
MUNICIPALITY OF ANCHORAGE

OFFICE OF THE OMBUDSMAN

2017 ANNUAL REPORT



"Auditur et altera pars. (The other side shall be heard as well.)"
— Seneca

Municipality of Anchorage, Office of the Ombudsman

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TABLE OF CONTENTS

Contact Information.....	Front Cover
Transmittal Letter.....	4
Purpose of the Office of the Ombudsman.....	5
How to File a Complaint.....	5
Statistics.....	6-10
2017 Resolution Summaries.....	10-15
Public Outreach.....	15-16
Above and Beyond Award.....	16-17
Ombudsman General Information.....	18-19
Ombudsman Complaint Form	20-21
Welcoming Anchorage Project	22
Acknowledgment	Back Cover

April 24, 2018

To the Anchorage Municipal Assembly, the Anchorage School District Board of Education, the Mayor and Administration, and the people of Anchorage:

We are pleased to present the Anchorage Municipal Ombudsman's 2017 Annual Report. This report explains how the Ombudsman's Office fulfills its role as an independent, impartial office that provides information about Municipal government, while investigating concerns involving Municipal government and employees, including the Anchorage School District.

The Ombudsman's Office acts as an informational resource for the public, and also recognizes outstanding performance by Municipal and School District employees and workgroups, through our Above and Beyond Award.

Behind the cases and statistics are real people; individuals who need help navigating and understanding Municipal government, as well as the dedicated Municipal and School District employees who serve the people of Anchorage, and visitors to our community. In 2017 our office worked with the Assembly to implement the first substantial revisions to the Ombudsman's code in forty years (AO No. 2017-40).

Sincerely,



Darrel W. Hess
Municipal Ombudsman



Elizabeth A. Eisses
Deputy Ombudsman



May Ramirez-Xiong
Associate Ombudsman

"Right is right, even if everyone is against it, and wrong is wrong, even if everyone is for it."

— William Penn

PURPOSE

The Office of the Municipal Ombudsman is mandated by the Anchorage Home Rule Charter. The Charter's Bill of Rights guarantees the people of Anchorage "The right to the assistance of a municipal ombudsman in dealing with grievances and abuses." The Office of the Ombudsman is governed by Anchorage Municipal Code, Chapter 2.60 which established the Office as "...an independent, impartial municipal office, readily available to the public, responsible to the assembly, empowered to investigate the acts of administrative agencies and to recommend appropriate changes toward the goals of safeguarding the rights of persons and of promoting higher standards of competency, efficiency and equity in the provision of municipal services." (AMC 2.60.010)

The goal of the Ombudsman's Office is to serve the people of Anchorage, by providing information or referrals, or investigating complaints and concerns regarding Municipal and School District departments, agencies and employees. The Ombudsman's Office has limited jurisdiction over Anchorage charter schools. If issues and concerns are not jurisdictional to the Ombudsman's Office, we do our best to direct persons to the appropriate person or organization.

"It takes a great deal of courage to stand alone even if you believe in something very strongly."
— Reginald Rose, *Twelve Angry Men*

HOW TO FILE A COMPLAINT

When people have questions or concerns regarding Municipal government or the Anchorage School District, the Ombudsman's Office is here to assist you. You may contact our office in-person, or by phone, email or postal service. Our staff will assess whether or not your issue is jurisdictional to our office. If an issue is not jurisdictional to our office, we will do our best to provide a referral to another agency or entity that may be able to address the issue. In 2017, the Ombudsman's Office provided information and referrals to 1,448 individuals, and opened 198 cases.

The Ombudsman's Office is located on the ground floor of Anchorage City Hall, in Suite 160. You can find a Complaint form online on the Ombudsman webpage at www.muni.org/departments/assembly/ombudsman. Complaints can be filed online through the Municipality's CityView Portal, at www.muni.org/cityviewportal. One-time registration is required to use the portal. Although details of Ombudsman complaints are confidential, contact information entered on the portal is accessible by Municipal agents.

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STATISTICS

The Ombudsman’s Office uses an application called “CityView” to maintain information and process statistics. The number of Inquiries listed in Table 1 and Graph 1 indicate the total number of public interactions with the Ombudsman’s Office in 2017, either by telephone, email, postal mail, fax, or in-person. Contacts were interactions with persons who may have only needed information, or who may have wanted to express their opinions or concerns regarding local government. These interactions normally require no further action by the Ombudsman’s Office. Referrals reflect inquiries that were referred to state or federal agencies, community agencies, or to Municipal or School District employees, or departments. Cases refer to inquiries that required some level of investigation by the Ombudsman’s Office.

Table 1 2017 Processing Statistics

2017 Processing Statistics	From Prior Year	New	Processed or Closed	Remaining Open
Cases	6	198	193	10
Contacts	0	379	379	0
Referrals	0	1068	1068	0
Total Inquiries	6	1644	1640	10

