



Agenda

CITY OF SANTA FE AUDIT COMMITTEE MEETING
CONVENTION CENTER ADMINISTRATIVE CONFERENCE ROOM

Wednesday, April 1, 2015, 2:00 P.M. to 4:00 P.M.

1. CALL TO ORDER (15 min)
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES
 - a. Wednesday, March 4, 2015
5. REVIEW OF FINANCIAL REPORTS FROM CITY (30 minutes)
 - a. Financial Reports and Update (Oscar Rodriquez)
 - b. Investments Quarterly Update (Helene Hausman)
 - a. Examination Report of the Bernalillo County Treasurer's Office
6. EXTERNAL AUDIT MATTERS (30 minutes)
 - a. Completed Audits within the Last 4 Years with Open Findings (Liza Kerr)
 - b. Schedule and Status
 - c. Discussion
 - a. Park Bond Audit
 - b. BDD Operations Audits
 - d. Lodger's Tax Audit
 - a. Creation of Sub Committee to Analyze and Report Back to Full Committee:
 - i. Santa Fe Solid Waste Management Agency Audit Report 06/30/2014
 - ii. Santa Fe Railyard Audit Report 06/30/2014
 - iii. Santa Fe Civic Housing Authority 06/30/2014
 - e. Report from External Audit Committee (Clark de Schweinitz and Marc Tupler)
7. INTERNAL AUDIT MATTERS (Liza Kerr) (30 minutes)
 - a. Completed Audits within the Last 4 Years with Open Findings
 - b. Schedule and Status
 - i. Discussion
 - a. ITT Follow-Up Audit
 - b. Public Utilities Audit
 - c. General Information
 - a. Fraud, Waste and Abuse Hotline
 - b. Risk Assessment / Audit Plan – Developing new plan with subcommittee
 - d. Report of Internal Audit Subcommittee (Hazeldine Romero and Cheryl Pick Sommer)
8. UNFINISHED BUSINESS (15 minutes)
 - a. Committee Annual Report to the Finance Committee / Discussion of ideas and points to cover (Clark de Schweinitz)
 - b. Revised Ordinance
9. NEW BUSINESS
10. NEXT MEETING DATE
 - a. Wednesday, May 13 2015
11. 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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11. ADJOURNMENT	Adjourned at 4:27 p.m.	13

MINUTES OF THE

CITY OF SANTA FÉ

AUDIT COMMITTEE

April 1, 2015
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 Mr. Clark de Schweinitz, Chair on this date at approximately 2:00 p.m. in the Convention Center Administrative Conference Room, Santa Fé, New Mexico.

2. ROLL CALL

Roll call indicated the presence of a quorum as follows:

Members Present:

Clark de Schweinitz, Chair
Marc Tupler
Cheryl Pick Sommer
One Vacancy

Members Absent:

Hazeldine Romero, Vice Chair [excused]

Others Attending:

Liza Kerr, Internal Auditor
Oscar Rodriguez, Finance Director
Helene Hausman, Finance Staff
Carl Boaz, Stenographer
Bette Booth, POSAC
Anna Hansen POSAC

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 Audit Department.

3. APPROVAL OF AGENDA

Chair de Schweinitz said the approval was subject to moving to accommodate the guests. He also asked that the Park Bond Audit (6. A) be moved up on the agenda right after Mr. Rodriguez' and Ms. Hausman's reports. (After 5)

Ms. Kerr said Mr. Rodriguez was planning on being at the meeting. He is in the midst of budget hearings right now too. She also said that item 6 D a needed to be 6-E and 6-E would then become 6- F.

Chair de Schweinitz said Mr. Tupler asked for the Railyard and he would be fine with Housing if there was time. He sent a draft of an annual report to the members. If there was not enough time, they could do it by email.

Ms. Sommer moved to approve the agenda as amended. Mr. Tupler seconded the motion and it passed by unanimous voice vote.

4. APPROVAL OF MINUTES

- **March 4, 2015**

Chair de Chair de Schweinitz noted there was a list of proposed changes. He looked it over and agreed to them.

