



Inter-Departmental Correspondence

To: Daniel J. Markese, Internal Audit Manager
From: Daniel Mastrella, Associate Field Auditor
Date: October 2, 2006
Subject: Review of Weed and Seed Program

Executive Summary

Based on the Mayor's Request for Inquiry, I recently reviewed information related to the Weed and Seed Program. I did not audit the Weed and Seed Program as part of this review, however, I did note the following findings and observations that are relevant to the Weed and Seed program.

- ◆ The Department of Justice's Community Capacity Development Office (CCDO) has given the City approval to move forward to apply for future Weed and Seed sites in a new area of the City. This seems to indicate that the City had adequately addressed concerns that the CCDO has had about past Weed and Seed contracts. However, we will not be certain of this until we receive something officially in writing from the CCDO.
- ◆ The U.S. Department of Justice, Office of Justice Programs, Office of the Comptroller recently completed a financial review for four Weed and Seed contracts and noted several findings including \$40,121 in questioned costs. The Mayor's Office responded to this audit and believes that the City can justify all but \$7,068 of the questioned costs. Additionally, the Office of the Comptroller recently conducted a program review of some Weed and Seed contracts but has not yet issued a report for this review.
- ◆ Sites selected for Weed and Seed implementation can receive Weed and Seed funding for a maximum of five years. The City chose to apply for entire City sectors to be designated as Weed and Seed sites. In retrospect, it may have been better for the City to apply for smaller areas to be designated as Weed and Seed sites. This would have increased the life of the Weed and Seed program in the City and, may have ultimately resulted in the City receiving more Weed and Seed funds. Additionally, concentrating on smaller areas may result in more noticeable and visible improvements to the selected areas.
- ◆ The City's Grant Program Manager in the CCDO, Joyce Bradford, indicated that she has concerns about the City's Weed and Seed program including City personnel not having an adequate understanding of spending deadlines,



submitting reports in a untimely fashion and not maintaining orderly program files. However, she indicated that these problems were a product of past administrations and she appears to have a positive impression about the current administration.

◆ The City has not always spent all of the Weed and Seed funds that it was awarded. I noted \$104,250 in unspent funds for program year 6 and 7 Weed and Seed contracts. This amount was lost to the City. Additionally, I noted \$429,867 in unspent funds for year 9 contracts. These contracts originally expired in August and September 2006, however, the City was given a 1-year extension on these contracts. If the City was denied this extension, these funds would have been lost to the City.

◆ Conversations with sector leaders indicate that they were dissatisfied with the way that the Weed and Seed Program was run in the past but expressed optimism with the way it is being run now. In general, they felt that they did not have say in how the Weed and Seed funds were spent and that City personnel pre-determined how to spend the funds and pushed their agenda through the Steering Committee.

Background

The Department of Justice (DOJ) established Operation Weed and Seed in 1991. The program is administered from the Community Capacity Development Office (CCDO) which is a program office within the Office of Justice Programs (OJP) in the U.S. Department of Justice. Weed and Seed is a community-based, multi-agency approach to addressing violent crime, gang activity, drug use, and drug trafficking in communities hardest hit by violence and eroding social and economic stability. Weed and Seed is not simply a grant program but rather a comprehensive strategy to assist communities in bringing people and resources together to prevent and control crime and improve the quality of life in selected areas. The strategy involves a two-pronged approach: law enforcement agencies and prosecutors cooperate in "weeding out" violent criminals and drug abusers and, public agencies and community-based private organizations collaborate to "seed" much-needed human services, including prevention, intervention, treatment, and neighborhood restoration programs. A community-oriented policing component bridges the weeding and seeding elements. The basic components of the Weed and Seed strategy are law enforcement, community policing, prevention, intervention and treatment, and neighborhood restoration.

Weed and Seed guidelines require that a Steering Committee be established. The Steering Committee completes initial development steps, oversees and manages program goals and objectives, coordinates the activities of Weed and Seed subcommittees, implements a coordinated law enforcement and neighborhood restoration plan, approves program changes, documents program activity, and evaluates the overall program. The United States Attorney must serve as a voting member of the Steering Committee. Additionally, the committee should be made up of equal parts of community-based residents/organizations and local decision makers. A minimum of 25 percent of the community-based component must be community residents not serving in



an official capacity, and the balance should be representatives of community-based organizations. The second component would comprise public (i.e., city, county, or state officials) and private decision makers. The Steering Committee is required to meet at least bi-monthly.

