

# **CITY OF ANDERSON**

Audit Report

## **SPECIAL GAS TAX STREET IMPROVEMENT FUND**

*July 1, 2003, through June 30, 2015*

## **TRAFFIC CONGESTION RELIEF FUND ALLOCATIONS**

*July 1, 2003, through June 30, 2015*

## **PROPOSITION 1B FUND ALLOCATIONS**

*July 1, 2007, through June 30, 2015*



**BETTY T. YEE**  
California State Controller

July 2016



**BETTY T. YEE**  
California State Controller

July 22, 2016

The Honorable Susie Baugh  
Mayor of the City of Anderson  
1887 Howard Street, 3<sup>rd</sup> Floor  
Anderson, CA 96007

Dear Mayor Baugh:

The State Controller's Office audited the City of Anderson's Special Gas Tax Street Improvement Fund for the period of July 1, 2003, through June 30, 2015. We also audited the Traffic Congestion Relief Fund allocations recorded in its Traffic Congestion Relief Fund for the period of July 1, 2003, through June 30, 2015; and the Proposition 1B Fund allocations recorded in its Proposition 1B Fund for the period of July 1, 2007, through June 30, 2015.

Our audit found that the city accounted for and expended its Special Gas Tax Street Improvement Fund, Traffic Congestion Relief Fund allocations, and Proposition 1B Fund allocations in compliance with requirements, except that the city understated the fund balance in the Special Gas Tax Street Improvement Fund by \$55,308 as of June 30, 2015, because it over-expended its Special Gas Tax Street Improvement Fund during fiscal year (FY) 2004-05, FY 2005-06, FY 2009-10. The city agreed with the finding and adjusted the Special Gas Tax Street Improvement Fund accordingly.

If you have any questions, please contact Christopher Lek, Interim Chief, Local Government Audits Bureau, by telephone at (916) 284-0120.

Sincerely,

*Original signed by*

**JEFFREY V. BROWNFIELD, CPA**  
Chief, Division of Audits

JVB/as

cc: Liz Cottrel, Finance Director  
City of Anderson

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# Audit Report

## Summary

The State Controller's Office (SCO) audited the City of Anderson's:

- Special Gas Tax Street Improvement Fund for the period of July 1, 2003, through June 30, 2015;
- Traffic Congestion Relief Fund allocations recorded in its Traffic Congestion Relief Fund for the period of July 1, 2003, through June 30, 2015; and
- Proposition 1B Fund allocations recorded in its Proposition 1B Fund for the period of July 1, 2007, through June 30, 2015.

Our audit found that the city accounted for and expended its Special Gas Tax Street Improvement Fund, Traffic Congestion Relief Fund allocations, and Proposition 1B Fund allocations in compliance with requirements, except that the city understated the fund balance in the Special Gas Tax Street Improvement Fund by \$55,308 as of June 30, 2015, because it over-expended its Special Gas Tax Street Improvement Fund during fiscal year (FY) 2004-05, FY 2005-16, and FY 2009-10. The city agreed with the finding and adjusted the Special Gas Tax Street Improvement Fund accordingly.

## Background

The State apportions funds monthly from the Highway Users Tax Account (HUTA) in the Transportation Tax Fund to cities and counties for the construction, maintenance, and operation of local streets and roads. The highway users taxes derive from State taxes on the sale of motor vehicle fuels. In accordance with Article XIX of the California Constitution and Streets and Highways Code section 2101, a city must deposit all apportionments of highway users taxes in its Special Gas Tax Street Improvement Fund. A city must expend gas tax funds only for street-related purposes. We conducted our audit of the city's Special Gas Tax Street Improvement Fund under the authority of Government Code section 12410.

Chapter 91, Statutes of 2000, (Assembly Bill 2928) as amended by Chapter 636, Statutes of 2000, (Senate Bill 1662) and Government Code section 14556.5, created a Traffic Congestion Relief Fund in the State Treasury for allocating funds quarterly to cities and counties for street or road maintenance, reconstruction, and storm damage repair. Cities must deposit funds received into the city account designated for the receipt of State funds allocated for transportation purposes. The city recorded its Traffic Congestion Relief Fund allocations in its Traffic Congestion Relief Fund. We conducted our audit of the city's Traffic Congestion Relief Fund allocations under the authority of Revenue and Taxation Code section 7104.

Senate Bill 1266, Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, was introduced as Proposition 1B and approved by the voters on November 7, 2006, for a variety of transportation priorities, including the maintenance and improvement of local transportation facilities. Proposition 1B funds transferred to cities and counties must be deposited into an account that is designated for the receipt of State funds allocated for streets and roads. The city recorded its Proposition 1B Fund allocations in its Proposition 1B Fund. A city also must expend its allocations within four years following the end of the fiscal year in which the allocation was made and to expend the funds in compliance with Government Code section 8879.23. We conducted our audit of the city's Proposition 1B Fund allocations under the authority of Government Code section 12410.

