
MUNICIPALITY OF ANCHORAGE

OFFICE OF THE OMBUDSMAN

2023 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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Dedication

*“The Anchorage Municipal Ombudsman’s Office
dedicates our 2023 Annual Report to the
hardworking, dedicated Municipal and School
District employees and public officials. Thank you for
your service.”*



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July 30, 2024

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 2023 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 four 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, and in 2023 we continued to maintain open-office hours.

In 2023 we opened 212 new cases, made 743 referrals, and recorded 493 contacts, for a total of 1448 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 2023, the Ombudsman's Office provided information and referrals to 1,236 individuals and opened 212 cases.

The Ombudsman's Office is located on the ground floor of Anchorage City Hall, in Suite 100. You can find a Complaint form on line on the Ombudsman webpage at www.muni.org/departments/assembly/ombudsman, or in-person, or by mail.

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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 2023, 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. 2023 Process Statistics

2023 Processing Statistics	From Prior Year	New	Processed or Closed	Remaining Open
Cases	10	212	213	9
Contacts	0	493	493	0
Referrals	0	743	743	0
Total Inquiries	10	1448	1449	9

Graph 1. 2023 Process Statistics

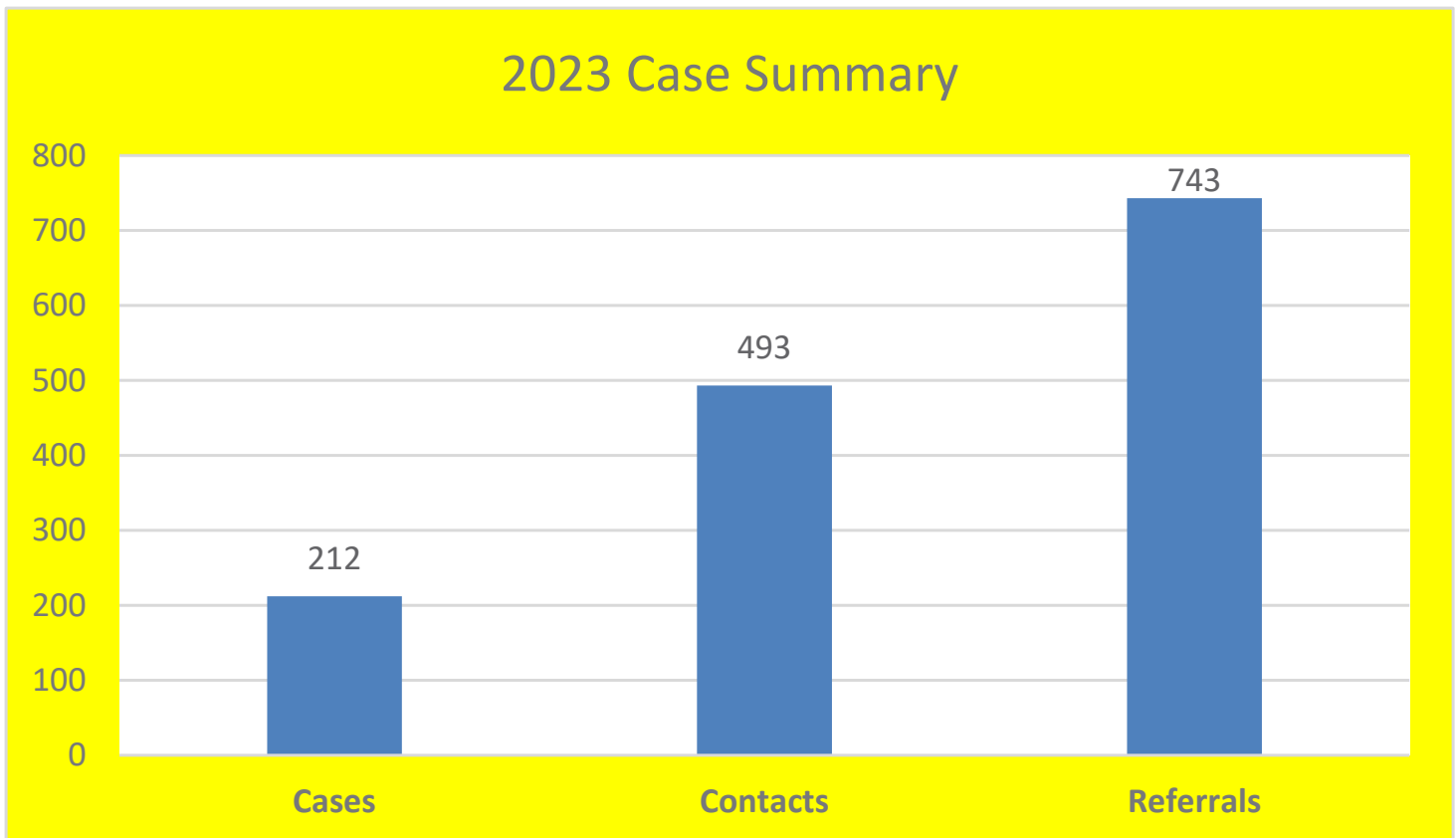
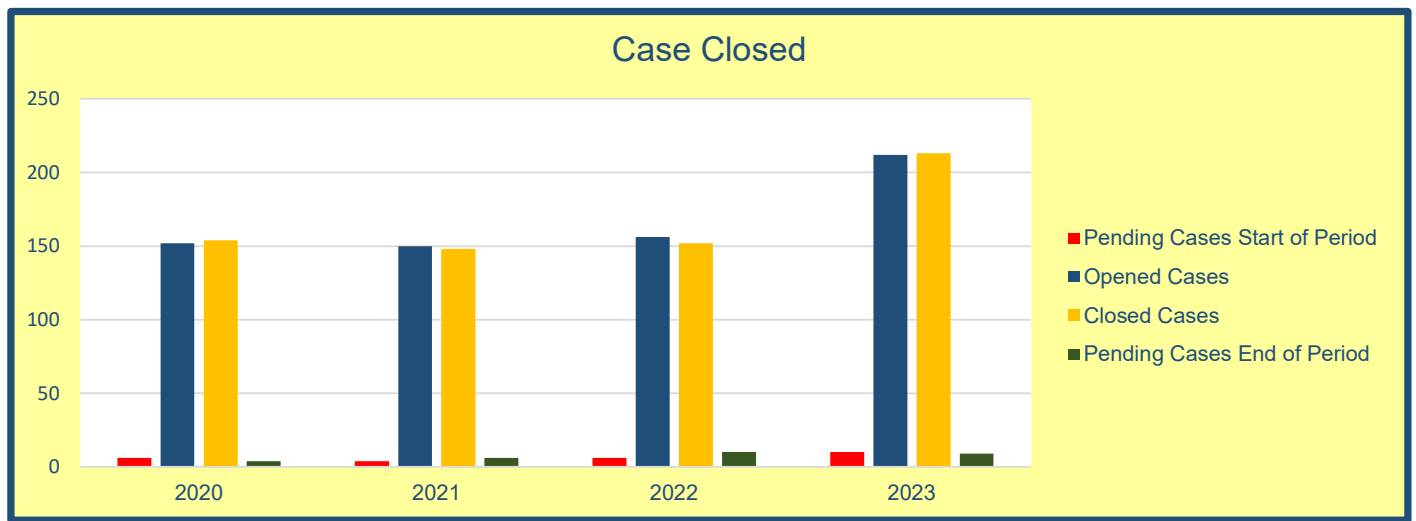


