

SUNSET AUDIT REPORT

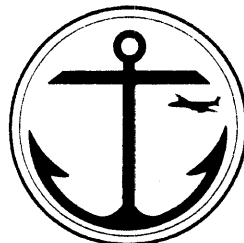
2011-S1

Watershed and Natural Resources
Advisory Commission

Community Development Department

August 15, 2011

MUNICIPALITY OF ANCHORAGE
Internal Audit Department
632 W 6th Avenue, Suite 600
P.O. Box 196650
Anchorage, Alaska 99519-6650
<http://www.muni.org/audit>



OFFICE OF THE INTERNAL AUDITOR
Peter Raiskums, CIA, CFE, CGFM
Director
Phone: (907) 343-4438
Fax: (907) 343-4370
E-Mail: raiskumspw@muni.org

MUNICIPALITY OF ANCHORAGE



Office of the Internal Auditor
632 W. 6th Ave., Suite 600

Phone: 907-343-4438
Fax: 907-343-4370

Mayor Dan Sullivan

August 15, 2011

Honorable Mayor and Members of the Assembly:

I am pleased to present **Sunset Audit Report 2011-S1, Watershed and Natural Resources Advisory Commission, Community Development Department**, for your review. A brief summary of the report is presented below.

In accordance with Assembly Ordinance Number 2011-64(S-1), Section 14, we have performed a sunset audit of the Watershed and Natural Resources Advisory Commission.

The objective of this audit was to provide information to the Mayor and Assembly to assist them in determining if the Watershed and Natural Resources Advisory Commission should be reauthorized. Our audit included a review of meeting minutes, resolutions and agendas, and member authorization and participation.

The Watershed and Natural Resources Advisory Commission will sunset on October 14, 2011 unless reauthorized by the Assembly.

A handwritten signature in black ink, appearing to read "Peter Raiskums".

Peter Raiskums, CIA, CFE
Director, Internal Audit

MUNICIPALITY OF ANCHORAGE



Office of the Internal Auditor
632 W. 6th Ave., Suite 600

Phone: 907-343-4438
Fax: 907-343-4370

Mayor Dan Sullivan

August 15, 2011

**Sunset Audit Report 2011-S1
Watershed and Natural Resources Advisory Commission
Community Development Department**

Introduction. We have performed a sunset audit of the Watershed and Natural Resources Advisory Commission (Commission) as required by Assembly Ordinance Number 2011-64(S-1), Section 14 which states:

“The Municipal Clerk shall notify the Assembly and the Mayor by assembly memorandum at least 120 days prior to the sunset of any board or commission, and an ordinance for reauthorization shall be introduced through the Assembly Chair with the assembly memorandum. The assembly memorandum shall include direction to the Office of Internal Audit to audit the board or commission under Anchorage Municipal Code section 3.20.110 D.3. and 4. The Office of Internal Audit shall report its findings to the Mayor and Assembly at least 60 days, prior to sunset, prior to vote by the Assembly on reauthorization.”

Objective and Scope. The objective of this audit was to provide information to the Mayor and Assembly to assist them in determining if the Commission should be reauthorized. Our audit included a review of meeting minutes, Commission resolutions and agendas and Commission member authorization and participation.

The audit was conducted in accordance with generally accepted government auditing standards, except for the requirement of an external quality control review, and accordingly, included tests of accounting records and such other auditing procedures as we considered necessary in the circumstances. The audit was performed during the period of July through August 2011.

SUNSET FACTORS

The following factors were used in our evaluation and are presented for information to the Mayor and Assembly:

1. **Name of Commission.**

Watershed and Natural Resources Advisory Commission

2. **Sunset Date.**

October 14, 2011

3. **The purpose and goal of the Watershed and Natural Resources Advisory Commission.**

The Commission was created under Anchorage Municipal Code (AMC) 4.90, effective July 29, 2008. The Commission, composed of nine members, serves as a technical liaison between municipal departments, the community and state and federal agencies having water quality, watershed and natural resources management responsibilities. The Commission's goal is to sustain the economic and community benefits of healthy creeks, watersheds and natural resource lands within the Municipality. To accomplish this goal, the Commission provides technical advice and guidance to help coordinate watershed and natural resources stewardship, restoration and protection actions.

4. Have Commission members been appointed?

AMC 4.05.030, Appointments, states “The members of boards and commissions shall be appointed as provided in the Charter. Reappointments to a board or commission must be accompanied by a record of meeting attendance during the previous term of appointment.”