Ms. Sommer asked for a change on 120 where the name should be Gonzales and not Martínez.

Ms. Sommer moved to approve the minutes of March 4, 2015 as amended. Mr. Tupler seconded the motion and it passed by unanimous voice vote.

5. REVIEW OF FINANCIAL REPORTS FROM CITY

- a. **Financial Reports & Update from Finance Director (Oscar Rodriguez)**

Mr. Rodriguez reported on his handout. He said this is the last rehearsal for the format of the Financial Report. This one had changed some nomenclature. At the end of January, the overall revenues are about at budget. GRT until January seemed to be improving so he could say it would end at budget. The Lodger's Tax revenues are going up and up and it would be 16% adjusted upwards. The other taxes deal with franchise taxes like cable that also appeared to be going up.

Ms. Sommer asked regarding the franchise taxes, how the City ensures those are accurate.

Mr. Rodriguez said it is kind of like the GRT on their services for their use of City ROW and is a percent of the volume. So those are supposed to be submitted directly. The City doesn't have an auditing function but it is pretty transparent. It is charged to the customer in the name of the City.

Ms. Sommer understood but pointed out that the City doesn't ask them to report to us on a monthly or quarterly basis.

Mr. Rodriguez said the City does and the public can get that information. The City also pays taxes on that and it goes to the State.

Ms. Sommer asked if the State doesn't audit that either.

Mr. Rodriguez wasn't sure but since it is a significant amount, maybe the City should audit it.

Ms. Hausman explained that we are at a disadvantage because the TRD considers that information confidential.

Mr. Rodriguez agreed that by state law, the GRT is a secret. They protect the identity of the payers. They do provide information by sector. Even more mysterious is the hold harmless which they charge on everything. And they remit to the City according to their calculation what would be for medicine and food. It is fairly consistent but it might deserve an audit.

Mr. Tupler asked if there ever was an issue on getting our fair share.

Mr. Rodriguez said no and noted that the City does a better job in estimating our own GRT. The State feels the City should be lucky that we get them.

He said the ambulance fees are significantly below budget. There is definitely a trend there and he couldn't say what is going on. Sometimes insurance pays it and sometimes it is paid directly.

There is nothing significant on down the page. He said it is terrible to have a big number under miscellaneous revenue but here it is almost all bond proceeds. Insurance proceeds is the money paid by the City into this fund. There are a lot of things in the chart and then miscellaneous.

Mr. Tupler thought bond proceeds should be broken out from miscellaneous. This is a big year for bond proceeds.

Mr. Tupler agreed. Miscellaneous should be very small account. Mr. Rodriguez agreed.

Mr. Rodriguez said on the expenditure side, the City is about 6% below budget. He went to the General Fund a few pages later. Spending is coming in about 5% below so another \$2.1 million was taken off the current year to meet the deficit.

He explained there is one sheet in the packet about it. It had been a significant problem in the past. Lots of them happened off the budget. A lot of things are not budgeted and are allowed just to run. They pay forward with cash out of the cash reserves. And they debit the transaction and you would expect them to be paid back.

Every year the deficit is budgeted and kept growing with no talk about how to repay it. So there are a lot of caveats in the report. The balance sheet shows a sizable balance but it isn't really there because there are lots of claims on the cash. Some departments are significantly below budget like community development. That is match for a grant. A number of others in community services just don't get used. One is the EEDs program. There is a lot of hope for it but few are in the program.

Mr. Tupler considered a negative variance on that side as a good thing.

Mr. Rodriguez agreed but the City is not getting more efficient but just not spending it. We are gently putting on the brakes and making it clear that they might not get spending submitted in time.

The next two pages are some important funds that the Council wants us to focus on. MRC isn't going to be as negative as first it looked.

Mr. Tupler opined that it is not really an enterprise fund if it is not generating funds.

Mr. Rodriguez said he sounded an alarm with the deficit at the Airport. Very likely most of it will be recoverable in some fashion - especially the overdue bills to the federal government. At this point they are with the lawyers. The recovery could reduce that deficit to \$200,000. For years, payroll for some people has been paid off the budget.

