

Issue Date

December 4, 2008

Audit Report Number 2009-NY-1003

TO: Nelson R. Bregon, General Deputy Assistant Secretary for Community Planning and Development, D

Edgar Moore

FROM: Edgar Moore, Regional Inspector General for Audit, 2AGA

SUBJECT: Lower Manhattan Development Corporation, New York, New York,

Community Development Block Grant Disaster Recovery Assistance Funds

### **HIGHLIGHTS**

### What We Audited and Why

This is the eleventh in our series of congressionally mandated audits of the Lower Manhattan Development Corporation's (auditee) administration of the Community Development Block Grant Disaster Recovery Assistance funds awarded to the State of New York in the aftermath of the September 11, 2001, terrorist attacks on the World Trade Center in New York City. During the audit period, October 1, 2007, through March 31, 2008, the auditee disbursed \$74.5 million of the \$2.783 billion administered.

Our audit objectives were to determine whether the auditee (1) disbursed Community Development Block Grant Disaster Recovery Assistance funds in accordance with the guidelines established under U.S. Department of Housing and Urban Development (HUD)-approved partial action plans and applicable laws and regulations, (2) complied with its procurement and contracting procedures, and (3) had a financial management system in place that adequately safeguarded funds and prevented misuse.

#### What We Found

The auditee administered the grant funds we reviewed in accordance with HUD regulations and continued to maintain a financial management system that adequately safeguarded funds and prevented misuse. However, two concerns require your attention. Specifically, the auditee (1) charged legal costs to the World Trade Center Memorial and Cultural program as activity delivery costs instead of as administrative and planning costs, and (2) had not corrected drawdowns inadvertently charged to the wrong program budgets in HUD's Line of Credit Control System. As a result, the auditee has fewer funds than would otherwise be available for the World Trade Center Memorial and Cultural Program, and HUD's Line of Credit Control System is reporting incorrect amounts for individual budget line items.

#### What We Recommend

We recommend that HUD's General Deputy Assistant Secretary for Community Planning and Development direct the auditee to (1) provide documentation for the rationale to classify legal costs as direct program activity delivery costs instead of as administrative and planning costs so that HUD can make an eligibility determination, and (2) enhance its procedures to allow for correction of misclassifications within HUD's Line of Credit Control System as funds are drawn down.

For each recommendation without a management decision, please respond and provide status reports in accordance with HUD Handbook 2000.06, REV-3.

### **Auditee's Response**

We discussed the results of our review during the audit and with a draft report at an exit conference held on October 20, 2008. Based upon discussion and documentation provided at, and subsequent to, the exit conference, we provided the auditee a revised draft on November 20, 2008, and the auditee provided written comments on November 24, 2008. The auditee disagrees that legal costs are not properly classified as direct program delivery costs, and has taken action to address correction of misclassifications in HUD's Line of Credit Control System. The complete text of the auditee's response, along with our evaluation of that response, can be found in appendix B of this report.

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### BACKGROUND AND OBJECTIVES

The Lower Manhattan Development Corporation (auditee) was created in December 2001 as a subsidiary of the Empire State Development Corporation to function as a joint city-state development corporation. A 16-member board of directors, appointed equally by the governor of New York State and the mayor of New York City, oversees the auditee's affairs. The Empire State Development Corporation performs all accounting functions for the auditee, including payroll, payments to the auditee's vendors, and drawing funds from the U.S. Department of Housing and Urban Development (HUD).

The State of New York designated the auditee to administer \$2.783 billion of the \$3.483 billion in Community Development Block Grant Disaster Recovery Assistance funds appropriated by Congress following the September 11, 2001, terrorist attacks on the World Trade Center to assist with the recovery and revitalization of Lower Manhattan. Planned expenditures of Disaster Recovery Assistance funds are documented in action plans that receive public comment and are approved by HUD. HUD had approved 15 partial action plans as of March 31, 2008, that allocated the \$2.783 billion to various programs and activities (see appendix C for amounts by program). As of March 31, 2008, the auditee had disbursed approximately \$1.45 billion, or 52 percent, of the \$2.783 billion allocated.

