally document its configuration of computers, software, network, and networking equipment. After documenting its IT configuration, the City should evaluate the required controls for each item and replace items that are either obsolete or past their support life.

***Management's Response and Corrective Action Plan***

As part of the new Bell leadership team, two evaluations of the existing technology system were completed. The first was conducted in Fall 2011 and was an overall review completed by an ad hoc team of three local government information technology professionals from the cities of Beverly Hills and San Mateo. The second was completed in Spring 2012, by the BreaIT Information Technology Services Department. It was a detailed, comprehensive review and evaluation of the City's entire Information Technology system, detailing all equipment as well as hardware and software systems at every City facility. It also identified the system improvements that were necessary. Copies of these two evaluations are available through the City staff. These evaluations are serving as a base for the immediate items that need to be addressed as well as the preparation for the longer IT Strategic Plan. The City's IT Steering committee is working on a computer replacement cycle policy, to avoid systems reaching end of life scenarios. Current end of life network servers are being replaced through a server virtualization project that is underway.

The long-term management and inventory of the City's computers and servers hardware and software is being done through software that was installed by BreaIT.

The City has also purchased and is in the process of installing new anti-virus software on all the City's systems.

Responsible parties for corrective action are Ana Gutierrez- Management Analyst and BreaIT

**6. *The City has an inadequate data backup location.***

Best practices for disaster recovery require that a data back-up location not be susceptible to the same types of disasters (flood, fire, terrorist acts, etc.) as the main location. In lieu of a formal evaluation of the recovery site risks, the site should be at least 20 miles away from the main location. This control should ensure that the City's systems and data can be restored in the event of a disaster. If the primary and back-up locations are geographically close, it increases the risk that both locations are unavailable in the event of a disaster.

Currently, the City stores the backup tape on top of the financial system server until the tape is full (~100 backups), then places the backup tape in an unlocked vault in the next room. When performing system upgrades (every one or two years), staff will send a backup copy to DataStream (the vendor

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supporting the City's financial system). By not having a backup location outside of a 20 mile radius from the City, the City is at an increased risk of losing financial data if a disaster event occurs.

***Recommendation***

The City should research back-up locations outside of the 20 mile radius of the main location. Once back-up location options are determined, budgetary resources should be approved to fund the establishment of a back-up location that aligns with best practices and assures the City's back-up financial information and data are secured.

***Management's Response and Corrective Action Plan***

As part of its work with the BreaIT, Bell has addressed this issue of inadequate data back-up over the last sixty days. The City now has a data back-up provider, with a back-up location in another part of the United States.

Responsible parties for corrective action are Ana Gutierrez- Management Analyst and BreaIT.

**7. *The City does not manage or review access roles for its network or financial system.***

Organizations need to understand, define, and document their authorization roles and administrator access, in order to properly segregate duties between individuals. Undefined authorization roles and administrator access put organizations at risk of financial fraud, waste, and abuse.

The City's data structure is not consolidated and separated according to department. Users have access to all non-financial City data. Users are not assigned proper rights and security policies via group policy. Only accounting employees have access to the financial system.

The financial system does have generic access areas, (General Ledger, Cash Receipts, Accounts Payable, Payroll, Fixed Assets, Business Licensing), and Finance employees have access to one or more of these areas. The City, however, has not documented formal roles or role assignments. The City also has no policies or procedures for review of network access or roles, even when employees are terminated.

An employee terminated in November 2010 still has a logon to the City's financial system. We were unable to verify if this previous employee still has access to the City network, as neither City personnel nor the City's network support vendor could provide a list of those individuals with VPN access to the City network. This lack of roles and role enforcement puts the City at greatly increased risk of unauthorized individuals accessing the City network or financial system.

***Recommendation***

The Chief Administrative Officer, working with the to-be-hired IT Manager, should develop access roles, and policies and procedures to manage these roles, for both the City network as well as for the City financial system. The policies and procedures should address hiring and terminations, review of master or super user activity, and annual review of roles.