Table 2. Case Closures and Pending Inventory from 2020-2023

Case Inventory	2020	2021	2022	2023
Pending Cases Start of Period	6	4	6	10
Opened Cases	152	150	156	212
Closed Cases	154	148	152	213
Pending Cases End of Period	4	6	10	9

Graph 2. Case Closures and Pending Inventory from 2020-2023



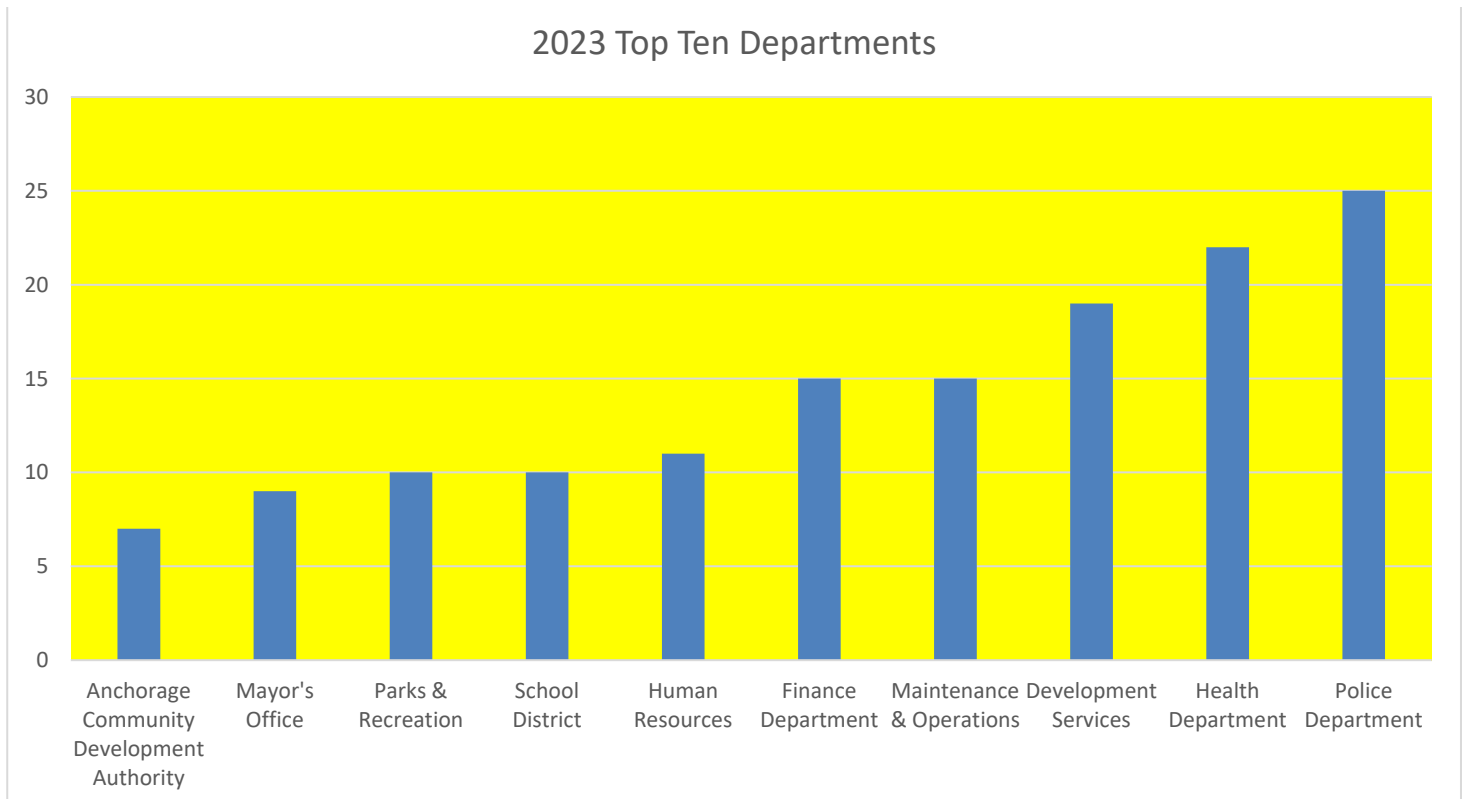
Historically, the larger Municipal Departments and those with the greatest public contact generate the largest number of cases in the Ombudsman's Office. In 2023 the Police Department (11.79%), Health Department (10.38%), Development Services Department (8.96%), Finance Department and Maintenance & Operations Department (tied at 7.08%), and Human Resources Department (5.19%) ranked 1-5. (See Table 3 and Graph 3).



