

Submitted by: Assembly Chair Constant
Prepared by: Office of the Municipal Clerk
Reviewed by: Assembly Counsel
For reading: June 25, 2024

**ANCHORAGE, ALASKA
AO NO. 2024–65**

1 **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY TO**
2 **REAUTHORIZE CERTAIN BOARDS AND COMMISSIONS BY AMENDING THE**
3 **SUNSET PROVISIONS IN ANCHORAGE MUNICIPAL CODE SECTIONS**
4 **4.40.020, 4.40.030, 4.50.020, 4.60.040, 4.60.060, 4.60.100, 4.60.110, 4.60.160,**
5 **4.60.200, AND 4.60.275.**

6
7 **WHEREAS**, AO 2011-64(S-1), *As Amended*, revived sunset provisions for
8 boards and commissions, and created a process for advance notice and internal
9 audit of boards and commissions prior to sunset; and

10
11 **WHEREAS**, Section 14 of AO 2011-64(S-1), *As Amended*, calls for advance
12 introduction of an ordinance for reauthorization, with an Assembly Memorandum
13 confirming direction to the Office of Internal Audit to conduct the audits of these
14 boards and commissions; and

15
16 **WHEREAS**, thirteen (13) boards and commissions have the sunset date of
17 October 14, 2024 indicated in the Anchorage Municipal Code; and

18
19 **WHEREAS**, of those thirteen, two are omitted from this ordinance for
20 separate processing: the Port of Alaska Modernization Program and Design
21 Advisory Board and the Houseless Lived Experience Advisory Board; and one, the
22 Americans with Disabilities Act Advisory Commission, was sunset in 2022 by
23 AO 2021-060(S), *As Amended*, but was erroneously still in Code as terminating in
24 2024. These are further explained in the accompanying Assembly Memorandum;
25 and

26
27 **WHEREAS**, the Internal Auditor will report findings to the Mayor and
28 Assembly at least 60 days prior to the sunset date of October 14, 2024, to allow time
29 for a public hearing and review prior to action by the Assembly on reauthorization of
30 ten (10) boards and commissions; now therefore,

31
32 **THE ANCHORAGE ASSEMBLY ORDAINS:**

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34 **Section 1.** Anchorage Municipal Code section 4.40.020 is hereby amended to
35 read as follows (*other subsections not affected are not set out*):

36
37 **4.40.020 Port commission.**

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39 *** **

B. This commission shall terminate on October 14, 2027[24], unless affirmatively continued by the assembly in accordance with section 4.05.150.

(CAC 12.04.010—12.04.050; AO No. 95-223, § 1, expires 1-20-1998; AO No. 99-7, § 1, 1-26-99, expires 1-20-02; AO No. 2001-189, § 2, expires 1-20-05; AO No. 2004-96, § 1, 6-8-04; AO No. 2011-64(S-1), § 3, 6-28-11; AO No. 2012-60(S), § 1, 10-9-12; AO No. 2015-61, § 1, 10-13-15 ; AO No. 2017-122(S) , § 10, 10-24-17; Ord. No. 2018-47 , § 1, 10-9-18, AO No. 2021-60(S) , § 1, 10-12-21)

Section 2. Anchorage Municipal Code section 4.40.030 is hereby amended to read as follows (*other subsections not affected are not set out*):

4.40.030 Board of building regulation examiners and appeals.

*** *** ***

C. This board shall terminate on October 14, 2027[24], unless affirmatively continued by the assembly in accordance with section 4.05.150.

(AO No. 50-75; AO No. 98-86, § 1, 6-2-98; AO No. 2011-64(S-1), § 3, 6-28-11; AO No. 2012-31(S), § 1, 3-13-12; AO No. 2012-60(S), § 2, 10-9-12; AO No. 2012-125(S), § 1, 1-15-13; AO No. 2015-61, § 2, 10-13-15 ; Ord. No. 2018-47 , § 2, 10-9-18; AO No. 2021-60(S) , § 2, 10-12-21)

Section 3. Anchorage Municipal Code section 4.50.020 is hereby amended to read as follows (*other subsections not affected are not set out*):

4.50.020 Bidding review board.

*** *** ***

F. This board shall terminate on October 14, 2027[24], unless affirmatively continued by the Assembly in accordance with section 4.05.150.

