

SUNSET AUDIT REPORT

2026-S1

Don Young Port of Alaska Modernization Program
Advisory Board

Don Young Port of Alaska

July 17, 2026

MUNICIPALITY OF ANCHORAGE
Office of Internal Audit
632 W 6th Avenue, Suite 710
P.O. Box 196650
Anchorage, Alaska 99519-6650
www.muni.org/departments/internal_audit



OFFICE OF INTERNAL AUDIT
Alden Thern
Director
Phone: (907) 343-4438

E-Mail: alden.p.thern@anchorageak.gov



Mayor Suzanne LaFrance
Municipality of Anchorage
-Office of Internal Audit-

July 17, 2026

Honorable Mayor and Members of the Assembly:

I am pleased to present for your review **Sunset Audit Report 2026-S1, Don Young Port of Alaska Modernization Program Advisory Board, Don Young Port of Alaska**. A 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 Don Young Port of Alaska Modernization Program Advisory Board. The objective of this audit was to provide information to the Mayor and Assembly to assist them in determining if the Don Young Port of Alaska Modernization Program Advisory Board 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.

Based on our review of documents pertaining to matters such as meeting agendas, meeting minutes, resolutions, member authorization, and member participation, we recommend that the Don Young Port of Alaska Modernization Program Advisory Board be reauthorized.

The Don Young Port of Alaska Modernization Program Advisory Board will sunset on October 14, 2026, unless reauthorized by the Assembly.

Alden P. Thern

Director, Internal Audit



Mayor Suzanne LaFrance
Municipality of Anchorage
-Office of Internal Audit-

July 17, 2026

Sunset Audit Report 2026-S1
Don Young Port of Alaska Modernization Program Advisory Board
Don Young Port of Alaska

Introduction. We have performed a sunset audit of the Don Young Port of Alaska Modernization Program 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 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 due to budget constraints. We also developed and implemented a required quality management system. 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 the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Overall Evaluation. Based on our review of documents pertaining to matters such as meeting agendas, meeting minutes, resolutions, member authorization, and member participation, we recommend that the Board be reauthorized.

SUNSET FACTORS

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

1. Board Name.

Don Young Port of Alaska Modernization Program Advisory Board

2. Sunset Date.

October 14, 2026

3. The purpose and goal of the Board.

Anchorage Municipal Code (AMC) subsection 11.50.035A., Board established, purpose, states:

“1. The Port of Alaska Modernization Program (PAMP) is a necessary project that will:

- a. Enable safe, reliable, and cost-effective port operations.*
- b. Improve resiliency to enable facilities to survive extreme seismic events and Cook Inlet's harsh marine environment with minimal operation disruption for at least 75 years.*
- c. Update facilities to improve operational efficiency and sustainably accommodate modern shipping operations (e.g., support larger, deeper draft vessels, etc.).*
- d. Optimize facilities to accommodate changing statewide economic and market needs (e.g., petroleum product shipments are increasing significantly faster than general cargo growth due to Flint Hills refinery closure in 2014).*
- e. Optimize project scope, schedule, and budget to deliver practical, timely, and cost-effective port modernization program.*

2. *It is in the collective interest of the residents of Alaska, the Don Young Port of Alaska, and the petroleum and cargo users of the port to see PAMP's mission undertaken in an efficient and collaborative manner, to secure third-party funding sources, and to ensure such efforts do not interfere with internal development activities of the port users.*
3. *To further coordination among these interested parties, the Don Young Port of Alaska Modernization Program (PAMP) and Design Advisory Board is established to hear disputes between the users and the port administration regarding non-structural engineering design criteria (user requirements), seismically resilient dock designation and project management for future cargo and fuels infrastructure to assist in moving the program forward.”*

4. **Is the Board fully staffed?**

AMC subsection 11.50.035B., Membership, states: “The Don Young Port of Alaska Modernization Program Advisory Board (PAB) shall consist of six voting members. Members of the board shall be appointed by the mayor and confirmed by the assembly. The port director shall provide or designate staff support for PAB.