Graph 1 2017 Processing Statistics

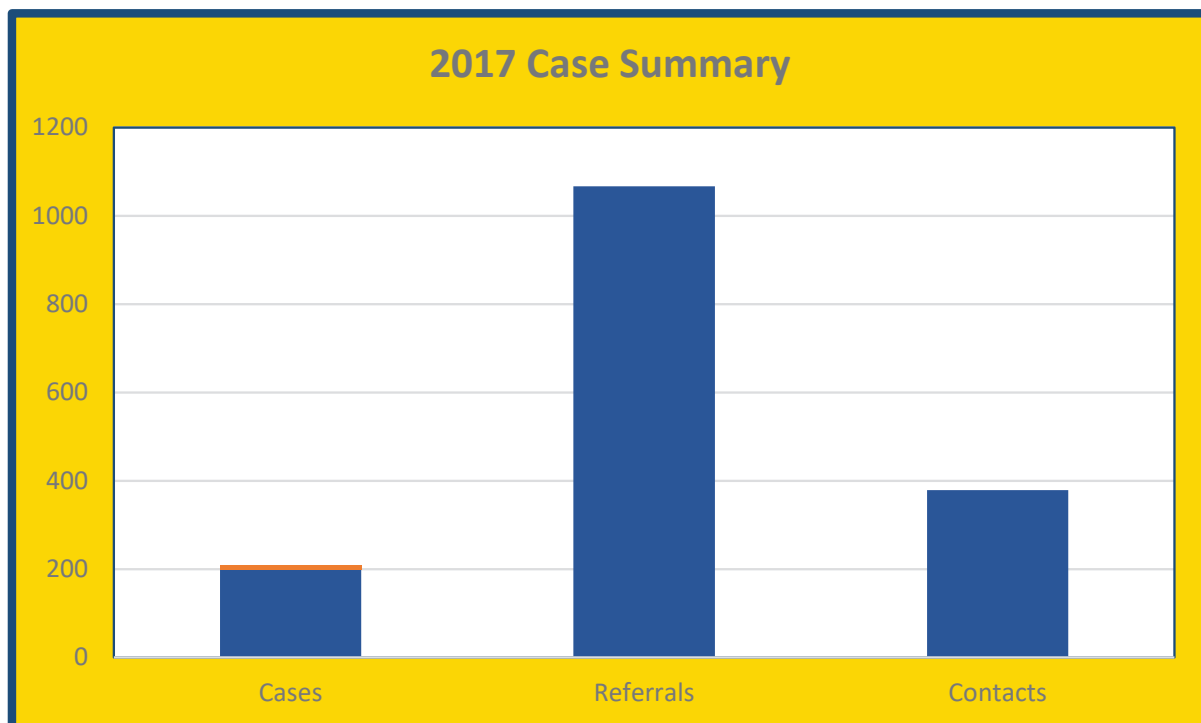
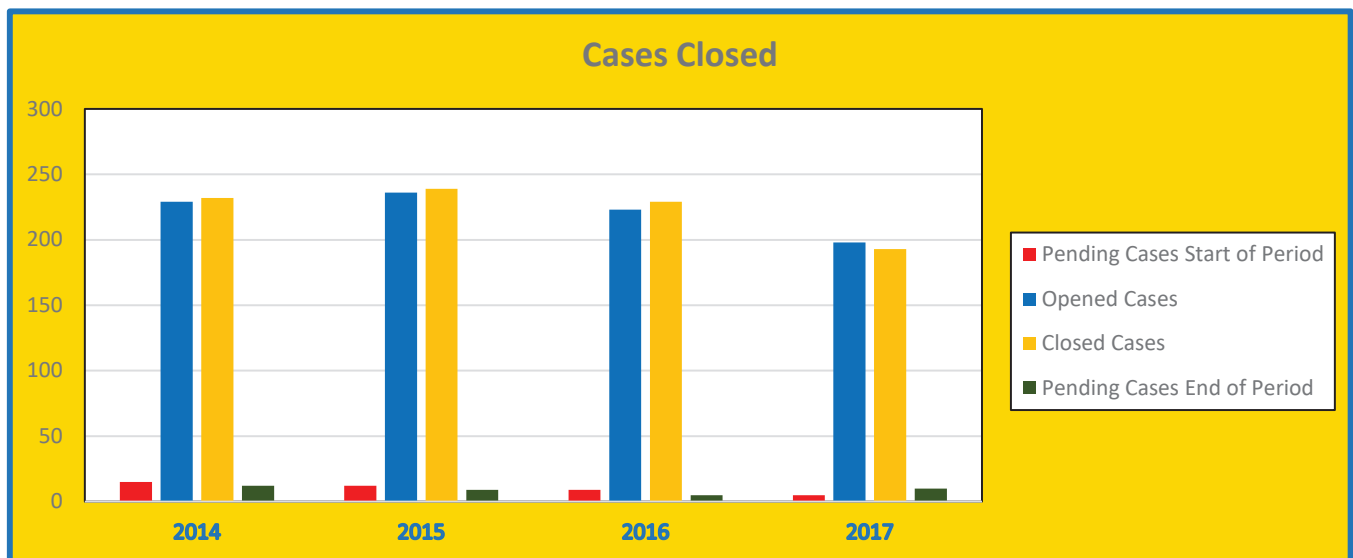


Table 2 and Graph 2 reflect the work of the Ombudsman's Office over the past four years.

