
MUNICIPALITY OF ANCHORAGE
OFFICE OF THE OMBUDSMAN
2022 ANNUAL REPORT



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

Municipality of Anchorage, Office of the Ombudsman

632 West 6th Avenue, Suite 100

P. O. Box 196650

Anchorage, AK 99519-6650

Phone: (907) 343-4461; Fax: (907) 343-4464

ombud@muni.org

www.muni.org/departments/ombudsman

www.facebook.com/anchorageombudsman

www.muni.org/cityviewportal

Dedication

*“The Anchorage Municipal Ombudsman’s Office
dedicates our 2022 Annual Report to the hardworking,
dedicated Municipal and School District employees.
Thank you for your service.”*



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September 12, 2023

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 2022 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 offices, agencies, and employees, including the Anchorage School District.

Over the past three years our office adapted our business model to meet the needs of constituents during a global health pandemic – leveraging technology as we continued to respond to the public in a timely and efficient manner. In 2022, we transitioned back to an in-person office.

In 2022 we opened 156 new cases, made 795 referrals, and recorded 388 contacts, for a total of 1339 constituent interactions. Behind these statistics are real people – individuals who needed help navigating and understanding municipal government, as well as the dedicated Municipal and School District employees who serve the people of Anchorage. It is our pleasure to serve, inform, and empower the public.

Sincerely,



Darrel W. Hess
Municipal Ombudsman



May Ramirez-Xiong
Deputy Ombudsman



Heather MacAlpine
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 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 2022, the Ombudsman's Office provided information and referrals to 1,183 individuals and opened 156 cases.

The Ombudsman's Office is located on the ground floor of Anchorage City Hall, in Suite 100. 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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ombud@muni.org

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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 2022, 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. 2022 Processing Statistics

2022 Processing Statistics	From Prior Year	New	Processed or Closed	Remaining Open
Cases	6	156	152	10
Contacts	0	388	388	0
Referrals	0	795	795	0
Total Inquiries	6	1339	1335	10

Graph 1. 2022 Processing Statistics

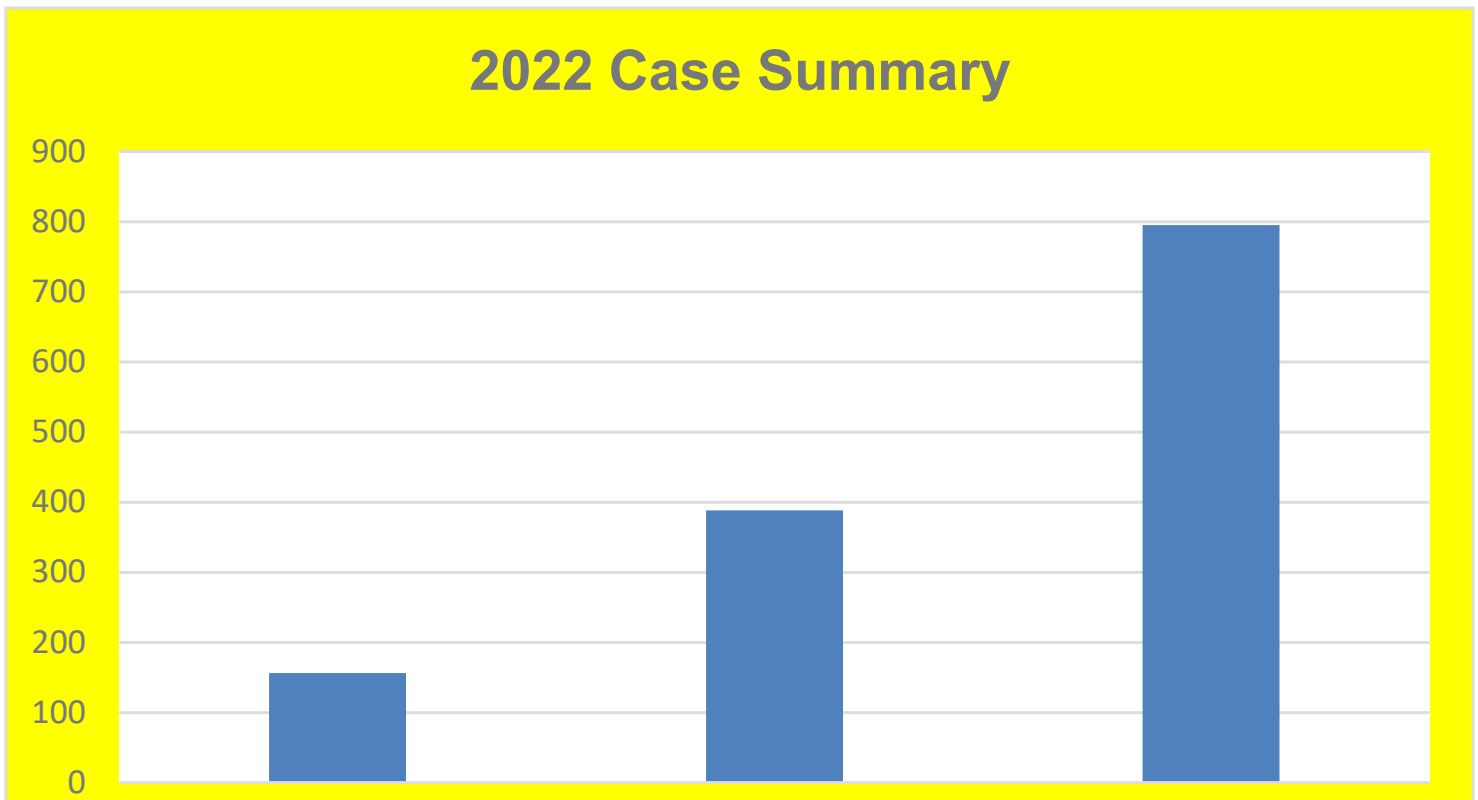
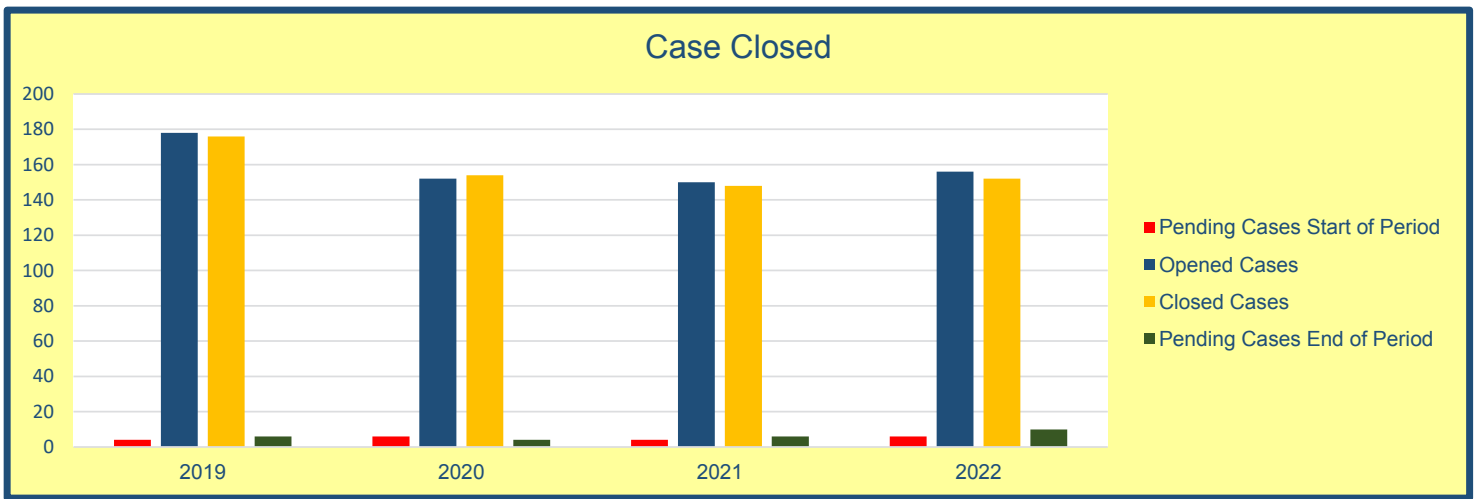