***Management's Response and Corrective Action Plan***

This issue has been identified by the City Manager, IT Steering Committee, and the BreaIT as a concern. One of the top priorities of these parties is to implement policies to deal with this matter, which should be in place in the next four – six months. Policies will address the use of internet, telephone, and social media.

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When BreaIT came in they immediately changed the network administrator password and are in the process of setting up rights and permission for access to system based on individual roles.

Responsible parties for corrective action are Ana Gutierrez- Management Analyst and BreaIT.

**8. *The City's financial system server is not physically secured.***

Physical security practices require that the City provide and enforce physical access protection for the facility or room where the financial system resides. This prevents unauthorized tampering or abuse of the physical server hardware. The server housing the City's financial system is out in the open, in the back of the City administration office, with no secured access. This places the City's financial system server at increased risk of physical damage.

***Recommendation***

In the short-term, the City should move the financial server to the telecom room, where it will potentially be behind a locked door. For the long-term, the City should investigate either building a secure server room with full physical access and environmental controls, or moving the financial system to an external shared services location with such controls.

***Management's Response and Corrective Action Plan***

The matter of the City's Financial System Server not being physically secured was identified in both System evaluations that have been previously discussed. The City Council approved the purchase of a "virtual server" for the City's IT system at the September 19, 2012 meeting. All of the hardware and software has been purchased and the City is currently waiting for the delivery of these IT products. In the meantime, the City has assigned a designated office space behind the Code Enforcement area as the IT Supportive Systems Office. This office will not only securely store the virtual server equipment but will also store the financial system. As recommended, the servers will also be moved from the Bell Police Department telephone/utility room into the new office. As of today, the City is approximately 80% completed with this project. This office will be secured by two (2) doors and will have limited access by authorized personnel. The City expects this to be completed in the next month.

Responsible parties for corrective action are Ana Gutierrez- Management Analyst and BreaIT.

**9. *Application password standards need to be strengthened.***

General computer controls require that access to the IT network and applications be properly controlled. The City, however, does not have a formal policy regarding complex password standards for financial application access. The City allows passwords of any length or complexity for accessing the financial system. Without formal requirements, password configuration standards may change based on administrator preference, rather than adherence to standard industry practices. Additionally, the chance of someone hacking into a financial system increases considerably when strong passwords are not used.

***Recommendation***

The Chief Administrative Officer should develop and implement a formal administrative procedure defining the minimum password configuration requirements for the financial system. For example:

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Password history:	12 to 24 passwords remembered
Maximum password age:	30 to 90 days
Minimum password age:	1 to 3 days
Minimum password length:	8 to 14 characters
Password must meet complexity requirements:	Enabled
Store password using reversible encryption:	Disabled
Password complexity:	Minimum of eight characters Contains at least two numeric or special characters

***Management's Response and Corrective Action Plan***

As previously discussed, it is recognized by the City Manager, IT Steering Committee, and BreAIT staff that a number of policies need to be established, including one that will address stricter password standards. It is anticipated that policies will be implemented in the next four – six months to address the computer control security measures. In addition, the City has purchased and is in the process of installing new firewall between the community, Police and City systems including an antivirus protection to enhance overall security protection.

Responsible parties for corrective action are Ana Gutierrez- Management Analyst and BreAIT.

***10. A comprehensive IT risk assessment has not been performed.***

General computer controls over the access to programs and data require that a mechanism or procedures be in place to identify and react to risks arising from internal and external sources. A comprehensive means to identify IT risks is through the periodic performance of IT risk assessments. The City, however, has not performed a formal comprehensive and independent IT risk assessment to help identify the risks to the delivery of IT services and the accuracy and integrity of the financial and personnel data.

