

SUNSET AUDIT REPORT

2015-S8

Public Transit Advisory Board

Public Transportation Department

August 14, 2015

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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-S8, Public Transit Advisory Board, Public Transportation 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 Public Transit Advisory Board. The objective of this audit was to provide information to the Mayor and Assembly to assist them in determining if the Public Transit 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 Public Transit Advisory Board be reauthorized.

The Public Transit 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

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Introduction. We have performed a sunset audit of the Public Transit 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 July 2015.

Overall Evaluation. Based on our review of meeting minutes, resolutions, and attendance records, we recommend that the Public Transit Advisory Board 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 Board.**

Public Transit Advisory Board

2. **Sunset Date.**

October 14, 2015

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

Anchorage Municipal Code (AMC) 4.60.100.A, Public transit advisory board, states "The board is intended to contribute to the long range planning of a balanced public transit system in the municipality. The board is not intended to regulate the transportation industry or to adjudicate the rights and duties of public and private carriers."

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

AMC 4.60.100.A states, "There is established a public transit advisory board consisting of nine persons to advise the assembly and the mayor. At least two of the members shall be disabled."

Audit Finding. Currently, the Board is staffed with 8 of the required 9 members.

<u>Board Member</u>	<u>Most Recent Assembly Confirmation</u>	<u>Term Expiration Date</u>
Jay Dulany	10-8-13	10-14-16
Andrew Ooms	10-9-12	10-14-15
Kevin Jackson	10-8-13	10-14-16
Carlette Mack	8-26-14	10-14-17
David Levy	6-23-15	10-14-17
Jed Smith	10-8-13	10-14-16
Tim Sullivan	10-9-12	10-14-15
Stephanie Cornwell-George	12-2-14	10-14-15
Vacant		

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 eight 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. No members were absent from three regular meetings without an excuse within any 12 month period.

One members was absent from six regular meetings within any 12 month period. This member has not been removed from the Board.

One member failed to attend two thirds of the regular meetings within any 12 month period from January 2014 through June 2015. This member has not been removed from the Board.

7. **Does the Board 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 2014 through June 2015, the Board met 15 times. Meetings are publicly announced on the Board’s website and on the Municipality of Anchorage’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. Yes, Board minutes were taken at each Board meeting. Public Transportation Department staff keeps a copy available for the public. In addition, Board minutes are available on the Board’s website.

9. Do meetings have action items or other business?

AMC 4.60.100.B states, “The board shall:

- 1. Conduct investigations into the requirements for a balanced publicly owned and operated transit system with in the municipality.*
- 2. Make recommendations to the assembly and the mayor on municipal policy with respect to:*

- i. Routes, fares, schedules, levels of service and service area of publicly owned and operated transit systems.*
 - ii. Fares, levels of service and service area of publicly owned and operated paratransit systems.*
 - iii. Integration of public and private transit systems.*
 - iv. Budget review, capital improvement programs and funding of publicly owned and operated transit systems.*
 - v. The location and development of transit facilities, transit corridors and those aspects of transit that contribute to orderly and economic development within the municipality.*
 - vi. Other matters relating to municipal transportation policy as the assembly, by ordinance or resolution, may direct, or as the mayor, by written request, may direct.*
- 3. Assist the assembly and mayor in supporting and promoting the use of transit in the municipality and in locating, developing and obtaining funding for the publicly owned and operated transit system.”*

Audit Finding. In 2014, the Board Chair signed a resolution supporting the proposed 2015 Public Transportation Operating Budget and the 2015 Capital Improvement Budget. In addition, in 2014, the Board held two work sessions to discuss safety regarding increased incidents involving inebriates and physical altercations on buses and at facilities, and impacts on bus services due to proposed budget cuts. Finally, in 2015, the Board adopted a resolution recognizing a citizen for his work to promote public transportation.