

Submitted by: Chair of the Assembly at the  
Request of the Mayor  
Prepared by: Dept. of Law  
For reading: August 11, 2009

CLERK'S OFFICE

APPROVED

8-25-09

ANCHORAGE, ALASKA

AO No. 2009-103

Date:

IMMEDIATE RECONSIDERATION FAILED

8-25-09

1 **AN ORDINANCE WAIVING ANCHORAGE MUNICIPAL CODE**  
2 **SECTIONS 3.30.179 AND 3.30.168, EMPLOYMENT OF RELATIVES, FOR**  
3 **APPOINTMENT AND CONFIRMATION OF MARK HALL TO CHIEF,**  
4 **ANCHORAGE FIRE DEPARTMENT.**

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7  
8 **WHEREAS**, the provisions of Anchorage Municipal Code section 3.30.168, applicable  
9 to executive employees pursuant to section 3.30.179, prohibit appointment of an  
10 agency head where relatives are employed by the agency; and

11  
12 **WHEREAS**, Anchorage Fire Department employs two persons related to Mark Hall,  
13 the Mayor's selection for Fire Chief, Anchorage Fire Department, a nephew employed  
14 as a firefighter/EMT in the Fire Division, and a nephew employed as an  
15 engineer/paramedic in the EMS division; and

16  
17 **WHEREAS**, safeguards can be implemented in the Anchorage Fire Department to  
18 avoid direct supervision of relatives by the Fire Chief, provide for re-evaluation of the  
19 effects of the relationship by the Municipal Manager, the Fire Chief's direct  
20 supervisor, and the Employee Relations director, and do not prohibit later corrective  
21 action, if appropriate and in the best interests of the Municipality; now, therefore,

22  
23 **THE ANCHORAGE ASSEMBLY ORDAINS:**

24  
25 **Section 1.** Anchorage Municipal Code section 3.30.168, prohibiting employment of  
26 relatives, and applicable to executive employees pursuant to section 3.30.179, is  
27 hereby waived, subject to the conditions set out herein, for the Mayor's appointment  
28 of Mark Hall as Chief of Anchorage Fire Department.

29  
30 **Section 2.** This waiver is conditioned on the Fire Chief avoiding any direct  
31 supervision of the two relatives employed by Anchorage Fire Department, and  
32 delegation of any financial or promotion decisions to a deputy chief.

33  
34 **Section 3.** This waiver is conditioned on re-evaluation and approval of the  
35 continued employment relationship, pursuant to section 3.30.168 C., every 6 months  
36 by the Municipal Manager and the Employee Relations Director.


37  
38 **Section 4.** This waiver shall not prohibit a later determination the relationship is not  
39 in the best interests of the Municipality, or corrective action pursuant to  
40 section 3.30.168 E.

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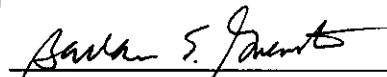
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**Section 5.** This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 25<sup>th</sup> day of August, 2009.

  
Chair of the Assembly

ATTEST:

  
Municipal Clerk

**MUNICIPALITY OF ANCHORAGE**  
**Summary of Economic Effects -- General Government**

AO Number: 2009-103

Title: AN ORDINANCE WAIVING ANCHORAGE MUNICIPAL CODE SECTIONS 3.30.179 AND 3.30.168, EMPLOYMENT OF RELATIVES, FOR APPOINTMENT AND CONFIRMATION OF MARK HALL TO CHIEF, ANCHORAGE FIRE DEPARTMENT.

Sponsor: MAYOR  
 Preparing Agency: Department of Law  
 Others Impacted: Employee Relations

<b>CHANGES IN EXPENDITURES AND REVENUES:</b>					
(In Thousands of Dollars)					
	<u>FY09</u>	<u>FY10</u>	<u>FY11</u>	<u>FY12</u>	<u>FY13</u>
<b>Operating Expenditures</b>					
1000 Personal Services					
2000 Non-Labor					
3900 Contributions					
4000 Debt Service					
<b>TOTAL DIRECT COSTS:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
Add: 6000 Charges from Others					
Less: 7000 Charges to Others					
<b>FUNCTION COST:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>REVENUES:</b>					
<b>CAPITAL:</b>					
<b>POSITIONS: FT/PT and Temp</b>					

**PUBLIC SECTOR ECONOMIC EFFECTS:**

None. Waiver of code provision for executive appointment.

**PRIVATE SECTOR ECONOMIC EFFECTS:**

None. Waiver of code provision for executive appointment.

Prepared by: Dept. of Law

Telephone: 343-4545

# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

No. AM 463-2009

Meeting Date: August 11, 2009

1 **From: MAYOR**

2  
3 **Subject: AN ORDINANCE WAIVING ANCHORAGE MUNICIPAL CODE**  
4 **SECTIONS 3.30.179 AND 3.30.168, EMPLOYMENT OF**  
5 **RELATIVES, FOR APPOINTMENT AND CONFIRMATION OF**  
6 **MARK HALL TO CHIEF, ANCHORAGE FIRE DEPARTMENT.**  
7

8 The Mayor selected Mark Hall for appointment as Fire Chief of the Anchorage Fire  
9 Department (AFD). AFD currently employs two persons related to Mark Hall; a  
10 nephew employed as a firefighter/EMT in the Fire Division, and a nephew employed  
11 as an engineer/paramedic in the EMS division.  
12

13 Anchorage Municipal Code section 3.30.168, applicable to executives under  
14 section 3.30.179, prohibits the employment of relatives where an employee is the  
15 agency head. If confirmed by the Assembly, Mark Hall becomes the Anchorage  
16 Fire Department agency head.  
17

18 To safeguard the interests of the Fire Department and the Municipality, conditions to  
19 the waiver are proposed by the Mayor, including the Fire Chief shall have no direct  
20 supervision over the relatives, and any financial or promotion decisions related to  
21 the relatives shall be delegated to a deputy fire chief. In addition, the continued  
22 employment relationship shall be subject to re-evaluation every six months by the  
23 Municipal Manager, and Fire Chief's direct supervisor, and the Employee Relations  
24 Director. If the Municipal Manager and the Employee Relations Director determine  
25 the relationship is not in the best interests of the Municipality, corrective action shall  
26 be taken pursuant to section 3.30.168 E.  
27

28 **THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE**  
29 **WAIVING ANCHORAGE MUNICIPAL CODE SECTIONS 3.30.179 AND**  
30 **3.30.168, EMPLOYMENT OF RELATIVES, FOR APPOINTMENT AND**  
31 **CONFIRMATION OF MARK HALL TO CHIEF, ANCHORAGE FIRE**  
32 **DEPARTMENT.**  
33

34 Prepared by: Dept. of Law  
35 Approved by: Nancy Bear Usera, Employee Relations Director  
36 Concur: Dennis A. Wheeler, Municipal Attorney  
37 Concur: George J. Vakalis, Municipal Manager  
38 Respectfully submitted: Daniel A. Sullivan, Mayor  
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