During this audit, we reviewed procurement and contracting procedures, financial management procedures, and disbursements related to the following programs:

World Trade Center Memorial and Cultural program: As of March 31, 2008, HUD had approved approximately \$622.5 million to fund the planning, selection, coordination, and construction of a memorial. In addition, funds were earmarked for planning and possible construction of memorial-related improvements and museum and cultural uses on the World Trade Center site and adjacent areas, complementing the commercial redevelopment and infrastructure improvements by the Port Authority of New York and New Jersey, the owner of the World Trade Center Site. Of the \$622.5 million, \$207.1 million<sup>2</sup> relates to the acquisition and deconstruction of 130 Liberty Street (the Deutsche Bank building).

Hudson River Park Improvements program: As of March 31, 2008, HUD had approved \$72. 6 million to complete extensive renovations to the Hudson River waterfront in Lower Manhattan, including public recreational piers (Piers 25 and 26), an ecological pier, and an adjacent upland park. The public facilities to be created include habitat planting areas, a boathouse, a restaurant, a children's playground, volleyball courts, basketball courts, an open lawn, boat docking, mini golf, an informal athletic field, and a skate park.

<sup>&</sup>lt;sup>1</sup> The Empire State Development Corporation administers the remaining \$700 million.

<sup>&</sup>lt;sup>2</sup> While this amount was increased to \$237.1 million, HUD's Line of Credit Control System had not been updated to include the \$30 million reallocation. Additionally, this amount was increased to \$274.6 million on September 2, 2008, with HUD approval to reallocate an additional \$37.5 million from the Utility Restoration and Infrastructure Rebuilding program.

East River Waterfront project: As of March 31, 2008, HUD had approved \$150 million for the East River Waterfront Esplanade and Piers (\$139.6 million) and the East River Waterfront Access project (\$10.4 million). We reviewed the East River Waterfront Esplanade and Piers project, designed to address issues such as underused spaces, the absence of sidewalks, and the lack of amenities, which decrease potential visitation to the site. The revitalized waterfront would include an approximately two-mile esplanade, consisting of a mix of open spaces and cultural and recreational uses, and would provide a link between the Financial District, Chinatown, and the Lower East Side to the waterfront.

Local Transportation and Ferry Service: As of March 31, 2008, HUD had approved \$9 million for this program, of which \$4.8 million is for the Lower Manhattan Street Management Program and \$4.2 million is for the Lower Manhattan Ferry Service Program. We reviewed the Lower Manhattan Ferry Service Program, which provides \$4.2 million for the Port Authority of New York and New Jersey Yonkers Ferry Service Program. The Port Authority administers the program, which will benefit the area's existing and future businesses, workers, and visitors to the area. Ferry service to New York's northern suburbs is expected to, among other benefits, eliminate a two- or three-seat ride with direct ferry service to Lower Manhattan and provide an alternative mode of travel in the event of rail service disruptions. Ferry service would also expand Lower Manhattan's labor pool and sustain its vitality for existing and future Lower Manhattan businesses.

<u>Fulton Corridor Revitalization</u>: As of March 31, 2008, HUD had approved \$38 million to redevelop Fulton Street and its surrounding areas into a vibrant mixed-use retail corridor serving the nearby commercial and residential sectors and the growing visitor market. Funds would provide needed public investments in streetscape improvements, public open spaces, and incentives to spur private rehabilitation and renovation of retail components.

Our audit objectives were to determine whether the auditee (1) disbursed Community Development Block Grant Disaster Recovery Assistance funds in accordance with the guidelines established under HUD-approved partial action plans and applicable laws and regulations, (2) complied with its procurement and contracting procedures, and (3) had a financial management system in place that adequately safeguarded funds and prevented misuse.

### **RESULTS OF AUDIT**

# Finding 1: The Auditee Administered Grant Funds in Accordance with HUD Regulations

The auditee administered the grant funds we reviewed in accordance with HUD regulations and continued to maintain a financial management system that adequately safeguarded funds and prevented misuse. However, two concerns were identified which require your attention. Specifically, the auditee (1) charged \$468,649 of legal costs to the World Trade Center Memorial and Cultural program as activity delivery costs instead of as administrative and planning costs, and (2) had not corrected drawdowns inadvertently charged to the wrong program budgets in HUD's Line of Credit Control System. These issues occurred because the auditee believes that the legal costs are allowable as activity delivery costs, that HUD had corrected the previously reported drawdown error, and that drawdown errors could only be corrected through offset when the effected program budget lines have expenditures in the full amount of the errors. As a result, the auditee has fewer funds than would otherwise be available for the World Trade Center Memorial and Cultural Program, and HUD's Line of Credit Control System is reporting incorrect amounts for individual budget line items.