Andy Hopkis and Cal Probasco arrived.

Mr. Rodriguez said from this point on, the reports will not be a rehearsal.

Ms. Kerr asked if he had plans to bring that issue into this report.

Mr. Rodriguez said no. He said perhaps the only way is to have a line for transfers. Right now it is a footnote to the beginning balance.

With respect to the Convention Center, the budget is in significant restructuring with a transfer of the parking debt to the Parking Department. The main revenues are continuing to go up and possibly it will catch up.

The next page showed investments in a colored chart for Ms. Hausman's plan to meet cash obligations.

Mr. Rodriguez said the last piece shows the cash balances.

b. Investments Quarterly Update (Helene Hausman)

Ms. Hausman provided handouts that showed samples of what she does and were attached to the summary report. She said Morgan Browning is very thorough and she likes his work. The last part of her handout was the Bernalillo County audit report. She explained that problems they had a few years ago was what triggered the investment report. They found a disconnect on what cash was available. That precipitated the audit for the State Auditor. Although it was negative in many ways, it gives a platform for the City. She went through that audit section by section to see how Santa Fe stacks up on it. So she has already dealt with it and has the bases covered. She is not finished but has a draft and is working with Scott McIntyre as a consultant. She went through it quickly.

c. Examination Report of the Bernalillo County Treasurer's Office

The first thing Ms. Hausman noted as a material weakness was the documentation of transactions. So she provided a handout of the documentation called Attachment #1 - Securities Trade Memorandum. She and the consultant went through nine years' work and didn't find anything. The Memorandum summarized the bids and what was selected.

She went through each page. At the end of the year they had a good comparison and as a result got rid of the brokers. First Southwest was selected from the RFP and Scott McIntyre at First Southwest in Austin is the person she works with.

Then Ms. Hausman showed the purchase recommendation form and described the steps in the transaction record and how each can be accessed. She said the audit showed pages and pages where the procedures didn't fit the requirements. Now, the company sends Ms. Hausman options and their recommendations on which was best. With the brokers, she could not get that clarity. Now the choice is from her guidance and is executed by First Southwest.

She briefly explained the bond procedures. The purchase doesn't close immediately but timing can be split-second. Then she completes the documentation immediately after the transaction. The new procedures eliminated a lot of trouble for her.

She keeps 9 years' of transactions and confirmations in her documentation. They go to an authorized storage facility so there are no problems with tampering of records. Moving to more transparency has benefitted the City greatly. There is also a duplicate set of records kept with First Southwest. The documentation includes security, liquidity and interest last.

Ms. Hausman also attached a daily transaction report and described the events on it. It showed how she handles cash. Payroll is delineated on it and she makes sure there is enough cash to cover the checks. Attachment #4 showed the transfers to checking.

The last attachment was a document showing debt service laddering and then one that splits into potential gains and losses. It indicated what would happen with a forced liquidation.

Chair de Chair de Schweinitz thanked her for the report.

Mr. Tupper asked if there is uninvested cash within her control.

Ms. Hausman agreed. There is a classification called "dedicated funds" and those could be seen in the Memo at the bottom of page 2 and top of page 3 that listed all the accounts and the dedicated accounts to pay for specific thing in the General Fund. They are listed separately.

6. EXTERNAL AUDIT MATTERS

Park Bond Audit Discussion

Ms. Kerr called the auditors for the Park Bond Audit and got them on the conference phone.

Ms. Jessica Martínez provided an overview of the audit. She mentioned the agreed upon procedures as listed in the RFP. They didn't find specific exceptions that what went to the voters in the bond election were not met. But they did have instances where there were no policies or procedures were not followed or not in place.

In the report, after that page they gave an overall management response and a summary of the audit and each procedure and relevant findings and out of that, presented recommendations of areas for improvement.

Chair de Schweinitz had a draft of the document Ms. Kerr prepared for agreed upon procedures. It was more than just a work plan. He asked if the audit incorporated all of them.

Ms. Martínez agreed but on the last few pages were shown those they couldn't finish.

