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

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

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

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

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

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

THE ANCHORAGE ASSEMBLY ORDAINS:

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

4.40.020 Port commission.

***  ***  ***
B. This commission shall terminate on October 14, 2027, 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):

4.05.150 Board of building regulation examiners and appeals.

*** *** ***

C. This board shall terminate on October 14, 2027, 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, 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
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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E. This board shall terminate on October 14, 2027, unless affirmatively continued by the assembly for an additional three years in accordance with section 4.05.150.

(GBA 5.80.010—5.80.020, 5.80.070—5.80.080; AO No. 82-49; AO No. 83-44; AO No. 95-223, § 1, expires 1-20-1998; AO No. 96-47, § 3, 3-5-96; AO No. 99-7, § 1, 1-26-99, expires 1-20-02; AO No. 2000-81, § 1, 5-16-00; 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), § 5, 10-9-12; AO No. 2015-61, § 5, 10-13-15; Ord. No. 2018-47 , § 5, 10-9-18; AO No. 2021-18 , § 1, 2-9-21; AO No. 2021-60(S) , § 5, 10-12-21)

Section 7. Anchorage Municipal Code section 4.60.110 is hereby amended to read as follows (other subsections not affected are not set out):

4.60.110 Senior citizens advisory commission.

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

(AO No. 49-76; AO No. 95-223, § 1, expires 1-20-1998; AO No. 99-7, § 1, 1-26-99, expires 1-20-02; AO No. 2001-44, § 2, 2-27-01; AO No. 2001-189, § 2, expires 1-20-05; AO No. 2004-96, § 1, 6-8-04; AO No. 2005-68, § 2, 5-31-05; AO No. 2011-64(S-1), § 5, 6-28-11; AO No. 2012-60(S), § 6, 10-9-12; AO No. 2015-61, § 7, 10-13-15; Ord. No. 2018-47 , § 6, 10-9-18; AO No. 2021-60(S) , § 6, 10-12-21)

Section 8. Anchorage Municipal Code section 4.60.160 is hereby amended to read as follows (other subsections not affected are not set out):

4.60.160 Municipal airports aviation advisory commission.

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

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

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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. 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.
PASSED AND APPROVED by the Anchorage Assembly this ___ day of ______, 2024.

______________________________
Chair

ATTEST:

______________________________
Municipal Clerk
From: CHAIR AND MUNICIPAL CLERK

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

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

AMC 4.40.020 - Port Commission
AMC 4.40.030 - Board of Building Regulation and Appeals
AMC 4.50.020 - Bidding Review Board
AMC 4.50.110 - Port of Alaska Modernization Program and Design Advisory Board
AMC 4.60.040 - Library Advisory Board
AMC 4.60.060 - Municipal Health and Human Services Commission
AMC 4.60.100 - Public Transit Advisory Board
AMC 4.60.110 - Senior Citizens Advisory Commission
AMC 4.60.160 - Municipal Airports Aviation Advisory Commission
AMC 4.60.200 - Heritage Land Bank Advisory Commission
AMC 4.60.240 - Americans with Disabilities Act Advisory Commission
AMC 4.60.250 - Houseless Lived Experience Advisory Board
AMC 4.60.275 - Youth Advisory Commission

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

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

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

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

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

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