Table 2. Case Closures and Pending Inventory from 2019-2022

Case Inventory	2019	2020	2021	2022
Pending Cases Start of Period	4	6	4	6
Opened Cases	178	152	150	156
Closed Cases	176	154	148	152
Pending Cases End of Period	6	4	6	10

Graph 2. Case Closures and Pending Inventory from 2019-2022



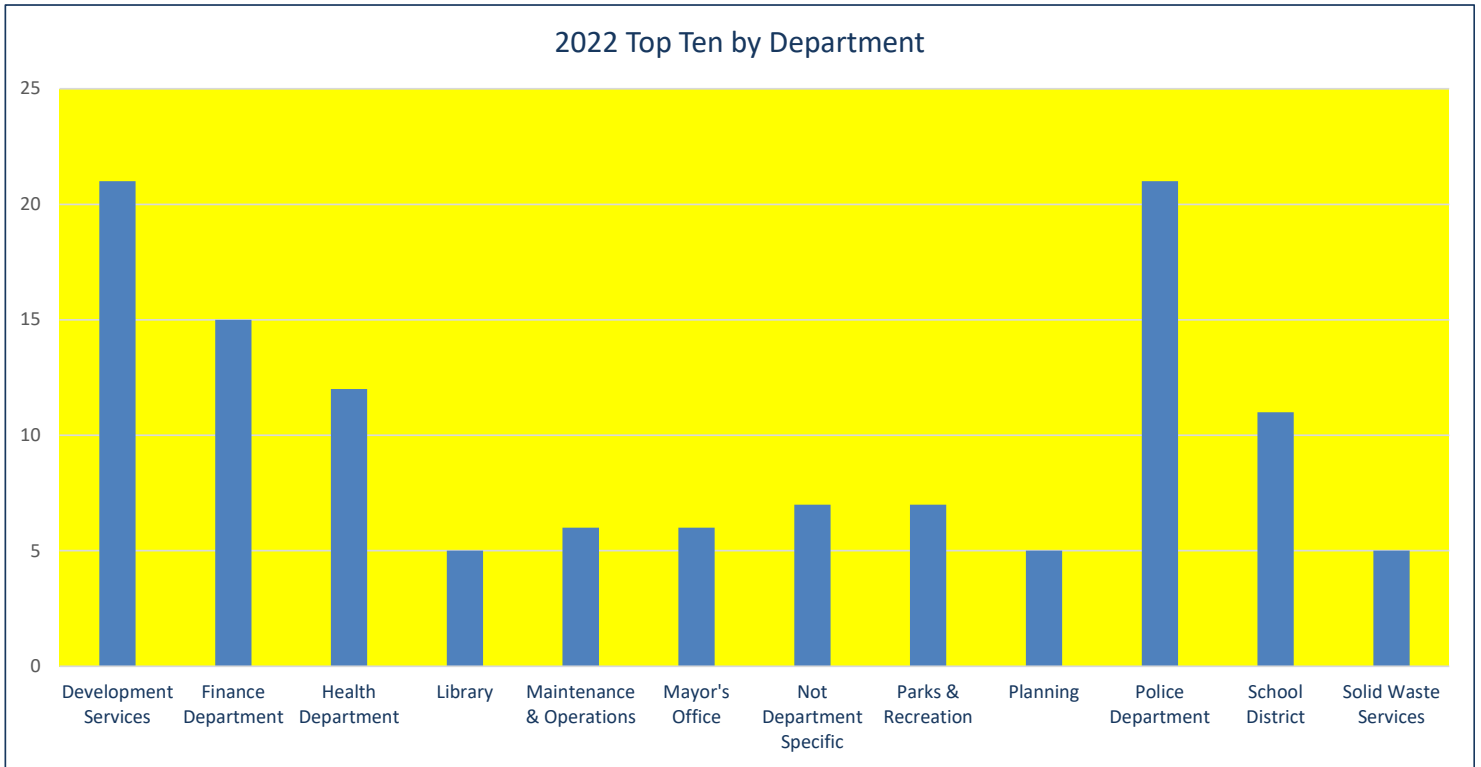
Historically, the larger Municipal Departments and those with the greatest public contact generate the largest number of cases in the Ombudsman’s Office. In 2022 the Development Services Department and Police Department (tied at 13.46%), Finance Department (9.62%), Health Department (7.69%), School District (7.05%), and Parks & Recreation Department (4.49%), ranked 1-5. (See Table 3 and Graph 3).



