

SUNSET AUDIT REPORT

2023-S1

Public Safety Advisory Commission

Office of the Mayor

August 11, 2023

MUNICIPALITY OF ANCHORAGE
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MUNICIPALITY OF ANCHORAGE
MAYOR DAVE BRONSON

OFFICE OF INTERNAL AUDIT

August 11, 2023

Honorable Mayor and Members of the Assembly:

I am pleased to present **Sunset Audit Report 2023-SI, Public Safety Advisory Commission, Office of the Mayor**, 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 2024. 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 2024. With the appointment of seven Public Safety Advisory Commission members since May 2023, the Public Safety Advisory Commission is fully staffed. However, with the recent member appointments, the Public Safety Advisory Commission could only provide unapproved meeting minutes for one meeting in 2022, and one unapproved meeting minutes and one approved meeting minutes for 2023. As a result, we could not accurately determine if member attendance requirements were met. Finally, from January 2022 through July 2023, the Public Safety Advisory Commission did not issue any reports or resolutions, according to Commission staff.

The Public Safety Advisory Commission will sunset on October 14, 2023, unless reauthorized by the Assembly.

Scott Lee
Acting Director, Internal Audit



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MAYOR DAVE BRONSON

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Sunset Audit Report 2023-S1
Public Safety Advisory Commission
Office of the Mayor

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 documents pertaining to matters such as meeting agendas, meeting minutes, resolutions, member authorization, and member 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.

Overall Evaluation. Based on our review of meeting minutes, resolutions, and attendance records, we recommend that the Assembly consider reauthorizing the Commission until January 2024. 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 2024. With the appointment of seven Commission members since May 2023, the Commission is fully staffed. From January 2022 through July 2023, we could only confirm that the Commission met three times. In addition, from January 2022 through July 2023, the Commission did not provide any reports or resolutions to the Mayor’s Office or the Assembly. Moreover, we were provided approved meeting minutes for only one meeting. Below is a brief history of prior actions taken with the Commission.

Commission History 2014 – 2020

<u>Date</u>	<u>Action</u>
8-15-14	Sunset Audit Report 2014-S1 recommended “. . . that the Public Safety Advisory Commission be reauthorized.” At the September 23, 2014, regular Assembly meeting the Commission was reauthorized until October 14, 2017.
8-9-17	Sunset Audit Report 2017-S1 recommended “. . . that the Commission be reauthorized.” However, at the October 10, 2017, regular Assembly meeting the Commission was reauthorized until only January 20, 2018. On November 1, 2017, the Assembly held a work session meeting with the Commission and “. . . discussed the importance of the purpose and role of the PSAC in the future, implying that the PSAC should continue to serve the municipality beyond the current sunset date.” At the January 9, 2018, regular Assembly meeting the Commission was reauthorized until October 14, 2020.
8-11-20	Sunset Audit Report 2020-S1 recommended “. . . that the Assembly consider reauthorizing the Commission until January 2021” and that “. . . 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.” At the

October 1, 2020, regular Assembly meeting the Commission was reauthorized until October 14, 2023.

SUNSET FACTORS

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

1. **Commission Name.**

Public Safety Advisory Commission

2. **Sunset Date.**

October 14, 2023

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. Is the Commission fully staffed?

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 with the required nine members.

<u>Commission Member</u>	<u>Most Recent Assembly Confirmation</u>	<u>Term Expiration Date</u>
Whitney Wigren	1-11-22	10-14-23
Stephen Romanelli	10-11-22	10-14-25
Keith Manternach	5-9-23	10-14-25
Jonathan Guerin	6-6-23	10-14-23
Jordan Kontra	6-6-23	10-14-24
James Drayton	6-6-23	10-14-24
Mark Hall	6-6-23	10-14-24
Joseph Kim	6-6-23	10-14-25
Christopher Gonzales	7-11-23	10-14-23

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 all Commission members are current.

6. **Were 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. Since the Commission could only provide unapproved meeting minutes for one meeting in 2022, and one unapproved and one approved meeting minutes for 2023, we could not accurately determine if these requirements were met. In addition, seven of the nine Commission members were appointed within last three months.

7. Did 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 2022 through July 2023, we were able to document that the Commission met three times: once in August 2022, and in June and July 2023. Meetings were publicly announced on the Commission’s website as occurring “. . . on the third Wednesday of each month at 6:00pm [sic].” However, it does not appear that this occurred as advertised. The below table summarizes meeting dates posted to various websites. As previously noted, we could only confirm that the August 17, 2022, the June 21 and July 19, 2023, meetings occurred.

Posted Meeting Dates							
Events Calendar	1-19-22		2-18-22		4-20-22	7-20-22	8-17-22 9-21-22
Public Notices Calendar	1-19-22	2-16-22	2-18-22				6-21-23 7-19-23
Facebook		2-16-22		3-16-22		Cancelation of 7-20-22 Meeting	

Source: Auditor summary of meeting date postings.

8. Were 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. Although the Commission's web page provides meeting minutes from 2014 to 2021, it does not provide any meeting minutes for 2022 or 2023. Commission staff provided us the Commission's June 21, 2023, meeting minutes, and the unapproved meeting minutes for the Commission's August 17, 2022, and July 19, 2023, meetings.

9. Did 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. According to Commission staff, from January 2022 through July 2023, the Commission did not issue any reports or resolutions.