Table 2. Case Closures and Pending Inventory from 2014-2017

Case Inventory	2014	2015	2016	2017
Pending Cases Start of Period	15	12	9	5
Opened Cases	229	236	223	198
Closed Cases	232	239	229	193
Pending Cases End of Period	12	9	5	10

Graph 2. Case Closures and Pending Inventory from 2014-2017



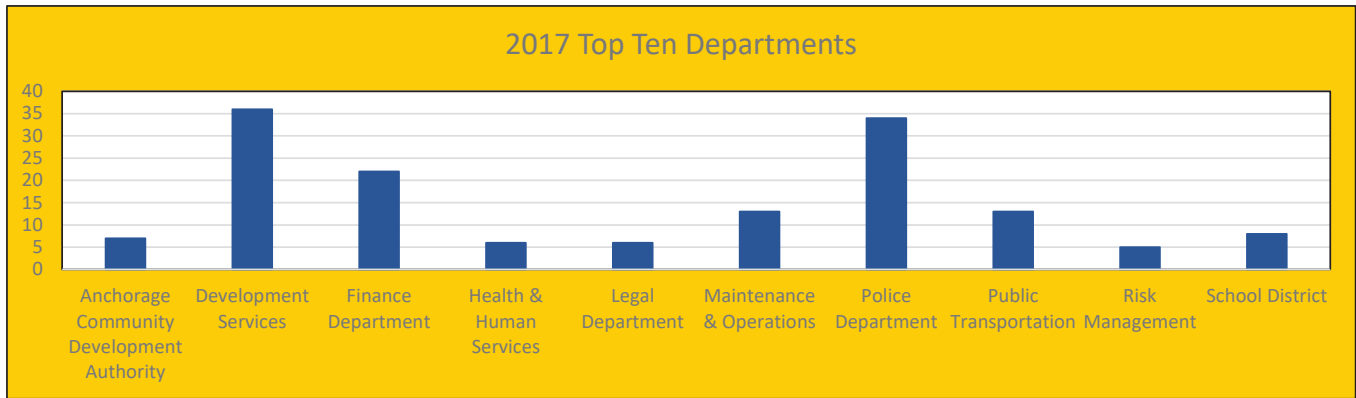
Historically, the larger Municipal Departments and those with the greatest public contact generate the largest number of cases, contacts and referrals in the Ombudsman's Office. In 2017 the Development Services Department (18.81%), the Police Department (17.17%), Finance Department (11.11%), Public Transportation (6.57%), and Maintenance & Operations (6.57%) ranked 1-5. (See Table 3 and Graph 3). The department listing for 2017 reflects the 2015 executive branch reorganization.

Table 3. 2015-17 Cases by Department

Ombudsman Cases by Department

Department	2015	Percent	2016	Percent	2017	Percent
Anchorage Community Development Authority	7	2.97%	8	3.49%	7	3.54%
Assembly	4	1.69%	1	0.44%	3	1.52%
Community Development	42	17.8%	3	1.31%	0	0%
Development Services	1	0.42%	35	15.28%	36	18.18%
Economic & Community Development	0	0%	1	0.44%	1	0.51%
Employee Relations	5	2.12%	5	2.18%	4	2.02%
Equal Rights Commission	3	1.27%	1	0.44%	0	0%
Finance Department	15	6.36%	18	7.86%	22	11.11%
Fire Department	11	4.66%	2	0.87%	1	0.51%
Health & Human Services	20	8.47%	20	8.73%	6	3.03%
Information Technology	0	0%	2	0.87%	0	0%
Legal Department	9	3.81%	2	0.87%	6	3.03%
Library	3	1.27%	0	0%	1	0.51%
Maintenance & Operations	0	0%	7	3.06%	13	6.57%
Mayor's Office	0	0%	4	1.75%	2	1.01%
Merrill Field	0	0%	0	0%	1	0.51%
Municipal Clerk	3	1.27%	1	0.44%	0	0%
Municipal Light & Power	0	0%	4	1.75%	4	2.02%
Museum	1	0.42%	0	0%	0	0%
Not Department Specific	4	1.69%	6	2.62%	5	2.53%
Office of Equal Opportunity	1	0.42%	0	0%	0	0%
Office of Management & Budget	3	1.27%	0	0%	1	0.51%
Parks & Recreation	4	1.69%	3	1.31%	4	2.02%
Planning	0	0%	2	0.87%	1	0.51%
Police Department	25	10.59%	50	21.83%	34	17.17%
Port of Anchorage	0	0%	1	0.44%	0	0%
Project Management & Engineering	0	0%	2	0.87%	4	2.02%
Public Transportation	13	5.51%	17	7.42%	13	6.57%
Public Works	27	11.44%	0	0%	0	0%
Public Works Administration	0	0%	2	0.87%	0	0%
Purchasing Department	2	0.85%	0	0%	1	0.51%
Real Estate Department	2	0.85%	7	3.06%	3	1.52%
Risk Management	1	0.42%	4	1.75%	5	2.53%
School District	16	6.78%	8	3.49%	8	4.04%
Solid Waste Services	8	3.39%	4	1.75%	4	2.02%
Traffic	0	0%	3	1.31%	3	1.52%
Transportation Inspection	4	1.69%	1	0.44%	2	1.01%
Water & Wastewater Utility	2	0.85%	5	2.18%	3	1.52%
All Departments	236	100%	229	100%	198	100%

Graph 3. 2017 Cases by Department (most frequent)



