

SUNSET AUDIT REPORT

2017-S2

Watershed and Natural Resources
Advisory Commission

Planning Department

August 9, 2017

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Municipality of Anchorage

Ethan Berkowitz, Mayor

Internal Audit Department

August 9, 2017

Honorable Mayor and Members of the Assembly:

I am pleased to present **Sunset Audit Report 2017-S2, Watershed and Natural Resources Advisory Commission, Planning 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.

Based on our review of meeting minutes, resolutions, and attendance records, we recommend that the Watershed and Natural Resources Advisory Commission be reauthorized. The Watershed and Natural Resources Advisory Commission is staffed with eight of the required nine members. However, the terms for three Watershed and Natural Resources Advisory Commission members expired on October 14, 2016, but these members continue to serve on the Watershed and Natural Resources Advisory Commission.

The Watershed and Natural Resources Advisory Commission will sunset on October 14, 2017, unless reauthorized by the Assembly.

Michael Chadwick, CIA, CICA
Director, Internal Audit



Municipality of Anchorage

Ethan Berkowitz, Mayor

Internal Audit Department

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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.

We conducted this performance audit in accordance with generally accepted government auditing standards, except for the requirement of an external quality control review. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence

obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. The audit was performed during the period of June through July 2017.

Overall Evaluation. Based on our review of meeting minutes, resolutions, and attendance records, we recommend that the Commission be reauthorized. The Commission is staffed with eight of the required nine members. However, the terms for three Commission members expired on October 14, 2016, but these members continue to serve on the Commission.

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, 2017

3. **The purpose and goal of the 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 eight of the required nine members.

<u>Commission Member</u>	<u>Most Recent Assembly Confirmation</u>	<u>Term Expiration Date</u>
Stephanie Quinn-Davidson – Fisheries, Biologist, Environmental Studies	10-27-15	10-14-18
Brett Jokela – Hydrology, Engineering	10-27-15	10-14-18
Daniel Billman – Creek Restoration, Hydrology	8-7-14	10-14-17
Dan Bosch- Fish Passage/Fish and Wildlife	8-7-14	10-14-17
Rick Sinnott – Fish and Wildlife	8-7-14	10-14-17
Holly Kent – Aquatic Resources	10-8-13	Expired 10-14-16
David Nyman – Engineering	10-8-13	Expired 10-14-16
Tamás Deák – Land Management, Management and Permitting	10-8-13	Expired 10-14-16
Vacant ¹		10-14-18

¹ Cherie Norton resigned from the Commission on April 28, 2017.

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 five of the eight Commission members are current. The terms for the remaining three Commission members expired on October 14, 2016, but these members continue 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. Two members were absent from three regular meetings without an excuse within any 12-month period from January 2016 through June 2017. These two members also failed to attend two-thirds of the regular meetings within any 12-month period. These

members have not been removed from the Commission. However, one of the member's term expired on October 14, 2016, but the member continues to serve on the Commission.

No members were absent from six regular meetings within any 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 2016 through June 2017, the Commission met 11 times. Meetings are publicly announced on the Commission's website and 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. Minutes were taken at each Commission meeting. Planning Department staff keeps a copy available for the public. In addition, Commission minutes are available on the Commission's website.

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. From January 2016 to June 2017, the Commission issued two resolutions and one memorandum.