Table 3. 2021-2023 Cases by Department

Department	2021	Percent	2022	Percent	2023	Percent
Anchorage Community Development Authority	2	1.33%	3	1.92%	7	3.3%
Assembly	12	8%	4	2.56%	5	2.36%
Development Services	22	14.67%	21	13.46%	19	8.96%
Economic & Community Development	0	0%	2	1.28%	1	0.47%
Emergency Management	3	2%	0	0%	0	0%
Equal Rights Commission	0	0%	0	0%	2	0.94%
Finance Department	20	13.33%	15	9.62%	15	7.08%
Fire Department	4	2.67%	3	1.92%	2	0.94%
Girdwood Board of Supervisors	0	0%	3	1.92%	1	0.47%
Health Department	9	6%	12	7.69%	22	10.38%
Human Resources	3	2%	0	0%	11	5.19%
Information Technology	0	0%	0	0%	4	1.89%
Legal Department	0	0%	2	1.28%	4	1.89%
Library	3	2%	5	3.21%	4	1.89%
Maintenance & Operations	7	4.67%	6	3.85%	15	7.08%
Mayor's Office	4	2.67%	6	3.85%	9	4.25%
Merrill Field	0	0%	1	0.64%	0	0%
Municipal Manager	3	2%	1	0.64%	1	0.47%
Not Department Specific	4	2.67%	7	4.49%	9	4.25%
Office of Equal Opportunity	0	0%	0	0%	1	0.47%
Office of Equity & Justice	0	0%	2	1.28%	1	0.47%
Parks & Recreation	7	4.67%	7	4.49%	10	4.72%
Planning	4	2.67%	5	3.21%	4	1.89%
Police & Fire Retirement System	1	0.67%	0	0%	0	0%
Police Department	8	5.33%	21	13.46%	25	11.79%
Project Management & Engineering	0	0%	1	0.64%	1	0.47%
Public Transportation	6	4%	3	1.92%	6	2.83%
Public Works Administration	2	1.33%	1	0.64%	2	0.94%
Purchasing Department	3	2%	3	1.92%	5	2.36%
Real Estate Department	1	0.67%	4	2.56%	3	1.42%
Risk Management	3	2%	2	1.28%	6	2.83%
School District	10	6.67%	11	7.05%	10	4.72%
Solid Waste Services	2	1.33%	5	3.21%	3	1.42%
Traffic Engineering	3	2%	0	0%	2	0.94%
Transportation Inspection	1	0.67%	0	0%	0	0%
Water & Wastewater Utility	3	2%	0	0%	2	0.94%
All Departments	150	100%	156	100%	212	100%

Graph 3. 2023 Cases by Department (most frequent)



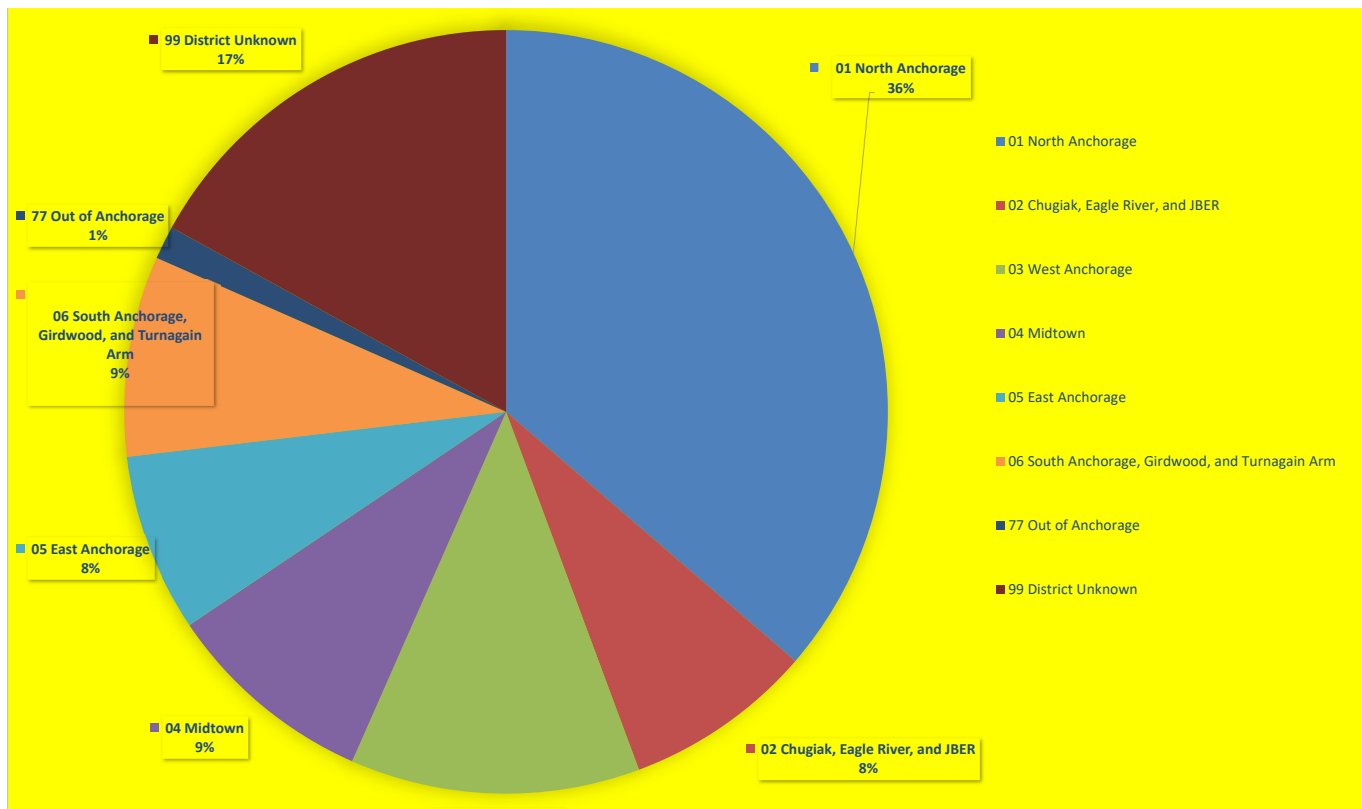
The Ombudsman's Office also tracks cases by Assembly District. These numbers are reflected in

