



KING COUNTY
Signature Report

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

January 19, 2010

Motion 13129

Proposed No. 2010-0051.1

Sponsors Ferguson and Hague

1 A MOTION relating to the organization of the council; and
2 amending Motion 10651, Section II, as amended, and OR
3 1-010, Motion 10651, Section III, as amended, and OR 1-
4 020, Motion 10651, Section IV, as amended, and OR 1-
5 030, Motion 11105 (part), as amended, and OR 1-040,
6 Motion 11122, Section B, as amended, and OR 2-010,
7 Motion 11122, Section D, as amended, and OR 2-020,
8 Motion 10651, Section V, as amended, and OR 2-030,
9 Motion 11122, Section G, as amended, and OR 2-040,
10 Motion 11122, Section H, as amended, and OR 2-050,
11 Motion 11122, Section F, as amended, and OR 2-120,
12 Motion 10651, Section VI, as amended, and OR 3-010,
13 Motion 5586, Section D, and OR 3-020, Motion 10651,
14 Section VII, as amended, and OR 3-030, Motion 13327,
15 Section II, as amended, and OR 3-101 and Motion 8868,
16 Sections 1-2, as amended, and OR 3-110.

17 WHEREAS, the charter provides that the council shall elect one of its members as
18 chair, and Motion 10651, Section II, as amended, and OR 1-010 provides that the council

19 shall elect a chair who shall serve at the pleasure of the council for a term of one year,
20 unless otherwise ordered by the council, and

21 WHEREAS, the council has specified by motion the chairs, vice-chairs and
22 members of council committees and provided for any changes to these positions to be
23 made by adoption of a formal legislative motion, and

24 WHEREAS, the council has specified by motion policies for members and staff;

25 NOW, THEREFORE, BE IT MOVED by the Council of King County:

26 I. Motion 10651, Section II, as amended, and OR 1-010 are each hereby amended
27 to read as follows:

28 **Election of the chair and vice-chair((s)).**

29 A. The council shall elect a chair and vice-chair((s)), who shall serve at the
30 pleasure of the council for a term of one year, unless decided otherwise by the council
31 and until successors are elected.

32 B. ~~((There shall be two vice-chairs: the vice-chair of policy and the vice-chair of
33 administration and finance. For the purposes of implementing the provisions of K.C.C.
34 chapter 1.24, "vice-chair" means the vice-chair of policy. In the absence of the vice-chair
35 of policy, "vice-chair" means the vice-chair of administration and finance.~~

36 C.)) In the event the chair is unable to serve the remainder of a term, the vice-
37 chair shall become chair(~~(, consistent with the order set forth in subsection 1.B. of this
38 section))~~). In the event ((a)) the vice-chair is unable to serve the remainder of a term, a
39 new vice-chair shall be elected.

40 II. Motion 10651, Section III, as amended, and OR 1-020 are each hereby
41 amended to read as follows:

42 **Powers and duties of the chair.**

43 A. The chair, with their consent, shall appoint councilmembers to regional
44 committees, standing committees, administrative committees, special committees and
45 outside committees as required or as deemed necessary to efficiently conduct the business
46 of the council. The council recognizes that its committee structure, membership and
47 chairs and vice-chairs reflect the council's will. Any changes thereto shall be made only
48 by formal legislative motion adopted by a majority of the members at a council meeting.

49 B. The chair shall have the responsibility and general direction for the council's
50 resources, budget, operation and organizational structure. The chair shall be responsible
51 for the general oversight of legislative branch employees, except personal staff of
52 councilmembers. The ~~((policy staff director))~~ council chief of staff shall be responsible
53 for the overall management and administration of ~~((policy))~~ council staff employees,
54 except for personal staff. The council chief of staff shall be responsible for the overall
55 management and administration of other legislative branch employees as specified in OR
56 3-030, except for personal staff.

57 C. The chair of the council shall not enter into a consultant contract for more than
58 twenty-five thousand dollars without first being authorized to do so by council motion.
59 All consultants shall comply with the King County code of ethics.

60 D. The chair shall regularly consult in the exercise of her or his duties with the
61 vice-chair((s)). The chair, in consultation with committee chairs, shall direct the
62 necessary coordination of staff. The council's chief of staff ~~((and policy staff director))~~
63 shall report to the chair. The chair may exercise any power conferred upon the chief of
64 staff ~~((or policy staff director))~~.

65 E. The chair shall be a member of the employment and administration committee.

66 III. Motion 10651, Section IV, as amended, and OR 1-030 are each hereby
67 amended to read as follows:

68 **Powers and duties of the vice-chair.**

69 A. The vice-chair((s)) shall exercise the duties, powers and prerogatives of the
70 council chair in the event of the chair's absence(~~(, consistent with the order set forth in~~
71 ~~OR 1-010.B)~~)).

72 B. The vice-chair (~~(of policy)~~) shall serve as the chair of the committee of the
73 whole.

74 C. The vice-chair (~~(of administration and finance)~~) shall serve as the chair of the
75 employment and administration committee. The chair of the employment and
76 administration committee shall issue, upon recommendation of the employment and
77 administration committee and with the approval of a majority of the council, all
78 employment decisions for legislative branch employees except interns and the
79 councilmembers' personal staff, other than employment decisions that are made by the
80 chair of the employment and administration committee as provided in OR 2-030.

81 IV. Motion 11105 (part), as amended, and OR 1-040 are each hereby amended to
82 read as follows:

83 **Chair and vice-chair((s)) elected.** For the year (~~(2009)~~) 2010, and until a
84 successor is elected, the council elects Councilmember (~~(Dew Constantine)~~) Bob
85 Ferguson as council chair(~~(,)~~) and Councilmember (~~(Bob Ferguson)~~) Jane Hague as
86 council vice-chair (~~(of policy and Councilmember Jane Hague as council vice chair for~~
87 ~~administration and finance)~~)).

88 V. Motion 11122, Section B, as amended, and OR 2-010 are each hereby
89 amended to read as follows:

90 **Committee of the whole - functions.** The council may go into committee of the
91 whole at any time. The committee of the whole shall consider: issues of interest to the
92 entire council, including the annual work program and appointments to the state
93 legislature and to the executive branch; the annual legislative program; legislation before
94 the federal, state and local governments that affect King County; agendas for council
95 meetings; the King County Strategic Plan; and other program and policy matters. The
96 committee of the whole shall be responsible for conducting regular town hall meetings on
97 issues of significance.

98 The committee of the whole (~~(shall receive the initial briefing on the 2009 health~~
99 ~~provision work plan, in response to a 2009 budget proviso, Ordinance 16312, Section 92,~~
100 ~~P 5. The committee of the whole))~~) may hold briefings on the status of the mental illness
101 and drug dependency fund services and programs.