The City of Rochester first received Weed and Seed funds in 1996. The Weed and Seed program was initiated in the northeast sector and expanded to the southwest sector in 2001. The following table summarizes all Weed and Seed contracts that the City has received:

City of Rochester
Weed and Seed Contracts Since Program Inception

Contract	Amount	Contract Number	Contract Dates	Year
	\$ 125,000	96-WS-QX-0051	10/01/96-8/31/98	1
	175,000	97-WS-QX-0082	01/01/98-12/31/98	2
	175,000	98-WS-QX-0149	08/01/98-9/30/99	3
	175,000	99-WS-QX-0079	08/01/99-07/31/02	4
	175,000	01-WS-QX-0020	01/01/01-06/30/04	5
	450,000	01-WS-QX-0158	07/01/01-12/31/04	6 and 7
	450,000	01-WS-QX-0191	07/01/01-12/31/04	6 and 7
	225,000	04-WS-Q4-0135	10/01/03-09/30/05	8
	225,000	04-WS-Q4-0136	10/01/03-09/30/05	8
	224,998	05-WS-Q5-0226	10/01/05-09/30/07	9
	225,000	05-WS-Q5-0233	10/01/05-09/30/07	9
	80,000	05-WS-Q5-0181	09/01/05-08/31/07	9
	79,903	05-WS-Q5-0188	09/01/05-08/31/07	9
	<u>\$2,784,901</u>			Total

The City currently has four Weed and Seed contracts. These were originally scheduled to end in 2006 however, the City received an extension of these contracts to September 2007. Also, the City recently hired a Weed and Seed Coordinator, Ann Daniels, who started in this position on October 24, 2006.



I did not conduct an audit of the Weed and Seed program. However, I noted the following findings and observations during this project.

A. Financial and Program Review by Office of the Comptroller

The U.S. Department of Justice, Office of Justice Programs, Office of the Comptroller recently completed a financial review for four Weed and Seed contracts and noted several findings including \$40,121 in questioned costs. These questioned costs included \$20,000 in unsupported Confidential Fund expenditures and \$20,121 in expenditures after the liquidation period had expired. The Mayor's Office responded to this audit and believes that the City can justify all but \$7,068 of the questioned costs. Additionally, the federal government is currently conducting a program review of past Weed and Seed contracts. One of their main concerns was a \$100,000 contract with David Kennedy/Harvard to establish a pilot program to control drug markets in a targeted area of the City. Initially, the RPD could not provide any reports or documentation that indicate that the contractor met the deliverables stated in this contract. Eventually the RPD provided some documentation that personnel in the Mayor's Office provided to federal auditors. This documentation appears to have satisfied the auditors.

Although the Office of the Comptroller has not yet issued a listing of findings and recommendations from this review, they have given the City approval to move forward to apply for future Weed and Seed sites in a new area of the City. This indicates that the City has adequately addressed the concerns expressed in the program review although we will not know this for sure until we receive something officially in writing from the federal government.

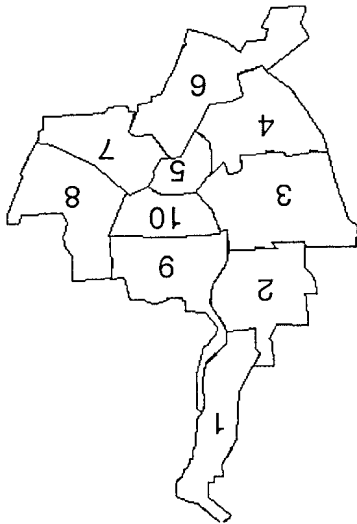
B. Smaller Target Areas Should Be Considered

Weed and Seed sites can range from a few square blocks to several miles. There are no hard-and-fast rules about the geographic size of a site. Regardless of size, sites selected for Weed and Seed implementation can receive funding for a maximum of five years. Communities who wish to continue to receive Weed and Seed funding after this five year period must apply to have other areas designated as Weed and Seed sites.

In 1996 the City applied for and received Weed and Seed designation for sector 10 which is part of the northeast quadrant of the City. After the five year period for this area expired in 2001, the City applied for and received Weed and Seed designation for sector 4, sector 6 and sector 9. Sectors 9 and 10 comprise the majority of the northeast quadrant of the City and sectors 4 and 6 comprise the majority of the southwest quadrant of the City. The 5-year period for these sectors ended in September 2006, although these contracts have been extended until September 2007. After that period the City can not apply for any additional Weed and Seed funds for these sectors. The City sector map below is provided as a



City of Rochester
Sector Map



In retrospect it may have been better for the City to apply for smaller areas within City sectors to be designated as Weed and Seed sites. Since each Weed and Seed site can only receive funding for five years, applying for smaller sites could have increased the life of the Weed and Seed program in the City and, may have ultimately resulted in the City receiving more Weed and Seed funds. Additionally, concentrating on smaller areas may result in more noticeable and visible improvements to the selected area. In the future, City personnel should consider targeting smaller areas within the sector boundaries rather than entire sectors.