Table 3. 2020-2022 Cases by Department

Department	2020	Percent	2021	Percent	2022	Percent
Anchorage Community Development Authority	2	1.32%	2	1.33%	3	1.92%
Assembly	9	5.92%	12	8%	4	2.56%
Development Services	29	19.08%	22	14.67%	21	13.46%
Economic & Community Development	1	0.66%	0	0%	2	1.28%
Emergency Management	0	0%	3	2%	0	0%
Equal Rights Commission	1	0.66%	0	0%	0	0%
Finance Department	14	9.21%	20	13.33%	15	9.62%
Fire Department	3	1.97%	4	2.67%	3	1.92%
Girdwood Board of Supervisors	0	0%	0	0%	3	1.92%
Health Department	6	3.95%	9	6%	12	7.69%
Human Resources	5	3.29%	3	2%	0	0%
Information Technology	1	0.66%	0	0%	0	0%
Legal Department	1	0.66%	0	0%	2	1.28%
Library	0	0%	3	2%	5	3.21%
Maintenance & Operations	11	7.24%	7	4.67%	6	3.85%
Mayor's Office	8	5.26%	4	2.67%	6	3.85%
Merrill Field	0	0%	0	0%	1	0.64%
Municipal Light & Power	1	0.66%	0	0%	0	0%
Municipal Manager	0	0%	3	2%	1	0.64%
Not Department Specific	6	3.95%	4	2.67%	7	4.49%
Office of Equity & Justice	0	0%	0	0%	2	1.28%
Parks & Recreation	8	5.26%	7	4.67%	7	4.49%
Planning	1	0.66%	4	2.67%	5	3.21%
Police & Fire Retirement System	0	0%	1	0.67%	0	0%
Police Department	26	17.11%	8	5.33%	21	13.46%
Project Management & Engineering	2	1.32%	0	0%	1	0.64%
Public Transportation	1	0.66%	6	4%	3	1.92%
Public Works Administration	2	1.32%	2	1.33%	1	0.64%
Purchasing Department	0	0%	3	2%	3	1.92%
Real Estate Department	0	0%	1	0.67%	4	2.56%
Risk Management	2	1.32%	3	2%	2	1.28%
School District	4	2.63%	10	6.67%	11	7.05%
Solid Waste Services	3	1.97%	2	1.33%	5	3.21%
Traffic Engineering	1	0.66%	3	2%	0	0%
Transportation Inspection	0	0%	1	0.67%	0	0%
Water & Wastewater Utility	4	2.63%	3	2%	0	0%
All Departments	152	100%	150	100%	156	100%

Graph 3. 2022 Cases by Department (most frequent)