Chair de Schweinitz asked if they couldn't find the information.

Ms. Martínez said there was just not enough information and no more time to look further.

Ms. Kerr asked if they had a good idea of what was in the file and no matter if they had more time, it wouldn't be different.

Ms. Booth asked if Ms. Martínez was saying we can't go back and figure out what documentation couldn't be found - that we couldn't figure out who was paid out of it.

Ms. Martínez gave a quick overview on it. With the suspense account, it wasn't just part-time employees for this but also for employees working on various other projects. At the end of the time period, they did a hand written JE of all of them collectively. So for the three employees, she had to work through 100 pages of JE's to find them and for those three, the process for recording the information wasn't consistent. Sometimes there was a spreadsheet that showed the person worked x number of hours and then with the next employee it was an entirely different format. So it was not possible.

Mr. Steve Cogan said it was theoretically possible if they had unlimited time but there was no practical way to get that information over 5 years' time for each employee. They did it as practical as possible. It would be better to have records to show that but they don't exist. So the best strategy is to be consistent with it.

Ms. Hansen asked for a final report at the end.

Ms. Martínez said the final accounting is by fiscal year and is not in a format compatible with determining the outcome.

Ms. Booth asked if the City could get a final accounting.

Ms. Martinez said they could do that but it wouldn't show what you need to know.

Mr. Rodriguez said it would not match because the accounting changed along the way.

Ms. Kerr asked them to talk about the discrepancy between the Implementation Plan, the Project Plan, and the work being done.

Ms. Martinez said they were not ever able to tell if the implementation plan was accomplished. Of the 25 projects, they identified 14 projects that were not completed according to the Implementation Plan. Three of them were mostly completed, eight of them were partially completed and three were not completed at all. Furthermore, on the plan it said "needed improvements" so they could not be certain they were completed. They had 21 of 25 that exceeded the original budget and 25 that exceeded the contract work and 23 of 25 that exceed the budget for in-house work. The total exceeding was \$925,000 for in-house work and \$2 million for in-house work.

Ms. Sommer asked if the \$2 million over budget had anything to do with not being able to break out which salaries actually went to the Park Bond projects because they used this suspense account.

Ms. Martinez said basically, the money was transferred from one project to another. Overall, the \$30 million was intact. It wasn't that they overspend the \$30 million total. But they looked at IP and the original budget. The IP specified what was to be done by city staff and what was to be done by contractors and compared those. So the original budget had \$50,000 to be contracted out and it ended up costing \$150,000 after moving money around.

Mr. Rodriguez said at this stage, any final accounting or close out would be presumptuous. The staff had promised that by the end of the year a final accounting would be done. Staff will do that and might even get that this month to go to Finance Committee. But in any case, it will not be truly a report that says this is what they should have done and this is what they did. After the fact they have come back and said "this one should go there..." It could very well be that one project could cost less and another one more but he wouldn't trust that it is an accurate reflection of it.

Mr. Tupler asked if the City has a project-based accounting system that would allow allocation by project.

Mr. Rodriguez said no. The City has a payroll system that is 80% manual and 20% automated. So they put it in a suspense account and figured it out later. It takes hours to do that and they couldn't do it daily and to think you could come back a month later and document it, just cannot be done.

Ms. Hansen said another thing not in the plan was ADA work because no one knew how much it would cost. She asked if in all of the testing, they had the actual park tested or if this is the final report.

Ms. Martinez said they had a listing of the parks that have the exceptions in the report.

Ms. Booth pointed out that there are sets of minutes that talked about the ADA and that list of things to be done were all measurable.

Ms. Kerr agreed but there were some that just said "do ADA plan." And there was no detail in the plan.

Ms. Booth said any ADA requirement was related to something else such as playground equipment or a trail, etc.

Mr. Tupler asked if the auditors were comfortable with the cooperation from the City.

Ms. Martinez agreed and they pointed out those things that were not completed.

Ms. Hansen asked how we go forward now and make this better. We have to have accounting.