C. Concerns of Federal Government

As part of this project I spoke to Joyce Bradford who is the City's Grant Program Manager in the CCDO. She indicated that her main concerns in the City's Weed and Seed program are:

1. Apparent lack of understanding of deadlines and consistently asking for draw downs after the budget period has expired.

2. Finance Progress Reports and Program Progress Reports have consistently been submitted late. She indicated that all reports must be submitted timely and online and, that funds can and will be frozen if reports are not submitted timely.

Marisol Lopez who oversaw the City's Weed and Seed program for 9 years



indicated that the City provided all the necessary reports but that the online system was sometimes not functioning properly. In those cases she said that she emailed the reports to the federal government.

3. Past program files have not been adequate. As part of their program review and financial review, federal personnel reviewed the City's program files for Weed and Seed contracts. Mrs. Bradford indicated that these files were not orderly and they need to be better organized in the future. She also commented that when she reviewed these files, she noted confidential information from the RPD that should not have been available to anyone.

Mrs. Bradford indicated that she felt that these problems were a product of past administrations. She seemed to have a very positive impression of the current administration. However, she also indicated that, after discussions with Accounting personnel involved with grant accounting, she still felt that there seems to be some uncertainty with regard to deadlines for draw-downs. She mentioned that training is available and recommended that Grant Accounting personnel involved with Weed and Seed take advantage of it. Barb Morey, Accounting, indicated that she will be going to this training in the future.

D. Unspent Weed and Seed Funds

I noted unspent funds from previous Weed and Seed contracts. The following table summarizes unspent funds from contract years 6, 7 and 8:

Weed and Seed Program
Analysis of Unspent Weed and Seed Funds
For Year 6, 7 and 8 Contracts

Contract Number	Contract Year	Amount of Contract	Expenses Per FIS System	Amount Unspent
01-WS-QX-158	6 and 7	\$ 450,000	\$ 399,289	\$ 50,711
01-WS-QX-191	6 and 7	450,000	396,461	53,539
04-WS-Q4-135	8	225,000	225,000	0
04-WS-Q4-136	8	225,000	225,000	0
Totals		\$1,350,000	\$1,245,750	\$104,250

I noted \$104,250 in unspent funds for program year 6 and 7 Weed and Seed contracts. The City could not spend these funds once the contract period expired and therefore lost them. This represents a lost opportunity for the City to utilize these funds for its benefit. Additionally, I noted \$429,867 in unspent funds for year



Sector Leaders Dissatisfied with Weed and Seed Program

9 contracts. These contracts originally expired in August and September 2006, however, the City was given a one year extension on these contracts. If the City was denied this extension, these funds would have been lost to the City. The City should make every effort to spend all of the Weed and Seed funds that it obtains.

As part of this review I talked to sector leaders for the four sectors that have been designated as Weed and Seed sites. They are all members of the Steering Committee. The results of these conversations indicate that the sector leaders were dissatisfied with the way that the Weed and Seed Program was run in the past but expressed optimism with the way it is being run now. In general, they felt that they did not have any say in how the Weed and Seed funds were spent. Three of the four felt that the City personnel pre-determined how to spend the funds and pushed their agenda through the Steering Committee.

City personnel indicated that problems with the sector groups included a lot of infighting within the groups as to what projects to pursue, applications not being submitted in a timely fashion and a failure to fully understand the rules and regulations involved with Weed and Seed funds. City personnel indicated that the Mayor had to approve all projects and in some cases they made decisions and had the Steering Committee approve them. However, they also indicated that the sector groups had the opportunity to submit project ideas through a request for proposal process that was coordinated with the Chief of Staff's office.

Below are summaries of the conversations that I had with sector leaders and City personnel:

Patricia Jackson - Executive Director of the South West Area Neighborhood Association (SWAN) - Sector 4 - Mrs. Jackson indicated that the Steering Committee met on a fairly regular basis. However, she also indicated that she felt that spending of funds was basically pre-determined by City personnel before the meetings and pushed through the committee rather than the committee determining what was to be done with the funds.

