



Agenda

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CITY OF SANTA FE AUDIT COMMITTEE MEETING
CITY COUNCILORS' CONFERENCE ROOM
Wednesday, April 9, 2014 - 2:00 P.M.

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES:
 - March 12, 2014
5. STATUS REPORT FROM CITY OF SANTA FE, AUDIT & FINANCE DEPARTMENTS:
 - Status of Audits (Internal Audit) (send in advance & attach);
 - Lodger's Tax Audit Update;
 - Gross Receipts Tax Report, (monthly);
 - Lodger's Tax Report;
 - Distribution Report of Lodger's Tax;
 - Investment Report, Helene Hausman.
7. SUB-COMMITTEE REPORTS:
 - Internal Audit,
 - False Alarm Monitoring System Audit (Final Issued and Posted);
 - Risk Assessment, and Audit Plan;
 - Budget.
8. OLD BUSINESS
 - Muchas Gracias, Maurice Lierz, City Council Meeting, April 9, 2014
 - Fraud, Waste, and Abuse Hotline Update, Finance Committee Meeting, April 21, 2014
 - RFP – Financial Audit
 - Audit Committee Achievements, summary
9. NEW BUSINESS
 - Rules and Procedures for City Committees
 - 2008 Park Bond Issue , updated status
 - Mayor approving appointments, or making recommendations;
 - City Council approving appointments, or making recommendations.
10. OTHER MATTERS FROM THE COMMITTEE
11. ITEMS TO REPORT TO THE CITY MANAGER
12. NEXT MEETING DATE:
 - Next meeting scheduled – May 7, 2014 (Liza will be at a conference)
13. ADJOURNMENT

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6520 five (5) working days prior to the meeting date.

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| ITEM | ACTION TAKEN | PAGE(S) |
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| 9. NEW BUSINESS | | |
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| b. 2008 Park Bond Resolution 2014-17 | Discussion | 12 |
| • Mayor’s appointments | | |
| • or City Council appointments | | |
| 10. OTHER MATTERS FROM THE COMMITTEE | None | 12 |
| 11. ITEMS TO REPORT TO THE CITY MANAGER | None | 12 |
| 12. NEXT MEETING DATE: May 7, 2014 | Announced | 13 |
| 13. ADJOURNMENT | Adjourned at 4:10 p.m. | 13 |

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MINUTES OF THE
CITY OF SANTA FÉ
AUDIT COMMITTEE

April 9, 2014
2:00 p.m. – 4:00 p.m.

1. CALL TO ORDER

A regular meeting of the City of Santa Fé Audit Committee was called to order by Chair Randy Randall on this date at approximately 2:00 p.m. in the City Councilors' Conference Room at City Hall, 200 Lincoln Avenue, Santa Fé, New Mexico.

2. ROLL CALL

Roll call indicated the presence of a quorum as follows:

Members Present:
Randy Randall, Chair
Clark de Schweinitz, J.D.
Cheryl Pick-Sommer
Marc A. Tupler

Members Absent:
Hazeldine Romero [excused]

Others Attending:
Liza Kerr, Internal Auditor
Marcos Tapia, Finance Director
Helene Hausman, Investment Staff
Judith Amer, Assistant City Attorney
Teresita Garcia, Finance Department
David Tapia, Finance Department
Carl Boaz, Stenographer
Sandy Taylor, POSAC member
Bette Booth, POSAC, member
Anna Hansen, POSAC Chair

NOTE: All items in the Committee packet for all agenda items are incorporated herewith to these minutes by reference. The original Audit Committee packet is on file in the Finance Department.