## **Objectives, Scope, and Methodology**

Our audit objectives were to determine whether the city accounted for and expended its Special Gas Tax Street Improvement Fund, Traffic Congestion Relief Fund allocations, and Proposition 1B Fund allocations in compliance with Article XIX of the California Constitution, the Streets and Highways Code, Revenue and Taxation Code section 7104, and Government Code section 8879.23.

We audited the city's Special Gas Tax Street Improvement Fund for the period of July 1, 2003, through June 30, 2015. We also audited the Traffic Congestion Relief Fund allocations for the period of July 1, 2003, through June 30, 2015; and the Proposition 1B Fund allocations for the period of July 1, 2007, through June 30, 2015.

To meet the objectives, we performed the following:

- Gained a limited understanding of internal controls that would have an effect on the reliability of the accounting records of the Special Gas Tax Street Improvement Fund, Traffic Congestion Relief Fund allocations, and Proposition 1B Fund allocations, by interviewing key personnel, completing the internal control questionnaire, reviewing the city's organization chart, and assessing the reliability of computer-processed data;
- Conducted a risk assessment to determine the nature, timing, and extent of substantive testing;
- Performed analytical procedures to determine and explain the existence of unusual or unexpected account balances;
- Verified the accuracy of the fund balances by recalculating the trial balances of the Special Gas Tax Street Improvement Fund, Traffic Congestion Relief Fund allocations, and Proposition 1B Fund allocations;
- Verified whether the components of and changes to the fund balances were properly computed, described, classified, and disclosed by scheduling and analyzing the Special Gas Tax Street Improvement Fund, Traffic Congestion Relief Fund allocations, and Proposition 1B Fund allocations fund balances;

- Reconciled the fund revenue recorded in the city ledger to the balance reported in the SCO's apportionment schedules to determine whether HUTA apportionments, Traffic Congestion Relief Fund allocations, and Proposition 1B Fund allocations received by the city were completely accounted for;
- Reviewed city accruals and adjustments for validity and eligibility;
- Analyzed the system used to allocate interest and determined whether the interest revenue allocated to the Special Gas Tax Street Improvement Fund, Traffic Congestion Relief Fund allocations, and Proposition 1B Fund allocations was fair and equitable, by interviewing key personnel and recalculating a sample of interest allocations;
- Reviewed the fund cash and liabilities accounts for unauthorized borrowing to determine whether unexpended HUTA funds were available for future street-related expenditures and protected from impairment;
- Verified whether the expenditures incurred during the audit period were supported by proper documentation and eligible in accordance with the criteria above by testing 100% of the expenditure transactions that were equal to or greater than the significant item amount (calculated based on materiality threshold), and selecting samples of other transactions for the following categories based on our judgment (for the selected sample, errors found will not be projected to the intended population):
  - ***Special Gas Tax Street Improvement Fund***  
Services and Supplies – We tested \$249,649 of \$478,549 total services and supplies expenditures.  
Labor – We tested \$79,348 of \$89,800 total labor costs.
  - ***Traffic Congestion Relief Fund Allocations***  
Services and Supplies – We tested \$21,499 of \$381,707 total services and supplies expenditures.
  - ***Proposition 1B Fund Allocations***  
Services and Supplies – We tested \$228,812 of \$306,861 total services and supplies expenditures.
- Verified whether the city expended the Traffic Congestion Relief Fund revenues within the required time limit by analyzing and scheduling the city's Traffic Congestion Relief Fund expenditures;
- Verified the city's compliance with the maintenance-of-effort requirement of the Traffic Congestion Relief Fund by computing the city's annual expenditures of its discretionary funds for street purposes; and
- Verified whether the city expended the Proposition 1B revenues within the required time limit by analyzing and scheduling the city's Proposition 1B expenditures.

