

January 22, 2019  
CB/JMM

153 05

S1

Sponsor: Dembowski, Balducci, McDermott

1 **STRIKING AMENDMENT TO PROPOSED MOTION 2019-0031, VERSION 1**

2 On page 1, beginning on line 11, strike everything through page 24, line 515, and insert:

3 "WHEREAS, the King County Charter provides that the council "shall be  
4 responsible for its own organization," and

5 WHEREAS, the council desires to specify committee functions and clarify staff  
6 roles, reporting and responsibilities;

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

8 I. Motion 10651, Section III, as amended, and OR 1-020 are each hereby amended  
9 to read as follows:

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

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

17 B. The chair shall have the responsibility and general direction for the council's  
18 resources, budget, operation and organizational structure. The chair shall allocate an equal  
19 amount of funding and FTE positions to each councilmember's district support and constituent

20 services account from within the council administration account. The chair shall be  
21 responsible for the general oversight of legislative branch employees, except personal and  
22 district support and constituent services staff of councilmembers. Each councilmember shall  
23 be responsible for making employment decisions for the councilmember's personal and district  
24 support and constituent services staff.

25 C. On behalf of the council, the chair of the council may accept gifts or things of  
26 value of less than two thousand dollars. Gifts or things of value given to individual council  
27 offices may be accepted by each councilmember subject to the provisions of K.C.C.  
28 chapter 3.04. The chair shall notify the clerk of the council of any accepted gifts or things  
29 of value. The clerk shall maintain a list of the accepted gifts or things of value and shall  
30 report quarterly that list to all councilmembers if there have been any accepted gifts or  
31 things of value in the preceding quarter. The chair of the council shall not enter into a  
32 consultant contract for more than fifty thousand dollars without first being authorized to do  
33 so by council motion. All consultants shall comply with the King County code of ethics.

34 D. The chair shall regularly consult in the exercise of the chair's duties with the  
35 vice-chair. The chair, in consultation with committee chairs, shall direct the necessary  
36 coordination of staff, except for personal and district support and constituent services staff.  
37 The council's chief of staff shall report to the chair and is accountable to and responsive to  
38 all councilmembers. The chair may exercise any power conferred upon the chief of staff.

39 ~~((E. The chair shall be a member of the employment and administration~~  
40 ~~committee)).~~

41 III. Motion 10651, Section V, as amended, and OR 2-030 are each hereby  
42 amended to read as follows:

43           **Employment and administration committee.**

44           **A. Membership requirements.** The employment and administration committee  
45 shall consist of ~~((four))~~ five members. ~~((The chair of the employment and administration~~  
46 ~~committee shall issue, upon recommendation of the employment and administration~~  
47 ~~committee and with the approval of a majority of the council, all employment decisions for~~  
48 ~~legislative branch employees except interns and the councilmembers' personal and district~~  
49 ~~support and constituent services staff, other than employment decisions that are made by~~  
50 ~~the chair of the employment and administration committee as provided in this section))~~ The  
51 chair of the council shall be a member of the committee.

52           **B. Duties ~~((and process))~~.**

53           1. ~~((Administrative committee. The employment and administration committee~~  
54 ~~is an administrative committee of the council. The employment and administration~~  
55 ~~committee shall consult with councilmembers, the chief of staff and policy staff director~~  
56 ~~on a continuing basis in order to review council operations under the staffing structure~~  
57 ~~defined in this motion.~~

58           2. ~~Personnel decisions. The employment and administration committee shall~~  
59 ~~make recommendations to the council concerning decisions for legislative branch~~  
60 ~~employees, except for interns and councilmembers' personal and district support and~~  
61 ~~constituent services staff, and except for minor personnel decisions, which may be made~~  
62 ~~by the chair of the employment and administration committee in accordance with~~  
63 ~~subsection B.6. of this section. Personnel decisions include decisions to hire, to fill~~  
64 ~~vacancies, to make staffing adjustments, to designate staff employment assignments,~~  
65 ~~except assignments of policy staff to specific issues and legislation which shall be made~~

66 by the policy staff director under OR 3-040.D.2, to adjust staff pay, to analyze future  
67 hiring needs and to make other necessary employment decisions. Personnel decisions do  
68 not include termination or disciplinary decisions, which follow the process stated in  
69 subsection B.3. of this section, or minor personnel decisions, which follow the process  
70 stated in subsection B.6. of this section. Where applicable, employment and  
71 administration committee recommendations on personnel decisions shall be developed in  
72 consultation with appropriate committee chairs and, where applicable, the chief of staff  
73 and policy staff director.