Table 4 and Graph 4.

Table 4. Cases by Assembly District 2021-2023

District No./Name	Cases 2021	Percent	Cases 2022	Percent	Cases 2023	Percent
01 North Anchorage	31	20.67	43	27.56	77	36.32
02 Chugiak, Eagle River, and JBER	14	9.33	9	5.77	17	8.02
03 West Anchorage	20	13.33	16	10.26	26	12.26
04 Midtown	21	14	11	7.05	19	8.96
05 East Anchorage	20	13.33	21	13.46	16	7.55
06 South Anchorage, Girdwood, and Turnagain Arm	25	16.67	27	17.31	18	8.49
77 Out of Anchorage	4	2.67	1	0.64	3	1.42
99 District Unknown	15	10	28	17.95	36	16.98
Total	150	100	156	100	212	100

Table 4. Cases by Assembly District 2021-2023



2023 CASE RESOLUTION SUMMARIES

In 2023, the Ombudsman's Office opened 212 cases, and processed or closed 213 (with 10 cases carried over from 2022). We ended 2023 with 9 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 2023 cases:

OM20230063

Multiple current and former MOA employees contacted the Ombudsman alleging that an MOA executive had been telling MOA employees that the Mayor's Office was having City Hall surveillance videos pulled to see who was accessing the Ombudsman's Office and Assembly Offices. The individuals believed that this was an attempt to intimidate 8th floor employees and discourage them from contacting the Ombudsman or Assembly Members. The Ombudsman had to meet the complainants away from City Hall, as they were concerned that the Ombudsman's office was being monitored. They would not call the Ombudsman's Office number as they were concerned that the Ombudsman's office phones were being monitored.

The Ombudsman met with multiple current and former MOA employees, who stated that they had personally heard the executive state that the Mayor's Office was pulling the surveillance videos to determine if any MOA employees were contacting the Ombudsman or Assembly Members. The Ombudsman reviewed dozens of emails, which did not provide any supporting documentation of the allegations. The Ombudsman interviewed the City Hall security guards, who demonstrated how the surveillance video system works. At the time of the allegations, there was no camera that provided a view of the hallway where the Ombudsman's office is located. Based on his investigation, the Ombudsman determined that the surveillance videos had not been pulled. However, based on the statements of multiple current and former MOA employees, the Ombudsman believed that the executive may have used the threat of the videos being pulled to intimidate MOA employees in an attempt to discourage them from contacting the Ombudsman or Assembly Members. The Ombudsman had a reasonable belief that misconduct may have occurred that rose to the level of a crime, and the matter was referred to the MOA Prosecutor's Office for review. The MOA Prosecutor's Office referred the matter to the State District Attorney's Office.

OM20230159

A constituent contacted the Ombudsman's Office stating that her brother passed away on January 8th and that on the 10th, she had inquired about funeral arrangements. The constituent stated that she was told by the funeral home staff that they had been informed by Anchorage Memorial Park Cemetery, an MOA facility, that "there won't be any winter burials." The constituent stated that she was extremely stressed by the news, and she requested that the Ombudsman's Office investigate the matter to see if this information was accurate.

Anchorage Cemetery Director Rob Jones confirmed that the cemetery had to suspend their winter burial operations for the time being. While they still had sites for winter burials available, their burial/maintenance contract for the rest of the year had not yet been approved by the Assembly. They could not schedule any burials without a contractor on-contract. The contract was scheduled to be before the Assembly at their February 7th meeting. The constituent was informed and stated that she would contact our office after February 7th. When the Assembly was informed of the situation, they acted at a Special Assembly Meeting on February 2nd and approved the contract. The constituent was informed.

OM20230199

A constituent contacted the Ombudsman's Office to express concerns regarding a woman who was taken ill during an Assembly meeting, and who later passed away in the hospital. The constituent alleged that the woman was not assisted for 30 minutes, and that the Anchorage Fire Department took an excessive amount of time to respond to the situation.

The Ombudsman interviewed the Loussac Library security guards and spoke with Anchorage Fire Department personnel. He also spoke with individuals who had witnessed the incident. The woman did not feel well during the Assembly meeting, and asked the person sitting next to her to assist her in leaving the chambers - they went outside and sat on a bench in front of the Loussac Library. The man assisting her, and another individual were helping her to her vehicle when she collapsed near the flagpoles (8:32 pm), and 911 was called immediately. The Security guard supervisor noticed a crowd near the flagpoles on the security monitor at 8:36 pm - he went outside to see what was happening. The guard supervisor was informed that 911 had been called. The EMTs arrived at 8:41 pm - the timeline is confirmed by the security videos. The guard did not use the Library's AED machine as it was locked in security's 2nd floor office, and he would not have been able to get the AED and use it before the EMTs arrived. Based on his review, the Ombudsman determined that the EMTs did not take an excessive amount of time to respond to the situation.