(CAC 4.37.010, 4.37.050; AO No. 84-82(SA); AO No. 85-11; AO No. 93-129, § 1, 8-24-93; AO No. 95-223, § 1, expires 1-20-1998; AO No. 99-7, § 1, 1-26-99, expires 1-20-02; AO No. 2001-189, § 2, expires 1-20-05; AO No. 2004-96, § 1, 6-8-04; AO No. 2008-37, § 1, 3-18-08; AO No. 2008-90(S), § 4, 1-1-2010; AO No. 2009-44, § 2, 5-12-09; AO No. 2011-24(S), § 3, 5-24-11; AO No. 2011-64(S-1), § 4, 6-28-11; AO No. 2013-69, § 3, 10-8-13; AO

No. 2016-60 , § 3, 10-4-16; AO No. 2017-99 , § 1, 7-25-17; AO No. 2019-71 , § 3, 10-8-19)

Section 4. Anchorage Municipal Code section 4.60.040 is hereby amended to read as follows (*other subsections not affected are not set out*):

4.60.040 Library advisory board.

*** *** ***

E. This board shall terminate on October 14, 2027[24], unless affirmatively continued by the assembly in accordance with section 4.05.150.

(CAC 2.64.370—2.64.380; AO No. 95-223, § 1, expires 1-20-1998; AO No. 99-7, § 1, 1-26-99, expires 1-20-02; AO No. 2001-189, § 2, expires 1-20-05; AO No. 2004-96, § 1, 6-8-04; AO No. 2011-64(S-1), § 5, 6-28-11; AO No. 2012-60(S), § 3, 10-9-12; AO No. 2015-61, § 3, 10-13-15 ; Ord. No. 2018-47 , § 3, 10-9-18; AO No. 2021-60(S) , § 3, 10-12-21; AO No. 2023-57(S) , § 2, 5-9-23)

Section 5. Anchorage Municipal Code section 4.60.060 is hereby amended to read as follows (*other subsections not affected are not set out*):

4.60.060 Municipal health and human services commission.

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C. This commission shall terminate on October 14, 2027[24], unless affirmatively continued by the assembly in accordance with section 4.05.150.

(AO No. 255-76; AO No. 85-42(S-A); AO No. 86-131; AO No. 97-33, § 1, 5-6-97; AO No. 2003-99, § 1, 7-15-03; AO No. 2004-96, § 1, 6-8-04; AO No. 2009-62, § 1, 5-26-09; AO No. 2011-64(S-1), § 5, 6-28-11; AO No. 2012-60(S), § 4, 10-9-12; AO No. 2015-61, § 4, 10-13-15 ; Ord. No. 2018-47 , § 4, 10-9-18; AO No. 2021-60(S) , § 4, 10-12-21; AO No. 2023-57(S) , § 2, 5-9-23)

Section 6. Anchorage Municipal Code section 4.60.100 is hereby amended to read as follows (*other subsections not affected are not set out*):

4.60.100 Public transit advisory board.

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1 E. This board shall terminate on October 14, 2027[24], unless
2 affirmatively continued by the assembly for an additional three years in
3 accordance with section 4.05.150.
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5 (GAAB 5.80.010—5.80.020, 5.80.070—5.80.080; AO No. 82-49; AO No. 83-
6 44; AO No. 95-223, § 1, expires 1-20-1998; AO No. 96-47, § 3, 3-5-96; AO No.
7 99-7, § 1, 1-26-99, expires 1-20-02; AO No. 2000-81, § 1, 5-16-00; AO No.
8 2001-189, § 2, expires 1-20-05; AO No. 2004-96, § 1, 6-8-04; AO No. 2011-
9 64(S-1), § 5, 6-28-11; AO No. 2012-60(S), § 5, 10-9-12; AO No. 2015-61, § 5,
10 10-13-15 ; Ord. No. 2018-47 , § 5, 10-9-18; AO No. 2021-18 , § 1, 2-9-21; AO
11 No. 2021-60(S) , § 5, 10-12-21)
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14 **Section 7.** Anchorage Municipal Code section 4.60.110 is hereby amended to
15 read as follows (*other subsections not affected are not set out*):
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17 **4.60.110 Senior citizens advisory commission.**
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19 *** **

20 B. This commission shall terminate on October 14, 2027[24], unless
21 affirmatively continued by the assembly in accordance with section
22 4.05.150.
23