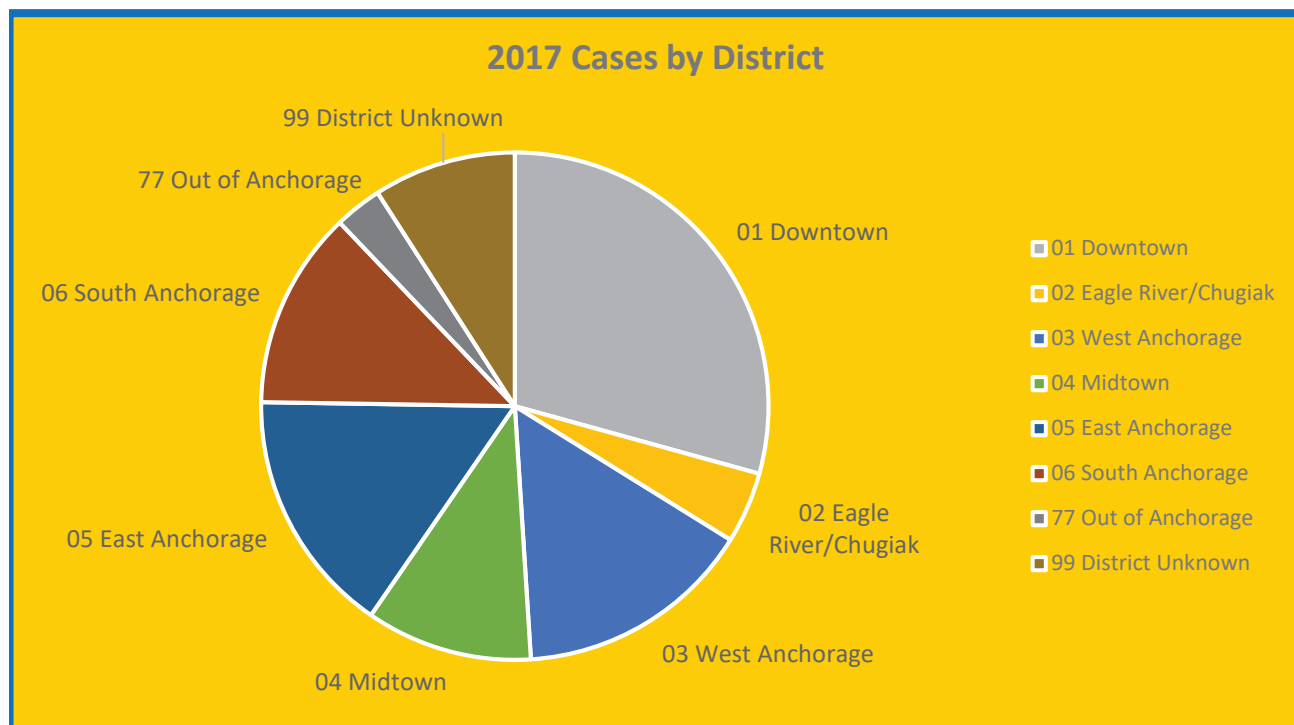
The Ombudsman's Office also tracks Cases by Assembly District. These numbers are reflected in Table 4 and Graph 4.

Table 4. Cases by Assembly District 2015-2017

Ombudsman Cases by Assembly District

District No./Name	Cases 2015	Percent	Cases 2016	Percent	Cases 2017	Percent
00 Not District Specific	1	0.42	1	0.44	0	0
01 Downtown	39	16.53	69	30.13	59	29.8
02 Eagle River/Chugiak	10	4.24	14	6.11	9	4.55
03 West Anchorage	40	16.95	20	8.73	29	14.65
04 Midtown	37	15.68	33	14.41	21	10.61
05 East Anchorage	30	12.71	32	13.97	31	15.66
06 South Anchorage	33	13.98	17	7.42	25	12.63
77 Out of Anchorage	7	2.97	8	3.49	6	3.03
99 District Unknown	39	16.53	35	15.28	18	9.09
Total	236	100	229	100	198	100

Graph 4. Cases by Assembly District 2016



2017 CASE RESOLUTION SUMMARIES

In 2017, the Ombudsman's Office opened 198 cases, and closed 193 (with 5 carried over from 2016). We ended 2017 with 10 open cases. The majority of Ombudsman investigations are resolved informally, and final investigative reports are not required. Frequently the Ombudsman's Office achieves good results, including changes to Municipal Code, policies and procedures through informal case resolutions, working with Municipal employees and departments, as well as complainants. Below are summaries of some of our 2017 cases:

Ombudsman Complaint OM20170138

An individual contacted the Ombudsman's Office alleging that the Anchorage Police Department (APD) did not provide proper notice to him before impounding and towing two of his vehicles from the public right of way. He stated that he had observed the vehicles the evening before they were towed, and they had not been tagged by the APD. Consequently, he believed that he had additional time to move his vehicles. However, when he returned home the next day, his vehicles had been impounded and towed.

The Associate Ombudsman reviewed the APD case file, and found that the impounding and towing was well-documented, and that the case file supported the APD's contention that adequate notice was provided before the complainant's vehicles were impounded and towed. The vehicles were "Red Tagged" on 12/07/2016; a

citation was issued on 01/13/2017; impound notices issued on 1/20/2017, and the vehicles were towed on 1/24/2017.

Ombudsman Complaint OM20170293

An individual contacted the Ombudsman's Office alleging that the Municipal Clerk's Office had accepted a referendum petition regarding AO 2016-124(S), As Amended, past the statutory deadline for the sponsors to submit the petition. The complainant alleged that the submission deadline was February 1, 2017, and that the documents were submitted to, and accepted by the Clerk's Office on February 17, 2017.

The Ombudsman reviewed the relevant sections of the Anchorage Home Rule Charter and Municipal Code, and determined that the Clerk's Office adhered to the requirements of the Charter and Code when they accepted the referendum petition on February 17, 2017. Article III of the Charter, Section 3.02.c states that "A referendum petition may be filed at any time. However, filing a referendum petition suspends the ordinance or resolution if and only if the petition is filed within 60 days after the effective date of the ordinance or resolution. The suspension terminates on a finding of insufficiency of the petition or upon certification of a majority vote against repeal." Per the Charter, there is no statutory deadline to submit a referendum petition. In this instance, AO 2016-124(S), As Amended was approved and effective on December 20 2016, and the referendum petition was submitted to the Clerk's Office on February 17, 2017, within the 60-day timeframe to trigger suspension of the ordinance.