102 For the purposes of K.C.C. chapter 3.16, the committee of the whole is designated
103 as the committee responsible for establishing labor policy and the committee responsible
104 for labor implementation, including labor agreements and labor-related issues such as
105 employee benefits and implementation of the furlough. The committee of the whole shall
106 consider labor policy issues at least annually..

107 VI. Motion 11122, Section D, as amended, and OR 2-020 are each hereby
108 amended to read as follows:

109 **Standing committees - functions.** In addition to any committee otherwise
110 established by law, the committees of the metropolitan King County council and their
111 respective functions are established as follows:

112 **A. Budget and fiscal management committee** shall consider and make
113 recommendations on: the county revenue and expenditure fiscal structural gap; capital
114 and operating budget appropriations; the sale and lease of real property to or by the
115 county; debt and investment proposals; bond issues; the office of economic and financial
116 analysis; and financial policies.

117 1. The committee shall develop recommendations on policy direction for the
118 ~~((2010))~~ 2011 annual budget, based on the recommendations of other council committees
119 and taking into account the estimated fiscal impacts of state and federal legislation.

120 2. In respect to consideration of the county's proposed annual budget, all
121 members of the council not assigned to the budget and fiscal management committee
122 shall be considered ex officio voting members of the committee.

123 **B. Environment and transportation committee.**

124 1. The committee shall consider and make recommendations on policies relating
125 to:

126 a. growth management, including land use development and regulation,
127 comprehensive planning, annexations and affordable housing;

128 b. the environment, including salmon recovery; resource lands; surface water
129 management and water supply; solid waste; unincorporated and rural areas, including
130 agriculture and rural services; and parks, recreation and cultural resources;

131 c. transportation, including roads and public transportation; and

132 d. In respect to consideration of the Shorelines Master Plan, all members of the
133 council not assigned to the environment and transportation committee will be considered
134 voting members of the committee. Only for those portions of a meeting when the
135 committee votes on recommendations on the Shorelines Master Plan shall these
136 additional members be considered members of the committee for purposes of quorum and
137 attendance.

138 2. In the areas within the committee's purview, the committee shall track state
139 and federal legislative action and develop recommendations on policy direction for the
140 2011 annual budget.

141 **C. Government accountability and oversight committee.**

142 1. The committee shall consider and make recommendations on: policies
143 relating to the department of assessments; elections; records and licensing; animal
144 control; cable communications; the county fair; King County international airport; risk
145 management; executive services such as telecommunications, facilities management,
146 purchasing and real property management; capital project oversight; and wastewater
147 treatment as well as strategic planning performance management and performance
148 measurement; management organizational structure; technology management; customer
149 service; and the efficiency, cost effectiveness and performance of county departments and
150 programs.

151 2. In the areas within the committee's purview, the committee shall track state
152 and federal legislative action and develop recommendations on policy direction for the
153 ~~((2010))~~ 2011 annual budget.

154 3. The committee shall make recommendations on the annual audit program and
155 shall review reports of the county auditor.

156 ~~((C-))~~ **D. Law, justice, health and human services committee.**

157 1. The committee shall consider and make recommendations on policies relating
158 to:

159 a. law, safety, criminal justice and emergency management programs including
160 those related to public safety; adult detention; juvenile justice and youth services;
161 superior and district courts; judicial administration; prosecuting attorney; public defense;
162 emergency medical services; emergency management, including disaster response,
163 emergency preparedness and emergency planning;

164 b. public health programs, including those related to the protection, promotion
165 and provision functions of the department of public health, including the structure of the
166 public health centers; and

167 c. human services programs, including review of the veterans and human
168 services levy programs and options for levy renewal; therapeutic and low-income
169 housing; and civil rights and social justice.

170 2. In the areas within the committee's purview, the committee shall track state
171 and federal legislative action and develop recommendations on policy direction for
172 ~~((2010))~~ the 2011 annual budget.

173 ~~((3. The committee shall have a primary chair and a secondary chair. The
174 primary chair shall have authority to set the agenda and conduct meetings for law, safety,
175 criminal justice and emergency management issues. The secondary chair shall have
176 authority to set the agenda and conduct meetings for health and human services issues.~~

177 Each chair shall be allocated half of each meeting time for that chair's issues, unless that
178 chair determines that the time is not needed at any specific meeting. In the absence of
179 either chair during a meeting, the other chair shall act as chair.

180 ~~D. Physical environment committee.~~

181 1. ~~The committee shall consider and make recommendations on policies relating~~

182 ~~to:~~

183 ~~a. growth management, including land use development and regulation,~~

184 ~~comprehensive planning, annexations and affordable housing;~~

185 ~~b. the environment, including salmon recovery; resource lands; surface water~~

186 ~~management and water supply; solid waste; unincorporated and rural areas, including~~

187 ~~agriculture and rural services; and parks, recreation and cultural resources; and~~

188 ~~c. transportation, including roads and public transportation.~~

189 2. ~~In the areas within the committee's purview, the committee shall track state~~

190 ~~and federal legislative action and develop recommendations on policy direction for the~~

191 ~~2010 annual budget.))~~

192 VII. Motion 10651, Section V, as amended, and OR 2-030 are each hereby

193 amended to read as follows:

194 **Employment and administration committee.**

195 **A. Membership requirements.** The employment and administration committee

196 shall consist of four members.

197 **B. Duties and process.**

198 1. Administrative committee. The employment and administration committee is

199 an administrative committee of the council. The employment and administration

200 committee shall consult with councilmembers(~~(-)~~) and the chief of staff (~~(and policy staff~~
201 ~~director)~~) on a continuing basis in order to review council operations under the staffing
202 structure defined in this motion.

203 2. Personnel decisions. The employment and administration committee shall
204 make recommendations to the council concerning decisions for legislative branch
205 employees, except for interns and councilmembers' personal staff, and except for minor
206 personnel decisions, which may be made by the chair of the employment and
207 administration committee in accordance with subsection B.5. of this section. Personnel
208 decisions include decisions to hire, to fill vacancies, to make staffing adjustments, to
209 designate staff employment assignments, except assignments of policy staff to specific
210 issues and legislation which shall be made by the (~~(policy staff director)~~) chief of staff
211 under OR 3-040.D.2, to adjust staff pay, to analyze future hiring needs and to make other
212 necessary employment decisions. Personnel decisions do not include termination or
213 disciplinary decisions, which follow the process stated in subsection B.3. of this section,
214 or minor personnel decisions, which follow the process stated in subsection B.5. of this
215 section. Where applicable, employment and administration committee recommendations
216 on personnel decisions shall be developed in consultation with appropriate committee
217 chairs and, where applicable, the (~~(policy staff director)~~) chief of staff.