24 (AO No. 49-76; AO No. 95-223, § 1, expires 1-20-1998; AO No. 99-7, § 1, 1-
25 26-99, expires 1-20-02; AO No. 2001-44, § 2, 2-27-01; AO No. 2001-189, §
26 2, expires 1-20-05; AO No. 2004-96, § 1, 6-8-04; AO No. 2005-68, § 2, 5-31-
27 05; AO No. 2011-64(S-1), § 5, 6-28-11; AO No. 2012-60(S), § 6, 10-9-12; AO
28 No. 2015-61, § 7, 10-13-15 ; Ord. No. 2018-47 , § 6, 10-9-18; AO No. 2021-
29 60(S) , § 6, 10-12-21)
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32 **Section 8.** Anchorage Municipal Code section 4.60.160 is hereby amended to
33 read as follows (*other subsections not affected are not set out*):
34

35 **4.60.160 Municipal airports aviation advisory commission.**
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37 *** **

38 C. This commission shall terminate on October 14, 2027[24], unless
39 affirmatively continued by the assembly in accordance with section
40 4.05.150.
41

42 (AO No. 77-213; AO No. 84-27(S); AO No. 98-75, § 1, 5-19-98; AO No. 2001-
43 68, § 1, 5-8-01; AO No. 2004-95, 6-8-04; AO No. 2004-96, § 1, 6-8-04; AO No.
44 2011-64(S-1), § 5, 6-28-11; AO No. 2012-60(S), § 7, 10-9-12; AO No. 2015-61,

§ 8, 10-13-15 ; Ord. No. 2018-47 , § 7, 10-9-18; AO No. 2021-60(S) , § 7, 10-12-21; AO No. 2022-41 , § 1, 4-12-22)

Section 9. Anchorage Municipal Code section 4.60.200 is hereby amended to read as follows (*other subsections not affected are not set out*):

4.60.200 Heritage Land Bank Advisory Commission.

*** *** ***

D. This commission shall terminate on October 14, 2027[24], unless affirmatively continued by the assembly in accordance with section 4.05.150.

(AO No. 83-86; AO No. 86-108(S); AO No. 87-98(S); AO No. 95-198(S-3), § 1, 12-5-95; AO No. 98-76, § 1, 7-14-98; AO No. 2004-96, § 1, 6-8-04; AO No. 2011-64, § 5, 6-28-11; AO No. 2012-60(S), § 8, 10-9-12; AO No. 2015-61, § 9, 10-13-15 ; Ord. No. 2018-47 , § 8, 10-9-18; AO No. 2021-60(S) , § 8, 10-12-21)

Section 10. Anchorage Municipal Code section 4.60.275 is hereby amended to read as follows (*other subsections not affected are not set out*):

4.60.275 Youth advisory commission; youth representative to the assembly.

*** *** ***

C. This commission shall terminate on October 14, 2027[24], unless affirmatively continued by the Assembly in accordance with section 4.05.150.

(AO No. 95-64, § 1, 3-7-95; AO No. 95-132, § 1, 6-6-95; AO No. 96-64, § 1, 4-23-96; AO No. 98-26, § 1, expires 3-7-2001; AO No. 2001-61, § 1, 3-27-01; AO No. 2004-69, § 1, 4-13-04; AO No. 2004-96, § 1, 6-8-04; AO No. 2005-80, § 2, 9-27-05; AO No. 2011-64(S-1), § 5, 6-28-11; AO No. 2015-119, § 1, 11-10-15 ; AO No. 2017-51(S) , § 1, 9-12-17; Ord. No. 2018-47 , § 10, 10-9-18; AO 2022-69(S) , § 2, 6-21-22)

Section 11. This Ordinance shall be effective immediately upon passage and approval by the Assembly.

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PASSED AND APPROVED by the Anchorage Assembly this ____ day of _____, 2024.