3. APPROVAL OF AGENDA

Ms. Pick Sommer moved to approve the agenda as presented. Mr. Tupler seconded the motion

90 and it passed by unanimous voice vote.
91
92

93 **4. APPROVAL OF MINUTES - March 12, 2014**
94

95 Ms. Romero had reviewed these minutes and had no changes.
96

97 **Ms. Pick Sommer moved to approve the minutes of March 12, 2014 as presented. Mr. Tupler**
98 **seconded the motion and it passed by unanimous voice vote.**
99

100
101 **5. STATUS REPORT FROM CITY OF SANTA FE, AUDIT & FINANCE DEPARTMENTS:**
102

103 **a. Status of Audits (Internal Audit)**
104

105 Ms. Kerr didn't find a copy of this report in her packet but said it should have been emailed to the
106 members. She reported at the March Finance Committee and they had asked many good questions but no
107 changes were recommended. It was well received.
108

109 Chair Randall said the reporting was well done. He attended to observe. The questions asked by
110 Council members were all about the results and what the Internal Auditor was doing to fix these things.
111 That was not Ms. Kerr's role. He was appalled to learn that the individual responsible for this function
112 (police department) was sitting at the back of room and never came up to answer them. The Audit
113 Committee should suggest to the City Manager that the department audited should have the Director
114 present to respond.
115

116 Mr. Tapia said Chief Scherfl started to come to the front and was waived off. But he agreed with Chair
117 Randall. A lot of that was covered in the findings.
118

119 Chair Randall said they should recommend to the City Manager that the department whose audit was
120 being presented should be represented to respond to any questions that come up.
121

122 Mr. Tapia agreed to let them know we would do that in the future.
123

124 Chair Randall agreed to send a note to the City Manager.
125

126 **Mr. de Schweinitz moved to recommend that when the Internal Auditor was reporting on a**
127 **department audit to the Finance Committee that the relevant department head be there. Ms. Pick**
128 **Sommer seconded the motion and it passed by unanimous voice vote.**
129

130 Mr. Tapia commented that every member of the Finance Committee was new except the Chair.
131

132 Chair Randall thanked Ms. Kerr for the report.
133

134 Ms. Kerr said during the course of interviews for the audit plan, she ran across a couple of audits she

135 didn't have on the audit plan. The FAA audited the Airport and it had 13 findings on their report. The Airport
136 Manager and Mr. Bulthuis were working on resolving the findings. She talked with Mr. Bulthuis who said he
137 and Frances Jesson could make a presentation in June to the Audit Committee on those findings. The
138 FAA gave a deadline of April 30 to get them resolved.

139
140 Mr. Tupler suggested maybe a summary report instead of a full presentation. Chair Randall agreed.

141
142 Ms. Kerr said they would be present to answer questions.

143
144 Chair Randall suggested they be present only if Ms. Kerr decided they needed to be present. The
145 report was to Ms. Kerr and Ms. Kerr could communicate with him if just submitting a report on it or asking
146 them to attend.

147
148 Ms. Kerr said the findings of the Housing Authority audit were okay.

149
150 Mr. Tapia clarified they were not a department of the City.

151
152 Mr. de Schweinitz asked what the difference was.

153
154 Mr. Tapia said the city could request it as part of the MOU or JPA and most of them did.

155
156 Ms. Kerr found her printed report was attached to the Lodgers Tax audit update. The first 4 pages were
157 current and the rest were past year's audits.

158
159
160 • **Lodger's Tax Audit Update**

161
162 Chair Randall said they had the RFP for the extension of the Lodgers Tax audit.

163
164 Ms. Kerr said she hadn't had time to present that. The update was the memo in front.

165
166 Chair Randall asked if she was presenting that to the Finance Committee quarterly.

167
168 Ms. Kerr said she presented to the meeting before last and would do it quarterly.

169
170 On the Lodgers Tax Report, for items 9 and 10 (both were Heritage properties) on page 2 she said the
171 lodgers wouldn't respond.

172
173 Chair Randall recommended that she call and ask for the General Manager. Ms. Kerr agreed to do
174 that.

175
176 Chair Randall said they needed to be careful with wording of the letters. Mr. Margetson told him he felt
177 he should have gotten a call before he receive the letter.

178
179 Mr. Tapia pointed out that with noncompliance the City could put a lien on his property. Zach Shandler

180 with Legal could handle that.

