

# SUNSET AUDIT REPORT

2018-S10

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Youth Advisory Commission

Office of the Mayor

August 14, 2018

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# Municipality of Anchorage

Ethan Berkowitz, Mayor

Internal Audit Department

August 14, 2018

Honorable Mayor and Members of the Assembly:

I am pleased to present **Sunset Audit Report 2018-S10, Youth Advisory Commission, Office of the Mayor**, 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 Youth Advisory Commission. The objective of this audit was to provide information to the Mayor and Assembly to assist them in determining if the Youth 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 Youth Advisory Commission be reauthorized for one year, with another sunset audit at that time. Although the Youth Advisory Commission appeared active, it did not regularly record meeting minutes with associated attendance. For meeting minutes that were provided to us, in most instances they did not include attendance records or indicate if minutes were approved. In addition, in mid-July 2018, we reviewed Youth Advisory Commission members and found that the Youth Advisory Commission was staffed with 5 of the required 15 members, with the term of one member having expired on October 14, 2016. On July 31, 2018, the Anchorage Assembly approved nine individuals to serve on the Youth Advisory Commission and reappointed the individual whose term had expired.

The Youth Advisory Commission will sunset on October 14, 2018, unless reauthorized by the Assembly.

Michael Chadwick, CIA, CICA  
Director, Internal Audit



# Municipality of Anchorage

Ethan Berkowitz, Mayor

Internal Audit Department

August 14, 2018

**Sunset Audit Report 2018-S10  
Youth Advisory Commission  
Office of the Mayor**

**Introduction.** We have performed a sunset audit of the Youth 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 during the period of May through July 2018.

**Overall Evaluation.** Based on our review of meeting minutes, resolutions, and attendance records, we recommend that the Commission be reauthorized for one year, with another sunset audit at that time. Although the Commission appeared active, it did not regularly record meeting minutes with associated attendance. For meeting minutes that were provided to us, in most instances they did not include attendance records or indicate if minutes were approved. In addition, in mid-July 2018, we reviewed Commission members and found that the Commission was staffed with 5 of the required 15 members, with the term of one member having expired on October 14, 2016. On July 31, 2018, the Anchorage Assembly approved nine individuals to serve on the Commission and reappointed the individual whose term had expired.

## **SUNSET FACTORS**

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

1. **Name of Commission.**

Youth Advisory Commission

2. **Sunset Date.**

October 14, 2018

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

*Anchorage Municipal Code (AMC) subsection 4.60.275A., Youth advisory commission; youth representative to the assembly, states “This commission will advise the mayor and assembly on issues, services and programs. The special assistant on youth development, or a designee selected by the mayor shall act as executive secretary for the commission. Members will be appointed by the mayor, subject to approval by the assembly.”*

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

*AMC subsection 4.60.275A. states “There is established a youth advisory commission consisting of 15 members between 14 and 22 years of age whose terms shall commence October 14, except as to members appointed to fill an unexpired term.”*

**Audit Finding.** In July 2018, we reviewed Commission members and found that the Commission was staffed with 5 of the required 15 members. In addition, eight others participated in the Commission’s meetings without approval from the Anchorage Assembly.

<u>Commission Member</u> <sup>1</sup>	<u>Most Recent Assembly Confirmation</u>	<u>Term Expiration Date</u>
Rainier Herczeg	1-26-16	Expired 10-14-16
Brian Moten	12-19-17	10-14-19
Andrew Wiggin	12-19-17	10-14-20
Brynn Morse	12-19-17	10-14-20
David Holmes	12-19-17	10-14-20

<sup>1</sup>On July 31, 2018, the Anchorage Assembly approved 10 individuals to serve on the Commission, including the reappointment of Rainier Herczeg.

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 four of the five Commission members are current. The term for the remaining Commission member expired on October 14, 2016, but he continued to serve on the Commission. This Commission member was reappointed on July 31, 2018.

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

*AMC subsection 4.05.060A., 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.”*

Note: Attendance requirements found in AMC subsection 4.05.060A. were amended on April 24, 2018, by Assembly Ordinance Number 2018-31, as amended. According to Assembly Counsel, this ordinance is effective prospectively. As a result, the amended changes did not affect this sunset audit for the period beginning January 2017 and ending May 2018. AMC subsection 4.05.060A. cited above is the language prior to the April 24, 2018, amendment.

**Audit Finding.** No members were absent from three regular meetings without an excuse within any 12-month period from January 2017 through May 2018.

No members were absent from six regular meetings within any 12-month period from January 2017 through May 2018.

All members attended at least two-thirds of the regular meetings within any 12-month period from January 2017 through May 2018. It should be noted that four of the five commission members were appointed on December 9, 2017. Therefore, they had not served a full 12 months to evaluate the attendance requirement.

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.** According to Commission attendance records, from January 2017 through May 2018, the Commission met 13 times. Meetings are not publicly announced on the Commission’s website nor on the Municipality of Anchorage’s Public Notices website. However, meetings are announced on the Commission’s Facebook page.

**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 8 of the 13 meetings held from January 2017 through May 2018 were not available. For meeting minutes that were provided to us, in most instances, they did not include attendance records or indicate if previous meeting minutes were approved. Finally, none of the 2017 and 2018 meeting minutes are available on the Mayor’s Office website. However, staff at the Mayor’s Office did keep a copy available for the public.

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

*AMC subsection 4.60.275B. states “The youth advisory commission shall have the following powers and duties:*

- 1. Advise the mayor and assembly on issues, services and programs from the youth perspective in our community.*
- 2. Assist and advise the administration and assembly in developing plans for the establishment of programs and services where none now exist.*
- 3. Assist in coordinating youth services and programs.*
- 4. Assist and advise the mayor and assembly on existing services and programs for youth.*
- 5. Conduct educational and public relations programs designed to create public awareness of the needs of youth and the services which youth can provide to the community.*
- 6. Conduct surveys and compile and disseminate information concerning housing, health,*

*nutrition, transportation, education, recreation, legal services, and social and mental health services available or not available to youth.*

7. *At their own initiative, or in response from the mayor or assembly, make recommendations to the mayor and assembly regarding policies, practices and legislation from the youth perspective.*
8. *The commission shall select three adult community members to serve as its advisory board. Members will be appointed by the youth commission, subject to approval by the mayor."*

**Audit Finding.** In 2017 and 2018, the Commission hosted "Teen City," a free local event geared toward providing volunteer and potential job opportunities for Anchorage youth. In addition, in 2017, the Commission provided a review of a proposed Assembly Ordinance amending AMC section 4.60.275 to provide for a youth representative to the Anchorage Assembly. Moreover, in May 2018, the Commission put together a draft Strategic Planning Meeting Report for the Commission. Finally, in June 2018, the Commission provided two nominations for the youth representative to the Anchorage Assembly.