### Legal Costs Classified as Activity Delivery Costs

The auditee executed an emergency<sup>3</sup> contract on October 11, 2007 for up to \$250,000 for legal services on an as needed basis to coordinate all legal activities related to the 130 Liberty Street project. These activities were to include inquiries regarding contracts, investigations related to the fire that occurred at the Deutsche Bank Building (130 Liberty Street) in August 2007 and potential litigation relating to contracts. The contract was amended on December 13, 2007 to allow costs up to \$1 million and on March 19, 2008 for up to \$3.5 million<sup>4</sup>. On February 8, 2008, the auditee paid \$468,649 for services rendered under this contract, including meetings with the legal team regarding documentation production, telephone conference with the assistant district attorney, conference calls with the auditee's general counsel, conferences with document management companies, review and analysis of contracts and memorandums, meetings with the partners, information and strategy meetings, reading of background documents and news articles, compilation of names involved in the case, and drafting e-mails and memorandums. Procurement justification memorandums provide that the law firm was hired to represent the auditee and the Lower

<sup>&</sup>lt;sup>3</sup> The contract was awarded based on the auditee's Emergency Contract Authorization Policy, which authorizes its President in exceptional circumstances to enter into agreements for amounts up to \$250,000 prior to Board approval.

<sup>&</sup>lt;sup>4</sup> Subsequent to our audit period, the contract was amended on October 14, 2008 for up to six million dollars.

Manhattan Construction Command Center,<sup>5</sup> a division of the auditee, in all matters related to an investigation initiated by the local district attorney related to the fire at 130 Liberty Street.

Regulations at 24 CFR (Code of Federal Regulations) 570.206 define administrative costs as reasonable costs of program management, coordination, monitoring, and evaluation, which include providing information to citizens and local officials, preparing budgets, preparing performance reports, and resolving audit and monitoring findings. These regulations also define activity delivery costs as costs for staff and overhead directly related to carrying out eligible activities.

HUD has approved through partial action plans various legal costs related to real estate, environmental review, and litigation counsel to pursue contractual and legal avenues available to the auditee related to the 130 Liberty Street site, that have been charged as program activity delivery costs. However, the legal costs in question appear to be more administrative in nature. For example, the auditee's procurement justification memo states that due to the complex civil and criminal issues related to the 130 Liberty Street project immediately preceding and following the fire<sup>6</sup>, the auditee and its division, require expert legal advice and services in order to consider all legal issues, potential evidence, and prepare responses to all inquiries and investigations, as well as inform management for strategies of existing and future activities at the 130 Liberty Street project site in light of the potential outcomes of the investigations. These costs, while being incurred as a result of events affecting a particular program, are not directly related to carrying out the program activity. Auditee officials maintain that the costs are necessary to continue delivery of the program activity.

**Drawdowns from Incorrect Budget Lines in HUD's Line of Credit Control System Not** Corrected

> The alternative procedures published in the Federal Register require the auditee to annually include a financial reconciliation of funds budgeted and expended in its Disaster Recovery Grant Report, which should include ensuring that information in HUD's Line of Credit Control System is accurate. During its reconciliation of draws made in HUD's Line of Credit Control System to disbursements reported in its Disaster Recovery Grant Report, the auditee did identify \$159,213 expended for the World Trade Center Memorial and Cultural program that was inadvertently drawn down from the budget lines of three other programs (the New York Stock Exchange Area Improvements, Parks and Open Spaces, and the East River Waterfront project) in HUD's Line of Credit Control System. Auditee officials stated that they planned

<sup>&</sup>lt;sup>5</sup> The Lower Manhattan Construction Command Center is responsible for coordination of all construction activity in Lower Manhattan and is primarily funded by the Federal Transportation Administration and state and city agencies. <sup>6</sup> A fire occurred at the 130 Liberty Street site in August 2007.

to take action to properly classify the costs when the three programs have expenditures available to post. However, an error which we had previously recommended<sup>7</sup> to be corrected by reclassifying \$156,650 in costs within HUD's Line of Credit Control System from the Lower Manhattan Tourism program to the World Trade Center Memorial and Cultural program had not yet been corrected despite subsequent drawdowns for amounts less than the full amount to be offset in the Lower Manhattan Tourism program.