74 3. Personnel decisions shall be contained in a written recommendation report  
75 and may be voted out of committee upon: a. the receipt of the signature of three  
76 committee members during a meeting of the committee; or b. subject to signature by a  
77 quorum of the committee members in accordance with K.C.C. 1.24.055.C (Rule 6.C).  
78 Once the necessary signatures are obtained, recommendation reports from the committee  
79 shall be forwarded to the council for consideration on an employment and administration  
80 committee consent agenda. The chair of the employment and administration committee  
81 shall issue, upon recommendation of the employment and administration committee and  
82 with the approval of a majority of the council, all employment decisions for legislative  
83 branch employees except interns and the councilmembers' personal and district support  
84 and constituent services staffs.

85 4. Terminations and disciplinary decisions. The employment and administration  
86 committee makes decisions on discipline and termination, including layoffs, except for  
87 councilmembers' personal and district support and constituent services staff. If three  
88 committee members vote for a termination or disciplinary action the decision is final,

89 except when an employee exercises the right of an appeal to the full council. An  
90 employee who has been either suspended without pay of two weeks or more or  
91 terminated may appeal the decision of the employment and administration committee to  
92 the council. The appeal must be filed within ten calendar days of written notice of the  
93 suspension or termination being sent to the employee. An appeal is accomplished by  
94 delivering a notice of appeal to the clerk of the council. Nondisciplinary terminations are  
95 subject to appeal in the same manner as disciplinary terminations.

96 5. Performance evaluations of chief of staff and policy staff director. Valuing  
97 broad-spectrum review of key staff within the legislative branch, performance appraisals  
98 of the chief of staff and policy staff director shall be drafted by the chair of the council  
99 with input from all councilmembers. Performance evaluation drafts shall then be  
100 forwarded to the committee for review and consideration before review with the  
101 individual being reviewed and rated.

102 6. Minor personnel decisions.

103 a. Except for interns and councilmembers' personal and district support and  
104 constituent services staff, the chair of the employment and administration committee shall  
105 make all minor personnel decisions as set forth in this subsection B.6. Minor personnel  
106 actions are:

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

108 (2) increasing or reducing the hours assigned to a current position up to the  
109 total budgeted hours for the position, as reflected in the Staff and Salary Detail Report  
110 maintained by the chief of staff or his or her designee;

111 (3) reassigning an employee employed within a legislative branch agency of

112 ~~the county auditor, board of appeals/equalization, hearing examiner, office of law~~  
113 ~~enforcement oversight, ombudsman/tax advisor or civic television to another position in~~  
114 ~~the same agency and pay range;~~

115 ~~(4) hiring a temporary or a term limited temporary employee to perform~~  
116 ~~clerical or technical functions, up to a total of the maximum period allowed by ordinance~~  
117 ~~or two years, whichever is less;~~

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

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

124 ~~b. Requests for minor personnel decisions shall be made in writing to the~~  
125 ~~employment and administration committee chair via the chief of staff or policy staff~~  
126 ~~director. Requests may be made only by councilmembers, legislative branch agency~~  
127 ~~managers, the chief of staff, the policy staff director or a staff member who is supervised~~  
128 ~~directly by the chair of the council. The chief of staff or policy staff director shall~~  
129 ~~promptly provide the employment and administration committee chair with a copy of the~~  
130 ~~request and the chief of staff's or policy staff director's recommendation for approval,~~  
131 ~~disapproval or modification of the request.~~

132 ~~e. Action on a requested minor personnel decision shall be in writing, signed~~  
133 ~~by the chair of the employment and administration committee. The chief of staff shall~~  
134 ~~file the original of the decision action with the clerk of the council, and shall provide~~

135 copies of the decision action to the agency manager or supervisor, affected employee and  
136 members of the employment and administration committee.

137 7. Nothing in this process is to be construed to alter the at-will status of  
138 legislative branch employees. This process is designed to facilitate the will of the  
139 majority of the council. If there are specific provisions of a collective bargaining  
140 agreement that are contrary to this process, the collective bargaining agreement controls.

141 **C. Recommendations to the council chair.** The employment and  
142 administration committee may consider and make recommendations to the council chair  
143 regarding management organization structure and legislative branch customer service.  
144 The committee may monitor and make recommendations on the legislative branch  
145 budget.

