

By: Office of the City Clerk  
Adopted: April 24, 2023  
Yes: Brown, Graham, Johnson, Rubeo, Sullivan-Leonard, Velock  
No: None  
Absent: None

**City of Wasilla  
Resolution Serial No. 23-12**

**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 Wasilla Municipal Code (WMC) Chapter 16.36; and

WHEREAS, an administrative hearing officer hears certain matters regarding the care and regulation of animals pursuant to WMC Chapter 7.08; and

WHEREAS, as of June 13, 2022, through the adoption of Ordinance Serial No. 22-13(AM), an administrative hearing officer hears code of ethics violations and complaints filed alleging code of ethics violations, pursuant to WMC Chapter 2.01; 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, and 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

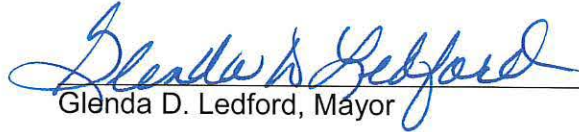
WHEREAS, since April 2019, through the adoption of Resolution Serial No. 19-23, the hourly rate of compensation for an administrative hearing officer has been \$220.

NOW, THEREFORE, BE IT RESOLVED, that the Wasilla City Council sets the rate of compensation for an administrative hearing officer at \$228 per hour.

BE IT FURTHER RESOLVED, that Resolution Serial No. 19-23, adopted on October 28, 2019, establishing the rate of compensation for an administrative hearing officer, is hereby repealed.

Effective Date. This resolution takes effect upon adoption.

ADOPTED by the Wasilla City Council on April 24, 2023.

  
Glenda D. Ledford, Mayor

ATTEST:

  
Jamie Newman, MMC, City Clerk

[SEAL]

**City of Wasilla  
Legislative Staff Report  
Resolution Serial No. 23-12**

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

Originator: Sarah Stanifer, Deputy Clerk *SS*  
Date: 4/5/2023

Agenda of: 4/24/2023

Route to:	Department Head	Signature	Date
X	Finance Director	<i>Frankie Lilla</i>	<i>4/12/23</i>
X	Deputy Administrator	<i>Joseph N. Levesque</i>	<i>4/12/2023</i>
X	City Clerk	<i>Julie Miller</i>	<i>4/7/2023</i>
X	Mayor	<i>Dennis W. Selford</i>	<i>4/12/23</i>

**Fiscal Impact:**  yes or  no

**Funds Available:**  yes or  no

**Account name/number:** Professional Services/001.4110.411.30-37

**Attachments:** Resolution Serial No. 23-12 (2 pages)

**Summary Statement:** Pursuant to Wasilla Municipal Code (WMC) 2.76.030, this resolution requests to set the hourly rate of compensation for an administrative hearing officer (hearing officer) from \$220 per hour to \$228 per hour.

In 2019, the City's hourly rate for a hearing officer was set at \$220, and in 2013, it was \$175. Joseph N. Levesque is the City's only Administrative Hearing Officer.

It has been difficult to recruit experienced hearing officers at the current rate. The Alaska State Office of Administrative Hearings is unable to file for reappointment because their current rate of \$228 per hour exceeds the City's rate of \$220 per hour. To date, we have not received any applications for appointments other than Mr. Levesque.

**Proposed Action:** Adopt the Resolution.