1. *The six voting members of the board shall include:*
 - a. *The municipal manager or designee. The designee may not be the Port Director or any other current employee of the Don Young Port of Alaska. Upon a new mayor being seated, this position shall be deemed vacant until the Manager is confirmed.*
 - b. *A member nominated by the primary Lift On Lift Off (LOLO) operator.*
 - c. *A member nominated by the primary Roll On Roll Off (RORO) operator.*
 - d. *A member representing a cement user, nominated by the Don Young Port of Alaska User's Group.*
 - e. *A member representing a petroleum user, nominated by the Don Young Port of Alaska User's Group.*
 - f. *One member nominated by the building trades council that has substantial experience relevant to complex public construction projects.*

2. *Notwithstanding the qualifications of board and commission members set out in section 4.05.035A and B, up to two members of the board may be Alaskan citizens who are not residents of the municipality.”*

Audit Finding. Currently, the Board is fully staffed with six of the required six members.

<u>Board Member</u>	<u>Most Recent Assembly Confirmation</u>	<u>Term Expiration Date</u>
Rebecca Windt-Pearson (Municipal Manager)	11-6-24	10-14-27
Aric Bronson Frye (Building Trades Representative)	11-6-24	10-14-27
Jennifer Tungal (LOLO Operator Representative)	9-23-25	10-14-26
Corey Nichols (RORO Operator Representative)	12-16-25	10-14-26
Bert Mattingly (Petroleum User Representative)	3-3-26	10-14-28
Ryan Zins (Cement User Representative)	3-24-26	10-14-28

Source: Assembly Memorandums

5. **Are the terms of the Board 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 Board 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.”*

Audit Finding. Although we identified nine meetings between January 2025 through June 2026, we only received six meeting minutes where attendance was identified. Don Young Port of Alaska staff were unable to locate meeting minutes for the February 10, 2025, and October 30, 2025, meetings, therefore we were unable to determine if a quorum was established or who attended the meeting. In addition, a meeting summary for March 16, 2026, did not include the attendance record.

7. Did the Board 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.”

In addition, AMC subsection 1.25.015B., Agendas; duties of staff; rules for public notice of meetings, states “The public official tasked with staffing a meeting shall...Post the written public notice information on both the municipal public notice webpage and the events calendar on the municipal website as provided in subsection C...”

Audit Finding. From January 2025 through June 2026 the Board held nine regular meetings. Only one meeting was announced on the Municipality of Anchorage’s Public Notices website, and no meetings were announced on the Mayor’s Boards and Commissions events website. In addition, the Board’s website had the Board’s meeting information as follows, “Design Advisory Board meetings are open to the public. They are generally held in Port of Alaska’s administrative office at 1871 Anchorage Port Road and can be attended virtually via Microsoft Teams. Meeting times and virtual participation log-in information is published with public meeting notices.”

8. Were minutes taken and published?

AMC subsection 1.25.015B., states “The public official tasked with staffing a meeting shall...Either electronically record or produce written action minutes, unless both are required by this chapter or Code.

- a. The recording of the meeting shall include the entire meeting from the call to order to adjournment, although recesses, provided no business takes place, are not required to be recorded. If the public meeting is recorded and the recording is available to the public on a publicly accessible website, (currently the municipal meetings page), written action minutes are not required for committees or task forces but are required for boards and commissions.*
- b. Written action minutes shall include the call to order; roll call; motions, seconds, the vote of each member in attendance on motions, but do not include discussion and debate on motions; disclosures by members of potential conflicts of interest and the ruling on the potential conflict, but do not include discussion and debate on the potential conflict or ruling; the subject of public hearings and a statement, if applicable, that public testimony or comment was provided on that subject; and adjournment of the meeting.*

- c. Minutes, either by recording or written action minutes are public records and should be retained by the municipal agency that staffs the municipal body in accordance with the applicable records retention schedule.”*

Audit Finding. Meeting minutes were not always maintained from each Board meeting. Don Young Port of Alaska staff were unable to locate meeting minutes for February 10, 2025, and October 30, 2025, Board meetings. Don Young Port of Alaska staff keeps a copy of available meeting minutes for the public. In addition, some meeting minutes are available on the Board’s website.

