

SUNSET AUDIT REPORT

2013-S5

Arts Advisory Commission

Mayor's Office

August 15, 2013

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Mayor Dan Sullivan

August 15, 2013

Honorable Mayor and Members of the Assembly:

I am pleased to present **Sunset Audit Report 2013-S5, Arts Advisory Commission, Mayor's Office**, 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 Arts Advisory Commission. The objective of this audit was to provide information to the Mayor and Assembly to assist them in determining if the Arts 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 Arts Advisory Commission be reauthorized, even though the Commission wants to sunset itself.

The Arts Advisory Commission will sunset on October 14, 2013 unless reauthorized by the Assembly.

Peter Raiskums, CIA, CFE
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**Sunset Audit Report 2013-S5
Arts Advisory Commission
Mayor's Office**

Introduction. We have performed a sunset audit of the Arts 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 June through July 2013.

Overall Evaluation. Based on our review of meeting minutes, resolutions, and attendance records, we recommend that the Arts Advisory Commission be reauthorized, even though the Commission wants to sunset itself.

SUNSET FACTORS

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

1. **Name of Commission.**

Arts Advisory Commission

2. **Sunset Date.**

October 14, 2013

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

Anchorage Municipal Code (AMC) 4.60.150.A, Arts advisory commission, states "The commission shall:

- 1. Advise the mayor and assembly concerning all matters pertaining to municipal involvement in the arts in the community except those programs officially under the purview of other advisory bodies.*
- 2. Receive requests for funds from community arts organizations and recommend to the mayor and assembly those projects and organizations which should receive municipal funding.*
- 3. Promote public and private cooperation in support of the arts."*

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

AMC 4.60.150.A states "There is established an arts advisory commission consisting of nine members."

Audit Finding. Currently, the Commission is staffed with seven of the required nine members.

<u>Commission Member</u>	<u>Appointed</u>	<u>Term Expiration Date</u>
Jordan Marshall	2-15-11	10-14-13
Lee Holmes	8-19-08	10-14-13
Steve Alvarez	2-16-10	10-14-14
Greer Gehler	11-8-11	10-14-14
Joshua Fink	11-17-09	10-14-15
Lou Ann Hennig	4-9-13	10-14-15
Jessica Pezak	4-9-13	10-14-15
Vacant		
Vacant		

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

One member was absent from six regular meetings within a 12 month period.

Three members failed to attend two thirds of the regular meetings within a 12 month period.

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 2012 through June 2013 the Commission met 12 times. Meetings are publicly announced on the Municipality’s 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, Commission minutes were taken at each Commission meeting. The Mayor’s Office staff keeps copies available to the public.

9. Do meetings have action items or other business?

Anchorage Municipal Code 4.60.150.A states “There is established an arts advisory commission consisting of nine members. The commission shall:

- 1. Advise the mayor and assembly concerning all matters pertaining to municipal involvement in the arts in the community except those programs officially under the purview of other advisory bodies.*

2. *Receive requests for funds from community arts organizations and recommend to the mayor and assembly those projects and organizations which should receive municipal funding.*
3. *Promote public and private cooperation in support of the arts.*
4. *This commission shall terminate on October 14, 2013, unless affirmatively continued by the assembly for an additional three years in accordance with section 4.05.150."*

Audit Finding. From January 2012 through June 2013, the Commission did not issue any resolutions or reports. However, the Commission did make recommendations for art grants.