181

182 Mr. Tapia said he had received a signature showing they had received that notice. He said he did talk
183 with Mr. Margetson and agreed to change the letter content.

184

185 Chair Randall said the letter indicated he hadn't made his payment but his payment had been made.
186 He had made them through the Water Company and had a receipt but the communication didn't happen so
187 the City was in the wrong.

188

189 Mr. Tapia said he handled those letters.

190

191 Ms. Pick Sommer asked how many hotels got audited in each cycle.

192

193 Mr. Tapia said ten were chosen randomly.

194

195 Ms. Garcia joined the meeting at this time.

196

197 Chair Randall noted there was a failure to do those audits for three years. The time frame was to have
198 them all completed by June.

199

200

201 **b. Gross Receipts Tax Report, (monthly)**

202

203 Mr. Tapia said he usually received the GRT report on the 15th of the month. He offered to share it with
204 the Committee when he get it done. He first reviewed it and Ms. Hausman looked it over and once he
205 approve it the report was sent to Council and put it on website. He commented that GRT was volatile. This
206 next month was critical and he was looking to see about costs for the annexation area. The city was in full
207 compliance.

208

209 Chair Randall said annexation was not included in the budget. The GRT budget for 2014 was within
210 \$100,000 of 2013 actual.

211

212 Ms. Hausman agreed.

213

214

215 **c. Lodger's Tax Report**

216

217 Mr. Tapia said the report in the packet was for January. There was some confusion on the allocations
218 so he wanted to clarify it. Page 1 gets the breakdown and he listed them from that page. They had to keep
219 the 1% going for debt service because it was running so tight. The remaining 4% was according to the
220 ordinance: 1% to the Arts Commission and of that a small portion of General Fund and part going to CIP.
221 The remaining 3% had half allocated to marketing and half to special uses. Special use could include
222 overtime pay for city staff on big events like Spanish Market.

223

224 **d. Distribution Report of Lodger's Tax**

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Ms. Garcia said the Finance Department decides how much Lodgers revenue would be used for tourist attraction.

Mr. Tapia said \$300,000 went to transit, \$75,000 to police and \$15,000 to solid waste.

Mr. Tapia said Council could decide to tap it for some special purpose.

In response to Mr. Tupler, Ms. Garcia said it has had a residual balance in the past but with the downturn they have depleted that fund. Allocation has restrictions so much of it was for marketing or promotion. It has strict use by ordinance. A lot goes to OTAB for funding requests. However, she didn't know how the special use requests came in.

Chair Randall understood that \$12,500 per month was for General Fund City support. Mr. Tapia agreed.

Ms. Pick Sommer noted the report talked about 7% of Lodgers Tax.

Mr. Tapia explained that 7% was the total charged to lodgers. The first 3% was put in with the new Convention Center to support the debt service and operational deficits.

Chair Randall heard there was a big subsidy for the Convention Center but thought now there was not any over the 2% now.

Mr. Tapia said CVB had been building up a cash balance for years. But current projections show it would be gone at some point they would have no cash balance left. It only brings in about \$500,000.

Ms. Garcia said they knew when it was built that it would take time to build a clientele over several years. So they anticipated some reduction but then tourism went down so it was taking more time.

Mr. Tupler asked if they were still using the reserve. Mr. Tapia agreed. We either have to decrease costs or increase revenues.

On the last page of the report, Mr. Tapia listed the allowable uses of Lodgers Tax. On the first page, he broke out one month. On pages 2-3, he broke down the ordinance so the Committee could see how each point was being used.

Mr. Tupler noticed D-2 said it could be used for audits.

Chair Randall felt this was a very good report and thanked Mr. Tapia for his work.

Ms. Garcia said they also did a quarterly report to the state. That was required. It went to DFA.

Mr. de Schweinitz asked if the State had questioned the use.