AMC 4.90.020.A, Composition of Commission, states “The watershed and natural resources advisory commission shall be composed of nine members.”

Audit Finding. Currently, the Commission is staffed with 8 of the 9 required members. One seat has been vacant since March 2010.

<u>Board Member</u>	<u>Appointed</u>	<u>Reappointed</u>	<u>Term Expiration Date</u>
Vacant – Permitting, Wetlands			10-14-12
Bob Pawlowski – Fisheries, Creek Restoration	1-12-10		10-14-12
Brett Jokela – Hydrologist, Creek Restoration	2008	2009	10-14-12
Daniel Billman – Hydrologist	2008		10-14-11
Dan Bosch – Fisheries	2008		10-14-11
Rick Sinnott – Wildlife	2008		10-14-11
Holly Kent – Permitting, Watershed Planning	2008		10-14-10
David Nyman – Hydrologist, Creek Restoration	2008		10-14-10
Tamas Deak – Landscape, Creek Restoration	2008		10-14-10

Source: Mayor’s Office

5. **Are the terms of the Commission members current?**

AMC 4.05.040, Terms, states "Except as otherwise specified in this Code, the regular term of each member of a board or commission is three years commencing on October 15 of the year in which appointed and ending three years thereafter on October 14, provided however, to avoid a vacancy until new appointments can be made and confirmed, an appointed member's term is extended until a new appointment is confirmed or a maximum of 120 days which ever occurs first. The terms of initial or subsequent appointments to a board or commission shall be staggered so that, as nearly as possible, a pro rata number of its members shall be appointed each year of the established regular term of office."

Audit Finding. The terms for five Commission members are current. However, the terms for three Commission members, including the current Commission Chair, expired on October 14, 2010. As of July 22, 2011, these three members have continued to serve on the Commission.

6. **Are positions deemed vacant after the maximum number of absences?**

AMC 4.05.060.A, Attendance requirements; vacancies, states "... a vacancy shall occur if a member during any 12-month period while in office:

1. *Is absent from three regular meetings without excuse;*
2. *Is absent from:*
 - a. *six regular meetings; or*
 - b. *eight regular meetings for members of the planning and zoning commission, platting board, or zoning board of examiners and appeals; or*
3. *Fails to attend a two-thirds majority of the regular meetings."*

Audit Finding. No members were absent from three regular meetings without an excuse within any 12 month period.

No members were absent from six regular meetings within any 12 month period.

Two members failed to attend two thirds of the regular meetings in the 12 month period from February 2009 to January 2010. One of these seats has remained vacant since March 2010. The other seat is currently filled, but his term expired in October 2010.

7. **Does the Commission meet regularly?**

AMC 4.05.090, Meetings, states “A board or commission shall hold regular monthly meetings at such time and place as may from time to time be designated by the board or commission, but meetings need not be held if no business is pending. Boards and commissions shall advise the public of their meeting schedules, or publicly advertise their meetings where necessitated by statutory requirements. The chairman of a board or commission, or the municipal employee who is designated as an ex officio member of the board or commission pursuant to Section 4.05.140, or a majority of the board or commission, may call a special meeting of the board or commission. Meetings of all boards and commissions shall be open to the public, except for an executive session, from which the public may be excluded.”

Audit Finding. From 2009 through July 2011 the Commission met 18 times. All of these meetings were publicly announced on the Municipal Public Notices website.

8. **Are minutes taken and published?**

AMC 4.05.130, Reports, minutes and public hearing records, states “A board or commission shall keep minutes of the board or commission proceedings, and such minutes shall record the vote of each member physically present upon every question formally presented to the board or commissions for its consideration. The minutes shall be maintained in the custody of the municipal agency which supplies staff support to the board or commission and shall be a public record, open to inspection by any person.”

Audit Finding. Yes, meeting minutes have been taken and are maintained by the Community Development Department.

9. **Do meetings have action items or other business?**

AMC 4.90.030.A, Powers and Duties, states “The commission has the following powers and duties:

- 1. Make recommendations, provide advice and submit reports to the Assembly, the mayor, and municipal departments on watershed, creek and natural resource stewardship, restoration, and protection matters.”*

Audit Finding. Yes, from February 2009 through July 2011, the Commission issued seven resolutions.