Delaine Cook-Green - Executive Director of Coalition of Northeast Associations (CONEA) - Sector 10 - Mrs. Cook-Green indicated that the Steering Committee met quarterly. However, she also indicated that she felt that City personnel pre-determined where Weed and Seed funds were to be spent and that the City agenda was pushed through the Steering Committee. She said that the City needs to listen more to the "grass-roots" people and that Weed and Seed needs to leave City Hall and come to the community.

John Norris - Sector 9 - Mr. Norris indicated that the Steering Committee did meet fairly regularly, however, for some time he thought that the meetings were for informational purposes and did not even know that they were part of the committee. He indicated that he felt that the committee did not have any input or

decision making ability. He indicated that he was unable to submit programs and projects that his sector wanted and indicated that he was not reimbursed for some projects although he did not provide any specifics.

Both Marisol Lopez and Vicki Bell indicated that, after the fact, Mr. Norris wanted to be reimbursed for a trip that he took. This trip was not authorized and was not part of the Weed and Seed budget and, as a result, he was not reimbursed for it.

Karyn Herman - Director, Community Building in Action for a Better

Community (ABC) - Sector 3 - Karyn indicated that members of the Steering

Committee met regularly as part of the Neighbors Building Neighborhood (NBN)

process and not as a formal Steering Committee. She indicated that she felt that

they had some say but that her sector did not get enough funds. She feels that

things are much better now and likes the way the process is moving and would just

like to move forward and forget about the past.

Marisol Lopez - Marisol oversaw the City's Weed and Seed program for 9 years.

She indicated that generally, the Steering Committee met quarterly. She said that

it was difficult to get sector leaders to agree on what projects to do with the funds

and there was a lot of in-fighting within the sectors. This made it difficult to spend

the money in some cases. She said that neighborhood groups were able to

submit projects but she also said that the Mayor had to approve all projects. In

some cases City Hall staff made decisions and had the Steering Committee

approve them.

Vickie Bell- DCD/Bureau of Neighborhood Initiatives- Vickie indicated that some of

the ideas for the projects from Weed and Seed funds targeted for neighborhood

restoration came from the sector groups through a request for proposal process,

that was coordinated with the Chief of Staff's office. However, in some sector

groups, there was some differences of opinion within the groups as to what

projects to pursue. Additionally, many times, applications were not submitted in a

timely fashion and some of those approved projects may have not been fully

implemented by the sector group or have the appropriate documentation for

reimbursement. Also with Weed and Seed funds, once a plan is submitted and

approved, the funds for that plan can not be used for anything else, without going

through a formal amendment process. Vickie indicated that at times the

neighborhood groups would want to spend the funds in a different way than they

originally submitted or was eligible, and they may have had difficulty understanding

that they could not do this. Vickie also noted that in "hind sight" we probably

should have targeted smaller areas within the sector boundaries to take advantage

of future funding opportunities.

The Mayor's Request for Inquiry requested that the following items be included in this

review:

1. Compile all Weed and Seed Appropriation Legislation authorizing the appropriation of any Weed and Seed grant funds and,



2. Note all amendments to FY Budgets to reflect Weed and Seed grant funds.

Below I have listed all such City Council legislation and budget amendments for the period January 1, 2000 through September 8, 2006. The Ordinances are listed chronologically in descending order.

Ordinance No. 2005-373 (Int. No. 403) - November 15, 2005 - Approving the Weed and Seed Anti-Gang Initiative and amending the 2005-06 budget

This ordinance authorized the Mayor to enter into an agreement with the U.S. Department of Justice (DOJ), Office of Justice Programs, for funding under the Weed and Seed Program (Anti-Gang Special Emphasis Initiative). It also appropriated \$159,903 from Weed and Seed Grant Program Funds to fund this program. Additionally, it authorized the Mayor to enter into agreements with the County of Monroe for services through the District Attorney's Office in an amount not to exceed \$40,012, and the Probation Department in an amount not to exceed \$26,782 to implement this program.

This ordinance also amended the City's 2005-06 budget by increasing the revenue estimates and appropriations to the RPD by the sum of \$18,300, to the Mayor's Office by the sum of \$67,900 and, to Undistributed Expense by the sum of \$6,900. These amounts were funded by the \$159,903 appropriation mentioned above.

This grant was to be used to support the following programs:

<u>Northeast</u>	
Pathways to Peace	\$39,891
Monroe County DA's Office	40,012
Total	<u>\$79,903</u>
<u>Southeast</u>	
RPD (School Resource Officer)	\$20,060
Pathways to Peace	32,411
Probation Department (County)	26,782
Equipment (Cell Phones)	747
Total	<u>\$80,000</u>

Ordinance No. 2005-372 (Int 402) - November 15, 2005 - Approving the Weed and Seed Program and amending the 2005-06 budget.