218 3. Personnel decisions shall be contained in a written recommendation report
219 and may be voted out of committee upon: a. the receipt of the signature of three
220 committee members during a meeting of the committee; or b. subject to signature by a
221 quorum of the committee members in accordance with K.C.C. 1.24.055.C (Rule 6.C).
222 Once the necessary signatures are obtained, recommendation reports from the committee

223 shall be forwarded to the council for consideration on an employment and administration
224 committee consent agenda. The chair of the employment and administration committee
225 shall issue, upon recommendation of the employment and administration committee and
226 with the approval of a majority of the council, all employment decisions for legislative
227 branch employees except interns and the councilmembers' personal staffs.

228 4. Terminations and disciplinary decisions. The employment and administration
229 committee makes decisions on discipline and termination, including layoffs. If three
230 committee members vote for a termination or disciplinary action the decision is final,
231 except when an employee exercises the right of an appeal to the full council. An
232 employee who has been either suspended without pay of two weeks or more or
233 terminated may appeal the decision of the employment and administration committee to
234 the council. The appeal must be filed within ten calendar days of written notice of the
235 suspension or termination being sent to the employee. An appeal is accomplished by
236 delivering a notice of appeal to the clerk of the council. Nondisciplinary terminations are
237 subject to appeal in the same manner as disciplinary terminations.

238 5. Minor personnel decisions.

239 a. The chair of the employment and administration committee shall make all
240 minor personnel decisions as set forth in this subsection B.5. Minor personnel actions
241 are:

242 (1) authorizing recruiting for a vacated or newly created position;

243 (2) increasing or reducing the hours assigned to a current position up to the
244 total budgeted hours for the position, as reflected in the Staff and Salary Detail Report
245 maintained by the ~~((council administrator))~~ chief of staff or his or her designee.

246 (3) reassigning an employee employed within a legislative branch agency of
247 the county auditor, board of appeals/equalization, hearing examiner, ombudsman/tax
248 advisor or civic television to another position in the same agency and pay range;

249 (4) hiring a temporary or a term-limited temporary employee to perform
250 clerical or technical functions, up to a total of the maximum period allowed by ordinance
251 or two years, whichever is less;

252 (5) extending the employment period of a temporary or a term-limited
253 temporary employee hired to perform clerical or technical functions, up to a total of the
254 maximum period allowed by ordinance or two years, whichever is less; and

255 (6) approving a carryover of excess vacation leave under K.C.C. 3.12.190
256 because of cyclical workloads, work assignments or other reasons as may be in the best
257 interests of the county.

258 b. Requests for minor personnel decisions shall be made in writing to the
259 employment and administration committee chair via the ~~((council administrator))~~ chief
260 of staff. Requests may be made only by councilmembers, legislative branch agency
261 managers, the ~~((council administrator))~~ chief of staff or a staff member who is supervised
262 directly by the chair of the council. The ~~((council administrator))~~ chief of staff shall
263 promptly provide the employment and administration committee chair with a copy of the
264 request and the ~~((administrator's))~~ chief of staff's recommendation for approval,
265 disapproval or modification of the request.

266 c. Action on a requested minor personnel decision shall be in writing, signed
267 by the chair of the employment and administration committee. The ~~((council~~
268 ~~administrator))~~ chief of staff shall file the original of the decision action with the clerk of

269 the council, and shall provide copies of the decision action to the agency manager or
270 supervisor, affected employee and members of the employment and administration
271 committee.

272 6. Nothing in this process is to be construed to alter the at-will status of
273 legislative branch employees. This process is designed to facilitate the will of the
274 majority of the council. If there are specific provisions of a collective bargaining
275 agreement that are contrary to this process, the collective bargaining agreement controls.

276 **C. Recommendations to the council chair.** The employment and
277 administration committee may consider and make recommendations to the council chair
278 regarding management organization structure and legislative branch customer service.
279 The committee may monitor and make recommendations on the legislative branch
280 budget.

281 **D. Removal of recommendations from consent agenda.** Upon the request of
282 any member present before the council, any specific recommendation from the
283 employment and administration committee shall be removed from the consent agenda
284 and considered separately by the council prior to adoption of the employment and
285 administration committee consent agenda. The council may then by a majority vote
286 make whatever orderly disposition of the matter it deems appropriate.

287 **E. Motions for censure.** The employment and administration committee shall
288 consider and make recommendations on motions for censure related to alleged violations
289 of any antiharassment policy by a councilmember.

290 **F. Personnel records as confidential.** To the extent permitted by law, personnel
291 records which would be exempt from public disclosure shall continue to be treated as

292 confidential and records or portions thereof which are exempt shall be conspicuously
293 identified as such and separated from nonexempt records..

294 VIII. Motion 11122, Section G, as amended, and OR 2-040 are each hereby
295 amended to read as follows:

296 **Chairs and vice-chairs.** The council designates the following councilmembers
297 as chairs and vice-chairs of the standing committees created in this motion and the
298 regional committees established in the King County Charter.

299 Committee of the whole:

300 Chair: (~~Bob Ferguson~~) Jane Hague.

301 Vice-chair: (~~Reagan Dunn~~) Larry Phillips.

302 Budget and fiscal management committee:

303 Chair: (~~Larry Gossett~~) Julia Patterson.

304 Vice-chair: (~~Jane Hague~~) Kathy Lambert

305 Employment and administration committee:

306 Chair: Jane Hague.

307 Vice-chair: Kathy Lambert.

308 Environment and transportation committee:

309 Chair: Larry Phillips.

310 Vice-chair: Pete von Reichbauer.

311 Government accountability and oversight committee:

312 Chair: (~~Reagan Dunn~~) Kathy Lambert.

313 Vice-chair: (~~Pete von Reichbauer~~) Jan Drago

314 Law, justice, health and human services committee:

315 ((Primary)) Chair: ((Kathy Lambert)) Reagan Dunn.

316 ((Secondary)) Vice-chair: ((Julia Patterson)) Larry Gossett.

317 ((Physical environment committee:

318 Chair: ~~Jane Hague.~~

319 Vice-chair: ~~Larry Phillips.))~~

320 Regional policy committee:

321 Chair: Pete von Reichbauer.

322 Regional transit committee:

323 Chair: ((~~Dow Constantine~~)) Larry Gossett.

324 Regional water quality committee:

325 Chair: ((~~Larry Phillips~~)) Jan Drago.

326 IX. Motion 11122, Section H, as amended, and OR 2-050 are each hereby
327 amended to read as follows:

328 **Memberships.** The council designates the following councilmembers, in
329 addition to the chairs and vice-chairs, as members of the standing committees created in
330 this motion((~~, the board of health~~)) and the regional committees established in the King
331 County Charter.

332 Budget and fiscal management committee:

333 Members: Reagan Dunn, ((~~Bob Ferguson~~)), Larry Gossett, Jane Hague,

334 ((~~Kathy Lambert, Julia Patterson~~)) Larry Phillips.