We did not audit the city's financial statements. We limited our audit scope to planning and performing audit procedures necessary to obtain reasonable assurance that the city accounted for and expended its Special Gas Tax Street Improvement Fund, Traffic Congestion Relief Fund allocations, and Proposition 1B Fund allocations in accordance with the criteria above. We considered the city's internal controls only to the extent necessary to plan the audit.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

## **Conclusion**

Our audit found that the City of Anderson accounted for and expended its:

- Special Gas Tax Street Improvement Fund in compliance with Article XIX of the California Constitution and the Streets and Highways Code for the period of July 1, 2003, through June 30, 2015, except as noted in Schedule 1 and described in the Finding and Recommendation section of this report. The finding requires an adjustment of \$55,308 to the city's accounting records. The city agreed with the finding and adjusted the Special Gas Tax Street Improvement Fund accordingly.
- Traffic Congestion Relief Fund allocations recorded in its Traffic Congestion Relief Fund in compliance with Article XIX of the California Constitution, the Streets and Highways Code, and Revenue and Taxation Code section 7104 for the period of July 1, 2003, through June 30, 2015.
- Proposition 1B Fund allocations recorded in its Proposition 1B Fund in compliance with Government Code section 8879.23 for the period of July 1, 2007, through June 30, 2015.

## **Follow-Up on Prior Audit Findings**

Our prior audit report, issued on May 14, 2004, disclosed no findings.

## **Views of Responsible Officials**

We discussed the audit results with city representatives during an exit conference on April 27, 2016. Jeff Kiser, City Manager; Liz Cottrell, Finance Director; and David Durette, Public Works Director, agreed with the audit results. Ms. Cottrell further agreed that a draft audit report was not necessary and that the audit report could be issued as final.

**Restricted Use**

This report is intended for the information and use of the City of Anderson and the SCO; it is not intended to be and should not be used by anyone other than these specified parties. This restriction is not intended to limit distribution of this report, which is a matter of public record.

*Original signed by*

JEFFREY V. BROWNFIELD, CPA  
Chief, Division of Audits

July 22, 2016

**Schedule 1—  
Reconciliation of Fund Balance  
July 1, 2014, through June 30, 2015**

	Special Gas Tax Street Improvement Fund <sup>1, 2, 3</sup>
Beginning fund balance per city	\$ 540,481
Revenues	<u>327,457</u>
Total funds available	867,938
Expenditures	<u>(168,397)</u>
Ending fund balance per city	<u>699,541</u>
SCO adjustment: <sup>4</sup>	
Finding—Over-expended fund	<u>55,308</u>
Ending fund balance per audit	<u>\$ 754,849</u>

<sup>1</sup> The city receives apportionments from the State HUTA, pursuant to Streets and Highways Code sections 2103, 2105, 2106, 2107, and 2107.5. The basis of the apportionments varies, but the money may be used for any street purpose. Streets and Highways Code section 2107.5 restricts apportionments to administration and engineering expenditures, except for cities with populations of fewer than 10,000 inhabitants. Those cities may use the funds for rights-of-way and for the construction of street systems. The city must deposit its HUTA apportionments in its Special Gas Tax Street Improvement Fund. The audit period was July 1, 2003, through June 30, 2015; however, this schedule includes only the period of July 1, 2014, through June 30, 2015.

<sup>2</sup> Government Code section 14556.5 created a Traffic Congestion Relief Fund in the State Treasury for allocating funds quarterly to cities and counties for street and road maintenance, reconstruction, and storm damage repair. The city recorded its Traffic Congestion Relief Fund allocations in its Traffic Congestion Relief Fund. The audit period was July 1, 2003, through June 30, 2015. The city did not receive any Traffic Congestion Relief Fund revenues and did not incur any Traffic Congestion Relief Fund expenditures during FY 2014-15; therefore, it is not included in this schedule.

<sup>3</sup> Senate Bill 1266, Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, introduced as Proposition 1B, provided funds for a variety of transportation priorities. The city recorded its Proposition 1B Fund allocations in its Proposition 1B Fund. The audit period was July 1, 2007, through June 30, 2015. The city did not receive any Proposition 1B revenues and did not incur any Proposition 1B expenditures during FY 2014-15; therefore, it is not included in this schedule.

<sup>4</sup> See the Finding and Recommendation section.

# Finding and Recommendation

**FINDING—  
Over-expended fund**

During FY 2004-05, FY 2005-06, and FY 2009-10, the city over-expended its Special Gas Tax Street Improvement Fund by \$46,111, \$3,724, and \$5,473, respectively, totaling \$55,308.

The practice of funding one fiscal year’s activities with HUTA apportionments from the following fiscal year is contrary to established municipal budgetary and accounting practice and in violation of Article 16, section 18, of the California Constitution, which states, in part:

- (a) No county, city, town, township, board of education, or school district, shall incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for such year.

As a result, the over-spending of \$55,308 is unallowable. Subsequently, the city provided Journal Entry No. 336, dated April 26, 2016, to replenish the Special Gas Tax Street Improvement Fund.

Recommendation

In the future, the city should verify the existence of available funds prior to charging expenditures to the fund.

**State Controller's Office  
Division of Audits  
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