This ordinance approved the Weed and Seed Program by authorizing the Mayor to enter into an agreement with the U.S. Department of Justice for receipt and use of a supplemental Weed and Seed grant of \$450,000. It also amended the 2005-06 budget to reflect this. This ordinance appropriated \$256,000 from Weed and Seed



Grant Program. This ordinance also authorized the mayor to enter into an agreement with the Center for Youth in an amount not to exceed \$25,000.

This grant was to be used to support the following programs:

Northeast Area	
RPD	\$ 47,308
Teen Court	40,680
Personnel	30,680
Pathways to Peace	25,732
Safe Haven	5,000
Center for Youth	25,000
Community Leadership Program	5,000
PeaceFest	10,000
Sector Community Grants	20,000
Travel	7,500
Supplies	6,099
Equipment	2,001
Total	<u>\$225,000</u>

Southwest Area	
RPD	\$ 47,308
Teen Court	49,080
Personnel	30,680
Pathways to Peace	45,641
Safe Haven	5,000
Community Leadership Program	5,000
Youth Council	9,905
Sector Community Grants	20,000
Travel	7,500
Supplies	3,189
Equipment	1,695
Total	<u>\$224,998</u>

Ordinance No. 2005-70 (Int 79) - March 15, 2006 - Amending the 2004-05 budget with respect to the Weed and Seed Program

This ordinance amended the 2004-05 budget with respect to the Weed and Seed Program by increasing the revenue estimates and appropriations to the Rochester Police Department (RPD) by the sum of \$100,000, which was funded from the appropriation made in Ordinance No. 2004-410.

Ordinance No. 2004-410 (Int 437) - December 21, 2004 - Approving the Weed and Seed Program amending the 2004-05 budget

This ordinance approved the Weed and Seed Program by authorizing the Mayor to enter into an agreement with the U.S. Department of Justice for receipt and use of a supplemental Weed and Seed grant of \$450,000. It also amended the 2004-05 budget to reflect this.

The grant was to support the following programs:

Northeast Area

RPD - Investigation and Prevention of violent crimes in	\$ 50,000
public housing	
Teen Court	30,680
Pathways to Peace	25,732
Safe Haven	45,000
Sector Community Grants	20,000
Travel	7,500
Personnel	30,680
Supplies	3,408
Administration	2,000
Administrative Cost	10,000
Total	<u>\$225,000</u>

Southwest Area

RPD - Investigation and prevention of violent crimes in	\$ 50,000
public housing	
Pathways to Peace	25,732
Teen Court	39,088
Safe Haven	40,000
Sector Community Grants	20,000
Travel	7,500
Personnel	30,680
Administration	2,000
Administrative cost	10,000
Total	<u>\$225,000</u>

Ordinance No. 2004-333 (Int. No. 355) - September 28, 2004 - Authorizing police grant agreements or extensions and amending the 2004-05 budget

This ordinance amended the 2004-05 budget for a total of \$432,200 by re-appropriating unused balances of several grants which had been authorized in previous fiscal years. This included \$45,600 remaining from previous Weed and Seed grants authorized in October 2003. This included \$42,400 for the police budget and \$3,200 for undistributed expense.

Ordinance No. 2004-256 (Int. No. 280) - July 27, 2004 - Authorizing an

amendatory agreement for a pilot drug control project and amending the 2004-05 budget

This ordinance authorizing an amendatory agreement for \$67,500 with the President and Fellows of Harvard College to allow Dr. David Kennedy to continue to provide consulting services through December 31, 2004. This ordinance also amended the City's 2004-05 budget by increasing the revenue estimates and appropriations to the RPD by the sum of \$67,500. Of this amount, \$40,000 was appropriated from Weed and Seed Grant Funds.

Ordinance No. 2003-365 (Int. No. 403) - October 21, 2003 - Amending the 2003-04 budget by appropriating weed and seed grant program funds

This ordinance amended the City's 2003-04 budget a total of \$123,000 by increasing the revenue estimates and appropriations to the RPD by \$116,600 and to undistributed expense by \$6,400. These amounts were appropriated from Weed and Seed Grant Program funds to reimburse the RPD for the following expenses related to drug elimination efforts in the northeast (NE) and southwest (SW) portions of the Crescent area of the City:

Public/Federally-assisted Housing Drug Enforcement (NE and SW)	\$ 59,400
Data Collection, Drug Court, and Street Enforcement Details (SW)	30,000
Clerical Support/Overtime (NE and SW)	13,600
Confidential Evidence Funds (NE and SW)	20,000
Total	<u>\$123,000</u>

Ordinance No. 2003-74 (Int. No. 91) - March 11, 2003 - Authorizing agreements for the Weed and Seed Program

This ordinance approved the Weed and Seed Program by authorizing the Mayor to enter into an agreement with the U.S. Department of Justice for receipt and use of a supplemental Weed and Seed grant of \$550,000.

