

SUNSET AUDIT REPORT

2020-S1

Public Safety Advisory Commission

Anchorage Fire Department

August 11, 2020

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Municipality of Anchorage

Ethan Berkowitz, Mayor

Internal Audit Department

August 11, 2020

Honorable Mayor and Members of the Assembly:

I am pleased to present **Sunset Audit Report 2020-S1, Public Safety Advisory Commission, Anchorage Fire 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 Safety Advisory Commission. The objective of this audit was to provide information to the Mayor and Assembly to assist them in determining if the Public Safety 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 Assembly consider reauthorizing the Public Safety Advisory Commission until January 2021. In addition, the Assembly should consider holding a work session with the Public Safety Advisory Commission to discuss its role and recent activities to help determine if the Public Safety Advisory Commission should be reauthorized beyond January 2021. With the appointment of three Public Safety Advisory Commission members in June 2020, the Public Safety Advisory Commission is fully staffed. However, the terms for three Public Safety Advisory Commission members expired on October 14, 2018, and on October 14, 2019, but they continued to serve on the Public Safety Advisory Commission. Moreover, two Public Safety Advisory Commission members failed to attend most of the Public Safety Advisory Commission meetings. Finally, from January 2019 through June 2020, the Public Safety Advisory Commission issued one resolution.

The Public Safety Advisory Commission will sunset on October 14, 2020, unless reauthorized by the Assembly.

Michael Chadwick, CIA, CICA
Director, Internal Audit



Municipality of Anchorage

Ethan Berkowitz, Mayor
Internal Audit Department

August 11, 2020

**Sunset Audit Report 2020-S1
Public Safety Advisory Commission
Anchorage Fire Department**

Introduction. We have performed a sunset audit of the Public Safety 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 June through July 2020.

Overall Evaluation. Based on our review of meeting minutes, resolutions, and attendance records, we recommend that the Assembly consider reauthorizing the Commission until January 2021. In addition, the Assembly should consider holding a work session with the Commission to discuss its role and recent activities to help determine if the Commission should be reauthorized beyond January 2021. With the appointment of three Commission members in June 2020, the Commission is fully staffed. However, the terms for three Commission members expired on October 14, 2018, and on October 14, 2019, but they continued to serve on the Commission. Moreover, two Commission members failed to attend most of the Commission meetings. Finally, from January 2019 through June 2020, the Commission issued one resolution.

SUNSET FACTORS

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

1. **Name of Commission.**

Public Safety Advisory Commission

2. **Sunset Date.**

October 14, 2020

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

Anchorage Municipal Code (AMC) subsection 4.60.270C., Public safety advisory commission, states "The commission is empowered to:

- 1. Hear and review public safety concerns and advise the mayor and the assembly on these issues;*

2. *Produce interim or special reports on specific public concerns that the commission believes will affect the municipality;*
3. *Advise the mayor and the assembly on municipal and state legislation relevant to public safety;*
4. *Support municipal legislative programs on state issues relevant to public safety;*
5. *Review and advise the mayor and the assembly regarding the availability of all federal, state, municipal revenues, and private resources for public safety in the municipality. ”*

4. Have Commission members been appointed?

AMC subsection 4.60.270A. states “There is hereby established a public safety advisory commission to act in an advisory role in matters pertaining to public safety issues. The commission shall consist of nine members appointed by the mayor and confirmed by the assembly.”

Audit Finding. Currently, the Commission is fully staffed.

<u>Commission Member</u>	<u>Most Recent Assembly Confirmation</u>	<u>Term Expiration Date</u>
Sharon Chamard	11-24-15	Expired 10-14-18
Amber Christensen Fullmer	4-10-18	Expired 10-14-19
Garry Gilliam	3-6-18	10-14-20
Andalyn Pace	3-6-18	10-14-20
Erich W. Reed	7-17-18	10-14-20
Chong C. An (Charles)	7-31-18	Expired 10-14-19
Charlene Aqpik Apok	6-23-20	10-14-22
Keneggnarkayaagaq Emily Edenshaw	6-23-20	10-14-22
Kendra Renee Kloster	6-23-20	10-14-22

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 six of the nine Commission members are current. The terms for the remaining three Commission members expired on October 14, 2018 and on October 14, 2019, but they continued to serve on the Commission.

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.*”

Audit Finding. Two members were absent from three regular meetings without an excuse during any 12-month period from January 2019 through June 2020. Of the 16 meetings held from January 2019 through June 2020, one member was absent 14 times. This member was not removed from the Commission. Another member was absent all 16 times. This member’s term expired on October 14, 2019, but the Commission and Mayor’s web pages, as well as meeting minutes, still showed this Commissioner as serving. This member was not removed from the Commission.

Two members were absent from six regular meetings during any 12-month period from January 2019 through June 2020. Of the 16 meetings held from January 2019 through June 2020, one member was absent 14 times. This member was not removed from the Commission. Another member was absent all 16 times. This member’s term expired on October 14, 2019, but the Commission and Mayor’s web pages, as well as meeting minutes, still showed this Commissioner as serving. This member was not removed from the Commission.

Two members failed to attend two-thirds of the regular meetings without an excuse during any 12-month period from January 2019 through June 2020. Of the 16 meetings held from January 2019 through June 2020, one member was absent 14 times. This member was not removed from the Commission. Another member was absent all 16 times. This member’s term expired on October 14, 2019, but the Commission and Mayor’s web pages, as well as meeting minutes, still showed this Commissioner as serving. This member was not removed from the Commission.

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 2019 through June 2020, the Commission met 16 times. Only one of these meetings was publicly announced on 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 taken at each Commission meeting. Anchorage Fire Department (AFD) staff keeps a copy available for the public. However, meeting minutes from January 2019 through June 2020 are not available on the Commission’s website. The Commission’s website only has meeting minutes available through April 2017.

9. Do meetings have action items or other business?

AMC subsection 4.60.270C. states “The commission is empowered to:

- 1. Hear and review public safety concerns and advise the mayor and the assembly on these issues;*
- 2. Produce interim or special reports on specific public concerns that the commission believes will affect the municipality;*
- 3. Advise the mayor and the assembly on municipal and state legislation relevant to public safety;*
- 4. Support municipal legislative programs on state issues relevant to public safety;*
- 5. Review and advise the mayor and the assembly regarding the availability of all federal, state, municipal revenues, and private resources for public safety in the municipality.”*

Audit Finding. From January 2019 through June 2020, the Commission issued one resolution urging “. . . the Assembly, APD [Anchorage Police Department], and People Mover to work collaboratively to identify and implement solutions that . . . address the behavioral issues at People Mover bus stops.” Commission meetings generally consisted of updates from the AFD, the APD, and the Office of Emergency Management. In addition, Commission members were sometimes encouraged to participate in AFD station visits and APD ride-alongs.