Ombudsman Complaint OM20170445

An individual received a citation for parking within 15 feet of a fire department connection (AMC 9.30.030) in the alleyway behind Humpy's Great Alaskan Alehouse. He appealed the citation to Easy Park, claiming that the "Municipal Code" requires that a "No Parking Anytime" sign must be posted in order for parking restrictions to be enforced. He noted that Anchorage Fire Department Policy F.03, posted on muni.org, stated that it is illegal to park within 5 feet of a fire department connection, not 15 feet.

The Ombudsman determined that AFD Handout F.03, posted on muni.org, contained outdated and inaccurate information regarding the required parking distance from fire department connections, and the signage requirements. While this did not relieve the individual from adhering to the requirements of AMC 9.30.030, the Ombudsman believed that it created a confusing situation for the public, and the complainant's \$200 citation was reduced to a warning by Easy Park. The AFD handout was revised by the Fire Marshal to contain up-to-date information regarding the required parking distance from a fire department connection, the required minimum three-foot clearance circumference around fire hydrants and fire department connections, and to clarify that it is the responsibility of property owners to post no parking signs for fire connections located on private property. The revised handout also contains verbiage that outlines the requirements of AMC 9.30.030.

Ombudsman Complaint OM20170462

An individual contacted the Ombudsman regarding a house in her neighborhood that was unoccupied and had been posted by the MOA as "uninhabitable", because no utilities were connected. She stated that the windows were broken out and that "homeless" individuals were using the house, and building fires in the fireplace. She had contacted the MOA, Development Services Department, Building Safety Division, who informed her that it was not the responsibility of the MOA to secure the property. Building Safety referred her to the Ombudsman's Office.

The Ombudsman Googled the names of the owners of record for the property, and discovered that the property had been listed on the MOA's "2016 Notice of Foreclosure" list. Further research revealed that the 2015 & 2016 MOA property taxes, plus penalty and interest, had been paid on 02/28/17. The Ombudsman contacted Property Appraisal and obtained the name and contact information for the company that had paid the taxes. The Ombudsman provided the contact information to Building Safety. Building Safety contacted the company, which subsequently hired a property custodial company that secured the house and cleaned up the property.

Ombudsman Complaint OM20170689

An individual contacted the Deputy Ombudsman stating that he believed that the posting or "promotion" on an Anchorage School District high school's webpage of a Baccalaureate program being held at a local church was inappropriate. He also alleged that the ASD was allowing a religious group into school lunchrooms during lunch periods, and permitting them to interact with students and hand-out free food to promote their religious organization.

The Deputy Ombudsman determined that it is not a violation of ASD policies for a parent-led group to host a Baccalaureate service for a graduating high school class, as long as public funds are not expended on the service, and as long as participation is voluntary. ASD Board Policy 350 states that "The district shall neither encourage, discourage, nor disparage religious beliefs or activity." The American Civil Liberties Union has released a "Joint Statement of Current Law of Religion in the Public Schools", which states,

"School officials may not mandate or organize prayer at graduation, nor may they organize a religious baccalaureate ceremony. If the school generally rents out its facilities to private groups, it must rent them out on the same terms, and on a first-come first-served basis, to organizers of privately sponsored religious baccalaureate services, provided that the school does not extend preferential treatment to the baccalaureate ceremony and the school disclaims official endorsement of the program."

In the future, ASD Baccalaureate programs will be calendared as "optional" on ASD online calendars.

Regarding the second complaint, the Deputy Ombudsman determined that the religious group in question had advertised on their website that they were present at multiple school lunchrooms during the lunch periods on a weekly basis, handing out free food and snacks. On their website, they were actively recruiting youth volunteers to assist them in their outreach to students in ASD lunchrooms. The principal of the high school in question had told the Deputy Ombudsman that the group was affiliated with a student club. However, an ASD supervisor informed the Deputy Ombudsman, that while student clubs are allowed on school grounds, any club activities must be "student-initiated and voluntary". He noted that non-school persons (not students or employees), "shall not direct, control, conduct, or regularly attend meetings and activities of student-organized extracurricular clubs." The lunchroom activities of the group in question

appeared to violate the ASD's policies. The ASD met with the religious-based group in question, and set parameters for their being on school grounds, and informed the Deputy Ombudsman that, in the future, all ASD schools will conform to the ADS's policies regarding student clubs. ASD provided direction to their high school principals during their July 2017 training.

Ombudsman Complaint OM20170801

In May 2017, an individual's vehicle was towed from the back parking lot at City Hall. While the Ombudsman believed that the sign at the parking stall where the car was towed from was clearly marked "Reserved Parking Monday-Friday, 6 am-6 pm", the Ombudsman was concerned that the larger signs at the entrances to the parking lot, providing notice to the public, did not appear to conform to the requirements of Municipal Code.

The Ombudsman contacted MOA Land Use Enforcement. LUE Officers checked the signage in the parking lot with the Ombudsman, and determined that the City Hall parking lot signage did not comply with the requirements of MOA Code. The code states that a tow company may not tow vehicles from lots where the signage does not comply with the requirements of the code. The individual's vehicle should not have been towed. The constituent was referred to MOA Risk Management to seek reimbursement for their fees related to the tow. Risk Management was apprised of LUE's determination, and the individual's tow fees were reimbursed.