Mr. Cogan agreed it is necessary to fix these things and focus on the recommendations and fix them immediately so the City can demonstrate that it is being corrected and whatever sources of funding in the future will be properly accounted for. There are specific recommendations we made and they need to be implemented.

Mr. Rodriguez said he made that recommendation in January to City Council that the City stop doing this in-house process and seek bids instead. The RFP needs to spell out exactly what is needed and exactly what ADA requirements are. That approach goes very well but this (in-house) system means we could spend a lot of effort to get it where it needs to be. He couldn't recommend that way with any confidence.

There have been lots of changes in the new bond and now a public hearing to see if it is okay to make those changes. City workers doing CIP is a big one. The Parks Department requires \$775,000 CIP money each year. But the part that really truly is money that is put in the bid is about \$183,000. But for years, capital money has been used for operation. It is a much more widespread problem.

Ms. Booth said POSAC wants someone to be accountable and to know who is being held accountable for this.

Mr. Tupler suggested purchasing project management software which would cost about \$20,000.

Mr. Rodriguez said, "If only we could do that. The manual time sheet scribble is huge. One big project still on the books is the underpass on the Acequia Trail and that is going to be bid out." Ms. Garcia said there was about \$200,000 there. That money was spent on trails and parks.

Ms. Martinez asked if the City did the projects. They did improve parks and trails and open space but did they do as much as could have been done is a question. The money was spent by the Parks Department on the parks. She didn't find any evidence that money was stolen or spent on non-park items.

Ms. Booth understood but with the lack of data, we cannot say that for sure.

Ms. Martinez said what they did look at that was enough.

Ms. Booth read that they used about a hundred employees.

Mr. Rodriguez said the Locals has about 50 people and at most about 60 at the peak. When the GRT was down, the City was looking at losing hundreds of employees. And there was no question that hundreds would be lost if GRT goes down. A lot of capital money is being spent on operations.

Ms. Hansen asked if there were other monies put in the suspense account.

Ms. Kerr said it wasn't money; just time.

Mr. Rodriguez suspected adjustments were done over a period of time and those reports didn't come out. There were a lot of records missing.

Ms. Booth concluded that we don't know where a lot of the materials that were purchased went.

Ms. Martinez said they tested the procedures on supporting documentation and didn't inspect the goods whether they were received. There is no requirement for them to document that they were actually received and no verification that someone checked off that they were received

Mr. Rodriguez explained that it was done in the field.

Ms. Martinez agreed. So the vendor testing was different. We went to the parks to see if the work was completed.

Mr. Tupler excused himself from the meeting.

Mr. Boaz also excused himself from the meeting at 4:10 p.m.

Chair de Schweinitz said there were so many audits now that they should do it by subcommittee.

Ms. Kerr agreed.

Chair de Schweinitz said she had been very helpful on the ITT and Ms. Romero will work on that with Ms. Kerr.

Ms. Kerr said she was working on the report and once she got it on the Finance Committee agenda on the 13th, then it could move on to Council on the 29th. She would add another page with the check list and the auditor's report with the opinion and the legal language. She said she was working on the final details and would send a copy to the Committee. Then the Committee could sign off on it and it will go to print.

The City Manager looked at it and at this point it is good.

Chair de Schweinitz said the only other thing right now is to give Ms. Kerr more time on developing the

audit in the Risk Plan.

Ms. Kerr said she needed to have that discussion now because it is due May 1. It has to be in the finance packet for the 13th and the Council packet by May 29th.

She explained that what held her up this time was a real problem. The first year, she had to take it to the City Manager and she gave the city department staff instructions and everyone got their report back to her on time. The following year, they followed a similar process and they got them back to her on time. This year, she sent them out a month later. Mr. Snyder didn't want her to present it at the senior management meeting. She was sending out an email and copying him. People see it and ignore it and it is a point of frustration for her. So she is having to send out multiple emails which no doubt was irritating them and they are like, "this isn't my priority." And finally, she got the last one today.

She has to get the risk assessments filled out and then conduct interviews so she is doing interviews this week. But the process is ineffective if she doesn't get a timely response. So she was a little frustrated with that.

