

SUBJECT: HEARING OFFICER COMPENSATION

PREPARED BY: K. VanGorder, City Clerk

*KV*

DATE: October 16, 2001

FOR AGENDA OF: October 22, 2001

**SUMMARY:**

Proposed Resolution Serial No. 01-40 fixes the rate of the hearing officer for appeals. After discussions with our attorney, Mr. Klinkner suggested that the council fix the rate of the hearing officer as stated in code by adoption of a resolution.

In my research, the only municipality I found that uses the hearing officer method for appeals was the Municipality of Anchorage. They actually have a hearing officer on staff, they have appeals of all sorts on an on-going basis. The hearing officer in Anchorage suggested a fair amount of compensation would be \$100 to \$150 per hour and suggested that the hearing officer have an attorney background.

APOC also has a hearing officer appointed occasionally on issues that arise from their office and the amount paid per hour is \$100. These hearing officers also have legal background.

We have no qualifications in our code that require a hearing officer have legal background, although there are a few on the list proposed in CM No. 01-78 that do have legal background, some others do not and have other professional background relating to the planning process.

I am recommending that a hearing officer be compensated at the rate of \$90 per hour as stated in the resolution. I will explore other options for the appeal process that may eliminate the need for appointing a hearing officer in the future.

FISCAL IMPACT:  No  Yes, amount requested: Depends on appeal case.

*Clerk's*

RECOMMENDED ACTION: None

ADMINISTRATION INITIAL: *[Signature]*

Attachments: Resolution Serial No. 01-40

*Council: I support a lesser rate for a hearing officer's pay, as I see this as a public service an individual may want to provide their community.*  
*[Signature]*

Presented with: Reso 01-40  
Date: 10/22/01 Verified by: [Signature]