Ombudsman Complaint OM20171356

An individual contacted the Ombudsman's Office alleging that the MOA, Finance Department, Property Appraisal Division had "wrongfully" removed her residential property tax exemption for the 2017 tax year. She stated that she had been living in the property during the previous year, and had not been absent more than the 185 days in a calendar year allowed by Municipal Code.

Investigation by the Associate Ombudsman revealed that in 2005 the original applicant for the residential property tax exemption granted for the property was the complainant's husband. In 2014, her husband filed for an MOA Senior Citizen Property Tax Exemption, which was granted. Subsequently, the MOA discovered that the complainant's husband was living out of Alaska for the majority of the year, and in 2016 a change in exemption letter was sent to the address on file. The complainant acknowledged receipt of the letter. When the MOA did not receive a response to the letter, the senior and residential property tax exemptions were removed from the property. The complainant subsequently filed for a residential property tax exemption for the 2017 tax year. Because the complainant submitted her application past the deadline to apply, a denial letter was sent to her. However, she will receive the residential property tax exemption in 2018. The Associate Ombudsman determined that the MOA, Finance Department, Property Appraisal Division had followed the requirements of the Municipal Code when they removed the senior and residential property tax exemptions for the complainant's property.

In the course of her investigation, the Associate Ombudsman identified some confusing language on the MOA Residential Property Tax Exemption Application. The form contained both singular ("I", "Applicant") and plural ("We", "Applicants") language when referencing the applicant. The form also contained signature lines for both the applicant and their spouse. Because there can only be one applicant per property for a residential property tax exemption, the plural references and spousal signature line could

give the impression that both spouses were applying for the exemption when completing and submitting an application. The Associate Ombudsman and the Ombudsman met with Property Appraisal in December 2017, and recommended changes to the application form, including eliminating plural references and the spousal signature line on the application. Within two weeks of the meeting, Property Appraisal revised the form to incorporate the changes recommended by the Ombudsman's Office.

Ombudsman Complaint OM20171651

An individual contacted the Ombudsman's Office regarding the "No Parking" signs along a cul-de-sac adjacent to Lynn Ary Park, on the side of the street nearest to a ball field. He wanted to know if the signs were "legal". He noted that the roadway is a public cul-de-sac next to a public park. He believed that the public should be able to park close to the ball field, especially when transporting items for their games and practices, and questioned why the signs were installed.

The Ombudsman's Office determined that the "no parking" signs were installed in 2001 and 2002, contrary to the existing Traffic Department policies, based on who the requester was, rather than any documented safety conditions (as required for installation of no parking signs). At the time, Traffic had opposed installation of the signs, but the department's determination was overridden and Traffic was ordered to install the signs. In response to the Ombudsman's recommendation, Traffic removed the "no parking" signs on the south side of the cul-de-sac, and the "video surveillance" signs that someone had illegally placed on the MOA sign poles were removed. In his memo to Traffic, the Ombudsman noted that "When the MOA makes exceptions to policies or code, based on a person's socio-economic status, the neighborhood they live in, or how politically connected they are, it undermines the public's confidence in our local government."

Update Concerning Ombudsman Complaint OM20130356

In 2013 an Anchorage resident contacted the Ombudsman's Office regarding the penalty and interest that the Municipality had assessed upon the late payment of property taxes by her friend's estate, for which she was the personal representative. The property owner died two weeks before her June 15, 2013 property tax payment was due. By the time that the complainant was able to access the taxpayer's assets to settle the estate, the June 15th tax payment was past due and the Municipality assessed a 10% penalty. The complainant believed that it was unfair for the Municipality to charge a penalty in this instance, since her friend missing the payment deadline was due to her death. **Because Alaska State Statute permits municipalities to impose a penalty upon late payment of property taxes at their discretion, and because municipalities can enact legislation to allow for an administrative appeal process regarding assessment of penalties upon late payment of property taxes, and because current Anchorage Municipal Code does not allow for an adequate, fair and reasonable administrative appeal process, the complaint that the 10% penalty in this case was unfair, was found to be JUSTIFIED.** *The Ombudsman recommended that Anchorage Municipal Code be revised to allow for an administrative appeal process for penalties assessed upon late payment of property taxes. The Ombudsman lobbied two Mayoral administrations and the Finance Department regarding his recommendation, and worked with the Assembly Chair to move the recommendation forward. On August 8, 2017 the Anchorage Assembly approved AO*

No. 2017-106, amending Anchorage Title 12 to allow for an appeal process for penalties assessed upon late payment of property taxes.

2017 GRIEVANCES AGAINST THE OMBUDSMAN

Ombudsman Grievance 2017-01

AMC 2.60.160 – Grievance against the Ombudsman, requires that any grievance against the Ombudsman must be filed “within 45 days of the Ombudsman declining, discontinuing or closing a review or investigation.” On August 8, 2017, the Ombudsman’s Office received, by U.S. Mail, an undated grievance concerning Ombudsman Case OM20160709. The case involved a complaint against the Anchorage Police Department concerning their volunteer lead chaplain. Although the grievance was filed past the deadline in the code, the Ombudsman waived the deadline and accepted the grievance. AMC 2.60.165 provides specific grounds for filing a grievance against the Ombudsman. The Ombudsman determined that grievance 2017-01 was filed under AMC 2.60.065.A.3, “A specification of error or omission in the review or investigation of a complaint.” The Ombudsman provided a written response to the grievant within fifteen days, as required by AMC 2.60.165.C. The Ombudsman upheld his original determination, and revised the final report to clarify his reasoning in the case. A copy of the grievance and the Ombudsman’s response have been placed in a file open to public inspection for five years from the date of the response, as required by AMC 2.60.165.D.