335 Committee of the whole:

336 Members: All councilmembers.

337 Employment and administration committee:

338 Members: ~~((Dow Constantine))~~ Bob Ferguson, Larry Phillips.

339 Environment and transportation committee:

340 Members: Larry Gossett, Jane Hague, Julia Patterson.

341 Government accountability and oversight committee:

342 Members: Reagan Dunn, ~~((Larry Gossett, Larry Phillips))~~ Pete von

343 Reichbauer.

344 Law, justice, health and human services committee:

345 Members: Jan Drago, ~~((Reagan Dunn,))~~ Bob Ferguson, ~~((Larry Gossett,))~~

346 Kathy Lambert.

347 ~~((Physical environment committee:~~

348 ~~Members: Dow Constantine, Larry Gossett, Pete von Reichbauer.))~~

349 Regional policy committee:

350 Members: Reagan Dunn, Bob Ferguson~~((, Julia Patterson))~~.

351 Regional transit committee:

352 Members: Jane Hague, Julia Patterson ~~((Pete von Reichbauer))~~.

353 Regional water quality committee:

354 Members: ~~((Reagan Dunn,))~~ Kathy Lambert, Larry Phillips.

355 X. The council designates the following councilmembers as members of the 2011

356 Budget adoption leadership team: Julia Patterson, Kathy Lambert, Larry Gossett, Reagan

357 Dunn.

358 XI. Motion 11122, Section F, as amended, and OR 2-120 are each hereby

359 amended to read as follows:

360 **Interim staff assignments.** Pending consideration by the employment and
361 administration committee and action by the council on general staffing adjustments
362 necessary as a result of committee reorganization, the council chair, in consultation with
363 the employment and administration committee chair, the affected committee chairs((;))
364 and the ((policy staff director and the)) chief of staff, is hereby authorized to temporarily
365 designate staff employment assignments in order to accomplish the work of the council.
366 Such assignments shall give due consideration to existing areas of expertise, workload
367 and priorities of committee chairs.

368 XII. Motion 10651, Section VI, as amended, and OR 3-010 are each hereby
369 amended to read as follows:

370 **Use of councilmembers' district accounts.**

371 A.1. All salaries for a councilmember's personal staff shall be paid out of the
372 councilmember's district account.

373 2.a. The council prohibits councilmembers from hiring as personal staff persons
374 who have been employed within the prior twelve months:

375 (1) as a council policy or administrative central staff member classified at
376 range 23 or above in the Legislative Branch Classification Plan; or

377 (2) persons who have been employed within the prior twelve months as a
378 personal staff member of another councilmember, except with the consent of the former-
379 employer councilmember.

380 b. District account funds cannot be used to pay the salary or benefits of persons
381 prohibited from being hired as set forth subsection A.2.a. of this section.

382 c. This subsection A.2. shall not apply to any employee hired as a personal
383 staff member before October 13, 2008.

384 3. The cost of benefits for personal staff shall be paid out of the central council
385 account for up to four personal staff per district. The cost of benefits for each personal
386 staff member above four for a councilmember shall be paid out of that councilmember's
387 district account. Neither the central council account nor a district account may be used to
388 fund benefits for employees whose employment as personal staff is prohibited by
389 subsection A.2. of this section.

390 B.1. All expenditures for mail originating from an individual councilmember's
391 office shall be paid for out of that councilmember's district account, except for mailings
392 of ten items or less, which may be paid for out of the council administration budget, and
393 for postage that may be funded from the council administration budget subject to the
394 approval of the chair of the council. ~~((Neither the central council account nor a district
395 account may be used to fund benefits for employees whose employment as personal staff
396 is prohibited by subsection A.2. of this section.))~~

397 2. A councilmember shall not send any mass mailing that is deposited in the
398 mail between the date the councilmember has filed a declaration and affidavit of
399 candidacy with the ~~((records, elections and licensing services division))~~ department of
400 elections and election day in any year in which an election is to be held to fill the
401 councilmember's office. However, mailings may be made after the last day for filing for
402 office if the councilmember has not filed for the office. For the purposes of this
403 subsection B.2, "mass mailing" means any mailing of more than two hundred pieces that

404 contains essentially identical messages and that is prepared or sent by or on behalf of an
405 individual councilmember at council expense.

406 C. All expenditures for rent, office equipment and furniture, utilities and
407 telephones to support a councilmember's outside district office shall be paid out of the
408 councilmember's district account.

409 D. All travel expenditures incurred by councilmembers or personal staff shall be
410 paid for out of the councilmember's district account, or from the council administration
411 budget with the approval of the chair of the council.

412 E. All other expenditures for community meetings, training, publications,
413 newspaper advertising, nonnewspaper advertising, cellular phones, cellular phone
414 services or other related activities as determined by the councilmember shall be paid out
415 of the councilmember's district account, or from the council administration budget with
416 the approval of the chair of the council.

417 F. Whenever questions about expenditures may arise, a councilmember shall
418 consult with the chief of staff, legal counsel or the ((council administrator)) chief of
419 staff's designee as necessary in considering whether a specific expenditure is authorized
420 by this ((rule)) section OR 3-010.

421 XIII. Motion 5586, Section D, and OR 3-020 are each hereby amended to read as
422 follows:

423 **Reimbursement for use of privately owned vehicles.** Reimbursement for the
424 use of privately owned vehicles in connection with county business shall be allowed at
425 the current rate per mile prescribed by county ordinance. In lieu of such reimbursement,
426 King County councilmembers who would otherwise be eligible to be permanently

427 assigned to a county vehicle may, at their individual option, be compensated on a
428 monthly basis for the use of privately owned vehicles used in connection with county
429 business. To implement this alternative, the ~~((administrator of the council))~~ chief of staff
430 or his or her designee shall periodically, and no less than annually, ascertain the average
431 monthly costs to the motor pool for the maintenance and operation of equivalent vehicles
432 within the fleet. Ninety percent of that figure shall be the maximum allowable
433 compensation.

434 XIV. Motion 10651, Section VII, as amended, and OR 3-030 are each hereby
435 amended to read as follows:

436 **Legislative branch organization - organization chart.**

437 The legislative branch shall be organized in accordance with the organization
438 chart, Attachment A to ~~((Motion 12920))~~ this motion.

439 XV. Motion 10651, Section VIII, and OR 3-040 are each hereby amended to read
440 as follows:

441 **Staff guidelines.**

442 A. For the purposes of this section, unless the context clearly requires otherwise:

443 1. "Administrative staff" means the council chief of staff and staff who report
444 directly or indirectly to the council chief of staff; and

445 2. "Policy staff" means the ~~((policy staff director and))~~ council staff who
446 report~~((s))~~ directly or indirectly to the ~~((policy staff director))~~ chief of staff, including, but
447 not limited to, staff assigned to a standing or regional committee or the board of health,
448 and who are assigned to provide policy, fiscal or program analysis for all
449 councilmembers.