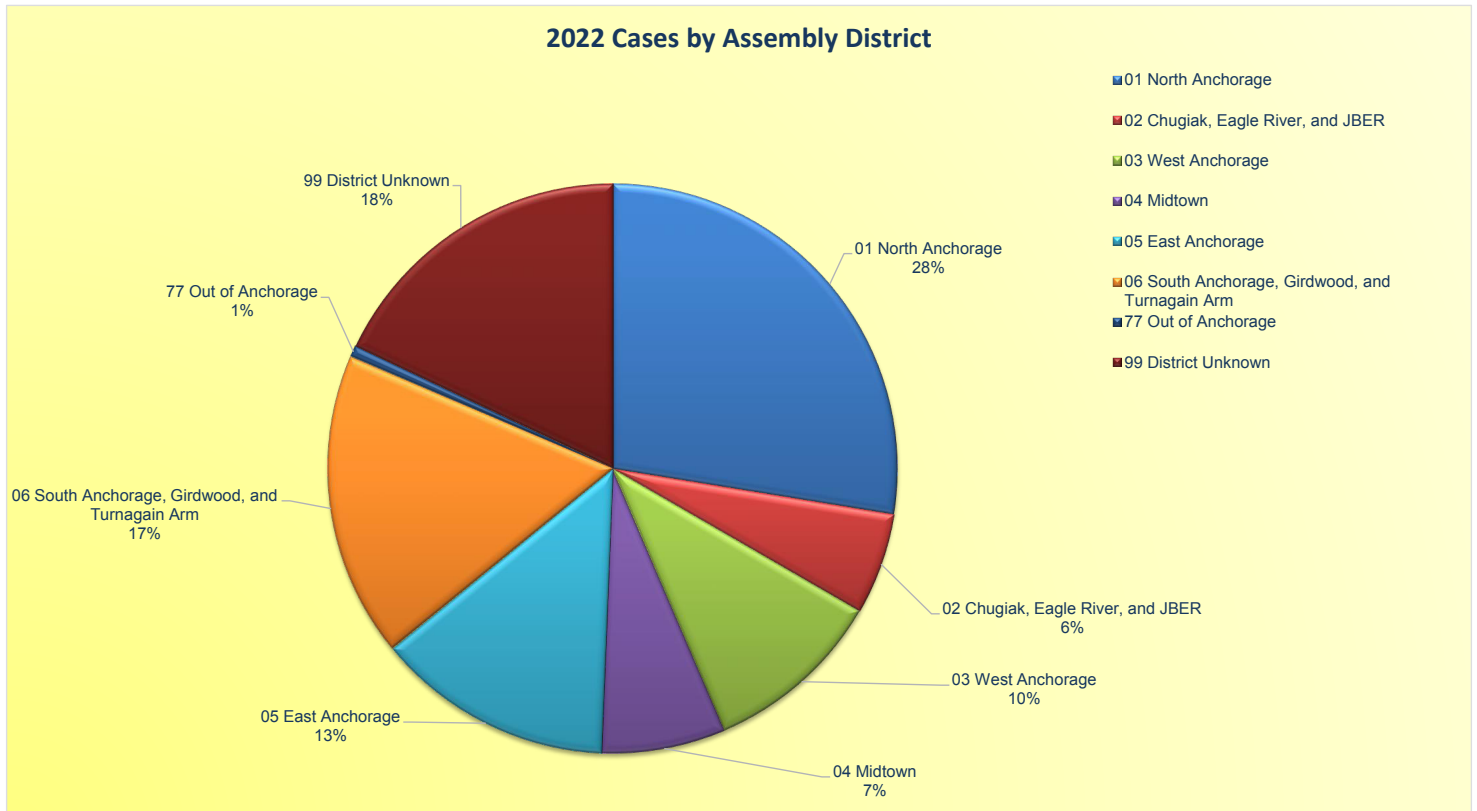


The Ombudsman's Office also tracks cases by Assembly District. These numbers are reflected in **Table 4** and **Graph 4**.

Table 4. Cases by Assembly District 2020-2022

District No./Name	Cases 2020	Percent	Cases 2021	Percent	Cases 2022	Percent
01 North Anchorage	26	17.11	31	20.67	43	27.56
02 Chugiak, Eagle River, and JBER	16	10.53	14	9.33	9	5.77
03 West Anchorage	16	10.53	20	13.33	16	10.26
04 Midtown	29	19.08	21	14	11	7.05
05 East Anchorage	17	11.18	20	13.33	21	13.46
06 South Anchorage, Girdwood, and Turnagain Arm	25	16.45	25	16.67	27	17.31
77 Out of Anchorage	5	3.29	4	2.67	1	0.64
99 District Unknown	18	11.84	15	10	28	17.95
Total	152	100	150	100	156	100

Graph 4. Cases by Assembly District 2022



2022 CASE RESOLUTION SUMMARIES

In 2022, the Ombudsman’s Office opened 156 cases, and processed or closed 152 (with 6 cases carried over from 2021). We ended 2022 with 10 open cases. Most 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 2022 cases:

OM2022-0010

A constituent contacted the Ombudsman's Office alleging that the Anchorage School District (ASD) discriminated against them and denied them compensation provided to other ASD employees. The constituent stated that a memo authorized paid leave for vaccinated employees who tested positive for COVID-19. When they asked for a copy of the policy, the ASD Office of Equity and Compliance could not provide them with the policy. They were referred to the ASD Labor Relations Department. The constituent stated that Labor Relations would not provide them with a copy of the policy. Instead, they were informed that the memo was the policy. The constituent noted that they were concerned that there was "no process, guidelines or procedures in place for unvaccinated employees." The constituent stated that they found it odd that the memo was the policy. The constituent asked why only vaccinated ASD

employees received the incentive, and why additional time was not provided to unvaccinated employees to allow them to be vaccinated to be eligible for the incentive.

The Deputy Ombudsman reviewed the matter and determined that it is not uncommon for the ASD to issue memos that serve as policies. Additionally, it is not uncommon for employers to offer incentives to employees, such as health insurance discounts for non-smokers. Offering an incentive for employees to get vaccinated does not violate the terms of any ASD bargaining agreement and was a common practice for many employers during the COVID 19 pandemic. The Ombudsman's staff are not attorneys and cannot provide legal advice. Several of the constituent's questions should have been addressed to the appropriate ASD department – the constituent was referred to the appropriate ASD department and was informed that they may elevate their concerns to the Superintendent and/or the School Board if the department did not respond to their questions and concerns.

OM2022-0248

A constituent contacted the Ombudsman's Office with concerns related to his 2019 Residential Property Tax Exemption being removed because he did not apply for the 2019 Permanent Fund Dividend (PFD). The Alaska Legislature mirrored the residency requirements for qualifying to receive a PFD with the residency requirements to qualify for a property tax exemption. This created an easy way for local governments to flag property tax exemption applicants who might not meet the residency requirements to receive a property tax exemption. The Property Appraisal Division stated that they had mailed two letters to the constituent, requesting verification of his eligibility to receive the exemption. The constituent never responded to the letters and Property Appraisal removed his exemption for that tax year. The constituent stated that they never received the letters and was only made aware of them after Property Appraisal removed their residential exemption. The constituent stated that he has always been an Anchorage resident, his property has always been his primary residence, and that the residential exemption shouldn't be removed just because he did not file for a PFD.

The Deputy Ombudsman reviewed the matter and found that the constituent was informed regarding the documentation that he needed to provide to verify his eligibility to receive the exemption. The Deputy Ombudsman contacted the Property Appraisal, Exemption Supervisor, regarding the information that the constituent had provided to prove his eligibility to receive the exemption. The Supervisor stated that they would make an exception to the deadline – they verified the constituent's eligibility, and they reinstated his 2019 Residential Property Tax Exemption.