OM20230334

A constituent was told by the MOA, Public Transportation Department that the MOA does not allow paid political advertising on People Mover busses. The constituent questioned if political advertisements are still allowed on MOA, People Mover busses.

Over the years, the Anchorage Public Transportation Department had received many complaints regarding political advertising on People Mover busses. Although the MOA had created a limited public forum for advertising on the busses, constituents had raised concerns about political ads on busses that are funded with public funds, including federal funding. After lengthy research and consulting with MOA Legal, the MOA Public Transportation Department determined that best practice by public transit agencies nationwide is to not allow political advertising on public transportation vehicles. The MOA revised their policy that governs paid advertising on MOA busses to no longer allow political advertising. The constituent was informed regarding the policy change.

OM20230350

A constituent contacted the Ombudsman's Office, alleging that the MOA, Human Resources Department had provided more information than legally allowed on a reference check. The constituent stated, "It was my understanding that the MOA is only allowed to confirm hire dates and termination dates when other employers were doing a job reference check. I recently applied for a job ...they did a reference check with Human Resources and Human Resources notified ... that I was involuntarily separated from the MOA. This will 100% prevent me from getting another job and will likely cost me the current offer I have because of the way it was worded. In my eyes, this proves retaliation and will cost me a \$90,000 per year job."

When reviewing the constituent's concerns, the Deputy Ombudsman learned that it is the normal procedure for the MOA, Human Resources (HR) to include the SAP separation action in their reference check responses, if the reference checks include the "Reason for Leaving", and if the former employee had signed a release. The SAP actions include either voluntary separation or involuntary separation. HR indicated that they had received a signed release from the former employee at the time of her separation from MOA service. The constituent was referred to HR to seek further clarification.

OM20230355

A constituent emailed the members of the Anchorage Assembly, alleging that a member of an MOA commission had made an inappropriate remark regarding Alaska Natives during a meeting of the commission. The constituent alleged that a commissioner had stated that "homelessness is caused by mental deficiency in our Alaska Native community". The constituent felt that his comment was inappropriate, and that the commissioner needed to be removed from the commission. The matter was referred to the Ombudsman for review.

The Ombudsman reviewed the Teams video recording of the commission meeting and determined that during the meeting the commissioner did make an inappropriate remark regarding Alaska Natives, that appeared to be racist and perpetuating stereotypes. The Ombudsman recommended to the Municipal Manager that the commissioner be asked to resign, as his remark was inappropriate and unacceptable and would be a distraction for the commission and the MOA. Members of the Anchorage Assembly subsequently publicly called on the commissioner to resign.

OM20230408

A constituent contacted the Ombudsman's Office, stating that his cat was adopted out by Anchorage Animal Care & Control while he was on a spring-break vacation. The constituent said that the MOA, Acting Municipal Attorney, and the Mayor's Senior Policy Advisor had referred him to our office to see if we were able to assist him.

The Deputy Ombudsman reviewed the matter and determined that, Per AMC 17.25.030A, "an animal without identification, whose owner or custodian is not known, shall be kept three full animal care and control center business days unless redeemed earlier by the owner." AACC received the cat on March 8, 2023, held it for three days, and it became Municipal property on March 12th, and was adopted out on March 15th. AACC received their first contact from the constituent on March 16th, after the cat was adopted out. AACC cannot release adopter information nor approach adopters with a request from previous owners. However, the Anchorage Health Department Administrative Manager stated that if the constituent had made a social media post regarding their cat, that contained contact information, they could forward the post to the adoptive family, and it would be up to that family to reach out to the cat's original owner. Subsequently, the adoptive family returned the cat to the original owner.

OM20230415

A member of the Anchorage Assembly contacted the Ombudsman to question if a 3-2 vote by the MOA, Library Advisory Board was valid, or if an affirmative vote requires a number of yes votes equal to a majority of the number of seats authorized for the board.

The Ombudsman reviewed the applicable MOA codes and determined that the 3-2 vote was valid. While MOA code requires a majority of the number of seats authorized for a board or commission to make a quorum, there is no such general requirement for voting - therefore Robert's Rules applies, and only a majority of the members voting, after a quorum has been established, is necessary to approve a business item. 9 seats are authorized for the Library Advisory Board, 5 members present is a majority and provides a quorum that allows for voting. 3 affirmative votes is a majority of the quorum that was established.

OM20230468

A constituent contacted the Ombudsman's Office, questioning if the impound notice that had been placed on his vehicle was an official impound notice from the Anchorage Police Department. The constituent stated that the notice did not look like an official impound notice. The constituent provided the Associate Ombudsman a copy of the notice that had been placed on his vehicle.

The document that had been provided to the Associate Ombudsman did not resemble any APD impound notice that she had ever seen. She contacted the APD, Traffic Unit, Lieutenant, and provided him with a copy of the document that had been provided by the constituent. The Lieutenant stated that the notice was being placed on vehicles by APD Community Service Officers, and that it was intended to be informative. The Associate Ombudsman pointed out that the document contained statements regarding Anchorage Municipal Code that were inaccurate, and that the document was confusing and misleading for the public. The Lieutenant acknowledged that the document was not an official APD notice, and based on the recommendation of the Ombudsman's Office, the CSOs would discontinue using the document. The constituent was informed.

