

# SUNSET AUDIT REPORT

2016-S5

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Arts Advisory Commission

Mayor's Office

August 12, 2016

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# Municipality of Anchorage

Ethan Berkowitz, Mayor

Internal Audit Department

August 12, 2016

Honorable Mayor and Members of the Assembly:

I am pleased to present **Sunset Audit Report 2016-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.

The Arts Advisory Commission will sunset on October 14, 2016, unless reauthorized by the Assembly.

Michael Chadwick, CICA  
Acting Director, Internal Audit



# Municipality of Anchorage

Ethan Berkowitz, Mayor

Internal Audit Department

August 12, 2016

**Sunset Audit Report 2016-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 2016.

**Overall Evaluation.** Based on our review of meeting minutes, resolutions, and attendance records, we recommend that the Arts Advisory Commission 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.**

Arts Advisory Commission

2. **Sunset Date.**

October 14, 2016

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

*Anchorage Municipal Code (AMC) 4.60.150, 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 states "There is established an arts advisory commission consisting of nine members."*

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

<u>Commission Member</u>	<u>Most Recent Assembly Confirmation</u>	<u>Term Expiration Date</u>
Lou Ann Hennig	11-24-15	10-14-18
Jill Bess	11-24-15	10-14-18
Melodie Mackey	11-24-15	10-14-17
Nicholas Sweet	11-24-15	10-14-17
Steve Alvarez	10-7-14	10-14-17
Mary Rider	12-17-13	10-14-16
Lee Holmes	11-5-13	10-14-16
Neisha Jones	4-12-16	10-14-18
Vacant		

Source: Assembly Memorandums

**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 eight 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 2015 through June 2016, it appears the Commission met nine times. However, for the period between January 2015 and May 2015, approved meeting minutes with attendance records for three Commission meetings could not be located. As a result, we were only able to verify whether the Commission members satisfied the attendance requirement from June 2015 through May 2016.

No members were absent from three regular meetings without an excuse within the 12-month period from June 2015 through May 2016.

No members were absent from six regular meetings within the 12-month period from June 2015 through May 2016.

All members attended at least two thirds of the regular meetings within the 12-month period from June 2015 through May 2016.

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 2015 through June 2016, it appears the Commission met nine times. Meetings were not always publicly announced on the Boards and Commissions Events' website or 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.** Commission minutes were available for only six of the nine Commission meetings from January 2015 through June 2016. The Mayor's staff keeps a copy available for the public.

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

*AMC 4.60.150 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, 2016, unless affirmatively continued by the Assembly in accordance with section 4.05.150."*

**Audit Finding.** From January 2015 through June 2016, the Commission did not issue any resolutions or reports. However, the Commission did make recommendations for art grants.