270 Mr. Tapia agreed that they had in the past but the current formula was not questioned.

271

272 Chair Randall added that Santa Fé by a special state law was allowed an extra 2% over the required
273 5%.

274

275

276 **e. Investment Report, Helene Hausman**

277

278 Ms. Hausman said the investments were getting more interesting as time goes by. She did her
279 quarterly report to Council and there was some misunderstanding about extra cash. When you look at
280 department budgets, it was based on certain cash balances. During the course of the year, the question
281 was about where the cash was. We have several bank statements. While we were not using it, we try to
282 generate more cash. After page ten it was not labeled but has an investment portfolio report.

283

284 She explained the cash and trust accounts, the NMFA loan and it showed the cash that they could
285 spend.

286

287 Chair Randall noticed a lot of them had zero balances.

288

289 Ms. Hausman said it was because they were outstanding loans. She liked to pay them a few days
290 ahead. One time they had a trunk line out and she had to do a manual transfer. Sometimes she got a few
291 days' extra interest.

292

293 Ms. Garcia said the City deposited the money into the fund and NMFA paid the debt service.

294

295 Ms. Hausman said she wired it in and they issued bonds to these other jurisdictions. The City's money
296 was a pass through to pay off their debt. The second one was the Railyard. It was one of the first the City
297 ever did and it had a reserve fund in it and just sits there. Reconciliations on all of them were done each
298 month and the reports were done within two months later. She could pull up the bank reconciliations at any
299 time.

300

301 Mr. Tapia pointed out that for many years the City used cash reserves to balance the books.

302

303 Ms. Garcia added that the Utility Department maintained large cash balances and it gave an illusion
304 that the City was spending utility balances to use for balancing the budget but they didn't do that. The City
305 could not use that to balance the budget now.

306

307 Ms. Garcia said DFA required a balanced budget. When we don't have one, the Council decides if we
308 could use cash balances.

309

310 Mr. Tapia said during the year the City could do BARs but it was not the case that they had to spend all
311 they had.

312

313 Ms. Hausman said she tried to use the funds to gain interest. They had to have a security amount of at
314 least \$200,000. She explained what was included in the account. They had a debt service payment of

315 about \$25 million. The debt was not being called so she had to make sure she had enough cash to make
316 that payment. There were 2-3 payrolls, \$10 million in Accounts Payable. The balances have gone higher
317 because of the market. The policy was based on state statute.

318
319 Ms. Judith Amer joined the meeting at 3:05.

320
321 Mr. Tapia explained that the big balances like in Water were because of multi-year projects.

322
323 Ms. Kerr asked if she had a schedule of maturity dates in this debt.

324
325 Ms. Hausman clarified that she had the dates but not in this investment report. In response to Mr.
326 Tupler she said all the reserve funds were in this report.

327
328 Chair Randall said with each report he felt more comfort.

329
330 Ms. Hausman said the City had an external advisory at Southwest Investor that advised her on each
331 security. Some of them went out many years. She was comfortable with our position.

332
333 The Committee amended the agenda and went next to the third bullet under 8.

334
335
336 **8. OLD BUSINESS**

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338 **c. RFP – Financial Audit**

339
340 Ms. Garcia reported on the RFP for auditing services that would set out the BDD audit contract.

341
342 Chair Randall understood there were three RFPs out and asked about the deadline.

343
344 Ms. Garcia said April 21 was the proposal deadline and the decision would be made by May 5 and go
345 to Council on May 14th.

346
347 Chair Randall asked if a Committee representative would be on the selection committee.

348
349 Ms. Kerr said they could add more people.

350
351 Ms. Garcia wasn't sure if staff wanted to review the proposals and then bring their recommendation to
352 the Audit Committee.

353
354 Mr. de Schweinitz asked if there was one RFP for all three of the audit tasks. Ms. Garcia agreed.

355
356 Chair Randall wanted to see someone on it.

357
358 Mr. Tupler agreed to serve on the selection team.