***Recommendation***

An independent IT risk assessment should be performed. The risk assessment should focus on identifying the possible IT risks, the delivery of IT services and the accuracy and integrity of the financial and personnel data. The risk assessment should quantify the likelihood of an event, the impact of the event and the mitigating controls that would address the possible risk. The risk assessment should also include network penetration testing to ascertain the vulnerabilities of computer network from hacking attempts.

***Management's Response and Corrective Action Plan***

Please refer to the response that was provided in response to item number 5. Two evaluations have been completed under the new leadership team, that are serving as the basis for the current and upcoming work being done by the City of Bell, supported by the BreAIT.

Responsible parties for corrective action are Ana Gutierrez- Management Analyst and BreAIT.

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***11. Lack of service level agreements***

The City outsources technical support to Relia-Tech and has no formal service level agreements (SLAs) between Relia-Tech and the departments or divisions it supports. Without formal SLAs, departments are not aware of the level of services that can be expected from Relia-Tech. The measures of performance may be network or application availability time, time to respond to help desk calls, or time to configure new accounts.

***Recommendation***

The Chief Administrative Officer, working with the to-be-hired IT Manager and their functional user departments should work to define realistic service levels. The City can have one overall agreement for all departments and a more specific agreement for a department that has specific needs. These service levels should be measurable and periodically reported upon to ensure that the agreements are being met, and if not, the cause should be determined.

***Management's Response and Corrective Action Plan***

At its June 20, 2012 meeting, the City Council entered into a one year contract with the BreaIT to provide IT services for the City of Bell. The contract included a delineation of services to be provided.

Responsible parties for corrective action are Ana Gutierrez- Management Analyst and BreaIT.

***12. Lack of disaster recovery plan***

The City does not have a formal disaster recovery plan. Lack of a disaster recovery plan could result in loss of financial data and business interruptions in the event of a disaster.

***Recommendation***

The Chief Administrative Officer, working with the to-be-hired IT Manager should develop and implement a disaster recovery plan that will detail how City functions would operate in the event that the City's IT network and applications are unavailable for an extended period of time, or in the event of a disaster. The disaster recovery plan should include detailed disaster recovery procedures that clearly define the roles and responsibilities of personnel in re-establishing the computer network, financial applications and financial data. Once developed, the plan should be periodically tested to ensure viability. Findings from the testing should be incorporated as updates to the plan.

***Management's Response and Corrective Action Plan***

Through the newly acquired back-up system, the City of Bell has taken the first step in ensuring that financial data as well as other computer based information will be recoverable. The City has also purchased a virtual infrastructure system and is in the process of installing it. The virtual infrastructure system will provide redundancy and in case of a disaster. Again, it will be one of the responsibilities of the IT Steering Committee, the Department Head charged with oversight of the City's IT system, and the BreaIT staff to implement a comprehensive Disaster Recovery Plan.

Responsible parties for corrective action are Ana Gutierrez- Management Analyst and BreaIT.

***13. No documentation for batch processing procedures for payroll***

There is no documentation for batch processing procedures of financial information between the City's financial system and the bank for payroll. Batch processing is currently based on the institutional knowledge of those involved.

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***Recommendation***

The process of managing batch jobs to transfer financial information between the City's financial system and the bank for payroll should be reviewed and controls should be implemented to ensure that job scheduling is appropriately controlled and authorized.

***Management's Response and Corrective Action Plan***

As recommended as one of the highest IT priorities by the BreaIT, the City budgeted funds in FY 12-13 for the purchase of a new financial system. The documentation process will be addressed as part of the Finance system upgrade that is budgeted this year.

Responsible parties for corrective action are Ana Gutierrez- Management Analyst and BreaIT.

**Finding 2010-05: Filing of Single Audit Report**

***Criteria***

Pursuant to OMB Circular A-133 Subpart C -Auditees, the City has the responsibility to:

- §\_320 (a) Report submission. "...shall be submitted within the earlier of 30 days after receipt of the auditor's report(s), or nine months after the end of the audit period..."