450 B. Ethical considerations.

451 In common with all county employees and officials, legislative branch employees
452 and elected officials shall comply with the King County code of ethics, K.C.C. chapter
453 3.04. Employees shall familiarize themselves with the content of the code of ethics and
454 in the event they identify any issue of possible concern they shall promptly seek advice
455 from their supervisor, the council chief of staff(~~(, the policy staff director, the~~
456 ~~administrator~~)) or the legal counsel or shall seek an advisory opinion from the board of
457 ethics.

458 C. Lobbying restriction on administrative and policy staff and on the legal
459 counsel to the council.

460 1. Administrative or policy staff or the legal counsel to the council shall not in
461 any way seek to influence the passage or rejection of any matter under consideration by
462 the council or any committee of the council, except where an employee within the scope
463 of his or her duties is required to make a recommendation or is specifically asked by a
464 councilmember to give a recommendation on the particular matter. This restriction does
465 not apply to the chief of staff to the council pursuant to previously adopted council
466 action.

467 2. With respect to contacts involving the news media related to the political or
468 policy aspects of county business, administrative and policy staff and the legal counsel of
469 the council are encouraged first to refer such matters to the committee chair or
470 councilmember with jurisdiction over the subject matter.

471 D. Reporting relationships and assignments of policy staff.

472 1. Policy direction. Policy staff work for and are accessible to all
473 councilmembers and the ~~((policy staff director))~~ chief of staff. Policy staff receive policy
474 direction regarding issues within the committee's jurisdiction from the committee chair
475 ~~((and)),~~ members of the committee, the chief of staff and lead staff.

476 2. Policy staff assignments. Policy staff assignments shall be made by the
477 ~~((policy staff director))~~ chief of staff with collaboration from committee lead staff.
478 ~~((Input from committee coordinators, issue managers and affected policy staff shall be
479 taken into consideration by the policy staff director when making staff assignments.))~~
480 Notwithstanding an assignment to a standing or regional committee, policy staff may be
481 assigned tasks to various committees by the chief of staff or his or her designee. All
482 policy staff are subject to the administrative supervision of the chief of staff or his or her
483 designee. Policy staff are responsible for conducting objective analysis on legislation and
484 work items to which they are assigned.

485 3.~~((a. The policy staff director is responsible for administrative supervision of
486 all policy staff.))~~ Administrative supervision. In order to ensure maximum effectiveness
487 of the resources of policy staff and ensure that the Charter-based needs of the council are
488 met, ((A))administrative supervision ((of policy staff)) includes: overall coordination of
489 all policy staff work plans; ((management of policy staff; staff development and training;
490 timely administration of the council's employee performance evaluation process for
491 policy staff, including conducting staff performance evaluations; and seeking to ensure
492 that administrative functions of the council support the policy analysis needs of policy
493 staff)) developing and implementing an ongoing equitable performance evaluation
494 system that provides accountability of staff work product; developing, conducting and

495 overseeing training and development programs, plans and processes for policy staff that
496 link assessment of policy staff work with staff's professional development and growth.
497 The chief of staff or his or her designee shall have administrative supervision
498 responsibility over administrative and policy staff.

499 ~~((b. A committee staffing plan shall be recommended to the council by the~~
500 ~~employment and administration committee. The staffing plan shall designate a~~
501 ~~committee coordinator for each council committee as well as one or more issue managers~~
502 ~~for each committee. In some instances, the council may designate that an issue manager~~
503 ~~also serve as the committee coordinator.~~

504 ~~e. A committee coordinator is responsible for managing the administrative~~
505 ~~work of the committee, including ensuring that committee agendas are prepared,~~
506 ~~approved by the committee chair, and distributed in a timely manner. Committee~~
507 ~~coordinators shall work closely with the issue managers and the committee chair.~~

508 ~~d. An issue manager is responsible for: identifying work related to the issue~~
509 ~~manager's issue area; making recommendations to the policy staff director regarding~~
510 ~~assignment of policy staff to legislation or other work items; supervising the work of~~
511 ~~policy staff who are assigned to work on legislation or items in the issue manager's issue~~
512 ~~area that might involve the work of one or more committees; participating in the issues~~
513 ~~management team; identifying work items in the issue manager's issue area that impact~~
514 ~~other issue areas or whose analysis would benefit from a collaboration among policy staff~~
515 ~~and communicating and coordinating with other issue managers, committee coordinators,~~
516 ~~the policy staff director and policy staff on such work items; and conducting analysis,~~
517 ~~particularly on controversial or complex legislation and work items.~~

518 4. All policy staff are responsible for conducting analysis on legislation and
519 work items to which they are assigned.

520 5. Issue management team: The policy staff director shall convene an issue
521 management team including committee coordinators and issue managers. The team shall
522 meet regularly through the year. The purpose of the issue management team is to assist
523 the policy staff director, as needed, in: policy staff work assignments, including the
524 establishment of policy staff work teams where appropriate; monitoring transmittal of
525 legislation and identifying emerging issues; assisting in resolving referral, scheduling and
526 other issues; assisting in planning and conducting policy staff meetings; supporting
527 collaboration and coordination on work items that impact more than one issue area or
528 involve a significant number of policy staff.

529 6. Subject to the confidentiality rules in subsection F. of this section, policy staff
530 are expected to keep the policy staff director, issue managers and committee coordinators
531 informed about their work assignments and any issues that may arise as well as the
532 amount of time required to perform the work.

533 E. Policy work prioritization.

534 1. Policy staff's first priority is to staff issue assignments that support committee
535 work responsibilities as established by the council and carried out under the direction of
536 the committee chair in the committee work plan. Their second priority is to support work
537 requests related to a committee's work plan or emergent issues within the committee's
538 jurisdiction from councilmembers. Their third priority is to accomplish other work
539 requests from councilmembers. All policy staff assignments shall be made in accordance
540 with subsection D.2. of this section.

541 2. ~~The policy staff director shall coordinate with the committee coordinators and~~
542 ~~issue managers to make reasonable provisions for each priority. If, in consultation with~~
543 ~~the committee coordinators and issue managers, the policy staff director believes that a~~
544 ~~work request cannot be accomplished consistent with the priorities in subsection E.1. of~~
545 ~~this section, the policy staff director shall discuss the issue with affected councilmembers~~
546 ~~and the council chair, subject to the limitations identified in subsection F. of this section~~
547 ~~concerning confidentiality.))~~

548 4. Lead policy staff. Lead policy staff function as the supervisor for the policy
549 staff assigned work in their respective committees. The lead staff for a committee is
550 responsible for managing the administrative work of the committee, including ensuring
551 that committee agendas are prepared, approved by the committee chair, and distributed in
552 a timely manner. Subject to the confidentiality rules in subsection F. of this section,
553 policy staff are expected to keep the chief of staff and lead staff informed about their
554 assignments and any issues that may arise.