2017 PUBLIC OUTREACH

In 2017 the Ombudsman’s Office worked to improve the office’s interface with the public, including;

- Continuing to use our City View Public Portal, which allows individual to file complaints online.
- The portal is optimized for smart phones and tablets.
- Continuing to update and make effective use of the Ombudsman’s page on www.muni.org/ombuds.
- Using the Anchorage Ombudsman Facebook page to engage with the public.
- Distributing Anchorage Ombudsman t-shirts, wristbands, lapel pins and ink pens at public outreach events.
- Conducting public outreach:
 - Catholic Social Services Refugee Assistance & Immigration Services Partners Meetings
 - Dr. Martin Luther King, Jr. Holiday Community-Wide Celebration
 - Bridge Builder’s Meet the World in Anchorage
 - Hmong American Veterans Memorial Day Celebration
 - 2017 Japanese Summer Festival
 - 2017 YWCA Women of Achievement Reception and Induction Ceremony
 - Leadership Anchorage
 - NAACP Anchorage Unit 1000

- 3rd Annual Diversity Community Health Awareness Day
- 2017 Transgender Day of Remembrance
- Hmong Center of Alaska, Inc. Traditional New Year Celebration
- YWCA Alaska's Stand Against Racism
- Identity, Inc. Board
- Asia-Pacific Heritage Month Celebration
- 2017 Equality March & 2017 PrideFestival
- 2017 CSS/RAIS World Refugee Day Celebration
- Bean's Café 24th Annual Empty Bowl Project
- Senator Begich/Representative Tarr Constituent Meeting
- Senator Begich/Representative Gara Constituent Meeting
- 2017 Choose Respect March and Rally
- 2017 Project Homeless Connect
- 2017 Chinese New Year's Celebration: Year of the Rooster

ABOVE AND BEYOND AWARD

The Ombudsman's Office recognizes outstanding performance by Municipal and School District employees and workgroups through our Above and Beyond Award, which acknowledges above and beyond service to the people of Anchorage. To nominate a Municipal or School District employee or workgroup to receive the Above and Beyond Award, call the Ombudsman's Office at 907-343-4461, or email to OMBUD@muni.org.

In 2017 the Municipal Ombudsman's Office recognized several individuals with the Ombudsman's Above and Beyond Award, in recognition of their commitment to delivering superior customer service to the people of Anchorage.

Erika McConnell, Economic & Community Development



Betsy Eisses, Erika McConnell, Darrel Hess, and May Ramirez-Xiong

Lynn McGee, Right-of-Way.



Lynn McGee and Darrel Hess

Charlie Eliassen , Right-of-Way.



Charlie Eliassen and Darrel Hess

John Snelson, Right-of-Way.



John Snelson and Darrel Hess

Clark Rosencrans, Building Safety.



Clark Rosencrans and Darrel Hess

Bill Peterson, Building Safety.



Bill Peterson and Darrel Hess

May Ramirez-Xiong, Ombudsman's Office.



Darrel Hess and May Ramirez-Xiong

THE OMBUDSMAN OFFICE

- › Acts as a resource for citizens, by answering questions and providing information regarding Municipal government.
- › Recommends to the Assembly, the School Board and the Mayor, changes in policies and procedures and Anchorage Municipal Code, to make the Municipality and School District more responsive to the needs of individuals and the community.
- › Responds in an independent, impartial and confidential manner, while safeguarding the rights of persons and promoting higher standards of competency, efficiency and equity.
- › Investigates complaints against agencies, departments and employees of the Municipality and the School District, as authorized by Anchorage Municipal Code, Chapter 2.60.
- › Makes findings and recommendations through formal investigations about the fairness of official actions by the Municipality or the School District.

BEFORE YOU CONTACT THE OMBUDSMAN

- › Be prepared. Gather any needed information and write down your questions before calling a government office.
- › Don't hesitate to exercise your right to call or write government offices for assistance.
- › Ask for the names of employees you speak with, take notes and save all correspondence.
- › If you are having problems getting answers, or are being treated discourteously, be sure to speak with a supervisor. If a supervisor cannot satisfactorily address your concerns, you can contact the Ombudsman.
- › Courtesy works both ways; be pleasant. Everyone appreciates being treated courteously. Recognizing that, for the average citizen, government is often difficult to navigate, the authors Anchorage's Home Rule Charter provided for a Municipal Ombudsman to act as an independent, impartial reviewer of citizen complaints.

FROM DARREL HESS

It is my honor to serve the people of Anchorage as your Municipal Ombudsman. The Anchorage Ombudsman's office is your independent voice for fairness in local government. Our office strives to assist citizens in navigating the agencies and departments of the Municipality of Anchorage and the Anchorage School District, responding to your concerns and questions.

Our goal is to assist, in some fashion, every person who contacts our office. Many of the issues brought to us are non-jurisdictional, but we will attempt to direct you to the correct person, agency, department, business or nonprofit, who can help you.

We look forward to informing, assisting and empowering you regarding local government policies, procedures and codes. Our services are free of charge, and available to anyone within the Municipality. It is our privilege to serve you.

WHAT IS AN OMBUDSMAN?

