

SUNSET AUDIT REPORT

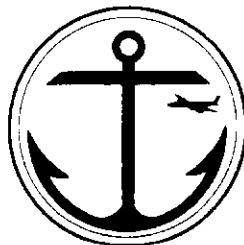
2012-S1

Anchorage Community Diversity Advisory Commission

Employee Relations Department

August 15, 2012

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Mayor Dan Sullivan

August 15, 2012

Honorable Mayor and Members of the Assembly:

I am pleased to present **Sunset Audit Report 2012-S1, Anchorage Community Diversity Advisory Commission, Employee Relations 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 Anchorage Community Diversity Advisory Commission. The objective of this audit was to provide information to the Mayor and Assembly to assist them in determining if the Anchorage Community Diversity Advisory Commission should be reauthorized. Our audit included a review of meeting minutes, resolutions and agendas, and member authorization and participation.

Based on our review of meeting minutes, resolutions and attendance records, we recommend that the Anchorage Community Diversity Advisory Commission be allowed to sunset and not be reauthorized.

The Anchorage Community Diversity Advisory Commission will sunset on October 14, 2012 unless reauthorized by the Assembly.

Peter Raiskums, CIA, CFE
Director, Internal Audit

August 15, 2012

**Sunset Audit Report 2012-S1
Anchorage Community Diversity Advisory Commission
Employee Relations Department**

Introduction. We have performed a sunset audit of the Anchorage Community Diversity 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 2012.

Overall Evaluation. Based on our review of meeting minutes, resolutions, and attendance records, we recommend that the Anchorage Community Diversity Advisory Commission be allowed to sunset and not be reauthorized.

SUNSET FACTORS

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

1. **Name of Commission.**

Anchorage Community Diversity Advisory Commission

2. **Sunset Date.**

October 14, 2012

3. **The purpose and goal of the Commission.**

Anchorage Municipal Code (AMC) 4.60.290.B, Anchorage Community Diversity Advisory Commission, states "The purpose of the commission is to increase the community's awareness of and appreciation for the unique racial and ethnic diversity of Anchorage and to promote acceptance in Anchorage. The commission shall be staffed by, and report directly to, the office of equal opportunity."

4. **Have Commission members been appointed?**

AMC 4.60.290.A states "There is hereby established the Anchorage Community Diversity Advisory commission, consisting of nine members, reflective of the diverse population of Anchorage. Members of the commission may be nominated by the mayor, any member of the assembly or any member of the public, and shall be appointed by the mayor and the mayor shall set their terms, confirmed by the Assembly."

Audit Finding. Currently, the Commission is staffed with 3 of the 9 required members.

<u>Commission Member</u>	<u>Appointed</u>	<u>Reappointed</u>	<u>Term Expiration Date</u>
Darrel Hess	2007	2009	10-14-12
Vacant			7-14-12
Vacant			10-14-10
Lynne Koral	2007	2009	7-14-12
Vacant			10-14-11
Vacant			10-14-11
Vacant			10-14-11
Bishop Thomas Davis	2009		10-14-13
Vacant			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 the three Commission members are current.

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. From January 2011 until July 2012 the Commission did not meet because a quorum could not be established.

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 January 2011 until July 2012 the Commission did not meet because a quorum could not be established.

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. Not applicable. No meetings were held.

9. Do meetings have action items or other business?

AMC 4.60.290.C states "The Anchorage Community Diversity Advisory Commission shall have the following powers and duties:

- 1. Act as a clearinghouse and serve as the executive board of the community diversity coalition to receive and coordinate information on and the status of racial and ethnic issues in Anchorage;*
- 2. Serve as the municipality's informational resource on issues of diversity-related conflict as situations arise;*
- 3. Hear and review public concerns on racial and ethnic issues in Anchorage and make recommendations to the office of equal opportunity;*
- 4. Advise and recommend policies to the mayor and assembly that will enhance appreciation of racial and ethnic diversity and promote acceptance within Anchorage; and*
- 5. Collaborate with other agencies and community programs to raise the consciousness of the community regarding the unique racial and ethnic diversity of Anchorage to promote acceptance."*

Audit Finding. The Commission has produced only one item since January 2011. On January 18, 2012 the acting chair sent a memo to the Director of the Office of Equal Opportunity. The memo stated that, “The reality is that the ACDAC [Commission] does not have a clearly defined role or mission which is not served by other organizations in Anchorage. . . . It is my recommendation . . . that the Anchorage Community Diversity Advisory Commission should be dissolved, and folded into” the Anchorage Community Police Relations Task Force as a standing committee.