OM2022-0255

A constituent requested to meet with the Ombudsman regarding a recently vacated municipal right-of-way (ROW) adjacent to his property. The constituent alleged that Solid Waste Services (SWS) had recently filed an application with the Platting Board to vacate a ROW next to his property. SWS needed the ROW for the construction of their new transfer station in Midtown. The Platting Board vacated the ROW and the vacated ROW was added to SWS's property parcel. The constituent alleged that the vacated ROW originally came from both his property and the property owned by SWS – he believed that the vacated ROW should have been split between SWS's property and his property.

During his review, the Ombudsman reviewed relevant historic documents, including the 1951 and 1972 plats, and met with the Municipality's Platting Officer. Based on his review of the historic documents, the Ombudsman determined that the ROW that had been vacated and added to SWS's parcel, had originally been taken entirely from the property currently owned by SWS. Legally, the Platting Board had an obligation to return the vacated ROW back to the property that it was originally taken from – the Platting Board could not give the property to the constituent, as none of the vacated ROW was taken from his property.

OM2022-0582

A constituent contacted the Ombudsman's Office, stating that they were an Anchorage School District (ASD) substitute teacher, and that they had been assured by the ASD prior to starting their first assignment for the school year that they would be classified as a long-term substitute. Long-term substitutes are paid at a higher rate than substitutes who are not classified as long-term substitutes. However, upon receiving their first paycheck, they discovered that they were not being paid as a long-term substitute. When they reviewed the section of the ASD handbook that addresses substitute teachers, they alleged that the definition of long-term substitute in the handbook had been changed.

After reviewing the information provided by the constituent and the ASD, the Deputy Ombudsman determined that while some language in the handbook had been revised, the requirement that a contract must be signed by both the long-term substitute and the principal was not changed and that the requirements had not been met regarding the constituent's employment as a substitute teacher with the ASD. ASD policy states that "Substitutes that are in one position for more than 19 days must be authorized as a long-term substitute or are required to have a break in that assignment every 20th day, no exceptions." This criterion was not met - based on the copy of her schedule that the constituent provided to the Deputy Ombudsman. The constituent was not in one substitute position for more than 19 days. The constituent could provide no evidence to show that her work schedule qualified her to be classified as a long-term substitute. Based on the available evidence, the Deputy Ombudsman determined that the complaint regarding the Anchorage School District was NOT SUPPORTED.

OM2022-0747

A constituent contacted the Ombudsman's Office requesting a review of the denial of her Risk Management (Risk) claim. Her Risk claim was regarding a pothole on a municipal street that allegedly damaged her vehicle tire. The constituent alleged she could not avoid the pothole due to oncoming traffic, and that a Street Maintenance crew had recently repaired potholes on the street but had neglected to repair the pothole that damaged her vehicle. The constituent provided the Deputy Ombudsman with photographs she had taken of the pothole and the potholes that had recently been repaired. Risk will generally pay these types of claims if the pothole had been reported to Street Maintenance and had not been repaired within a reasonable amount of time.

The Deputy Ombudsman reviewed Risk's case file and their denial letter to the constituent. She determined, based on the photographs, that Street Maintenance should have been aware of the pothole that damaged the constituent's vehicle and that it should have been repaired when the other potholes on the street were repaired. The Deputy Ombudsman recommended that Risk reconsider their denial, based on the information provided by the Ombudsman's Office. Risk accepted the recommendation, reconsidered the claim, and issued the constituent payment for damages to her vehicle.

OM2022-1059

A constituent contacted the Ombudsman's Office regarding his wife, who was interred at Anchorage Memorial Park Cemetery. The constituent stated that he had been informed by the Cemetery Director that his wife's headstone would most likely not be placed until the following year. The constituent stated that he felt that this was wrong because the headstone would be sitting in storage for several months – the constituent believed that this was disrespectful to his wife.

The Deputy Ombudsman contacted the Director, who informed her that there were 20 headstones ahead of the headstone for the constituent's wife. Headstones and benches at the Cemetery are set in the order that they are delivered to the Cemetery. The headstone had been delivered on September 12th, past the September 1st cut-off date for headstones to be set during the current year. The headstone weighs over 600 pounds and requires weather above a certain temperature for the concrete to be poured and set. The marker might possibly be set during the current year, depending on the weather, but most likely will be set late next spring or early next summer. The small, contracted staff that places headstones and benches also prepare grave sites for interments. With Anchorage's long winters, the cemetery conducts most interments during the spring and summer months, in addition to setting headstones and benches. The constituent was informed regarding the policy, process, and timeline for setting headstones in the Cemetery.

OM2022-1071

A constituent contacted the Ombudsman's Office alleging that he was denied entry to the Loussac Library because he was using a Segway as a mobility device due to physical limitations. The constituent stated that he had previously contacted the Ombudsman's Office regarding being denied use of his mobility device in the Dena'ina Civic & Convention Center – at that time he had been informed that he could use his Segway mobility device in municipal buildings, under the provisions of the Americans With Disabilities Act of 1991, as amended.

The Ombudsman's Office contacted the Loussac building manager and determined that the wording of the Loussac's Code of Conduct was confusing regarding the use of mobility devices, which led to a misunderstanding. The building manager clarified the Code of Conduct for Library staff and security personnel and apologized to the constituent for the confusion and inconvenience.

OM2022-1240

A constituent contacted the Ombudsman's Office to express concerns regarding an elementary school field trip that she stated had left her child sick and unable to return to school for eight days. The constituent stated that she was upset that the school staff, given the inclement weather, did not call off the field trip and have students return to classes. The constituent provided the Deputy Ombudsman with photographs and videos of children drenched and soaked from rain.