Ombudsman is a Swedish term, which means “protector or defender of people’s rights.” The Anchorage Ombudsman is appointed by the Assembly and is an independent, impartial reviewer of complaints and concerns. The Municipal Ombudsman is authorized by the 1975 Anchorage Home Rule Charter, and is governed by Anchorage Municipal Code, Chapter 2.60.

The Ombudsman is nominated by an Assembly selection committee, and if confirmed by the Assembly, serves a two year term. Reappointment is allowed. The Ombudsman investigates complaints of unfair treatment and unreasonable actions by the Municipality of Anchorage and the Anchorage School District, and their employees.

Complaints may result from the action, or lack of action, by a Municipal or School District employee. Often complaints are based on misunderstandings of Municipal or School District policies and procedures, Municipal Codes or individual rights. The Ombudsman can interview Municipal and School District Employees, examine confidential documents, inspect agency and department premises, and issue subpoenas.

The Ombudsman is a neutral fact finder when reviewing and researching complaints and the Ombudsman is not an advocate. If an Ombudsman investigation determines that an agency, department or employee made a mistake, or acted unfairly or arbitrarily, the Ombudsman may recommend corrective action. While the Municipality and School District do not have to follow the Ombudsman’s recommendations, they usually do.

THE OMBUDSMAN DOES NOT INVESTIGATE:

- The Assembly
- The Mayor
- The School Board
- State or Federal Agencies or Employees
- Disputes between private parties
- Tenant/Landlord disputes
- Decisions more than one year old (generally)
- Matters being adjudicated by the courts

MUNICIPALITY OF ANCHORAGE



COMPLAINT FORM

The Ombudsman's Office was established in addition to other remedies or rights of appeal, as an independent, impartial municipal office, readily available to the public, responsible to the Assembly, empowered to investigate the acts of Municipal agencies and Anchorage School District, and to recommend appropriate changes toward the goals of safeguarding the rights of persons and of promoting higher standards of competency, efficiency, and equity in the provision of municipal services.

Please fill out and mail to:

Municipal Ombudsman
PO Box 196650
Anchorage, AK 99519-6650

Name		Date
Address		
City	State	Zip
Phone Number	Alt. Phone Number	
Email Address:		
Name of municipal department you are complaining about:		
Have you tried to resolve the complaint with the department? <input type="checkbox"/> YES <input type="checkbox"/> NO		
<div>*It is important to try to resolve your issue with the agency's help before involving the ombudsman.</div>		
Please provide names and contact information for people you have spoken with and what their response was to your complaint.		
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MUNICIPALITY OF ANCHORAGE OMBUDSMAN COMPLAINT FORM

"The Ombudsman may investigate the administrative acts of agents of the municipality,...The ombudsman shall be barred from inquiry into acts of the mayor, the assembly or school board." **AMC 2.60.110.A. D**

What did the department do that you think is wrong? _____

What do you want from the department? _____

Please provide any other information we may need to help us investigate your complaint. _____

***IMPORTANT We will not give out your name without your consent. Do you give permission to use your name when talking to the agency?** ☐ YES ☐ NO Initial _____

Use this space to provide any further information you feel may be useful in our investigation. **Remember: The Municipal Ombudsman only investigates complaints about municipal agencies.** Use extra paper if necessary.

What do you want the Ombudsman to do for you? _____

Signature _____ Date _____



In 2014, Anchorage joined the Welcoming Cities project, a collection of cities from across the United States that recognizes the economic, cultural and social contributions that immigrants and refugees make to our communities. Building on this network, Welcoming Anchorage is a collaboration between the Municipality of Anchorage, local businesses and organizations and the Anchorage Economic Development Corporation that strives to reinforce Anchorage as a place proud of our heritage and poised to position ourselves as a globally competitive, culturally vibrant 21st century community.

The Welcoming Anchorage initiative has five pillars: Employment and Entrepreneurship; Civic Engagement; Connected, Safe and Healthy Communities; Equitable Access; Education.

Employment and Entrepreneurship: Ensuring engagement in all sectors of Anchorage’s economy by tearing down barriers to entry and minimizing “brain waste.” Promoting entrepreneurship opportunities

Civic Engagement: Hosting annual Welcoming Week activities; hosting community wide diversity events, creating community partnerships, designing and hosting civic engagement academies

Connected, Safe and Healthy Communities: Promoting public safety, education about the law, and cultural awareness among service providers

Equitable Access: ensuring access for limited English proficient residents, eliminating barriers to community services

Education: building cradle to career opportunities for newcomers including childhood and adult education and ESL opportunities

#WelcomingAnchorage

On Facebook: www.facebook.com/WelcomingAnchorage

On muni.org: www.muni.org/departments/mayor/welcominganchorage

Contact Welcoming Anchorage: WelcomingAnchorage@muni.org



OMBUDSDOG



SPECIAL THANKS TO PIGGY, THE OMBUDSDOG

ACKNOWLEDGMENT

This annual report was prepared by the following members of the Ombudsman's Staff:

Darrel W. Hess, Municipal Ombudsman

Elizabeth A. Eisses, Deputy Ombudsman

May Ramirez-Xiong, Associate Ombudsman



Darrel, Betsy and May



A special thank you to the Municipal Reprographics Team, Ruth, Bob, Tiny and Brandon, for their professionalism and invaluable assistance.

“The world isn’t fair, Calvin” “I know Dad, but why isn’t it ever unfair in my favor?”

— Bil Watterson. The Essential Calvin and Hobbes: A Calvin and Hobbes Treasury