Chair

ATTEST:

Municipal Clerk



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 515-2024

Meeting Date: June 25, 2024

1 **From: CHAIR AND MUNICIPAL CLERK**

2
3 **Subject: AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY TO**
4 **REAUTHORIZE CERTAIN BOARDS AND COMMISSIONS BY AMENDING**
5 **THE SUNSET PROVISIONS IN ANCHORAGE MUNICIPAL CODE SECTIONS**
6 **4.40.020, 4.40.030, 4.50.020, 4.60.040, 4.60.060, 4.60.100, 4.60.110, 4.60.160,**
7 **4.60.200, AND 4.60.275.**
8

9 Amendments to Anchorage Municipal Code by AO 2011-64(S-1), As Amended, require an
10 opportunity for public hearing and the Assembly to review and consider whether to
11 reauthorize a board or commission, prior to the effective sunset date. Unless the Assembly
12 affirmatively votes to reauthorize, these Municipal boards and commissions shall terminate
13 on October 14, 2024, as presently scheduled in the Code:
14

15 **AMC 4.40.020 - Port Commission**

16 **AMC 4.40.030 - Board of Building Regulation and Appeals**

17 **AMC 4.50.020 - Bidding Review Board**

18 **AMC 4.50.110 - Port of Alaska Modernization Program and Design Advisory Board**

19 **AMC 4.60.040 - Library Advisory Board**

20 **AMC 4.60.060 - Municipal Health and Human Services Commission**

21 **AMC 4.60.100 - Public Transit Advisory Board**

22 **AMC 4.60.110 - Senior Citizens Advisory Commission**

23 **AMC 4.60.160 - Municipal Airports Aviation Advisory Commission**

24 **AMC 4.60.200 - Heritage Land Bank Advisory Commission**

25 **AMC 4.60.240 - Americans with Disabilities Act Advisory Commission**

26 **AMC 4.60.250 - Houseless Lived Experience Advisory Board**

27 **AMC 4.60.275 - Youth Advisory Commission**
28

29 However, through this memorandum direction is provided to omit three of these from the
30 sunset audits process this year. One of these, the Port of Alaska Modernization Program and
31 Design Advisory Board (PAMP-DAB) in AMC 4.50.110, was in last year's sunset audits
32 because it had a sunset date of October 14, 2023. The Office of Internal Audit produced
33 Sunset Audit Report 2023-S3 dated August 11, 2023, and stated "we recommend that the
34 [PAMP-DAB] be allowed to sunset and not be reauthorized" because its work was completed.
35 By amendment to AO 2023-69, the Anchorage Assembly reauthorized the PAMP-DAB for
36 only one year to 2024, after considering allowing it to sunset in 2023, and after discussion
37 regarding a need for the Board's continuing work and an anticipated 65% design for the
38 Terminal 2 with design options to consider. At that meeting I described an ordinance in the
39 drafting phase that would look at restructuring the PAMP-DAB composition and expanding its
40 scope. In addition, the Internal Auditor has advised that with less than a year of data and
41 information since the last audit, conducting another one so soon was not an advisable use of

1 resources, particularly in a heavy sunset audit year. Therefore, the PAMP-DAB is to be
2 omitted from the ordinance and the sunset audits to be performed this year.

3
4 Additionally, I have determined to propose a separate ordinance for the Houseless Lived
5 Experience Advisory Board, in order to examine this nascent group's meeting record and
6 consider its structure and sunset date separately, and earlier than the scheduled October
7 action for this ordinance. This is anticipated to be introduced at the next Assembly meeting.

8
9 Finally, through inadvertent manifest clerical error the online Municipal Code failed to
10 accurately reflect an amendment to Section 9 of AO 2021-060(S), As Amended, that
11 extended the Americans with Disabilities Act Advisory Commission for only one year, to
12 terminate in 2022, unless reauthorized by the Assembly. The online Code still says "2024" in
13 error, confirmed by the Code Revisor per AMC 1.05.070B., and this is being corrected by
14 separate action. There was no ordinance adopted to extend this Commission beyond 2022,
15 so by operation of law it was effectively terminated and is omitted from this ordinance.

16
17 By this Assembly Memorandum as provided for in § 14 of AO 2011-64(S-1), *As Amended*,
18 the Office of Internal Audit is directed to audit the above boards and commissions, except for
19 the three omitted, under AMC subsections 3.20.110D.3. and 4. and report the findings to the
20 Mayor and Assembly at least 60 days prior to the sunset date.

21
22 Introduction of the reauthorization ordinance at this time allows for public hearing and
23 Assembly action to occur after the findings are reported by the Internal Auditor to the Mayor
24 and the Assembly, and before the October 14, 2024 scheduled sunset date of these boards
25 and commissions

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27 Prepared by: Hydee Cabán, Agenda Coordinator
28 Reviewed by: Dean T. Gates, Assembly Counsel
29 Approved by: Jamie Heinz, Municipal Clerk
30 Respectfully submitted: Christopher Constant Assembly Chair