HUD's Line of Credit Control System reported that the auditee drew down \$135,000 from the Lower Manhattan Tourism program in September 2007, which could have been used to reclassify \$135,000 of the \$156,650, leaving \$21,650 to be reclassified in future draws. However, an auditee official stated that reclassifications have only been made when there were enough expenditures that will allow for the complete reclassification of incorrect postings<sup>8</sup>. While the auditee's process for reconciling draws reported in HUD's Line of Credit Control System to disbursements reported in its Disaster Recovery Grant Report is an effective detection control to identify errors in draws, the process could be strengthened by correcting errors as disbursements occur, and by including information to explain all current period and prior period differences between amounts drawn from the Line of Credit Control System and amounts reported in the Disaster Recovery Grant Report.

#### Conclusion

The auditee administered the grant funds we reviewed in accordance with HUD regulations and continued to maintain a financial management system that adequately safeguarded funds and prevented misuse. However, further documentation is needed to determine whether legal costs were appropriately charged as program activity delivery costs instead of as administrative and planning costs, and action is needed to strengthen the correction of drawdown errors within HUD's Line of Credit Control System. These issues are attributable to the auditee's belief that the legal costs are allowable as activity delivery costs, that HUD had corrected the previously reported drawdown error, and that it could only correct drawdown errors when the effected program budget lines had enough expenditures to fully correct the errors.

#### Recommendation

We recommend that HUD's General Deputy Assistant Secretary for Community Planning and Development direct the auditee to

<sup>7</sup> Recommendation number 1A of audit report number 2006-NY-1013, issued September 27, 2006.

<sup>&</sup>lt;sup>8</sup> Subsequent to our discussion of these procedures and our proposed recommendation with the auditee at the exit conference, the auditee requested that HUD make the necessary adjustments. These were affected on October 23, 2008.

- 1A. Provide documentation for the rationale to classify \$468,649 in legal costs as direct program activity delivery costs instead of as administrative and planning costs so that HUD can make an eligibility determination. Any amounts determined to not be program delivery costs should be reclassified as administrative and planning costs, thereby leaving \$3 million available for program delivery costs.
- 1B. Enhance its reconciliation process for HUD's Line of Credit Control System and the Disaster Recovery Grant Report to allow correction of misclassifications in a timelier manner as funds are drawndown and include additional information to explain differences.

### SCOPE AND METHODOLOGY

To achieve our audit objectives, we reviewed applicable laws, regulations, and program requirements; HUD-approved partial action plans; and the auditee's accounting books and records. We documented and reconciled disbursements recorded during the audit period in HUD's Line of Credit and Control System to the auditee's records.

During the audit period, October 1, 2007, through March 31, 2008, the auditee disbursed \$74.5 million of the \$2.783 billion in Disaster Recovery Assistance funds for activities related to the rebuilding and revitalization of Lower Manhattan. We tested \$16.8 million, representing 22.6 percent, of the amount disbursed for the period.

| Program area                                     | Amount disbursed October 1,<br>2007, through March 31, 2008<br>(in millions) | Amount tested (in millions) |
|--|--|-----------------------------|
| World Trade Center Memorial and Cultural program | \$33.62  | \$8.79                      |
| Hudson River Park<br>Improvement program         | \$22.51  | \$7.67                      |
| East River Waterfront project                    | \$ 0.22  | \$0.07                      |
| Local Transportation and Ferry Se                | ervice \$ 0.79   | \$0.18                      |
| Fulton Corridor Revitalization                   | <u>\$ 0.33</u>   | <u>\$0.10</u>               |
| Total  | <u>\$57.47</u>   | <u>\$16.81</u>              |

We obtained a general understanding of the auditee's system of internal controls for the programs in which disbursements were tested. We also reviewed the auditee's procurement and contracting procedures, its monitoring procedures for programs administered by its parent corporation as a subrecipient, and the subrecipient's monitoring procedures for the Small Firm Attraction and Retention Grant and Job Creation and Retention programs. In addition, we performed corrective action verifications of closed recommendations to determine whether the auditee implemented corrective action.

