

# SUNSET AUDIT REPORT

2015-S10

---

Chugiak-Eagle River Advisory Board

Community Development Department

August 14, 2015

---

MUNICIPALITY OF ANCHORAGE  
Internal Audit Department  
632 W 6th Avenue, Suite 600  
P.O. Box 196650  
Anchorage, Alaska 99519-6650  
[www.muni.org/departments/internal\\_audit](http://www.muni.org/departments/internal_audit)



INTERNAL AUDIT DEPARTMENT  
Michael Chadwick, CICA  
Acting Director  
Phone: (907) 343-4438  
Fax: (907) 343-4370  
E-Mail: [chadwickmb@muni.org](mailto:chadwickmb@muni.org)



# Municipality of Anchorage

Ethan Berkowitz, Mayor

Internal Audit Department

August 14, 2015

Honorable Mayor and Members of the Assembly:

I am pleased to present **Sunset Audit Report 2015-S10, Chugiak-Eagle River Advisory Board, Community Development 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 Chugiak-Eagle River Advisory Board. The objective of this audit was to provide information to the Mayor and Assembly to assist them in determining if the Chugiak-Eagle River Advisory Board 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 Chugiak-Eagle River Advisory Board be reauthorized for one year with another sunset audit at that time. In addition, the Assembly should consider transferring Chugiak-Eagle River Advisory Board staffing responsibilities from the Community Development Department to another department such as the Municipal Clerk's Office.

The Chugiak-Eagle River Advisory Board will sunset on October 14, 2015 unless reauthorized by the Assembly.

Michael Chadwick, CICA  
Acting Director, Internal Audit



# Municipality of Anchorage

Ethan Berkowitz, Mayor

Internal Audit Department

August 14, 2015

**Sunset Audit Report 2015-S10  
Chugiak-Eagle River Advisory Board  
Community Development Department**

**Introduction.** We have performed a sunset audit of the Chugiak-Eagle River Advisory Board (Board) 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 Board should be reauthorized. Our audit included a review of meeting minutes, Board resolutions and agendas, and Board 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 August 2015.

**Overall Evaluation.** Based on our review of meeting minutes, resolutions, and attendance records, we recommend that the Chugiak-Eagle River Advisory Board be reauthorized for one year, with another sunset audit at that time. Although the Board issued three resolutions, it did not publicly announce all Board meetings and regularly record meeting minutes with associated attendance records.

These findings may have been mitigated if the Board had been properly staffed. Anchorage Municipal Code (AMC) 4.60.105.B, *Chugiak-Eagle River Advisory Board*, states “The director of community development or designee shall be the executive secretary to the board.” According to the Director of the Community Development Department, due to the lack of resources he was unable to assign a staff person to the Board. The Assembly should consider transferring Board staffing responsibilities from the Community Development Department to another department such as the Municipal Clerk’s Office.

**SUNSET FACTORS**

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

**1. Name of Board.**

Chugiak-Eagle River Advisory Board

**2. Sunset Date.**

October 14, 2015

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

*AMC 4.60.105.D states "The Chugiak-Eagle River Advisory Board shall serve to focus and advise on Chugiak-Eagle River area land use concerns. The advisory board shall be notified timely to provide review and make recommendations to the municipality and its boards and commissions in advance of final deliberation and decision on these matters:*

- 1. Changes to the Chugiak-Eagle River Comprehensive Plan and changes to other comprehensive plans and studies which impact the Chugiak-Eagle River area.*
- 2. Actions of the platting board, planning and zoning commission, zoning board of examiners and appeals, and the urban design commission that require public notice to more than one community council in the Chugiak-Eagle River area.*
- 3. Code changes, public facility site selection, overlay districts, and land use matters involving large retail establishments in the Chugiak-Eagle River area.*
- 4. Other land use matters as requested on behalf of an executive department, the assembly, a board or commission of the municipality, or a community council."*

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

*AMC 4.60.105.A states "There is established the Chugiak-Eagle River Advisory Board consisting of seven members, representing Eklutna Valley, Birchwood, Chugiak, Eagle River, Eagle River Valley and South Fork. The Native Village of Eklutna and each of these six community councils shall designate a member to represent the Chugiak-Eagle River area for recommended appointment by the mayor and confirmation by the assembly."*

**Audit Finding.** Currently, the Board is staffed with 6 of the required 7 members.

<u>Board Member</u>	<u>Most Recent Assembly Confirmation</u>	<u>Term Expiration Date</u>
Debbie Ossiander - Birchwood	1-28-14	10-14-16
Randy McCain - Chugiak	1-28-14	10-14-16
Mike Foster – Eagle River	1-28-14	10-14-16
Angeleen Waskey – Native Village of Eklutna	8-5-14	10-14-17
Karl Von Lührte – South Fork	5-20-14	10-14-15
Steve Skipper – Eagle River Valley	1-28-14	10-14-15
Vacant <sup>Note 1</sup>		

Note 1: Rick Sinnott has been serving on the Board as the representative from Eklutna Valley. According to the Board Chair, his community council voted to have him represent them on the Board. His resume was sent to the Mayor’s Office in December 2014 for consideration. However, we could find no evidence that his name was forwarded to the Assembly for confirmation.

Source: Assembly Memorandums

**5. Are the terms of the Board 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 six Board 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.** We found meeting attendance records recorded in meeting minutes for only 1 of 4 Board meetings. As a result, we were not able to verify whether the Board members satisfied the attendance requirement. However, Board resolutions approved in two other Board meetings indicated Board attendance.

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

*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 2014 through June 2015, it appears the Board met four times. According to the Board's Chair, the Board does not have a regular meeting schedule. Instead, the Board meets when requested by an Assembly member or when at least two Board members feel an issue is important enough to meet so that the Board can take a position. Three of the Board meetings were announced on the Municipality's Public Notices website. In addition, according to the Board Chair, "All meeting times and locations have been announced to all member community councils."

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.** We found that Board minutes were taken at 1 of 4 Board meetings. However, according to the Board Chair, "Minutes are taken of every meeting where a decision or a vote has occurred. Typically the minutes are in the form of a resolution explaining our decisions. We have no staff and believed that work session or informational meeting minutes were not necessary."

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

*AMC 4.60.105.D states "The Chugiak-Eagle River Advisory Board shall serve to focus and advise on Chugiak-Eagle River area land use concerns. The advisory board shall be notified timely to provide review and make recommendations to the municipality and its boards and commissions in advance of final deliberation and decision on these matters:*



- 1. Changes to the Chugiak-Eagle River Comprehensive Plan and changes to other comprehensive plans and studies which impact the Chugiak-Eagle River area.*
- 2. Actions of the platting board, planning and zoning commission, zoning board of examiners and appeals, and the urban design commission that require public notice to more than one community council in the Chugiak-Eagle River area.*
- 3. Code changes, public facility site selection, overlay districts, and land use matters involving large retail establishments in the Chugiak-Eagle River area.*
- 4. Other land use matters as requested on behalf of an executive department, the assembly, a board or commission of the municipality, or a community council.”*

**Audit Finding.** In 2014, the Board issued two resolutions recommending the establishment of the Eklutna Village Overlay District and the adoption of the Chugach Park Access Plan. In 2015, the Board issued a resolution regarding Matanuska Electric Association’s future projects in the Chugiak-Eagle River area.