***Condition, Cause and Effect***

The City did not submit the Single Audit Reporting Package (the City's audited financial statements and single audit reports) for the year ended June 30, 2010 within nine months after the end of audit period or March 31, 2011. Due to highly publicized problems at the City and turnover in financial management, the City was not able to complete the audit of its annual financial statements and federal award programs for the year ended June 30, 2010 on a timely basis. Failure to submit the required Single Audit Reporting Package timely automatically results in the City not qualifying for low risk auditee status for next year's single audit

***Recommendation***

We recommend the City develop, document, and implement policies and procedures for timely submission of the Single Audit Reporting Package.

***Management's Response and Corrective Action Plan***

The two-year period following the Bell scandal of 2010 found the Finance Department unequipped to meet the transactional workload of a viable municipal finance department. Key personnel transitioned from the workforce, staffing was reduced, and much of the Department's attention was directed to meeting the requirements of outside audit and investigation and public records requests. The Department is quite aware of the existing accounting backlog. At this point, however, permanent appointments have been made to the positions of accounting manager and finance director. We are confident that audits through FY 2012 will be complete by the spring of 2013. At the same time, bank reconciliations are now being brought current.

When all audits are complete and all bank reconciliations are current, the Department will establish performance objectives and policy to close monthly books by the 10th day of each month, and to complete bank reconciliations by the 25th of each month. When we reach this point, and we will in FY 2013, the process of annual audit and related tasks will become routine.

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Responsible parties for corrective action are:

Josh Betta- Finance Director

Hector Vazquez- Accounting Manager

**Finding 2010-06: Noncompliance with Laws, Regulations, Contracts, and Grant Agreements**

***Criteria***

Governmental entities are subject to a variety of laws, regulations, contracts and grant agreements that have a direct and material effect on their financial statements. Accordingly, governmental entities should establish a system of internal control over compliance to ensure compliance with laws, regulations, contracts and grant agreements.

***Condition, Cause and Effect***

As a result of financial conditions at the City and weaknesses in internal control over compliance, we noted the following instances of noncompliance with bond covenants, budget policy, and other applicable laws and regulations, contracts and grant agreements:

- a. The 2007 Taxable Lease Revenue Bonds and the 2009 Promissory Note are in default as of November 2010 and October 2010 and continue to be in default because the City has defaulted on the payment of principal and interest. The outstanding principal due on the 2007 Taxable Lease Revenue Bonds and the 2009 Promissory Note were \$35 million and \$4.4 million, respectively.
- b. In accordance with the Series 2004 and 2007 General Obligation Bonds' Official Statements, the bonds are general obligation bonds of the City payable from ad valorem taxes. The City has the power and is obligated to annually cause to be levied ad valorem taxes upon all property within the City for the payment of the bonds principal and interest. Pledged property tax revenue recognized during the fiscal year ended June 30, 2010 was \$997,367 against the total debt service payments of \$2.7 million. The City was not in compliance with bond requirements because it did not assess property taxes sufficient to pay the principal and interest on the bonds for the current year.
- c. The City was not in compliance with reporting provisions of the indentures for all bonds and certificates of participation for the year ended June 30, 2010 because the City's audited financial statements were not issued within 90 to 240 days of the year-end. Additionally, the City was not in compliance with continuing disclosure requirements under SEC 15c2-12.
- d. The City's current Investment Policy is in accordance with the California Government Code. However, the Investment Policy has not been updated and approved by City Council since June 30, 2006. The California Government Code requires that the policy be approved by the governing board on an annual basis. Subsequently, the City Council has adopted Resolution No. 2010-18 approving the investment policy for fiscal year July 1, 2010 to June 30, 2011.
- e. The City's charter stipulates that actual expenditures may not exceed budgeted appropriations at the department level without City Council approval. The City's actual General Fund expenditures exceeded the General Fund budget appropriations by \$6.8 million.
- f. The City adopted Resolution No. 2007-42 to increase the tax levy related to the payment of the City's pension obligation from 0.187554% in FY 2006-07 to 0.237554% in FY 2007-08, 0.257554% in FY 2008-09, and 0.277554% in FY 2009-10—an increase of approximately 48% over a three-year period. The increase in tax levy was unallowable under Revenue and Taxation Code Section 96.31(b). Under this section, the City had no authority to levy a property tax rate greater than the rate imposed in FY 1982-83 or FY 1983-84. Subsequently, the City refunded \$2,934,144 to the taxpayers in November 2010