555 E. Scope of work.

556 1. The first priority of policy staff is to support committee work responsibilities
557 as established by the council and carried out under the direction of the committee chair.
558 Their second priority is to support committee members' work requests. Their third
559 priority is to support noncommittee members' work requests related to the work of the
560 committee. Their fourth priority is to accomplish all other work requests from
561 councilmembers. The committee chair shall make reasonable provisions for each
562 priority.

563 2. If policy staff believe that a work request cannot be accomplished consistent
564 with the above priorities, they should discuss the issue with the committee chair, the lead
565 staff for the committee and with the chief of staff, subject to the limitations identified in
566 subsection F. of this section concerning confidentiality.

567 F. Confidentiality.

568 1. Councilmembers may request an administrative staff or a policy staff member
569 to perform work and keep the nature of the work confidential. Unless otherwise
570 instructed by the councilmember requesting confidential work, administrative and policy
571 staff shall apprise the chief of staff as to the general nature of and time required to
572 perform a confidential work request(~~(, and policy staff shall apprise the policy staff~~
573 ~~director as to the general nature of and time required to perform a confidential staff~~
574 ~~request)).~~

575 2. Consistent with the reporting relationship and assignment rules in subsections
576 B. through E. of this section, policy staff are expected to inform lead staff and the chief of
577 staff about the amount of time required to perform the work.

578 ~~3. ((If policy staff believe that a work request by a councilmember is contrary to~~
579 ~~adopted council rules or violates the staff's professional ethics, the staff may consult with~~
580 ~~the policy staff director and for this purpose may disclose to the director information~~
581 ~~necessary to identify the problem. The director shall also maintain confidentiality.)) If~~
582 administrative or policy staff believe that a work request by a councilmember is contrary
583 to adopted council rules or violates ((that)) the staff's professional ethics, the staff may
584 consult with the chief of staff or lead staff and for this purpose may disclose ((to the chief

585 ~~of staff~~) the information necessary to identify the problem. The chief of staff and lead
586 staff shall also maintain confidentiality.

587 G. Staff assistance. Administrative and ~~((P))~~ policy staff should seek the
588 assistance of the ~~((policy staff director))~~ chief of staff to resolve any concerns regarding
589 performance of their assigned duties.

590 XVI. Motion 13327, Section II, as amended, and OR 3-101 are each hereby
591 amended to read as follows:

592 **Hiring.** The council wishes to formalize its process for outreach, recruitment and
593 hiring as described in this section.

594 A. A job announcement will be prepared by the ~~((council administrator))~~ chief of
595 staff or his or her designee and will be distributed by the county personnel department to
596 the county's standard distribution list and will be posted on the Internet. The job
597 announcement should include a job description, salary, minimum qualifications, the
598 standard "EEO" notice encouraging women and minorities to apply, and application
599 instructions. Appropriate employment resources to recruit persons from minority groups
600 should be used in order to attract as many minority applicants as possible.

601 B. Positions will remain open for a reasonable period of time.

602 C. Applications will be screened according to written objective work-related
603 criteria established from the job description. Oral interviews will be scheduled with an
604 interview team selected by the ~~((council administrator))~~ chief of staff or his or her
605 designee. The oral interview has a two-fold purpose: 1. to give the applicant a more
606 detailed description of the job, the council and the staff; and 2. to examine in a structured
607 fashion the experience and qualifications of the applicant. The oral interview may be

608 supplemented by additional tests of an applicant's abilities such as writing samples and
609 analytical exercises.

610 D.1. The ~~((council administrator))~~ chief of staff or his or her designee will assess
611 the results of the interview and testing process and will recommend the top candidates to
612 the employment and administration committee.

613 2. The employment and administration committee may choose to consider other
614 candidates than those recommended by the ~~((council administrator))~~ chief of staff or his
615 or her designee. The employment and administration committee will recommend a
616 candidate to the council for final selection. After the employment and administration
617 committee has made a recommendation, the council may choose to consider other
618 candidates than those recommended by the employment and administration committee.

619 E. In cases where any new vacancy in the legislative branch occurs within six
620 months of the recruitment process described in subsections A., B., C. and D.1. of this
621 section, the ~~((administrator))~~ chief of staff or his or her designee may consider any
622 applicants from a previous recruitment process to select top candidates for
623 recommendation to the employment and administration committee to fill the vacant
624 position.

625 F. The only exceptions to this procedure will be for internal promotions or
626 reassignments of legislative branch employees and for the recruitment and hiring of
627 current county employees, interns, clerical employees, CTV operations specialists and
628 temporary employees.

629 G. A preference shall be given to an applicant for any position who is presently
630 on the staff of the legislative branch who has already demonstrated the capability to
631 perform the duties of the position satisfactorily.

632 H. The authority for hiring temporary employees for sixty days or less is
633 delegated to the chief of staff. For the purposes of this subsection, "sixty days" means
634 sixty actual days of work or no more than four hundred twenty hours of work, whichever
635 is less.

636 XVII. Motion 8868, Sections 1-2, as amended, and OR 3-110 are each hereby
637 amended to read as follows:

638 **Policies and procedures against sexual harassment and discrimination -**
639 **policy statement.**

640 A. The metropolitan King County council promotes a respectful,
641 nondiscriminatory work environment, free of behavior which is illegal and/or which
642 contributes to interpersonal conflicts, poor performance or poor morale. Therefore, the
643 metropolitan King County council prohibits:

- 644 1. Sexual harassment;
- 645 2. Discrimination or harassment of, or inappropriate conduct toward, any
646 employee on the basis of his or her race, color, sex, marital status, sexual orientation,
647 religion, ancestry, national origin, and/or the presence of any sensory, mental, or physical
648 disability; and
- 649 3. Retaliation.

650 B. This policy applies to members of the council, councilmembers' personal staff
651 and all employees of the legislative branch. Violations of this policy may lead to censure
652 or discipline, up to and including discharge.

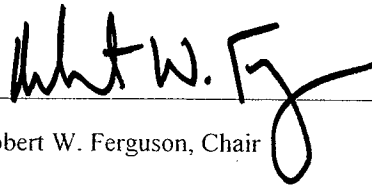
653 C. This policy is supplemental to other procedures available under federal, state,
654 and county laws, including but not limited to the Whistleblower Ordinance, K.C.C.
655 chapter 3.42, the Ethics Code, K.C.C. chapter 3.04, and the Fair Employment Practices
656 Code, K.C.C. chapter 12.18. Employees are encouraged to report pursuant to this policy,
657 but shall continue to have the right to utilize other formal complaint procedures
658 established by law.

659 The policies and procedures against sexual harassment and discrimination in the
660 legislative branch in Attachment B to ~~((Motion 12492))~~ this motion are hereby adopted.