We performed our on-site work at the auditee's office in Lower Manhattan and at the auditee's parent company, the Empire State Development Corporation, in Midtown Manhattan from June through September 2008.

We performed our review in accordance with generally accepted government auditing standards.

### INTERNAL CONTROLS

Internal control is an integral component of an organization's management that provides reasonable assurance that the following objectives are being achieved:

- Effectiveness and efficiency of operations,
- Reliability of financial reporting, and
- Compliance with applicable laws and regulations.

Internal controls relate to management's plans, methods, and procedures used to meet its mission, goals, and objectives. Internal controls include the processes and procedures for planning, organizing, directing, and controlling program operations. They include the systems for measuring, reporting, and monitoring program performance.

### **Relevant Internal Controls**

We determined the following internal controls were relevant to our audit objectives:

- Program operations Policies and procedures that management has implemented to reasonably ensure that a program meets its objectives.
- Compliance with laws and regulations Policies and procedures that management has implemented to reasonably ensure that resource use is consistent with laws and regulations.
- Safeguarding resources Policies and procedures that management has implemented to reasonably ensure that resources are safeguarded against waste, loss, and misuse.
- Validity and reliability of data Policies and procedures that management
  has implemented to reasonably ensure that valid and reliable data are
  obtained, maintained, and fairly disclosed in reports.

We assessed the relevant controls identified above

A significant weakness exists if management controls do not provide reasonable assurance that the process for planning, organizing, directing, and controlling program operations will meet the organization's objectives.

# Significant Weaknesses

There were no significant weaknesses identified.

### **APPENDIXES**

# **Appendix A**

### SCHEDULE OF QUESTIONED COSTS AND FUNDS TO BE PUT TO BETTER USE

| Recommendation number | Unsupported1/ | Funds to be put to better use 2/ |
|-----------------------|---------------|----------------------------------|
| 1A                    | \$ 468,649    | \$ 3,031,351                     |

- Unsupported costs are those costs charged to a HUD-financed or HUD-insured program or activity when we cannot determine eligibility at the time of the audit. Unsupported costs require a decision by HUD program officials. This decision, in addition to obtaining supporting documentation, might involve a legal interpretation or clarification of departmental policies and procedures.
- 2/ Recommendations that funds be put to better use are estimates of amounts that could be used more efficiently if an Office of Inspector General (OIG) recommendation is implemented. This includes reductions in outlays, deobligation of funds, withdrawal of interest subsidy costs not incurred by implementing recommended improvements, avoidance of unnecessary expenditures noted in preaward reviews, and any other savings which are specifically identified. In this instance, if the planned legal expenditures are determined to be more appropriately charged as administrative and planning costs, this will result in a reduction of program delivery costs of \$468,649 already disbursed and make \$3 million not yet disbursed available for the World Trade Center Memorial and Cultural program.

# Appendix B

### **AUDITEE COMMENTS AND OIG'S EVALUATION**

### **Ref to OIG Evaluation**

### **Auditee Comments**



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November 24, 2008

Edgar Moore Regional Inspector General for Audit U.S. Department of Housing and Urban Development 26 Federal Plaza, Room 3430 New York, NY 10278

Dear Mr. Moore,

The Lower Manhattan Development Corporation ('LMDC') has reviewed the U.S. Department of Housing and Urban Development Office of Inspector General Draft Audit Report that was provided to us on November 20, 2008. The LMDC understands the importance of your review of activities associated with the use of CDBG funds and your recommendations. The attached document presents LMDC management's responses to the draft Audit Report.

Sincerely,

Daniel A. Ciniello

Senior Vice President - Operations

Attachment

LMDC Response to HUD IG Audit Report

### Appendix B

### AUDITEE COMMENTS AND OIG'S EVALUATION

#### **Ref to OIG Evaluation**

#### **Auditee Comments**

#### LMDC Response to HUD OIG Draft Report

LMDC has reviewed the draft audit report from the HUD Office of the Inspector General (OIG) covering the period from October 2007 through March 2008. The LMDC has and will continue to work diligently to insure Disaster Assistance funds are safeguarded and disbursed for eligible HUD-approved expenses. This report reflects our successful efforts in that no significant weaknesses were identified and your "Finding" was positive: The Auditee (LMDC) administered grant funds in accordance with HUD Regulations.