The Deputy Ombudsman reviewed the photographs and videos provided by the constituent, reviewed the weather forecast for the day of the field trip, and spoke with school staff. Based on her review, the Deputy Ombudsman found the complaint justified, and made three recommendations to the school principal –

- 1. Review possible criteria for determining when to pull students from a field trip if they don't have proper attire/gear for the weather.*
- 2. Put criteria in place to decide when to make the call to bring students back from a field trip during inclement weather.*
- 3. Revise notices sent to parents about proper attire/gear for field trips by including recommendations for dressing students in winter gear and/or rain gear and requesting that parents check the weather forecast so their children will be dressed for the weather. The notice could state that children without proper attire may have to sit in the office or another class during the field trip if not properly attired.*

The school principal agreed with the recommendations and stated that she will also be consulting with the Anchorage Park Foundation, which hosted the field trip.

OM2022-0308

A constituent had applied for a dimensional variance for a nonconforming detached garage on his property. The garage had been constructed on the property decades before the constituent purchased the property. However, when he purchased the property, he assumed legal liability for any nonconformities on the property. The Zoning Board of Examiners & Appeals (ZEBA) had approved the variance. The constituent contacted the Ombudsman alleging that Planning's staff report for his variance application was capricious and arbitrary, and that staff did not follow the applicable laws, or consider the Fairview Neighborhood Plan or the Historic Preservation Plan for Anchorage's Four Original Neighborhoods.

During his review, the Ombudsman read the staff report, watched the recording of the ZEBA hearing, reviewed the relevant sections of code, read a relevant 2014 legal memo from an Assistant Municipal Attorney, spoke with Planning staff, and reviewed the Alaska Supreme Court's decision in Corkery v. Municipality of Anchorage (Supreme Court No. S16684, Opinion No. 7292, issued on September 14, 2018). The constituent believed that because the ZEBA had approved the variance, which the staff report recommended against, finding that the request for a variance did not meet the standards in the code, the staff report was capricious and arbitrary. Based on his review, the Ombudsman determined that the staff report was sound, professional, and neutral. The Ombudsman determined, in consultation with Legal, that the request for a variance did not meet the standards in the code. The ZEBA has the authority to determine that a variance request meets the standards in the code, even if it does not legally meet those standards. The Ombudsman believed if the Municipality had appealed the ZEBA's decision to the Superior Court, the court would have most likely overturned the ZEBA's decision. The constituent's complaint was NOT SUPPORTED.

OM2022-0438

A member of the Anchorage Assembly contacted the Ombudsman, questioning how the Alaska Center for the Performing Arts (ACPA) could require patrons to wear masks if the Mayor had issued an executive order that prohibited the requirement to wear a mask in buildings owned or leased by the Municipality.

The Ombudsman reviewed the management contract for the ACPA and met with Legal. While the Municipality owns the ACPA building, it does not manage or operate the facility. The facility is operated by a non-profit and is governed by a board of directors. The Mayor's executive order does not apply to municipal-owned buildings that are managed and operated by contractors. The contractors can require masks and proof of vaccination - they can set their own rules for patrons of the facilities that they manage and operate if those rules comply with applicable laws and the terms of their management contract with the Municipality. This also applied to the Egan Civic & Convention Center, Anchorage Museum, Dena'ina

Civic & Convention Center, Anchorage Senior Activity Center, Mountain View Community Center, and other municipal-owned facilities operated by contractors.

OM2022-0674, 0675, 0695

Multiple constituents contacted the Ombudsman alleging that the Municipality's Human Resources Department (HR), Director had participated - in his official capacity - at the June 15, 2022 meeting of the Library Advisory Board (LAB), sitting next to the Library Deputy Director, Judy Eledge, wearing a t-shirt that read "I'm With Judy". The constituents questioned if it was appropriate for the HR Director, in his official capacity, to be wearing a shirt that seemed to express support for the Deputy Director when multiple Library employees had alleged that the Deputy Director had created a hostile work environment. Following the incident, multiple Library employees contacted the Ombudsman questioning whether the HR Director could be impartial if they filed complaints with HR regarding the alleged actions of the Deputy Director. The Municipal Ethics Code, in AMC 1.15.110.F states that "Employees and board members shall not engage in partisan activity and addressing municipal matters while at the workplace or in the performance of work duties". The code defines partisan activity as "An act for the purpose of supporting a party, cause, or action" (AMC 1.15.110.A.2). The category of "partisan activity" is broader than just political activity, and can include support of, or attacks on, controversial municipal actions, policies, and individuals. The code limits partisan activity in the workplace as it is a misuse of municipal resources, including employee time (AMC 1.15.040.A).

After reviewing the Ethics Code, the Ombudsman filed a request for an advisory opinion with the Ethics Board regarding the HR Director wearing the "I'm With Judy" t-shirt at the LAB meeting. Given HR's role in investigating personnel complaints, and the perceived bias of the HR Director regarding the Deputy Director, the Ombudsman recommended to the Administration that the HR Director be "walled off" from any personnel complaints filed by Library employees; that the HR Director no longer be part of any Library hiring panels; that Legal take lead on the investigation of any Library employee personnel complaints; that a memo be sent to all Library employees informing them of the implementation of the recommendations. The Administration agreed to implement the recommendations, and the Ombudsman emailed a memo to all Library employees to inform them regarding the implementation of his recommendations. Subsequently, on January 13, 2023, the Ethics Board released advisory opinion 2022-06. Because the Ethics Board believed that the implementation of the Ombudsman's recommendations had resolved the issue of the HR Director wearing the "I'm With Judy" t-shirt to the LAB meeting, the advisory opinion focused on the general topic and clarified the provisions of the Ethics Code related to partisan activity in the municipal workplace.