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- g. The City purchased five (5) years of Additional Retirement Service Credits (ARSC) on behalf of the CAO, the ACAO, five (5) council members and four (4) department heads between 2005 and 2009 using City funds with an approximate cost of \$1,000,000. CalPERS has made a determination that the purchase of ARSC using City funds for one of the department heads was not lawful under the Public Employee Retirement Law. The determination on the remaining purchases of ASRC is pending.
- h. The SCO's audit of the City's Gas Tax Fund for the period of July 1, 2007 through June 30, 2010 identified that the City understated the fund balance in the Gas Tax Fund by \$521,086 because of unsupported costs. Subsequently, the City made adjustments and reallocated unsupported costs charged to the City's Gas Tax Fund to the General Fund.
- i. The SCO review of the Agency for the period July 1, 2000 through June 30, 2010 identified that the Agency failed to comply with Health and Safety Code requirements in several areas and inappropriately charged Agency funds in the amount of \$664,834. This is pending final resolution from the SCO.
- j. The Office of Grants and Local Services of the California Department of Parks and Recreation audit issued on April 22, 2011 identified and requested a return of \$481,716 in grant funds due to alleged violation of the competitive bidding process and conflict of interest. This is pending final resolution from the Office of Grants and Local Services of the California Department of Parks and Recreation.
- k. The SCO's audit of the City's administrative and internal accounting system for the period July 1, 2008 through June 30, 2010 identified that the City improperly increased assessments of the Sanitation and Sewerage Assessment System and business licenses taxes. The SCO estimated the amount of overcharge is \$621,737 and \$2,105,441 for assessment of the Sanitation and Sewerage Assessment System and business licenses taxes, respectively. This is pending final resolution from the SCO.

***Recommendation***

We recommend that the City develop, document, and implement policies and procedures to ensure the City's compliance with applicable laws, regulations, contracts and grant agreements. We also recommend that the City's budget process include a mid-year and year-end comparison of budget and actual amounts to allow City Council an opportunity to take any action deemed necessary to ensure compliance with local laws and regulations governing budget appropriations and related expenditures. In addition, we recommend that the City work with the SCO, CalPERS and the Office of Grants and Local Services of the California Department of Parks and Recreation to resolve pending issues.

***Management's Response and Corrective Action Plan***

The two-year period following the Bell scandal of 2010 found the Finance Department unable and unequipped to meet the transactional workload of a viable municipal finance department. Key personnel transitioned from the workforce, staffing was reduced, and much of the Department's attention was directed to meeting the requirements of outside audit and investigation and public records requests. The City is quite aware of the existing weaknesses and the new permanent management team is committed to work out all of these issues during FY 2013. On parallel track, it is our expectation that audits through FY 2012 will be completed by the spring of 2013.

In February 2012, a Midyear Budget Review was conducted and presented to the City Council. It compared budget versus actual and the recommended amendments to the Budget based on the review were approved by the City Council.

**CITY OF BELL, CALIFORNIA**  
**Schedule of Findings and Questioned Costs (Continued)**  
**For the Fiscal Year Ended June 30, 2010**

During FY 2013, as all audits are completed, the Department will establish performance objectives, policies and procedures accordingly as recommended to be in compliance with accounting standards, local laws and regulations. When we reach this point, and we will in FY 2013, the process of annual audit and related tasks will become routine. The City will also work with regulatory agencies, such as the SCO, CalPERS, and the Office of Grants and Local Services of the California Department of Parks and Recreation. The positions of accounting manager and finance director were recently appointed; therefore, the City plans to be in compliance by June 2013.