359

360 Chair Randall went next to training for city committees since Ms. Amer was present.

361

362

363 **9. NEW BUSINESS**

364

365 **a. Rules & Procedures for City Committees**

366

367 Ms. Amer said she was coming into the middle of the process and asked if they had chosen a
368 committee.

369

370 Ms. Kerr explained that the reason for this was both because they had Ms. Pick Sommer as a new
371 member and the question came up whether the meetings they were going to have would be subject to
372 OMA. She took the issue to City Clerk and then got feedback from the City Attorney and as a special
373 committee it was subject OMA.

374

375 Ms. Amer agreed. She and Mr. Shandler had a discussion and they believed a special committee
376 subject to OMA and appointment by the Mayor.

377

378 Ms. Kerr said she submitted names to the Mayor and it was on his desk as of March 27.

379

380 Ms. Amer commented that she submitted names for six members and generally they have odd
381 numbers.

382

383 Ms. Kerr said they would have two Audit Committee members. That would save time in the long run.

384

385 Mr. Tupler clarified the special committee was for the 2008 Parks Bond.

386

387 Ms. Amer said the deadline was September 30.

388

389 Ms. Kerr said the scope of the audit should be done in two committee meetings. They have to publish
390 an RFP which takes three months and then contract with the auditors to do the audit with x amount of time.
391 The City Manager advised that we go directly to Council to get an extension on that date and approval of
392 the contract.

393

394 Ms. Amer agreed.

395

396 Mr. Tupler asked about the December 31 deadline.

397

398 Ms. Kerr said that was the way it was in the resolution. She reviewed the schedule again. They could
399 work on the RFP right now and move that ahead more quickly.

400

401 Chair Randall thought they shouldn't shave days off the public process but agreed they could go ahead
402 with creating the RFP.

403

404 Ms. Kerr agreed to start on the RFP.

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Ms. Garcia said the scope of the audit would determine how long it would take.

Chair Randall suggested they should compress where it could be done.

Ms. Amer suggested making a motion.

Ms. Pick Sommer moved to permit Ms. Kerr to work on the Parks Bond Audit RFP now. Mr. Tupler seconded the motion.

Mr. de Schweinitz pointed out it said she should collaborate.

Chair Randall said it was surely within the scope of her job and if the Committee wanted the Audit Department to grow, they had to show why. It should have three staff members. Council felt Ms. Kerr should play a key role to get the extraordinary task done ASAP.

Ms. Garcia recommended that any general bond issue was required to have an audit and this action would comply with that charter amendment.

Ms. Amer said she would send the language for it to Ms. Kerr.

Ms. Kerr said she would do the busy work of setting up the RFP but it would really take her away from the audit work she was doing. She understood it did need to be done.

Chair Randall didn't want her to do busy work if there was someone else who could do it.

Ms. Amer suggested Robert Rodarte should be able to help her with it.

The motion passed by unanimous voice vote.

The Committee went back to subcommittees on the agenda.

7. SUB-COMMITTEE REPORTS:

Chair Randall asked if the Committee had authority to approve the appointments of the subcommittees or if it required the mayor's appointment.

Ms. Amer said a subcommittee had to have three members minimum. So the audit Committee didn't have subcommittees. A membership of two was not subject to the OMA and they shouldn't call it a subcommittee and it didn't need to be appointed by the mayor.

Chair Randall understood.

450 Ms. Garcia and Ms. Amer departed the meeting.

451

452

453 **a. Internal Audit**

454

455 • **False Alarm Monitoring System**

456

457 Ms. Kerr said this would be presented to the Finance Committee on April 21.

458

459

460 • **Risk Assessment/Audit Plan**

461

462 Ms. Kerr provided a handout and reported this would also be presented to the Finance Committee on
463 April 21. POSAC was interested in the last item.

