

CLERK'S OFFICE

APPROVED

Date: 5-10-11

Submitted by: Assembly Chair Ossiander

Assembly Vice-Chair Hall

Prepared by: Assembly Counsel

For reading: May 10, 2011

ANCHORAGE, ALASKA  
AR No. 2011-132

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPOINTING  
BARBARA A. JONES TO THE OFFICE OF MUNICIPAL OMBUDSMAN.**

WHEREAS, the Home Rule Charter of the Municipality of Anchorage guarantees Anchorage residents the right to assistance of a municipal ombudsman; and

WHEREAS, the Charter §4.07 establishes the Office of the Ombudsman in the legislative branch of government, with the term of office, powers, and duties as established by the Assembly in ordinance; and

WHEREAS, Chapter 2.60 of the Anchorage Municipal Code provides that the term of office of the Ombudsman shall be two years, ending on December 31 of even-numbered years and the Ombudsman's salary shall be set annually by the Assembly; and

WHEREAS, beginning February 1999, Barbara Jones has served the Municipality as executive staff to the Anchorage Equal Rights Commission (AERC), as Staff Attorney and Executive Director; and

WHEREAS, since January 21, 2011, Barbara Jones has been serving as Acting Ombudsman under a temporary appointment requested by the Assembly under AM 35-2011;

NOW THEREFORE BE IT RESOVED by the Anchorage Assembly:

1. Barbara A. Jones is appointed to the office of Municipal Ombudsman for the term ending December 31, 2012.
2. Weekly salary is set at \$1,730.80, within executive appointment Range 20E.
3. The Assembly recognizes that two AERC cases - *Anita Gomez v. MOA, Equal Rights Commission*, 3AN-10-10525CI; and *Anita Gomez v. Equal Rights Commission* 3AN-10-10524CI – have been appealed to Alaska Superior Court, and substitution of counsel is not in the interest of the Anchorage Equal Rights Commission nor in the public interest. Therefore, the Assembly gives permission for Barbara Jones to retain any representation authority given to her by the AERC, and waives any conflict for the duration of legal representation authorized by the AERC in these cases.

PASSED AND APPROVED by the Anchorage Assembly this 10<sup>th</sup> day of May, 2011.

  
Chair

ATTEST:

  
Municipal Clerk



## MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

No. AM 35-2011

Meeting Date: January 11, 2011**From:** Assembly Chair Traini**Subject:** Temporary Appointment of Barbara Jones as Acting Municipal Ombudsman

Charter §4.07 establishes the Office of the Ombudsman in the legislative branch of the municipality and provides that the term of office, powers, and duties are established by the Assembly in ordinance. The term stated in AMC 2.60.060 is two years, ending on December 31 of the even numbered years.

Prior to her term expiration on December 31, 2010, former Ombudsman Kristin Cada let me know that she would not be seeking reappointment. This is an appropriate opportunity for the Assembly to update provisions of the 1977 Ombudsman code, AMC Chapter 2.60, prior to the next full term appointment.

During this interim opportunity, the temporary appointment is appropriate to effectuate transition, assist in code review, and serve as Acting Ombudsman for a period of four (4) months. With approval of this Assembly Memorandum, Barbara A. Jones will serve under this temporary executive appointment in full time employment as Acting Ombudsman, Range 20E, for a weekly salary of \$1,730.80, beginning January 21, 2011.

Since February 1999, Barbara Jones has served the Municipality in the Anchorage Equal Rights Commission (AERC) as Staff Attorney, then Executive Director, and now as Staff Attorney and Executive Director. The resume of Barbara Jones is attached.

The Chair of the AERC, on behalf of the Commission, has approved a leave of absence for Ms. Jones to accommodate the temporary appointment as Acting Ombudsman. At her request, the Mayor's Office has also been consulted. Ms. Jones has been advised that the Administration is supportive of her temporary appointment as Acting Ombudsman. On behalf of the AERC, the Commission Chair has recommended the appropriate AERC investigator to the Mayor's Office for a collateral temporary AERC supervisory staff assignment during the four-month AERC leave of absence approved for Barbara Jones. Both the Administration and the Assembly can anticipate Barbara Jones' excellent hard work during the months ahead.

Respectfully submitted:

Dick Traini, Chair  
Anchorage Municipal Assembly

## **BARBARA A. JONES**

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(907) 248-0427 (home)  
(907) 351-6066 (cell)

### **EDUCATION**

**J.D., UNIVERSITY OF DENVER, DENVER, COLORADO, May 1992.** Member: Honor Board, 1989-1992; Honor Board Chairperson, 1991-1992. Member: Phi Delta Phi.