Responsible parties for corrective action are:

Josh Betta- Finance Director

Hector Vazquez- Accounting Manager

**Section III – Federal Award Findings and Questioned Costs**

<b>Reference Number:</b>	<b>2010-07</b>
<b>Federal Program Title:</b>	<b>Community Development Block Grants - Entitlement Cluster: Community Development Block Grants/Entitlement Grants (CDBG), Community Development Block Grant ARRA Entitlement Grants (CDBG-R) (Recovery Act Funded)</b>
<b>Federal Catalog Number:</b>	<b>14.218, 14.253</b>
<b>Federal Agency:</b>	<b>Department of Housing and Urban Development</b>
<b>Pass-through Entity:</b>	<b>Community Development Commission of the County of Los Angeles</b>
<b>Federal Award Number and Year:</b>	<b>D96061-09, D96064-09, D96065-09, 600511-09, D96069-09, D99075-09, REC088-09, REC040-09 – 2010</b>
<b>Category of Finding:</b>	<b>Allowable Costs/Cost Principles - Lack of Supporting Documents and Expenditures Not Allowable</b>

***Criteria***

U.S. Office of Management and Budget Circular A-87, *Cost Principles for State, Local and Indian Tribal Governments* (OMB A-87), Appendix B – 2 CFR Part 225, Section 8 (h)

“4) Where employees work on multiple activities or cost objectives, a distribution of their salaries or wages will be supported by personnel activity reports or equivalent documentation.”

Per OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations* (OMB A-133) §\_\_.300(b), “Management should maintain internal controls over Federal programs that provides reasonable assurance that the auditee is managing Federal awards in compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a material effect on each of its Federal programs.”

***Condition***

Our examination of payroll identified payroll costs that were incorrectly charged to the CDBG and CDBG-R programs. Such costs were not properly supported and/or properly reviewed and approved by a supervisor.

***Cause***

The employees did not properly allocate hours worked on the CDBG and CDBG-R programs, the Finance Department allocated costs based upon budget for the CDBG and CDBG-R programs rather than actual hours as a basis for allocation.

**CITY OF BELL, CALIFORNIA**  
**Schedule of Findings and Questioned Costs (Continued)**  
**For the Fiscal Year Ended June 30, 2010**

***Effect***

Payroll costs charged to the CDBG and CDBG-R programs were not accurate and in accordance with OMB A-87 cost principles.

***Questioned Costs***

The known questioned costs identified for the CDBG and CDBG-R programs were \$7,068 and \$3,823, respectively.

***Context***

We tested forty (40) payroll samples during the year ended June 30, 2010. Out of forty (40) payroll expenditure samples tested, the following issues were noted:

- Sixteen (16) timesheets did not specify which CDBG and CDBG-R programs were specifically charged. As a result, \$3,434 charged to the CDBG program and \$3,823 charged to the CDBG-R were not supported by timesheets.
- Three (3) timesheet samples were incorrectly charged to the CDBG program by the Finance Department; which resulted in a net understatement of payroll being charged of \$256.
- Two (2) timesheet samples were not signed by the employee, with one also not signed by a supervisor.
- One (1) payroll sample did not have a timesheet to support the employee's charges; which represented \$3,890 being improperly charged to the CDBG program.

***Recommendation***

To ensure that the City is in compliance with OMB A-87 and OMB A-133§\_\_\_\_.300(b), we recommend that the City develop and implement policies and procedures to ensure that payroll costs charged to the CDBG programs are properly supported by timesheets. In addition, internal controls should be designed and operated to properly review and approve payroll charges to federal award programs.

