

INTERNAL AUDIT REPORT

2019- S5

Arts Advisory Commission

Mayor's Office

August 9, 2019

MUNICIPALITY OF ANCHORAGE
Internal Audit Department
632 W 6th Avenue, Suite 710
P.O. Box 196650
Anchorage, Alaska 99519-6650
www.muni.org/departments/internal_audit



INTERNAL AUDIT DEPARTMENT
Michael Chadwick, CIA, CICA
Director
Phone: (907) 343-4438

E-Mail: michael.chadwick@anchorageak.gov



Municipality of Anchorage

Ethan Berkowitz, Mayor
Internal Audit Department

August 9, 2019

Honorable Mayor and Members of the Assembly:

I am pleased to present **Sunset Audit Report 2019-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, 2019, unless reauthorized by the Assembly.

Michael Chadwick, CIA, CICA
Director, Internal Audit



Municipality of Anchorage

Ethan Berkowitz, Mayor

Internal Audit Department

August 9, 2019

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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, resolutions and agendas, and 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 in June 2019.

Overall Evaluation. Based on our review of meeting minutes, resolutions, and attendance records, we recommend that the 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, 2019

3. **The Purpose and Goal of the Commission.**

Anchorage Municipal Code (AMC) subsection 4.60.150A., 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 subsection 4.60.150A. 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>
Phillip Blanchett	12-19-17	10-14-20
Marilyn Alvarenga-Gaxiola	4-10-18	10-14-19
Gina Hollomon	11-7-18	10-14-21
Natasha Webster	11-7-18	10-14-21
Steven M. Godfrey	11-20-18	10-14-21
Beth Johnson	12-4-18	10-14-20
Enzina Marrari	1-29-19	10-14-21
Jamie Gonzales	2-12-19	10-14-21
Vacant		

Source: Assembly Memorandums

5. Are the terms of the Commission members current?

AMC section 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 all Commission members are current.

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

AMC subsection 4.05.060A., Attendance requirements; vacancies, states "The office of a member of a board or commission member shall become vacant if the member:

1. *Ceases to meet the qualifications prescribed for the office;*
2. *Resigns;*
3. *Dies;*
4. *Is judicially determined to be incompetent;*
5. *Is convicted of a felony;*
6. *Is removed from office for breach of the public trust; or*
7. *During any 12-month period while in office:*
 - a. *Is absent from three regular meetings without excuse;*
 - b. *Is absent from:*
 - i. *Six regular meetings; or*
 - ii. *Eight regular meetings for members of the planning and zoning commission, urban design commission, platting board, or zoning board of examiners and appeals; or*
 - c. *Fails to attend a two-thirds majority of the regular meetings without excuse."*

Note: Attendance requirements found in AMC subsection 4.05.060A. were amended on April 24, 2018, by Assembly Ordinance Number 2018-31, as amended and shown above. According to Assembly Counsel, this ordinance is effective prospectively. As a result, we evaluated attendance from May 2018 to the end of June 2019.

Audit Finding. No members were absent from three regular meetings without an excuse during any 12-month period from May 2018 through June 2019.

No members were absent from six regular meetings during any 12-month period from May 2018 through June 2019.

No members failed to attend two-thirds of the regular meetings without an excuse during any 12-month period from May 2018 through June 2019.

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

AMC section 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 2018 through June 2019, the Commission met 15 times. Meetings are publicly announced on the Commission's website, the Mayor's Boards and Commissions Events website, and the Municipality of Anchorage's Public Notices website.

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

AMC section 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. Meeting minutes were not always taken at each Commission meeting. Specifically, Commission minutes for 2 of the 15 meetings held from January 2018 through May 2019 were not available. Moreover, none of the 2018 and 2019 meeting minutes are available on the Commission's website. However, the Mayor's Office staff keeps a copy available for the public.

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

AMC subsection 4.60.150A. 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."*

Audit Finding. From January 2018 through June 2019, the Commission did not issue any resolutions or reports. However, the Commission did make recommendations for art grants and sent a letter to the mayor expressing their full support for two arts policy reforms.