OM2022-1047

A constituent contacted the Ombudsman, questioning if a particular nonprofit qualified to receive an award from the Mayor's Community Grant Program - the organization is faith-based, and (legally) discriminates against transgender women. AMC 7.50.050.C requires that any organization that receives municipal funds, including through a contract or grant, must have a nondiscrimination policy, and must comply with all local, state, and federal nondiscrimination laws. When signing the grant contracts, recipients must certify under penalty of perjury that they will comply with the requirements of Anchorage Title 5 - Equal Rights, including in their hiring and promotions practices. Sexual orientation and gender identity are protected classes under Title 5.

The Ombudsman met with Legal and members of the Mayor's staff to review the constituent's concerns and the requirements of Title 7 and Title 5. Legal and members of the Mayor's staff met with representatives of the nonprofit and another organization that the Ombudsman had identified as likely not qualifying to receive grant funds. The representatives of the two organizations were informed of the ramifications to their organizations if they received the grants - both organizations declined the grants. Members of the Mayor's staff were trained by Legal regarding the nondiscrimination requirements for organizations that receive municipal funds.

OM2022-1109

Multiple constituents contacted the Ombudsman's Office questioning the Municipality's apparent sponsorship of the Christmas Cantata, which took place at the Dena'ina Center on Friday, September 30, 2022. The constituents questioned if was appropriate for the Municipality to sponsor what appeared to be an event put on by a church (Good News Mission), that appeared to be promoting a particular religion.

The Ombudsman reviewed the television commercials for the event, which included the municipal seal and listed the Municipality as the event sponsor. The Ombudsman also spoke with members of the Mayor's staff, the Municipal Attorney's Office, and Dena'ina Convention Center management. The Ombudsman determined that the Municipality did not provide any funds or in-kind support for the Christmas Cantata, which paid market rent for the space. However, a member of the Mayor's staff had told the organization that they could use the municipal "logo" and list the Municipality as the event sponsor. Legal met with the Mayor's staff to outline the parameters regarding use of the Municipal seal, and clarify that events promoting a particular religion cannot be sponsored by the Municipality.

OM2022-1197

A constituent who was attending the 2022 Alaska Federation of Natives Convention (AFN) at the Dena'ina Convention Center, stopped by the Ombudsman's Office to report that Easy Park was enforcing parking meters in the Downtown core during the convention. In previous years, Easy Park had not enforced on-street parking meters in the Downtown core during the AFN Convention and the Youth & Elders Conference.

The Ombudsman was aware of this longstanding practice, and contacted the Municipal Manager's assistant, who contacted the Director of the Anchorage Community Development Authority (ACDA). The Ombudsman later received an email from the Mayor's Chief of Staff (with the Municipal Manager copied) informing him that enforcement of on-street parking meters in the Downtown core had been suspended as of 10:06 am that day, and that convention attendees who had received tickets for expired meters earlier in the week only needed to call Easy Park and inform them that they had been attending AFN, and their tickets would be voided. The Ombudsman informed the President and Vice-President of the AFN so announcements regarding the matter could be made at the convention. The First Alaskans Institute was also informed regarding tickets that were issued during the Youth & Elders Conference. The Executive Director of the ACDA and Easy Park staff began meeting with AFN representatives in May 2023 to ensure that this situation does not reoccur during the October 2023 AFN Convention in Anchorage.

OM2022-1275

A constituent contacted the Ombudsman, alleging that the Heritage Land Bank Advisory Commission (HLBAC) had conducted a secret ballot vote regarding a resolution during their 10/27/22 meeting. The resolution was in support of disposal of HLB land in Girdwood. The resolution was part of the packet accompanying an ordinance authorizing the disposal.

The Ombudsman reviewed the record of the meeting and spoke with the HLBAC's staff support. The Ombudsman determined that in voting by secret ballot, the HLBAC violated the provisions of the Alaska Open Meetings Act and AMC 4.05.130, which states that "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 commission for its consideration". The Ombudsman recommended that the HLBAC take another vote regarding the resolution, which they did during their 11/17/22 meeting. The second vote was timely regarding the proposed ordinance, as the Assembly's public hearing was not held until their 12/06/22 meeting.

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, Anchorage's Home Rule Charter provides for a Municipal Ombudsman to act as an independent, impartial reviewer of citizen complaints.

FROM DARREL HESS, MAY RAMIREZ-XIONG, & HEATHER MACALPINE

It is our honor to serve the people of Anchorage as your Municipal Ombudsman and Deputy 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 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. _____