***Management's Response and Corrective Action Plan***

The City is aware and has established policies and procedures to ensure that payroll costs charged to the CDBG programs are properly and correctly reported with the required timesheets. The supplemental time sheets used by the City during this audit period were designed to provide the details of staff costs for the various CDBG programs, but created additional paperwork, and resulted in redundancy and consistency issues. In a meeting with the LACDC staff during the 2011-12 program year, all parties agreed that the most effective manner of reporting the hours applied to the CDBG programs was to incorporate these details into a single timesheet for each individual. This process was initiated with the May 7-20, 2012 payroll period. Further, the City has taken steps to ensure that the internal controls for reviewing and approving the payroll charges are appropriate and properly operated.

Responsible parties for corrective action are:

Josh Betta- Finance Director

Hector Vazquez- Accounting Manager

Pamela Wasserman- Community Services Director

**CITY OF BELL, CALIFORNIA**  
**Schedule of Findings and Questioned Costs (Continued)**  
**For the Fiscal Year Ended June 30, 2010**

**Reference Number:** 2010-08  
**Federal Program Title:** Community Development Block Grants – Entitlement Grants Cluster: Community Development Block Grants/Entitlement Grants (CDBG)  
**Federal Catalog Number:** 14.218  
**Federal Agency:** Department of Housing and Urban Development  
**Pass-through Entity:** Community Development Commission of the County of Los Angeles  
**Federal Award Number and Year:** D96061-09, D96064-09, D96065-09, 600511-09, D96069-09, D99075-09– 2010  
**Category of Finding:** Activities Allowed or Unallowed and Allowable Costs/Cost Principles - Expenditures Not Allowable

***Criteria***

OMB A-87, Attachment A – General Principles for Determining Allowable Costs, Paragraph C – Basic Guidelines states:

- 1) Factors affecting allowability of costs. To be allowable under Federal awards, costs must meet the following general criteria:
  - (b) Be allocable to Federal awards under the provisions of this Circular
  - (j) Be adequately documented.

*OMB A-133 Compliance Supplement*, Part 4 Department of Housing and Urban Development (HUD) sets forth HUD program requirements as follows, “The primary objective of the Community Development Block Grants (CDBG)/Entitlement Grants program (large cities and urban counties) (24 CFR part 570 subpart D) is to develop viable urban communities by providing decent housing, a suitable living environment, and expanded economic opportunities, principally for persons of low and moderate income.”

***Condition***

The City uses CDBG funds for various programs in accordance with purposes specified by 24 CFR part 570 subpart D. Our testing of the non-payroll related expenditures that were charged to the Handyworker program resulted in the discovery of payments made for repairs and/or maintenance of a City-owned vehicle that was not utilized by the Handyworker program. Subsequently, the City remitted \$5,141.65 on June 7, 2011 to the grantor, Community Development Commission of the County of Los Angeles, to repay the automotive maintenance costs that were charged in error.

***Cause***

The errors identified resulted from either lack of knowledge of the program guidelines and/or due to the lack of supervisory review. These improper charges to the program reflect inadequate review to ensure that the only allowable and applicable expenditures are charged to the CDBG program.

***Effect***

Failure to properly allocate applicable charges to the program may result in submission of unallowable costs and activities causing noncompliance with OMB A-87 Attachment A, paragraph C.1 and with HUD program requirements.

**CITY OF BELL, CALIFORNIA**  
**Schedule of Findings and Questioned Costs (Continued)**  
**For the Fiscal Year Ended June 30, 2010**

***Questioned Costs***

The questioned costs were \$5,141.65. The City subsequently repaid these costs to Community Development Commission of the County of Los Angeles on June 7, 2011.

***Context***

We tested sixty (60) disbursements during the fiscal year ended June 30, 2010 totaling \$284,655. Out of sixty (60) disbursements selected, we noted two (2) automotive maintenance costs totaling \$5,145.65 that were charged in error.