The grant was to support the following programs:





This ordinance amended the 2002-03 budget increasing the revenue estimates and appropriations to the Mayor's Office by the sum of \$32,800 and to Undistributed Expense by the sum of \$8,300. This \$41,100 was appropriated from

Ordinance No. 2002-260 (Int. No. 308) - August 20, 2002 - Amending the 2002-03 budget for the Pathways To Peace Program

This ordinance authorized the Mayor to enter into an agreement with David M. Kennedy for establishment of a pilot project to control drug markets in a targeted area of the City. This agreement was for a maximum amount of \$60,000 and these funds were appropriated from Weed and Seed Grant Program Funds.

Ordinance No. 2003-18 (Int. No. 18) - January 14, 2003 - Authorizing an agreement for a pilot drug control project and appropriating funds

<u>Northeast (Sectors 9 and 10)</u>	
RPD - Investigation and prevention of violent crimes in	\$ 50,000
public housing	
Rochester Police Department - David Kennedy	60,000
Pathways To Peace	19,614
Safe Haven	25,000
Sector Community Grants	20,500
Community Technology	40,000
NET	1,500
Travel	15,000
Personnel	25,000
Supplies	10,786
Administration	7,600
Total	<u>\$275,000</u>

<u>Southwest Area (Sectors 3 and 4)</u>	
RPD - Investigation and prevention of violent crimes in	\$ 50,000
public housing	
RPD Drug Enforcement Details	30,000
Pathways To Peace	19,614
Teen Court	30,000
NET	10,000
Safe Haven	25,000
Sector Community Grants	20,000
Leadership Development	40,000
Travel	15,000
Personnel	25,000
Supplies	6,000
Administration	4,386
Total	<u>\$275,000</u>

Weed and Seed Grant Program Funds to fund a Youth Intervention Specialist-Bilingual in the Pathways to Peace Program

Ordinance No. 2002-253 (Int. No. 287) - August 20, 2002 - Amending the 2002-03 budget of the RPD

This ordinance authorized the appropriation of \$50,000 of Weed and Seed grant funds and amended the 2002-03 budget to reflect this appropriation. This appropriation provided the RPD with \$25,000 for enforcement overtime and \$25,000 for confidential evidence funds.

Ordinance No. 2001-386 (Int. No. 434) - November 20, 2001 - Authorizing agreements for the Weed and Seed Program

This ordinance approved the Weed and Seed Program by authorizing the Mayor to enter into an agreement with the U.S. Department of Justice for receipt and use of a Weed and Seed grant of \$350,000. It also appropriated these funds from Weed and Seed Grant Program Funds.

Ordinance No. 2001-379 (Int. No. 393) - November 20, 2001 - Establishing maximum compensation for a professional services agreement with Dr. Cedric Alexander for a behavioral management group

This ordinance established the maximum compensation for a professional services agreement between the City and Dr. Cedric Alexander for assistance in the development and implementation of a behavioral management group for at-risk youth.

Of the total cost of the agreement, \$25,000 was financed from the Weed and Seed program.

Ordinance No. 2001-224 (Int. No. 235) - June 28, 2001 - Authorizing agreements for the Weed and Seed Program

This ordinance approved the Weed and Seed Program by authorizing the Mayor to enter into an agreement with the U.S. Department of Justice for receipt and use of a supplemental Weed and Seed grant of \$175,000. It also appropriated these funds from Weed and Seed Grant Program Funds. The grant was to support the following programs:





Firearms Suppression		
Programmable radios and headsets	\$ 4,840	
Rental of surveillance vehicles	11,600	
Cellular telephone charges	3,000	
Rental of office space	10,000	\$29,440
Drug Interdiction		
Overtime	\$18,280	
Digital cellular telephone	1,600	
Cellular telephone charges	680	
Total		<u>20,560</u> <u>\$50,000</u>

Ordinance No. 2000-275 (Int. No. 313) - August 22, 2000 - Authorizing agreements for the Weed and Seed Program and amending the 2000-01 budget

This ordinance authorized agreements with the U.S. Department of Justice for three grants including \$50,000 for the Weed and Seed Program. It also amended the City's 2000-01 budget to reflect the receipt of this grant.