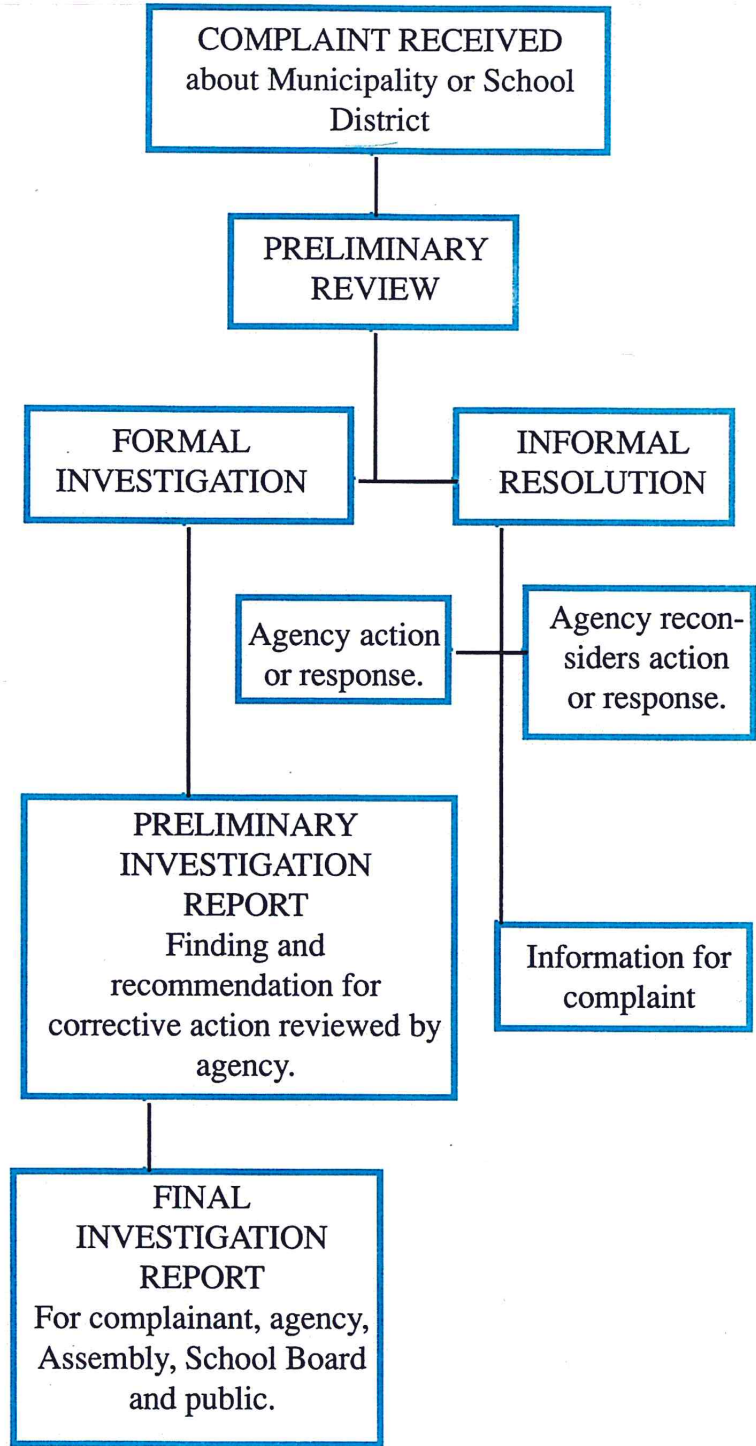
***IMPORTANT We will not give out your name without your consent. Do you give permission to use your name when talking to the agency?** **YES** **NO** Initial _____

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 _____

**COMPLAINT RESOLUTION
PROCESS**
Office of the Ombudsman, Municipality of Anchorage





WELCOMING
Anchorage
Stronger Together

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/assembly/welcominganchorage

Contact Welcoming Anchorage: WelcomingAnchorage@muni.org



**SPECIAL THANKS TO TIGGER,
THE OMBUDSDOG**

FYI



MUNICIPALITY OF ANCHORAGE OMBUDSMAN

632 W 6th Avenue, Suite 100, Anchorage, AK 99501
343-4461 • ombud@muni.org



Street Maintenance: 343-8277

Code Enforcement: 343-4141

Potholes: 343-6363

Street Light Repair: 343-4557

Graffiti Busters: 343-4663

Animal Care & Control: 343-8122

Police Department: 786-8500

Fire Department: 267-4936

People Mover: 343-6543

Parks & Recreation: 343-4355

Mayor's Office: 343-7100

Municipal Manager: 343-7110

Clerk's Office: 343-4311

Equal Rights: 343-4342

Equal Opportunity: 343-4878

PLANNING: 343-7931

AWWU: 564-2700

Solid Waste: 343-6262

School District: 742-4000

APD Traffic Tip Line: 786-8949

State Ombudsman: 269-5290



Vote at Home Information



Secure Drop Box Locations:
muni.org/elections/dropbox

Frequently Asked Questions:
muni.org/electionsFAQ

**Anchorage Vote Center
Hours and Locations:**
muni.org/elections/AVC

Voter Hotline:
907-243-VOTE (8683)

Elections Info:
muni.org/elections

For More Information:

Web:
muni.org/elections

Facebook:
[@ANCMuniClerk](https://www.facebook.com/ANCMuniClerk)

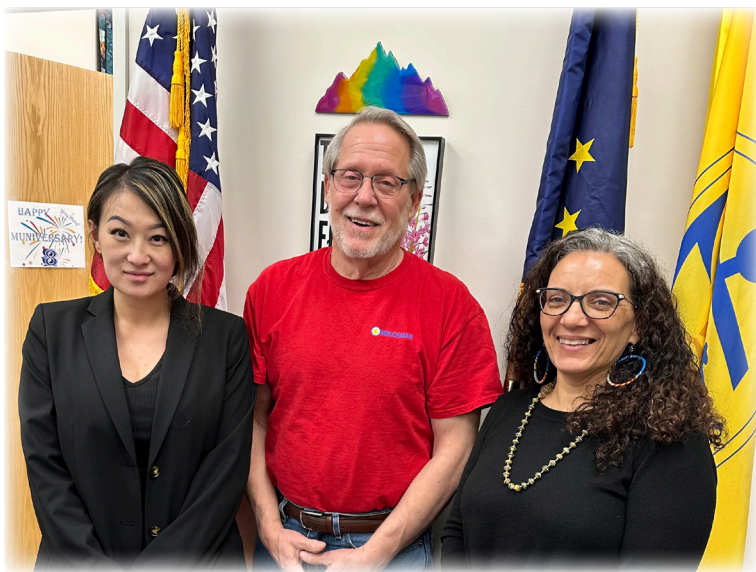
Twitter:
[@AncMuniClerk](https://twitter.com/AncMuniClerk)

Call:
(907)243-VOTE(8683)

ACKNOWLEDGMENT

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

Darrel W. Hess, Municipal Ombudsman
May Ramirez-Xiong, Deputy Ombudsman
Heather MacAlpine, Associate Ombudsman



May, Darrel, and Heather



A special thank you to the Municipal Reprographics Team:
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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