146 **D. Removal of recommendations from consent agenda.** Upon the request of  
147 any member present before the council, any specific recommendation from the  
148 employment and administration committee shall be removed from the consent agenda  
149 and considered separately by the council prior to adoption of the employment and  
150 administration committee consent agenda. The council may then by a majority vote  
151 make whatever orderly disposition of the matter it deems appropriate.

152 **E.)) General duties.** The committee makes employment-related decisions and  
153 recommendations for the legislative branch, excluding all decisions for those positions  
154 and employees serving councilmembers' personal, district support and constituent  
155 services functions.

156 2. Administrative decisions. In consultation with the chief of staff, the  
157 committee shall:

158           a. recommend to the council for adoption of administrative and personnel-  
159 related policies;

160           b. recommend to the council for adoption of changes to the organization chart  
161 established in OR 3-030.A.; and

162           c. recommend to council classification specifications and compensation  
163 ranges.

164           3. Hiring and staffing decisions.

165           a. The committee shall establish the hiring process for chief officers, directors  
166 and independent agency officers, as well as making hiring recommendations to the  
167 council concerning these positions. The committee may consult with the board of  
168 appeals on its hiring of the executive director and staff of the board of appeals and the  
169 committee may express its preference.

170           b. The committee shall make hiring decisions for all other positions not noted  
171 in subsection B.3.a. of this section, based on the recommendation of the chief officer,  
172 chief policy officer or independent agency officer, as appropriate, regarding the candidate  
173 or candidates.

174           c. The chair of the committee may:

175           (1) begin recruitment of vacated or newly created positions and anticipated  
176 vacancies; and

177           (2) appoint or extend the appointment of interns, and temporary or term  
178 limited employees for up to a total of the maximum period allowed by code.

179           d. A hiring preference shall be given to an applicant for any position who is  
180 presently on the staff of the legislative branch who has already demonstrated the

181 capability to perform the duties of the position satisfactorily.

182 e. The committee may extend an offer to any person who applied for a  
183 legislative branch position in the six months before the chair of the committee's  
184 authorization to begin a new recruitment without undertaking a full requirement process.  
185 The committee may allow person meeting the criteria of this subsection to be added to  
186 the pool of candidates to be considered for the new requirement, without requiring the  
187 person to submit some or all of the applications materials for the new recruitment.

188 f. The authority for hiring temporary administrative or legislative staff  
189 employees for sixty days or less is delegated to the chief of staff. For the purposes of this  
190 subsection, "sixty days" means sixty actual days of work or no more than four hundred  
191 twenty hours of work, whichever is less.

192 4. Compensation and classification decisions. The committee, in consultation  
193 with the responsible chief officer or independent agency officer, shall make decisions  
194 regarding reclassification, promotion to a higher step within the same classification and  
195 range, or withholding of a step increase of a legislative branch employee.

196 5. Staff assignments. The chief of staff shall annually brief the committee on  
197 legislative branch staff assignments, which shall be based on the following:

198 a. Independent agency staff assignments shall be made by the independent  
199 agency officer or designee;

200 b. Legislative services staff assignments shall be made by the chief policy  
201 officer or designee;

202 c. Legal staff assignments shall be made by the chief legal counsel or counsel's  
203 designee; and

204 d. Administration services staff assignments shall be made by the chief of staff  
205 or designee.

206 6. Work schedule decisions. Day-to-day work schedule decisions shall be made  
207 by direct supervisors, managers, and their director or officer. The committee may  
208 increase or decrease the full time equivalent level of an employee on either a permanent  
209 or limited term duration within the budgeted appropriation. In the event of a temporary  
210 decrease in the full time equivalent level of an employee as an accommodation, the chief  
211 of staff may approve the temporary adjustment and inform the committee at the next  
212 regularly scheduled meeting of the committee.

213 7. Leave carryover decisions. The chair of the committee may authorize the  
214 carryover of excess vacation leave under K.C.C. 3.12.190 because of cyclical workloads,  
215 work assignments or other reasons as may be in the best interests of the county and with  
216 appropriate documentation.

217 8. Performance evaluations.

218 a. The chair of the council, with committee input, shall establish a process for  
219 periodically evaluating the chief officers and independent agency officers for their  
220 performance in achieving job duties and goals.