OM20230550

A constituent contacted the Ombudsman, alleging that an MOA executive in the Office of Information Technology had conspired with a member of the public to tamper with the April 2023 MOA election results.

Based on his review, the Ombudsman determined that this complaint was JUSTIFIED. It appeared that the executive had led the effort to establish the new policy that the member of the public referenced when filing an election challenge, and that the policy had not been established in compliance with the MOA policy and procedures that governs development and implementation of new policies that apply across multiple MOA departments.

Evidence showed that the individual quoted the new policy word for word in her election challenge that she filed less than an hour after the new policy was posted on the MOA's internal intranet, and that the executive had emailed the individual a link to the policy. The Ombudsman subsequently made four recommendations to the Administration. The Administration concurred with two of the recommendations, and did provide responses to two, including the recommendation that the OIT Director be terminated. The Ombudsman had a reasonable belief that there may have been a violation of Alaska election laws, and a copy of the final report was provided to the State of Alaska, Office of Special Prosecutions.

OM20230735

A constituent sent several emails to the Ombudsman's Office regarding two parking citations that were issued to him and his son by Easy Park. The constituent stated that the area of the parking lot where he was cited had no signs to show that he was required to pay to park. The constituent stated that he would have paid, but there were no signs that stated payment was required, or any instructions on how to pay. The constituent believed that it was unfair for him to be cited when there was no signage.

The Ombudsman's office staff made a field visit to the parking lot where the constituent was cited and determined that there was no signage clearly visible from where the constituent parked. The Easy Park Director happened to be in the parking lot at the same time, for the same reason. The Director noted that after some recent work had been completed in the parking lot, the signs apparently were not replaced. The Director agreed to dismiss the parking citations. The constituent was informed.

OM20230757

The representative of a local nonprofit contacted the Ombudsman's Office stating that a property that was donated to their organization had been denied a nonprofit municipal property tax exemption. The representative stated that they "could not pay \$22,000 in taxes for a donated property". The constituent requested that the Ombudsman's Office review the exemption application denial by the Assessor's Office.

The Deputy Ombudsman reviewed that matter and determined that the Property Appraisal staff and Municipal Assessor had concluded that the property was not being used exclusively for non-profit, community purposes as of January 1st of the applicable tax year. The building was vacant as of January 1st. Both municipal code and state statute require that a building must be used for a community purpose as of the first day of the tax year to qualify for a property tax exemption for that year.

Both municipal code and state statute require that a building must be used for a community purpose as of the first day of the tax year to qualify for a property tax exemption for that year. The property's status on January 1st of the assessment year determines whether a property is eligible for the exemption. Properties that qualify for an exemption under this provision must be owned and in use on January 1st of the relevant tax year, according to AMC 12.15.015C.1. In accordance with AMC 12.15.015 F and G, property owners who receive a denial of their application have 30 days to request an administrative review of the decision or file an appeal with the Superior Court. The Deputy Ombudsman determined that the organization did not exercise either of the two appeal options available to them.

OM20230936

A constituent contacted the Ombudsman regarding her employment as a head coach at an Anchorage School District high school. The constituent had been a head coach at the school for several years. Their spouse had recently been appointed as the principal at the school. The coach was verbally informed that they could no longer coach at the school. The previous year, after their spouse was appointed, they were told that they could no longer be a paid coach (ASD head coaches are paid employees). They had worked as a head coach without compensation the previous year. The coach questioned why they cannot coach at the school where their spouse is principal, as they were aware of several examples of persons teaching at schools where their spouses were or are the principal.

The ASD cited BP 4112.8 as justification for not allowing the coach to serve as a paid head coach. BP 4112.8 states that "In order to preclude situations which could bring about a conflict of interest for members of the administrative staff, an employee shall not be appointed to a position where a member of his/her immediate family maintains supervisory or evaluation responsibilities for the position. Immediate family members may be employed at the same department or work location with the approval of the Superintendent or designee."

During the Ombudsman's inquiry into this matter, he reviewed the BP and the previous BP that it had replaced in 2016, spoke with the ASD Chief Human Resources Officer, reviewed the Municipality of Anchorage's nepotism code and waiver process, and spoke with the coach. During his review, he identified several concerns related to the implementation of the BP –

- BP 4112.8 was adopted to eliminate conflicts of interest for "members of the administrative staff". However, currently the ASD only applies the BP to school principals. Based on the Ombudsman's review of the BP, it was obvious that the policy, as written, should have applied to the coach and their spouse during the six years when the coach's spouse was the activities assistant principal that the coach directly reported to. The ASD's policy of applying BP 4112.8 only to school principals is not in writing.*

- *School principals must request, on behalf of their school, a waiver of the BP in writing. This means that the school principal whose relative the BP is being applied to must submit a waiver request on behalf of the school. The school principal also has final approval of any waiver that is granted. This puts affected school principals in a position that is ethically clouded. The ASD currently has no waiver request form – affected principals write a letter or send an email to the superintendent requesting a waiver on behalf of the school. None of these procedures are in writing.*
- *The employee (other than the principal) who needs the waiver – in this instance the coach – was excluded from the waiver request process. In this instance, the principal requested to be removed from the negotiation process for the waiver, and that the ASD negotiate directly with the coach. The policy of excluding the employee (other than the principal) who needs a waiver from the waiver request process is not in writing.*
- *During a waiver request review process, the request first goes to the superintendent, who assigns it to the secondary education director (or elementary education director), then it is reviewed by the chief academic officer, and finally it goes back to the superintendent for a final decision. This review process is not in writing.*
- *In reviewing the ASD's Board Policies, the Ombudsman determined that the coach had a right of final appeal to the School Board. This appeal right is not stated in BP 4112.8.*