464

465 Ms. Kerr explained the process of appointments to committees.

466

467 Ms. Booth said she supported Ms. Kerr's independent status.

468

469 Chair Randall clarified that the Audit Committee didn't do the audit but oversaw it.

470

471 The POSAC members left the meeting at 3:43.

472

473 Ms. Kerr wanted to add in a couple of audits as a placeholder so she didn't need to amend the audit
474 plan.

475

476 Chair Randall asked her to just stick with this.

477

478 Ms. Kerr said so for first quarter her total was 528 hours. She was trying to hit the targeted hours to the
479 best of her ability. It all had to balance out. She had allocated more time this year per audit - from 160 to
480 400 hours. She had done benchmarking with other cities. 300-500 hours were what big audits were at now.
481 Bigger audits just took more time.

482

483 The draft report for false alarms was released on January 30 and they allowed a month and three days
484 before they gave inadequate responses.

485

486 Chair Randall said when it sits, that didn't take hours from her schedule. But every time she touched it,
487 took more time.

488

489 Ms. Kerr said during her interviews that cost allocation report was the big confusing issue. The
490 Committee needed to approve it but this was a draft.

491

492 **Ms. Pick Sommer moved to approve the Risk Assessment/Audit Plan, allowing for input by the**
493 **City Manager and other small changes. Mr. de Schweinitz seconded the motion.**

494

495 Ms. Pick Sommer was discouraged at how much time it takes for her to get the information required.

496

497 **The motion passed by unanimous voice vote.**

498

499

500 • **Budget**

501

502 Ms. Kerr said they did break out a budget for her. It didn't have a second person in it but Cal did it right
503 then and there.

504

505 Chair Randall asked if the Committee could have the budget here for the May meeting. Ms. Kerr
506 agreed.

507

508 Mr. Tupler asked if she was comfortable with it.

509

510 Ms. Kerr said she had not seen it.

511

512 Chair Randall asked that it be sent out ahead of time to the Committee and if the Committee had
513 concerns they could call a special meeting to study the budget.

514

515

516 **8. OLD BUSINESS**

517

518 **a. Muchas Gracias, Maurice Lierz, City Council Meeting, April 9, 2014**

519

520 Chair Randall announced this would take place at 5:00 today.

521

522

523 **b. Fraud, Waste, and Abuse Hotline Update, Finance Committee Meeting, April 21, 2014**

524

525 Ms. Kerr said this was on the Finance Committee agenda since it was by resolution. It was her
526 marching orders because the resolution said, "shall."

527

528

529 **c. RFP – Financial Audit**

530

531 This was considered earlier in the agenda.

532

533

534 **d. Audit Committee Achievements, summary**

535

536 Chair Randall said Ms. Romero did a good job on this and it was almost ready for Council. He asked
537 members to read it and send comments to him. He asked Mr. de Schweinitz if he would finalize the
538 wording.

539

540 Mr. de Schweinitz agreed.

541

542 Chair Randall pointed out some language that needed revision.

543

544 He asked that it be sent out to the Committee by email and they wouldn't discuss it but forward
545 responses to Mr. de Schweinitz within a week. The second page had items from 2012 that still needed
546 follow up.

547

548

549 **9. NEW BUSINESS**

550

551 **a. Rules & Procedures for City Committees**

552

553 This matter was considered earlier in the agenda.

554

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556 **b. 2008 Park Bond issue - status update**

557

- 558 • **Mayor approving appointments or making recommendations**

559

560 This was considered earlier in the agenda.

561

562

- 563 • **City Council approving appointments or making recommendations**

564

565 This was considered earlier in the agenda.

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568 **10. OTHER MATTERS FROM THE COMMITTEE**

569

570 There were no other matters from the Committee.

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573 **11. ITEMS TO REPORT TO THE CITY MANAGER**

574

575 There were no items to report to the City Manager.

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578 **12. NEXT MEETING DATE: May 7, 2014**

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580 Chair Randall asked if the Committee should meet on May 7th.

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584 **13. ADJOURNMENT**

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He meeting was adjourned at 4:10 p.m.

Approved by:


Randy Randall, Chair
CLARK de Schweinitz

Submitted by:


Carl Boaz for Carl G. Boaz, Inc.