

By: Office of the City Clerk  
Adopted: October 28, 2019  
Yes: Burney, Dryden, Graham, Harvey, Ledford, Velock  
No: None  
Absent: None

**City of Wasilla  
Resolution Serial No. 19-23**

**A Resolution Of The Wasilla City Council Increasing The Rate Of Compensation For An Administrative Hearing Officer Pursuant To Wasilla Municipal Code Section 2.76.030.**

WHEREAS, appeals from decisions of the planning commission on conditional uses, variances, and other quasi-judicial zoning and land use determinations are heard by an administrative hearing officer pursuant to WMC Chapter 16.36; and

WHEREAS, an administrative hearing officer hears certain matters regarding the care and regulation of animals pursuant to WMC Title 7; and

WHEREAS, an administrative hearing officer shall be an attorney duly licensed to practice law in the state of Alaska, or have training and experience in arbitration, mediation, contract law, and must also have knowledge of, or an ability to comprehend, general land use regulation pursuant to WMC 2.76.020; and

WHEREAS, an administrative hearing officer shall receive compensation at an hourly rate set by resolution pursuant to WMC 2.76.030; and

WHEREAS, since April 2013, the hourly rate of compensation for an administrative hearing officer has been set at \$175.

NOW, THEREFORE, BE IT RESOLVED, that the Wasilla City Council sets the rate of compensation for an administrative hearing officer at \$220 per hour.

BE IT FURTHER RESOLVED, that Resolution Serial No. 18-10, adopted by the Wasilla City Council on April 9, 2018, rate of compensation, is hereby repealed.

ADOPTED by the Wasilla City Council on October 28, 2019.

  
BERT L. COTTLE, Mayor

ATTEST:

  
JAMIE NEWMAN, MMC, City Clerk

[SEAL]




## CITY COUNCIL LEGISLATION STAFF REPORT

**Resolution Serial No. 19-23: Increasing The Rate Of Compensation For An Administrative Hearing Officer Pursuant To Wasilla Municipal Code Section 2.76.030.**


Originator: Jamie Newman, City Clerk

Date: 10/15/2019

Agenda of: 10/28/2019

| Route to: | Department Head      | Signature  | Date     |
|-----------|----------------------|--|----------|
| X         | Finance Director     |  | 10-15-19 |
| X         | Deputy Administrator |  | 10/15/19 |
| X         | City Clerk           |  | 10/15/19 |

Reviewed by Mayor Bert L. Cottle:

 10/16/2019
Fiscal Impact:  yes or  noFunds Available:  yes or  no

Account name/number: Professional Services/001.4110.411.30-37

Attachments: Resolution Serial No. 19-23 (2 pages)

**Summary Statement:** Pursuant to WMC 2.76.030, Resolution Serial No. 19-23 sets the hourly rate of compensation for an administrative hearing officer (hearing officer) at \$220 per hour.

In 2009, the City's hourly rate for a hearing officer was set at \$150, and in 2013, it was increased to \$175.

Joseph N. Levesque and the Alaska State Office of Administrative Hearings currently serve as hearing officers for the City with a term expiration date of December 2019.

It is difficult to recruit experienced hearing officers under the current rate. The Alaska State Office of Administrative Hearings is unable to file for reappointment because their current rate of \$217 per hour exceeds the City's rate of \$175 per hour. To date, we have not received an application for reappointment from Mr. Levesque.

Currently, the City of Palmer pays their hearing officer \$260 per hour, and the Matanuska-Susitna Borough pays \$200 per hour.

**Recommended Action:** Adopt Resolution Serial No. 19-23