The purpose of the new BP in 2016 was to eliminate potential conflicts of interest and allegations of nepotism. BP 4112.8 is short and to the point – the Ombudsman believed that it was too short, especially when it comes to the processes that guide how the BP is implemented and who it applies to. While the BP allows for waivers, there is nothing in the BP that addresses how that waiver process is or should be implemented. While it is not unusual for procedures and policies to not be in writing, if they are challenged, they need to be defensible - unwritten procedures and policies are often difficult to defend. Not having the implementation processes and procedures for BP 4112.8 in writing is inviting confusion, non-consistent application of the BP, and potential legal challenges. Based on his review, the Ombudsman recommended to the ASD Board & Superintendent that –

- *the Board and the ASD revise BP 4112.8 to add language regarding implementation of the policy, and to clarify which members of ASD administrative staff the policy applies to.*
- *the Board and the ASD review BP 4112.8 to determine if the policy should allow greater leeway regarding the hiring of relatives of administrative staff members as head coaches and assistant head coaches, recognizing that these positions are inherently different from teaching and administrative staff positions. The coaching positions could be structured so that they report directly to the activities assistant principal if their relative is the principal.*

- *the ASD develop a nepotism waiver request form. This would allow for uniformity in requests for waivers.*
- *the nepotism waiver request process be revised to allow for a request to be made by the school principal and/or their relative who needs the waiver.*
- *the coach who contacted the Ombudsman be allowed to continue as a paid head coach at their current school beyond the 2023-2024 school year. Given the history of their employment over the past several years, this is the fair and reasonable course of action to take.*

By allowing the coach to report directly to their spouse for six years when their spouse was the activities assistant principal, and to work as a paid head coach for the 2023-2024 school year at the school where their spouse is now the principal, the ASD has condoned a situation that should be “grandfathered” for the coach if the coach’s job performance merits retention. In allowing this situation to exist for the past seven years, the ASD has essentially granted an unwritten waiver that should be put in writing and continued for this coach. While the ASD may not be legally bound to continue the employment of the coach at their current school, the Ombudsman believed that it was the fair and reasonable thing to do, and that this course of action would benefit the ASD, the school, and the student athletes who participate in the athletic programs overseen by the coach.

OM20230980

A constituent contacted the Ombudsman, questioning whether two of the announced recipients of the 2023 Mayor's Community Grants qualify to receive the awards. Grant recipients must comply with all federal, state, and local non-discrimination laws, including Anchorage Title 5, which includes gender identity and sexual orientation as protected classes. The non-discrimination policy must extend to those that the organizations serve, and in their hiring and promotion practices.

The Ombudsman reviewed the requirements of Anchorage Title 5 and the MOA's contract template. The Ombudsman researched the two organizations and determined that they did not have nondiscrimination policies that meet the requirements of Anchorage Title 5. After being contacted by the Municipal Attorney's Office, one of the recipients withdrew their grant application. The other grant applicant's nondiscrimination policy did not include gender identity and sexual orientation, which are protected classes under Anchorage Title 5 - Equal Rights, and they subsequently withdrew their grant application. The Ombudsman recommended that in the future, the Mayor's Office notify all applicants regarding the nondiscrimination requirements when they submit their grant applications.

OM20231499

A constituent contacted the Ombudsman regarding a post on a local Facebook blog. The post had alleged that the MOA Administration had been pressuring MOA Code Enforcement to enforce against the "Incompetency Has A Price Tag" signs that feature photos of Mayor Bronson, even when the signs were located on private property. The constituent feared retaliation and requested to remain anonymous.

The Ombudsman spoke with Code Enforcement management and staff and ascertained that no one with the Administration had contacted them concerning the signs. Code Enforcement was responding to a complaint filed by a member of the public. A constituent had filed a complaint regarding the signs, and Code Enforcement responded to the complaint. One sign was deemed to be legal as it was located on commercially zoned property. Another sign was deemed to be illegal as it was too large to be placed on a residentially zoned property. Code Enforcement informed the Ombudsman that they would contact the campaign sponsoring the signs and give them an opportunity to remove any illegal signs - if they did not remove them, Code Enforcement would place them on their removal list, as they do for all illegal campaign signs. The signs would be removed as time allows - they were a low priority for Code Enforcement, which was dealing with other, higher priority, matters.

OM20231527

A constituent sent a letter and packet of documents to the Ombudsman and her Assembly Members. The constituent requested an administrative appeal of the MOA Property Appraisal's removal of her residential property tax exemption.

The constituent had, in a letter to Property Appraisal, stated that the property was being used "exclusively for religious purposes", and she had applied for a religious/nonprofit property tax exemption. The Ombudsman reviewed the applicable municipal codes and state statutes and determined that a property cannot qualify for and receive both a residential and a religious/nonprofit property tax exemption. The constituent was informed that there is no administrative appeal for the denial of a residential property tax exemption – the constituent's appeal is to the Superior Court. The constituent was advised to seek legal counsel.

THE OMBUDSMAN OFFICE

- 】 Acts as a resource for the public, 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 person, government is often difficult to navigate, Anchorage's Home Rule Charter provides for a Municipal Ombudsman to act as an independent, impartial reviewer of complaints.

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

It is our honor to serve the people of Anchorage as your Municipal Ombudsman, Deputy Ombudsman, & Associate Ombudsman. The Anchorage Ombudsman's office is your independent voice for fairness in local government. Our office strives to assist the public 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 four 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		
*It is important to try to resolve your issue with the agency's help before involving the Ombudsman.		
Please provide names and contact information for people you have spoken with and what their response was to your complaint.		