Ordinance No. 2000-12 (Int. No. 12) - January 18, 2000 - Authorizing agreements for the Weed and Seed Program and amending the 1999-00 budget

This Ordinance approved the Weed and Seed Program by authorizing the Mayor to enter into an agreement with the U.S. Department of Justice for receipt and use of a grant of \$50,000 from the Assets Forfeiture Fund component of the program. It also amended the City's 1999-00 budget by increasing the revenue estimates and appropriations to the RPD by the sum of \$50,000, which was appropriated from the funds of this grant.

The grant was to be used to finance the costs of firearms suppression and drug interdiction efforts including:

Pathways to Peace Behavioral Management		
DRIVERS Team Mentoring Program	10,000	
"Put a Face on Violence" Campaign	15,000	
Youth Leadership Institute	40,000	
NE Neighborhood Alliance Mkt. Grdn. and Reg. Farm Stand Projct.	15,000	
Sector 10 GIS Asset Mapping	10,000	
Virtual Community Link Partnership	30,000	
Travel	10,000	
Program Administration	20,000	
Total		<u>20,000</u> <u>\$175,000</u>



3. List any Legislation authorizing an agreement for consultant services which was funded in part or wholly from the federal Weed and Seed Grant.

I noted two such contracts when reviewing City Council legislation for the period January 1, 2000 through September 8, 2006 including:

1) Contract with Dr. Cedric Alexander. Of the total cost of the agreement, \$25,000 was financed from the Weed and Seed program.

Ordinance No. 2001-379 (Int. No. 393) - November 20, 2001

Establishing maximum compensation for a professional services agreement with Dr. Cedric Alexander for a behavioral management group

This ordinance established the maximum compensation of \$72,000 for a

professional services agreement between the City and Dr. Cedric Alexander for assistance in the development and implementation of a behavioral management

group for at-risk youth.

Of the total cost of the agreement, \$25,000 was financed from the Weed and Seed program.

2) Contract with David Kennedy/Harvard. There was one contract and several amendments to this contract. There were also additional contracts that did not involve Weed and Seed funds. The following ordinances relate these contracts and contract amendments:

Ordinance No. 2003-18 (Int. No. 18) - January 14, 2003

This ordinance authorized the Mayor to enter into an agreement with David M.

Kennedy for establishment of a pilot project to control drug markets in a targeted area of the City. This agreement was for a maximum amount of \$60,000 and

these funds were appropriated from Weed and Seed Grant Program Funds.

Ordinance No. 2003-113 - April 8, 2003

This Ordinance amended ordinance No. 2003-18 and authorized the original agreement to be with Harvard University instead of David Kennedy.

Ordinance No. 2003-294 (Int. No. 324) - August 26, 2003

This ordinance amended Ordinance No. 2003-18 and Ordinance No. 2003-113 by increasing the amount for an agreement for consultant services from \$60,000 to

\$78,000 because the original contract omitted travel and per diem expenses for the consultant. However, this additional amount did not come from Weed and

Seed funds. Additionally, this ordinance corrected the vendor name to read "The President and Fellows of Harvard College, Office of Sponsored Research, rather

than simply Harvard University".

Ordinance No. 2004-118 (Int 138) - April 20, 2004

This ordinance authorized an amendatory agreement, in an amount not to exceed

\$56,000, with the President and Fellows of Harvard College for consultant services relative to a pilot project to curtail illegal drug markets in neighborhoods. However, this amendment was not funded by Weed and Seed funds.

Ordinance No. 2004-256 (Int. No. 280)- July 27, 2004

This ordinance authorizing an amendatory agreement for \$67,500 with the President and Fellows of Harvard College to allow Dr. David Kennedy to continue to provide consulting services through December 31, 2004. Of this amount, \$40,000 was appropriated from Weed and Seed Grant Funds.

Additionally Ordinance No. 2004-407 authorized maximum compensation of \$140,000 for a professional services agreement with John Jay College of Criminal Justice for a pilot project to control drug markets in City neighborhoods. The term of the agreement was January 1, 2005 to December 31, 2005 and the primary researcher assigned to this project was David Kennedy who moved his position from Harvard to this school. These funds were not appropriated from Weed and Seed funds. However, currently, the RPD is withholding some payments on this contract because they have some concerns that David Kennedy has not met the deliverables in the contract including submitting a master plan, submitting meeting agendas and submitting a written summary of the Project and the Ceasefire project suitable for publication by the City.