9. Did meetings have action items or other business?

AMC subsection 11.50.035D., Purpose and duties, states “The PAB shall review and provide input on design concepts for future cargo and fuels infrastructure; receive reports on construction process plans, progress, and project financing, and changes to them; and provide feedback on such reports as the board deems appropriate.

- 1. Recommendation of design concepts and dispute resolution to the mayor. PAB is advisory to the mayor and assembly.*
 - a. PAB shall advise the mayor to propose for adoption by the assembly design criteria to govern additional cargo and fuels infrastructure at the Port of Alaska.*
 - b. The port director will submit to the PAB for notification any changes that impact users' operations, or impact project costs by the lesser of \$2,000,000.00 or five percent of the specific project costs.*
 - c. When a board report is not approved by a unanimous vote of PAB, any member not agreeing with the vote may transmit a minority letter expressing their perspective to the mayor and assembly.*
 - d. If a recommendation receives approval by PAB, the mayor shall submit a memorandum to the assembly and the port director shall present it at a meeting of the assembly's committee that oversees the port as soon as practicable.*
- 2. Assembly review and approval.*

- a. Administration review and assembly submission. Not more than 60 days after receiving from PAB a recommended basis-of-design document, the mayor shall submit a proposed basis-of-design document for assembly review and approval. The mayor shall also submit contemporaneously an information memorandum with the original document proposed by PAB, and any letters. To the extent that the basis-of-design document proposed by the mayor differs in any material aspect from the document proposed to the mayor by PAB, the mayor shall describe for the assembly the considerations that led the mayor to depart from PAB's recommendation.*
 - b. Assembly approval. After receiving a proposed basis-of-design document from the mayor, the assembly shall review and hold a public hearing; except when the board unanimously approves a recommendation no public hearing is required unless a public hearing is required by some other code section. The assembly may approve the design concept with such changes as it deems necessary or advisable, in the best public interest.*
- 3. Construction and financing. PAB shall also receive from the port director regular reports of financing; the construction process forecasting, planning, and sequencing; any disruptions or shortfalls in such plans; and of proposed change orders to approved construction plans.*
 - a. The port director shall submit for PAB's review and information:*
 - i. Annually: A PAMP status report to include an overview of each project in the Plan, including the plan of finance, and its status.*
 - ii. Quarterly: A construction process report to include the progress for each project and its phases, projected financing needs, and changes in sequencing or timing from previous reports.*
 - iii. When received as soon as practicable: A summary of any change order to approved construction plans; any unanticipated project disruptions that require stop work; and any emergency situation that significantly impacts the PAMP construction progress.*
 - b. PAB may provide commentary or make recommendations to the port director, mayor or assembly regarding any of the construction process plan information and reports*

described in this subsection D.3. Any board member who does not support PAB's commentary or recommendation on a particular matter may issue a separate letter to the port director, mayor or assembly.

- c. The port director shall provide to the assembly's committee that oversees the port as soon as practicable a copy of reports and recommendations described in this subsection D.3.”*

Audit Finding. From January 2025 through June 2026, the Board issued no resolutions, reports, or letters. However, the Board had presentations and updates from Don Young Port of Alaska staff at some meetings. In addition, in the January 13, 2025, meeting, the Board voted to make one formal recommendation to add the request for ground improvements to maintain shoreline stability during a contingency level earthquake between the Terminal 1 trestles as proposed by the Terminal 1 designed of record, and to include the same requirement into the design criteria for Terminal 2. Finally, in the December 30, 2025, meeting, the Board voted to make two formal recommendations: supporting the North extension paved helipad/cargo-handling area and roadway and supporting the site selection of a Terminal 1 electrical substation to the North extension site.