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? _____

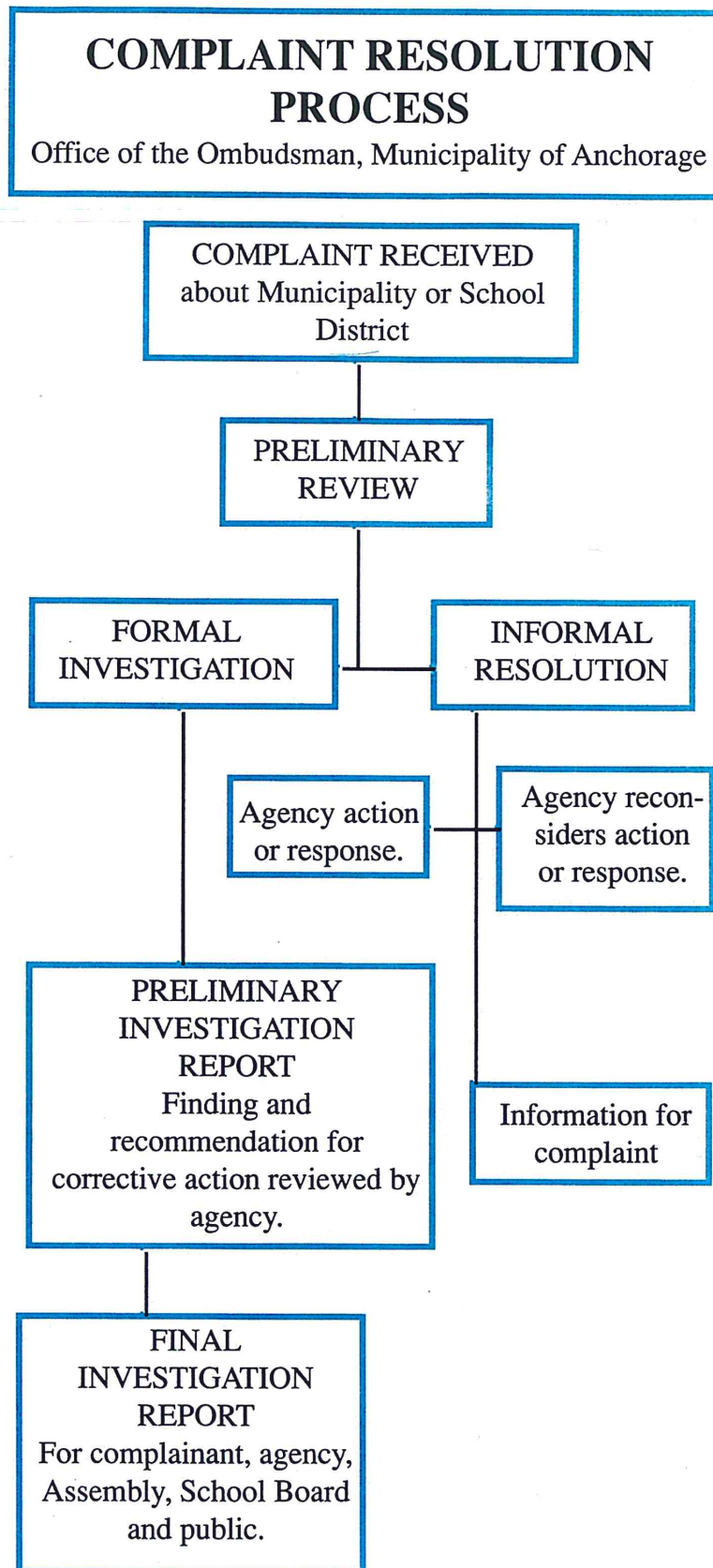
Please provide any other information we may need to help us investigate your complaint. _____

***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 _____





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 citizens 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 2023 the Municipal Ombudsman's Office recognized Mike Walters, Claudia Farias and Rich Dienes-Oehm from the Development Services Department, Sharon Lane, from the Office of the Municipal Manager, and Gita Franklin from the Equal Rights Commission, for their outstanding commitment to the Municipality and their "Above and Beyond" service.



Mike Walters, Darrel Hess and Rich Dienes-Oehm



Keoki Kim, Darrel Hess, Sharon Lane and Kent Kohlase



Claudia Farias and Darrel Hess



Keoki Kim, Gita Franklin and Darrel Hess



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)

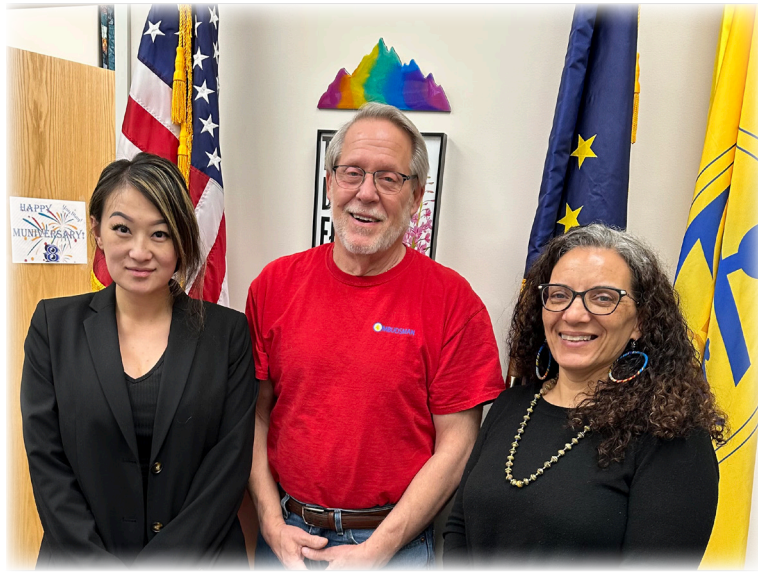
ACKNOWLEDGMENT

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:

Reeve, Krista, Syd 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*