Our responses to your recommendations made to the HUD General Deputy Assistant Secretary for Community Planning and Development (HUD) are provided below.

HUD IG Recommendation 1A: Provide documentation for the rationale to classify \$468,649 of legal costs as direct program activity delivery costs instead of administrative and planning costs so that HUD can make an eligibility determination. Any amount determined to not be program delivery costs should be reclassified as administrative and planning costs, thereby leaving \$3 million available for program delivery costs.

We maintain our position that the legal costs incurred with respect to the 130 Liberty Street project are activity delivery costs which are being put to the best use possible in conjunction with the World Trade Center Memorial and Cultural Program, our mission, and in compliance with approved Action Plans. All documentation in the form of contracts, Board materials, invoices, and other documents created in the normal course of business regarding legal services have been reviewed by HUD in support of LMDC's classification consistent with applicable Action Plans.

As recommended, we will continue to provide your staff and HUD with documentation requested regarding this matter. However, as a determination contrary to our position on the classification of these costs has not been made, it is premature to suggest any alternative use of funds. LMDC Management will continue to administer grant funds in accordance with HUD regulations, as you noted, and in conjunction with approved Action Plans.

HUD IG Recommendation1B: Enhance its reconciliation process for HUD's Line of Credit Control System and the Disaster Recovery Grant Report to allow correction of misclassifications in a more timely manner as funds are drawn down and include additional information to explain differences.

As you know, the mispostings noted in the report which were identified by our Finance department, were corrected with the assistance of HUD in the manner you required. Going forward, LMDC management will make all reasonable efforts to post entries correctly, correct mispostings at the earliest point possible and, if necessary, include more detailed explanations for reconciling items.

### Comment 1

#### **Comment 2**

### Comment 3

LMDC Response to HUD IG Audit Report

### **OIG Evaluation of Auditee Comments**

- Comment 1 The documentation provided that related to the legal costs in question showed that costs were incurred for expert legal advice and services in order to consider all legal issues, potential evidence, and prepare responses to all inquiries and investigations, as well as to inform management of strategies for existing and future activities at the 130 Liberty Street project site in light of the potential outcomes of the investigations into the fire at the site. While there may be ambiguity as to the precise classification of these costs, the nature of the services does not appear to directly relate to carrying out the deconstruction activity at 130 Liberty Street. In addition, the legal services also related in part to the auditee's division (the Lower Manhattan Construction Command Center), which is not currently financed by HUD. Consequently, HUD needs to evaluate the documentation requested and make a determination as to whether all or part of these costs should be charged as administrative and planning costs.
- Comment 2 If the questioned costs are determined to be more appropriately classified as administration and planning costs, the three million dollars not yet expended would be classified as funds to be put to better use, thus making available that amount for direct program delivery costs.
- **Comment 3** The auditee's actions were responsive to our recommendations.