**B.B.A., UNIVERSITY OF DENVER, DENVER, COLORADO, August 1987.** Award for Service to the University of Denver, 1987. Editor, The Weekender.

### **EMPLOYMENT**

**MUNICIPALITY OF ANCHORAGE, ANCHORAGE EQUAL RIGHTS COMMISSION, 632 W. 6<sup>th</sup> Avenue, Suite 110, Anchorage, Alaska, 99501. EXECUTIVE DIRECTOR, January 2002 – present. STAFF ATTORNEY. February 1999 – March 2002; February 2005-present.**  
**RESPONSIBILITIES:** Implement Municipal ordinance prohibiting discrimination and programs to prevent discrimination. Provide legal direction to staff in investigating complaints of discrimination within the Commission's jurisdiction; review staff recommendations and initiate appropriate action for resolution of all cases prior to closure. Represent the agency in public hearings before administrative hearing examiner and in appeals in court. Prepare pleadings including subpoenas, complaints, motions, appellate briefs and other pleadings. Prepare discovery requests and defend and prosecute depositions. Participate in conciliation meetings with respondents and investigators. Conduct legal research to remain current on state and federal civil rights laws, and provide training to staff and public. Recommend and draft proposed changes to Title 5 of the Municipal Code, including completing a major revision in about 2003. Responsible for developing and implementing the Commission's Strategic Plan. Responsible for managing contract with the federal EEOC to investigate cases under federal Title VII and the ADA AA. Supervise maintenance of all case files according to statutory and internal retention schedules; provide copies of case files based on statutory requirements or in response to subpoenas. Manage finances of the department, including budget; accounts receivable, payable, payroll, and purchasing. Manage human resources for staff of eight including hiring, supervising, preparing evaluations, coaching, as well as developing and implementing department policies and procedures. Extract statistical information from database and prepare periodic internal and external reports on agency activities for AERC Commissioners, Municipal Administration, Assembly, and the public. Meet with individuals, representatives of business, labor, educational institutions, civic and other groups to provide information or present programs on equal rights and the work of the Commission.

**LEE HOLEN LAW OFFICE, 608 W. 4<sup>TH</sup> AVENUE, ANCHORAGE, ALASKA 99501. ASSOCIATE ATTORNEY and MANAGING ATTORNEY. August 15, 1994 – February 21, 1999.**

**RESPONSIBILITIES:** Advise and represent clients in employment matters in administrative hearings or civil litigation in state and federal court., including discrimination, wrongful termination, wage and hour, contract, whistleblower, and FMLA claims, as well as grievance and disability appeals. Prepare pleadings including complaints, answers, motions for and oppositions to summary judgment, motions in limine and to compel, jury instructions, appellate briefs and other pleadings. Manage office, including supervising two clerical employees, plus several contract employees; manage financial aspects of firm.

**SEMPLE & JACKSON (NOW SEMPLE & MOONEY), 1120 LINCOLN STREET, SUITE 300, DENVER, COLORADO, 80203. ASSOCIATE ATTORNEY, October 1992 – April 1993; Law Clerk, March 1991 – October 1992. RESPONSIBILITIES:** Conduct extensive legal research on state and federal civil rights laws, including employment law, disability law and school law. Prepare pleadings, including post-arbitration briefs, motions in limine, jury instructions, answers to complaints and other pleadings. Prepare trial and administrative hearing exhibits.

### **BAR ADMISSION**

Alaska, 1994 - present. Colorado, 1992-2000. U.S. District Court for the District of Alaska, 1994-1999. Ninth Circuit Court of Appeals, 1997-1999.

### **PROFESSIONAL ORGANIZATIONS**

Fairness and Access Committee for the State of Alaska Court System, 2010. Alaska Bar Association, member, 1994-present; Law Related Education Committee, 2001-present, Chair 2003 – present; Continuing Legal Education Committee, ≈ 2001-present; Co-Chair, Employment Law Section, 1995-2003; Civil Pattern Jury Instruction Committee, 1997-2000; Anchorage Association of Women Lawyers (AAWL).

### **OTHER**

Alaska FBI Citizens' Academy Alumni Association, Board Member, 2010-2012. Turnagain Community Council, Board Member, 2008–present. Member of the YWCA. Member of Mayor's Task Force on Homelessness, 2004. Girl Scout Leader, 2000-2006; Girl Scouts Susitna Council West Service Unit Team Member 2001-2006.