Motion 13129 was introduced on 1/19/2010 and passed by the Metropolitan King
County Council on 1/19/2010, by the following vote:

Yes: 9 - Ms. Drago, Mr. Phillips, Mr. von Reichbauer, Mr. Gossett,
Ms. Hague, Ms. Patterson, Ms. Lambert, Mr. Ferguson and Mr. Dunn
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Robert W. Ferguson, Chair

ATTEST:

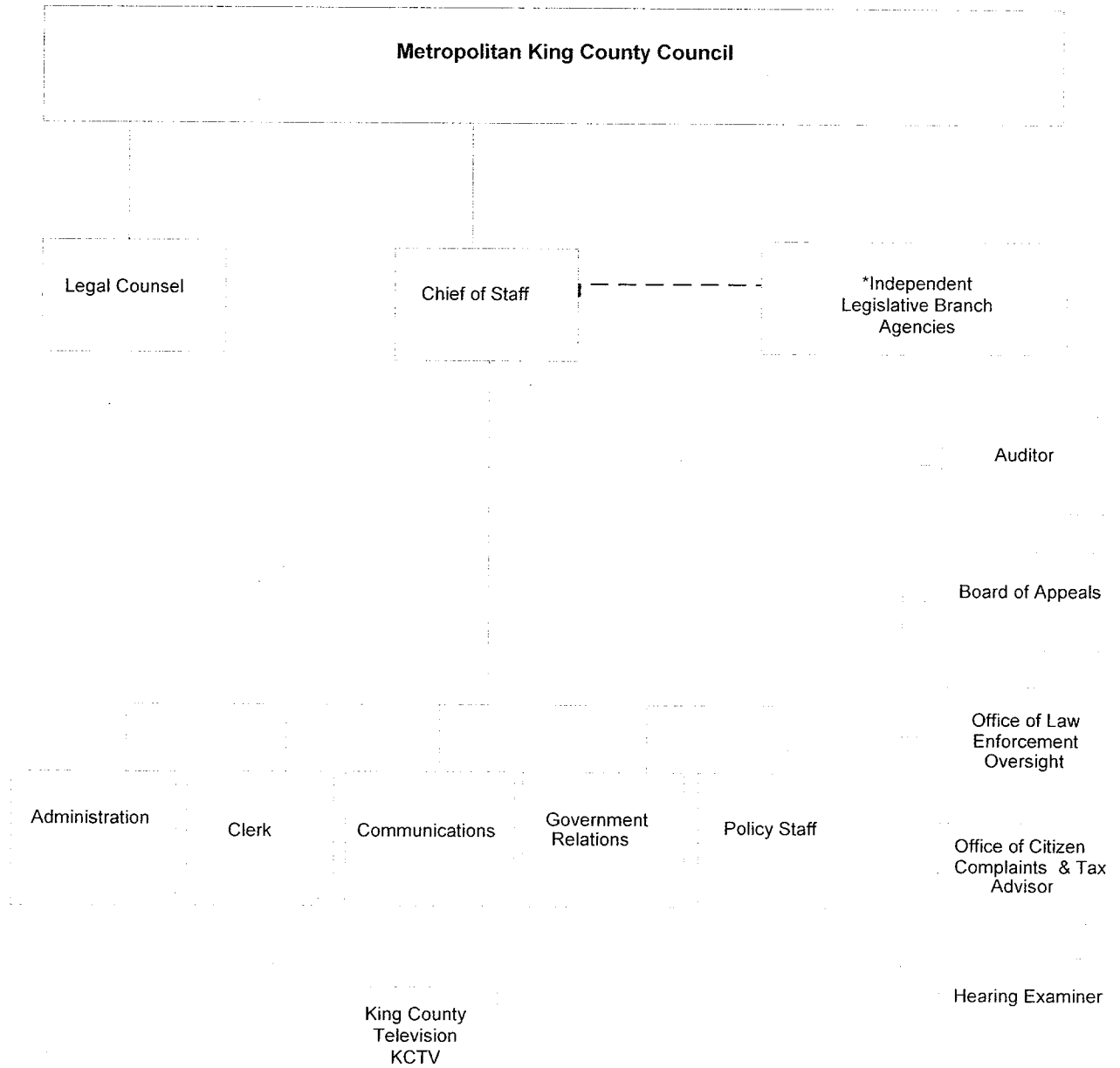


Anne Noris, Clerk of the Council

Attachments: A. King County Legislative Branch Organization Chart, B. Policies and Procedures
Against Unlawful Harassment and Discrimination

Attachment A (Revised 1/12/2010)

King County Legislative Branch Organization Chart



* The Chief of Staff monitors the offices and activities of the Council's Independent Legislative Branch Agencies

METROPOLITAN KING COUNTY COUNCIL
Legislative Branch

Policies and Procedures Against Unlawful Harassment and Discrimination

I. Policy Statement

The Metropolitan King County Council promotes a respectful, non-discriminatory work environment, free of behavior which is illegal and/or which contributes to interpersonal conflicts, poor performance, or poor morale. Therefore, the Metropolitan King County Council prohibits:

- sexual harassment;
- discrimination or harassment of, or inappropriate conduct toward, any employee on the basis of his or her race, color, sex, marital status, sexual orientation, religion, ancestry, national origin, and/or the presence of any sensory, mental, or physical disability; and
- retaliation.

This policy applies to members of the council, council members' personal staff, and all employees of the legislative branch. Violations of this policy may lead to censure or discipline, up to and including discharge.

This policy is supplemental to other procedures available under federal, state, and county laws, including but not limited to the Whistleblower Ordinance (K.C.C. ch. 3.42), the Ethics Code (K.C.C. ch. 3.04), and the Fair Employment Practices Code (K.C.C. ch. 12.18). Employees are encouraged to report pursuant to this policy, but shall continue to have the right to utilize other formal complaint procedures established by law.

II. Definitions

A. "Discrimination" has the meaning set forth in KCC chapter 12.18, which prohibits any action or failure to act, the effect of which is to adversely affect or differentiate persons on the basis of race, color, age, sex, marital status, sexual orientation, religion, ancestry, national origin, or the presence of any sensory, mental or physical handicap, unless based upon a bona fide occupational qualification.

B. Harassment can take many forms and can include slurs, comments, jokes, innuendoes, unwelcome compliments, cartoons, pranks, and/or other verbal or physical conduct relating to an individual, on the cases of race, color, age, sex, marital status, sexual orientation, religion, ancestry, national origin or the presence of any disability. It is illegal when such harassment:

- (1) has the purpose or effect of creating an intimidating, hostile or offensive working environment;
- (2) has the purpose or affect of unreasonably interfering with an individual's work performance; or
- (3) otherwise unreasonably affects an individual's employment opportunities.