# **Appendix C**

# SCHEDULE OF DISBURSEMENTS AS OF MARCH 31, 2008

| Program  | Budget as of<br>Mar. 31, 2008 | Audit period<br>disbursements<br>Oct. 1, 2007-<br>Mar. 31, 2008 <sup>9</sup> | Cumulative<br>disbursed as of<br>Mar. 31, 2008 | Balance remaining as of Mar. 31, 2008 |
|--|-------------------------------|--|--|---------------------------------------|
| Business Recovery Grant                                | \$218,946,000                 | (\$29,983)   | \$218,910,549                                  | \$35,451                              |
| Job Creation and Retention                             | \$150,000,000                 | \$2,722,875  | \$101,261,322                                  | \$48,738,678                          |
| Small Firm Attraction                                  | \$29,000,000                  | \$5,394,500  | \$27,573,250                                   | \$1,426,750                           |
| Residential Grant (housing assistance)                 | \$237,500,000                 | \$25,914   | \$236,168,482                                  | \$1,331,518                           |
| Employment Training Assistance                         | \$346,000                     | (\$6,782)  | \$337,771                                      | \$8,229                               |
| Memorial Design & Installation                         | \$315,000                     | \$0  | \$309,969                                      | \$5,031                               |
| Columbus Park Renovation                               | \$998,571                     | \$0  | \$0  | \$998,571                             |
| Marketing History and Heritage Museums                 | \$4,664,000                   | \$322,308  | \$4,612,620                                    | \$51,380                              |
| Downtown Alliance Streetscape                          | \$4,000,000                   | \$0  | \$4,000,000                                    | \$0                                   |
| New York Stock Exchange Area Improvements              | \$25,160,000                  | \$609  | \$5,476,000                                    | \$19,684,000                          |
| Parks and Open Spaces                                  | \$46,981,689                  | \$36,315   | \$17,771,320                                   | \$29,210,369                          |
| Hudson River Park Improvements                         | \$72,600,000                  | \$22,511,415   | \$30,242,648                                   | \$42,357,352                          |
| West Street Pedestrian Connection                      | \$22,955,811                  | \$0  | \$18,327,501                                   | \$4,628,310                           |
| Lower Manhattan Communications Outreach                | \$1,000,000                   | (\$1,583)  | \$1,000,000                                    | \$0                                   |
| Green Roof project                                     | \$100,000                     | \$0  | \$0  | \$100,000                             |
| Chinatown Tourism & Marketing                          | \$1,160,000                   | \$0  | \$999,835                                      | \$160,165                             |
| Lower Manhattan Information                            | \$2,570,000                   | \$0  | \$1,752,391                                    | \$817,609                             |
| World Trade Center Memorial and Cultural <sup>10</sup> | \$622,517,180                 | \$33,620,503   | \$377,665,543                                  | \$244,851,637                         |
| Lower Manhattan Tourism                                | \$4,176,000                   | \$0  | \$3,950,000                                    | \$226,000                             |
| East River Waterfront project                          | \$150,000,000                 | \$222,422  | \$1,243,297                                    | \$148,756,703                         |
| Local Transportation and Ferry Service                 | \$9,000,000                   | \$791,453  | \$1,358,591                                    | \$7,641,409                           |
| East Side K-8 School                                   | \$23,000,000                  | \$0  | \$28,703                                       | \$22,971,297                          |
| Filterman Hall Reconstruction                          | \$15,000,000                  | \$0  | \$1,784  | \$14,998,216                          |
| Chinatown Local Development Corporation                | \$7,000,000                   | \$0  | \$164,123                                      | \$6,835,877                           |
| Affordable Housing                                     | \$54,000,000                  | \$0  | \$0  | \$54,000,000                          |
| Public Services Activities                             | \$6,796,900                   | \$90,700   | \$6,074,719                                    | \$722,181                             |
| Administration & Planning                              | \$112,262,000                 | \$3,877,781  | \$79,801,435                                   | \$32,460,565                          |
| Disproportionate Loss of Workforce                     | \$33,000,000                  | \$0  | \$32,999,997                                   | \$3                                   |
| Utility Restoration and Infrastructure Rebuilding      | \$735,000,000                 | \$1,117,972  | \$270,545,615                                  | \$464,454,385                         |
| Lower Manhattan Enhancement Fund                       | \$88,950,849                  | \$3,446,473  | \$11,133,134                                   | \$77,817,715                          |
| Drawing Center   | \$2,000,000                   | \$0  | \$0  | \$2,000,000                           |
| Fulton Corridor Revitalization                         | \$38,000,000                  | \$336,223  | \$430,782                                      | \$37,569,218                          |
| Economic Development – Other                           | \$30,000,000                  | \$0  | \$0  | \$30,000,000                          |
| Transportation Improvements                            | \$31,000,000                  | \$0  | \$0  | \$31,000,000                          |
| Education – Other                                      | \$3,000,000                   | \$0  | \$0  | \$3,000,000                           |
| Total  | \$2,783,000,000               | \$74,479,115   | \$1,454,141,381                                | \$1,328,858,619                       |

<sup>&</sup>lt;sup>9</sup> Negative amounts are recoveries except for Lower Manhattan Communications, which is a reallocation to Administration and Planning.
<sup>10</sup> Includes drawdown of \$89,016.50 posted to the bank account on March 31, 2008.