## STAFF REPORT

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| **Agenda Item:** | 5 and 6 | **Name:** | John Resha |
| **Proposed No**.: | 2016-0390  2016-0443 | **Date:** | September 7, 2016 |

**SUBJECTS**

Amending the Council's Organizational Compilation to reflect the staffing support of the King County Flood Control Zone District.

Approving a Job Description for the King County Flood Control Zone District Executive Director.

**SUMMARY**

**Proposed 2016-0390**

Proposed Motion 2016-0390 would amend the Council's Organizational Compilation to establish:

* A Flood Control District Administration unit (FCDA) in the Legislative Branch to house the King County employees exclusively providing support for the King County Flood Control Zone District;
* A King County Flood Control District Executive Director role, functions and reporting relationship; and
* Council rules for the employees of the FCDA related to:
  + establishment of job descriptions;
  + hiring processes;
  + employee performance evaluations; and
  + disciplinary actions.

**Proposed Motion 2016-0443**

Proposed Motion 2016-0390 would approve a newly developed job description for the King County Flood Control District Executive Director.

**BACKGROUND**

The King County Flood Control District (District) is a special purpose government created to provide funding and policy oversight for flood protection projects and programs in King County. The District contracts with King County for the delivery of flood protection projects and programs, as well as the administration of the District through an interlocal agreement that provides for 100% cost recovery of related expenditures.

The District has historically met its staffing needs through either a combination of contract support (both separate to and as part of the interlocal agreement with King County), and with limited direct staffing.

The District has requested that its administration support become a component of the interlocal agreement, and has identified staffing levels that would require specific skills and experience to achieve those goals.

The District has also requested clarity about these positions and the County employees who may fill them relative to the Council's Organizational Compilation.

**ANALYSIS**

**Proposed Motion 2016-0390**

Proposed Motion 2016-0390 would effectuate a series of changes to the Council's Rules specific to human resource practices and legislative branch employees exclusively providing support for the District in the following ways:

1. The position and functions of a King County Flood Control Zone District Executive Director would be added to OR 3-030 who would report to the County Councilmember who serves as the chair of the District.
2. The FCDA, a new legislative branch unit with unique Council rules, would be created to house the FTE, employees and related organizational expenses.

The unique elements of this unit are rules related to human resources practices and policies that would be governed by a new section of the Organizational Compilation and exempted from all other provisions of the Organizational Compilation (except establishment of the executive director and anti-discrimination and harassment policies). This new section would include rules for:

**Job Descriptions and Classifications**: Job descriptions and classifications for employees within this unit would be recommended by the King County Flood Control Zone District Executive Committee (ExComm) to the Council directly for authorization by Council Motion.

**Hiring Processes**: The ExComm would be responsible for outreach, recruitment and hiring of all employees of the unit. The ExComm would then make a recommendation to the Council for appointment by Motion.

**Performance Evaluations**: The ExComm is responsible for evaluating the performance of the King County Flood Control Zone District Executive Director (ED). The ED is responsible for evaluating the other employees of the unit based on a process established by the ExComm, including annual reporting to the ExComm.

**Disciplinary Actions**: The ED is subject to disciplinary action as implemented by the ExComm. If the disciplinary action is either a suspension without pay for two weeks or more, or a termination, the ED may appeal the decision directly to the King County Council.

All other employees of the unit are subject to disciplinary action as implemented by the ED. If the disciplinary action is either a suspension without pay for two weeks or more, or a termination, the ED must notify the County Councilmember who serves as the chair of the District and the employee may appeal the decision directly to the King County Council.

It is important to note that all of the above described rules are different than the Council's rules associated with other legislative branch positions and employees, but per legal counsel, within Council's legal authority to establish.

**Proposed Motion 2016-0443**

Proposed Motion 2016-0443 would approve a job description for the ED with the following characteristics:

Salary Table: King County Legislative Branch 13-Step

Range: pending

Reporting Staff: Anticipated to be 1-5 staff, contractors for financial, Clerk of the Board and other services, oversight of the King County interlocal agreement.

Performance Evaluations: As detailed in Proposed Motion 2016-0390

The job description, which would be attached by Amendment 1, was approved by the ExComm on 08/29/16 and reviewed by King County Council Legal Counsel.

**AMENDMENTS**

**Proposed Motion 2016-0390**

Amendment 1 would clarify that the ED reports to the County Councilmember who serves as the chair of the District and is responsive to all members of the District Board of Supervisors.

**Proposed Motion 2016-0443**

Amendment 1 would attach the job description for the ED.

**ATTACHMENTS**

1. Proposed Motion 2016-0390 (and its attachments)
2. Amendment 1 for 2016-0390
3. Proposed Motion 2016-0443
4. Amendment 1 for 2016-0443