C. "Sexual harassment" is a type of harassment and a form of unlawful discrimination. It includes unwelcome sexual advances, requests for sexual favors, displays of sexually oriented materials, and other verbal or physical conduct of a sexual nature. It is illegal when:

- (1) submission to such conduct, either explicitly or implicitly, is made a term or condition of an individual's employment; or
- (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- (3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creates an intimidating, hostile, or offensive environment.

D. "Inappropriate conduct" is conduct that, while not amounting to unlawful harassment, has a sexual or racial component, or is otherwise based on status as set forth in II(a), and may reasonably have the effect of lowering morale and/or productivity. Inappropriate conduct does not include occasional compliments of a socially acceptable nature, nor conduct or actions that arise out of a personal or social relationship.

E. "Retaliation" means an adverse employment action against an individual because he/she has complained in good faith of discrimination, harassment, inappropriate conduct, and/or sexual harassment, inappropriate conduct of a sexual nature, or retaliation, or assisted or participated in an investigation of such allegations.

III. Issues and Complaint Resolution Procedure

A. Employees who experience, witness, or learn of what may be discrimination, harassment, inappropriate conduct, sexual harassment, and/or retaliation are strongly encouraged to come forward. The employee should tell the alleged harasser to stop the behavior, and/or report the behavior to any of the following individuals:

1. the employee's own supervisor;
2. any other supervisor;
3. the chief of staff or his or her designee; or
4. the council's legal counsel.

B. Supervisors who witness or learn of possible discrimination, harassment, sexual harassment, inappropriate conduct, and/or retaliation, or who receive a complaint or concern from an employee regarding such allegations, must report their observations or any complaints or concerns to the chief of staff or his or her designee. If the complaint or

concern involves the chief of staff or his or her designee, the supervisor shall report to the Council's legal counsel. Supervisors who fail to comply with this responsibility may be subject to censure or discipline, up to and including discharge.

C. The individual to whom any report of possible discrimination, harassment, sexual harassment, inappropriate conduct, and/or retaliation is made shall promptly inform the chief of staff or his or her designee of the report. The chief of staff or his or her designee shall respond promptly and appropriately, as follows:

1. Determine whether the complaint or concern (a) can be addressed without formal investigation or referral to the Employment and Administration Committee, or (b) requires formal investigation and referral to the Employment and Administration Committee. If (a), the chief of staff or his or her designee shall document (i) the complaint or concern; (ii) the determination that no formal investigation or referral to the Employment and Administration Committee was necessary; and (3); any steps taken in response. If (b), where further investigation and referral to the Employment and Administration Committee is necessary, the chief of staff or his or her designee shall proceed as follows:

2. Develop a response plan. The plan may include a proposed investigation outline, proposals to mediate the dispute, and, in cases of a more serious nature, should address whether the complainant and the accused should be separated pending completion of the investigation.

3. Advise the chair of the Employment and Administration Committee of the complaint or concern and the recommended response plan. If the complaint or concerns involve a personal staff member of a council member, the council member employing the staff member shall also be advised. If the complaint or concern involves the Chair of the Employment and Administration Committee, the chief of staff or his or her designee shall advise the Vice-Chair of the Committee.

4. Conduct a prompt and thorough investigation to determine whether a violation of this policy has occurred based on all facts and circumstances, the nature of the allegation, and context in which the alleged incidents occurred. Based on this determination, make a preliminary recommendation on what, if any, action should be taken.

5. Brief the Employment and Administration Committee on the results of the investigation and recommended disposition of the complaint or concern, and any corrective and/or preventive measures such as discipline, training and monitoring.

6. Implement the recommendations of the Employment and Administration Committee, including discipline, if any, and any corrective and/or preventive measures. If any discipline is appealed to the full council, it should not be imposed until the appeal is decided.

7. Inform the employee who raised the complaint or concern, the accused employee, and the supervisor who received the report of a complaint or concern, of the results of the investigation, whether or not there was a finding of discrimination, harassment, sexual harassment, inappropriate conduct, and/or retaliation.

8. For a reasonable period of time, monitor for retaliation against any person involved in the filing or investigation of a complaint or concern.

9. Maintain all records related to the report.

D. If the complaint or concern involves allegations against the chief of staff or his or her designee, the individual to whom the report is made or his or her designee shall respond as set forth in **Part III C (1-9)**.

E. Upon notification of a complaint or concern and submission of a response plan by the chief of staff or his or her designee, the chair of the Employment and Administration Committee shall:

1. Approve or modify the response plan recommended by the chief of staff or his or her designee, and where appropriate, as to all employees except Council members' and Council members' personal staff, direct the chief of staff or his or her designee to implement steps in the approved response plan to separate the accused from the complainant;

2. Promptly schedule a briefing by the chief of staff or his or her designee for the Employment and Administration Committee;

3. If the complaint or concern involves a member of the Employment and Administration Committee, direct that, unless invited by the chair to address the Committee, that the involved member not attend or participate in that portion of the meeting of the Employment and Administration Committee at which the complaint or concern will be discussed or a recommendation voted upon.

F. The Employment and Administration Committee, upon being briefed by the chief of staff or his or her designee per **Part III C (5)** and after due consideration, shall:

1. Vote upon the recommended disposition of the complaint or concern and on any proposed modification thereto;

2. As to all employees except council members and council members' personal staff, direct the chief of staff to implement the decision of the Committee.

3. As to council members, the Committee shall decide whether to

recommend exoneration or censure. If the committee recommends censure, the Chair of the Metropolitan King County Council, or the Vice-Chair if the complaint or concern involves the Chair, shall introduce a motion for censure. In accordance with the council rules the chair shall refer the motion to the employment and administration committee. In accordance with KCC 1.24.055 Rule 6, to report the motion out of the employment and administration committee will require a recommendation report signed by a majority of the committee.

4. As to council members' personal staff, the Committee shall vote on a recommended disposition and report its recommendation to the council member.

G. Information regarding complaints or concerns will be kept confidential to the extent possible, but confidentiality cannot be guaranteed.

H. A complainant who is dissatisfied with the way his or her complaint is being handled may take his or her concerns to another of the individuals designated in **Part III**.

IV. Responsibilities

A. The chief of staff shall ensure that all employees receive a copy of this policy and are appropriately instructed and/or trained on its contents.

B. The chief of staff shall provide oversight, tracking, monitoring, and guidance to the Employment and Administration Committee to ensure adequate enforcement of the policy.

C. Employees with supervisory responsibilities shall model appropriate behavior and strive to cultivate and maintain a work environment that is free from discrimination, harassment, sexual harassment, inappropriate conduct, and/or retaliation.

D. Any member of the Metropolitan King County Council shall have the same responsibilities under this policy as other supervisors.

E. In carrying out their responsibilities under this policy, staff, members of the Employment and Administration Committee, and the chief of staff are encouraged to consult with the Council's legal counsel.

V. At-will employment

Nothing in this policy is intended to alter the at-will employment status of legislative branch employees or give rise to a requirement of termination for just cause.