Ordinance No. 2005-138- May 10, 2005

This ordinance changed the name of this contractor from "John Jay College of Criminal Justice" to "Research Foundation of the City University of New York".

4. Track all formal and non-formal contracts executed for Weed and Seed, including letters of support from the Mayor's Office.

I examined paid claim vouchers from all year 8 and 9 Weed and Seed funds and noted the following contracts:



Weed and Seed Year	Contract Number	Contract Dates	Contractor	Contract Amount	Contract Purpose
8	28573	02/01/05-06/30/05	Roch. Teen Court	\$ 8,000	Provide services required for Teen Court.
8	28736	05/09/05-09/30/05	Boys and Girls Club	10,000	Provide services required for AAU boys basketball team.
8	28797	07/31/05-07/31/05	Dinosaur Barbeque	1,495	Provide food for PeaceFest.
8	28798	07/31/05-07/31/05	Slow-Flow Productions	400	Provide DJ and MC for PeaceFest.
8	28895	05/31/05-07/31/05	Roch. Music Group	700	Provide musical entertainment for PeaceFest.
8	28943	07/01/05-12/30/05	Roch. Teen Court	12,300	Provide services required for Teen Court.
8	29005	06/01/05-08/30/05	Center for Youth Services	12,000	Provide technology instructor for "Learn to Earn" Program.
8	29165	10/01/05-04/01/06	Latinas Unidas	8,000	Plan and Coordinate event to encourage cultural pride in Hispanic culture for 9-14 year old girls.
8	29166	09/26/05-09/30/06	Roch. Step-Off	4,000	Provide workshop for 75-125 males.
8	29167	10/01/05-09/30/06	Roch. Hispanic Youth Baseball	5,000	Provide baseball league for 200-250 youth.
8	29168	10/01/05-09/30/06	Clinton-Baden Community Center	8,000	Run shock camp program.
8	29175	10/01/05-09/30/06	N. Clinton Ave, Business Assoc.	10,000	Maintain banners along commercial strip and obtain surveillance cameras.
8	29180	07/01/05-12/31/05	Aedu-Tech Systems	15,000	Provide services to Community Leadership Development Program.
8	29188	10/01/05-09/30/06	Center for Teen Empowerment	12,732	Program to increase trust between youth and police
8	29189	09/30/05-12/15/05	ROC Wrestling	3,500	Wrestling program for youth in grades 6-8.
8	29192	10/01/05-09/30/06	Rochester Fatherhood Resource Initiative	9,750	Work with assigned youth an a variety of skill building techniques.





Contract Number	Contract Year	Total Expense Per FIS	Expense Per Financial Status Reports	Difference
01-WS-QX-158	6 and 7	\$ 399,289	\$ 400,761	\$1,472
01-WS-QX-191	6 and 7	396,461	396,447	-14
04-WS-SQ-136	8	225,000	225,000	0
04-WS-SQ-136	8	225,000	225,000	0
Totals		\$1,245,750	\$1,247,208	\$1,458

Weed and Seed Program
Comparison of FIS Expenses and Expenses Submitted to DOJ
For Year 6, 7 and 8 Contracts

I compared the expenses on the City's FIS system for year 6, 7 and 8 contracts to the actual reimbursements recorded on the "Financial Status Reports" submitted to the Department of Justice. I noted a \$1,458 difference for the year 6 and 7 contracts. Year 6 and 7 contracts were combined. This is the same difference that the federal auditors found during their financial review. The table below summarizes this work.

6. Reconcile City of Rochester funding and reimbursements with requests for federal reimbursements.

This information is presented in Finding E. Above.

5. Conduct interviews with internal and external agencies involved in the distribution and expenditures of grant awards.

I did not note any informal contracts or letters of support from the Mayor Office during this review.

8	29198	10/01/05-12/01/05	Credit Education Bureau	9,500	Create seminars for Bizkids and Beyond Program.
8	29200	10/01/05-06/30/06	ARC of Monroe County	1,200	Provide dinner for 2 Bizkids reunions.
9	29365	09/30/05-09/30/06	Center For Youth Services	25,000	Cover cost of contracting ½ a social worker for Center.
9	29488	01/01/06-09/30/06	Roch. Teen Court	28,400	Provide services required for Teen Court

Barb Morey, Accounting, indicated that the City has been reimbursed for all expenses submitted to the DOJ. However, the Office of the Comptroller has questioned a total of \$20,121 for two expenditures charged by the City because the 90-day liquidation period had expired.