***Recommendation***

We recommend that the City implement policies and procedures to ensure that the expenditures that are to be charged to the CDBG program be reviewed and approved by Director of the Community Services Department in order to determine the allowability and reasonableness of these expenses in accordance to program guidelines

***Management Response and Corrective Action Plan***

The City agrees with the finding and has implemented policies and procedures to ensure that the expenditures that are to be charged to the CDBG program be reviewed and approved by Director of the Community Services Department in order to determine the allowability and reasonableness of these expenses in accordance to program guidelines. The positions of accounting manager, finance director, and community services director were recently appointed; therefore, the City plans to be in compliance by June 2013.

Responsible parties for corrective action are:

Josh Betta- Finance Director

Hector Vazquez- Accounting Manager

Pamela Wasserman- Community Services Director

<b>Reference Number:</b>	<b>2010-09</b>
<b>Federal Program Title:</b>	<b>Community Development Block Grant ARRA Entitlement Grants (CDBG-R) (Recovery Act Funded)</b>
<b>Federal Catalog Number:</b>	<b>14.253</b>
<b>Federal Agency:</b>	<b>Department of Housing and Urban Development</b>
<b>Pass-through Entity:</b>	<b>Community Development Commission of the County of Los Angeles</b>
<b>Federal Award Number and Year:</b>	<b>REC088-09, REC040-09 – 2010</b>
<b>Category of Finding:</b>	<b>Procurement and Suspension and Debarment</b>

***Criteria***

Per OMB Circular A-102, *Grants and Cooperative Agreements with State and Local Governments* (OMB A-102), §\_\_.(1)(c)(5)(d), “Agencies shall establish procedures for the effective use of the List of Parties Excluded from Federal Procurement or Nonprocurement programs to assure that they do not award assistance to listed parties in violation of Executive Order. Agencies shall also establish procedures to provide for effective use and/or dissemination of the list to assure that their grantees and subgrantees (including contractors) at any tier do not make awards in violation of the nonprocurement debarment and suspension common rule.”

***Condition***

The City is required to conduct a verification check to ensure that they do not contract with listed parties in violation OMB A-102. Upon review of the procurement files, we noted one of the selected vendors for

**CITY OF BELL, CALIFORNIA**  
**Schedule of Findings and Questioned Costs (Continued)**  
**For the Fiscal Year Ended June 30, 2010**

Community Development Block Grant ARRA Entitlement Grants (CDBG-R) (Recovery Act Funded) program was not checked against the List of Parties Excluded (EPLS) from Federal Procurement.

***Cause***

The City has does not have adequate controls to ensure compliance with the Procurement and Suspension and Debarment provisions of OMB A-102 and grant requirements.

***Effect***

Failure to retain the records of EPLS verification check in procurement files may result in noncompliance with OMB A-102 and the grant requirements.

***Questioned Costs***

There are no questioned costs.

***Context***

We tested four (4) procurement files for contracts in place during the fiscal year ended June 30, 2010. One (1) out of four (4) procurement files did not retain a record of a verification check for the List of Parties Excluded (EPLS) from Federal Procurement. However, our review indicated that the vendor was not on the EPLS list. As such, there are no questioned costs.

***Recommendation***

We recommend that the City enforce established policies and procedures over the retention of procurement records to ensure that procurement procedures are in accordance with OMB A-102 and the grant requirements.

***Management Response and Corrective Action Plan***

The City currently has written guidelines, policies, and procedures in accordance with 24CFR 85.36. These guidelines generally help ensure compliance with CDBG rules and regulations. As stated in your communication 1 out of 4 files did not have record of an EPLS verification record check on file. Although we strive for 100% compliance, occasionally there is an oversight. To help ensure that all required documents are retained in the file, staff will review its internal controls to ensure mechanisms are in place to achieve compliance with all regulations. The position of community services director was recently appointed; therefore, the City plans to be in compliance by June 2013. Responsible party for corrective action is Pamela Wasserman- Community Services Director.

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**CITY OF BELL, CALIFORNIA**  
**Schedule of Prior Audit Findings and Questioned Costs**  
**For the Year Ended June 30, 2010**

None