Chair de Schweinitz suggested maybe the Committee should help by going to see the City Manager.

Ms. Kerr agreed or come up with a different process for getting input on how to change it. If Mr. Snyder doesn't want her to present it at senior management meeting, maybe the message needs to come from him because her voice isn't being heard. She has to present it within 60 days and also her audit plan.

She thought she could wrap up the interviews this week.

She added that she would just roll forward some of the audits from last year because she had a 3 – year plan. Some things are going to fall off; some will change. She found out in the budget hearing yesterday that the City Manager said he would get her the \$31,000 software she had requested. So that will make her more sufficient. She would need some time to implement that.

He also agreed to give her some forensic software called ACL but she would also have to budget some time for that.

Chair de Schweinitz asked if she needed Ms. Sommer or Ms. Romero to help.

Ms. Kerr agreed. She wanted the Committee to review and give feedback on it.

Chair de Schweinitz said he did a draft on a report for Finance and left out that the Committee had been working with Mr. Rodriguez on the additions to the Financial Report format.

The Committee looked for it in the packet. Chair de Schweinitz found it and asked the members to look at it and share any comments on it.

He recalled that last year the Committee didn't get it done before May anyway.

Ms. Kerr said the next thing she would work on is the False Alarm Monitoring System. They are itching to get those findings cleared. It is good to have that energy and focus because Council wants to clear it. So Deputy Chief of Police Mario is working hard to get that cleared.

She said she also has to get the risk assessment done and the IT Audit Report ready. Then she could focus on that and also go before City Council and say the issues have been cleared because they are trying to move into a new contract. So basically, they re-read the city ordinance and implemented a lot of recommendations that she had added.

She also announced that the audit plan she prepared won a national award – coming in second in the nation in a competition. The committee applauded her for the achievement. She clarified that it was not the audit report but the false alarm report that won the award. She said it is nice to be recognized by peers.

Ms. Sommer asked what the false alarm report was and Ms. Kerr briefly explained it. False alarms brought a fine imposed on the family or business and the audit was done on that system.

Mr. Romero said she always wondered why that was done by an out of state company rather than by our employees.

Ms. Kerr said the City has worked out a percentage agreement with the alarm company and the City gets a percentage of that.

Chair de Schweinitz proposed to have the meeting on May 13th instead of the first Wednesday.

Ms. Romero asked how the fraud abuse hotline was going.

Ms. Kerr said they received 4 calls in the first week but none since then. Of those, two were referred to the police for investigation and one to HR. The other one was referred to constituency services. That one was a non-employee calling with a complaint about garbage truck employees using their phones while in the garbage truck. She believed HR responded that they needed more information – dates, times, pictures to substantiate that claim. They responded but she had not had a chance to look at it. That will now be referred to constituency services.

She said they had a meeting about it with the police department and HR and called constituency services to discuss how we handled these cases. They are going to have another meeting as to how best to report these cases. They had no time set yet to do that. The company told us that we should expect to get ten calls for the first month for a city this size and then ten for the rest of the year. That seems to be in line with what has happened.

She said the software is smooth and she is very pleased so far.

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b. Schedule and Status

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- f. Report from External Audit Committee (Clark de Schweinitz and Marc Tupler)

7. INTERNAL AUDIT MATTERS (Liza Kerr)

- a. Completed Audits within the Last Four Years with Open Findings
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 - b) Risk Assessment / Audit Plan
- d. Report of Internal Audit Subcommittee (Hazeldine Romero and Cheryl Pick Sommer)

8. UNFINISHED BUSINESS

- a. Committee Annual Report to the Finance Committee - Ideas Y Points to Cover (Clark de Schweinitz)
- b. Revised Ordinance

9. NEW BUSINESS


There was no new business to consider.

10. NEXT MEETING DATE: Wednesday, May 13, 2015

11. ADJOURNMENT

The meeting adjourned at 4:27 p.m.

Approved by:


Clark de Schweinitz, Chair

Submitted by:


Carl Boaz for Carl G. Boaz, Inc.