221 b. Chief officers, directors and independent agency officers shall periodically  
222 evaluate employees that report to each respectively for their performance in achieving job  
223 duties and goals.

224 c. The chief of staff shall annually brief the committee regarding findings and  
225 results related to legislative branch performance evaluations.

226 9. Discipline.

227 a. Chief officers, directors and independent agency officers shall provide oral  
228 and written expectations and counseling regarding employee performance issues as they  
229 may arise.

230 b. The council chair shall provide oral and written expectations and counseling  
231 regarding employee performance for chief officers and independent agency officers.

232 c. Chief officers, directors and independent agency officers, for employees that  
233 report to each respectively, shall, when appropriate, issue either written reprimands or  
234 performance improvement plans, or both, regarding employee performance issues that  
235 persist, following an oral or written statement of expectations or counseling. The council  
236 chair shall, when appropriate, issue either written reprimands or performance  
237 improvement plans, or both, regarding employee performance issues of a chief officer  
238 and independent agency officer that persist, following an oral or written statement of  
239 expectations or counseling. An employee who has received a written reprimand may,  
240 within five business days of receiving the written reprimand, request a hearing before the  
241 committee to overturn or amend the written reprimand.

242 d.(1) It is the responsibility of the chief officers and independent agency  
243 officers, for employees who report to each respectively, or the council chair for those  
244 employees specified in subsection B.9.b. of this section, when appropriate, to recommend  
245 to the committee employees for either suspension without pay or termination.

246 (2) The committee shall make decisions regarding suspension without pay or  
247 termination of an employee.

248 (3) The decision of the committee to suspend an employee without pay for  
249 ten working days or less is final.

250           (4) An employee subject to the committee's suspension without pay for more  
251 than ten working days or termination decision may, within five business days, request a  
252 hearing before the committee to mitigate or change the decision.

253           (5) Following a suspension without pay of more than ten working days or  
254 termination hearing decision, an employee subject to the committee's suspension without  
255 pay or termination decision may, within five business days, appeal the decision to the  
256 council.

257           (6) The decision of council to suspend without pay or terminate an employee  
258 is final.

259           e. The chair of the council may execute a settlement agreement with a current  
260 or former employee.

261           f. If, in the determination of the applicable chief officer or independent agency  
262 officer, an employee's performance is serious or egregious enough, the provisions of  
263 subsection B.9.a. and c. of this section may be dispensed with and the applicable chief  
264 officer or independent agency officer may summarily recommend suspension or  
265 termination to the committee in accordance with B.9.d. of this section. If, in the  
266 determination of the council chair, an employee's performance is serious or egregious  
267 enough, the provisions of subsection B.9.b. and c. of this section may be dispensed with  
268 and the council chair may summarily recommend suspension or termination to the  
269 committee in accordance with B.9.d. of this section.

270           g. A written disciplinary action may not be issued before completion of review  
271 of it by legal counsel or the civil division of the office of the prosecuting attorney. For  
272 the purposes of this subsection B.9., "written disciplinary action" means written

273 expectations and counseling regarding employee performance issues, reprimands,  
274 performance improvement plans and decisions regarding suspension without pay or  
275 termination of an employee.

276 10. Motions for censure. The ((employment and administration)) committee  
277 shall consider and make recommendations to the council on motions for censure related  
278 to alleged violations by a councilmember of any antiharassment or discrimination policy.

279 **((F-)) C. Committee decisions.**

280 1. All committee decisions authorized by this section shall be contained in a  
281 written decision report.

282 2. All committee recommendations authorized by this section shall be contained  
283 in a written recommendation report and, if approved by the committee, shall be  
284 forwarded to the council for consideration on an employment and administration  
285 committee consent agenda.

286 3. Upon the request of any member present before the council, any specific  
287 recommendation from the employment and administration committee shall be removed  
288 from the consent agenda and considered separately by the council before adoption of the  
289 employment and administration committee consent agenda.

290 4. The chair of the employment and administration committee shall issue notice  
291 to the affected employee upon final action of the committee or council.

292 **D. Personnel records as confidential.** To the extent permitted by law,  
293 personnel records that would be exempt from public disclosure shall continue to be  
294 treated as confidential and records or portions thereof that are exempt shall be identified  
295 as such and separated from nonexempt records.

296 **E. Construction of section.** Nothing in this section is to be construed to alter the  
297 at-will status of legislative branch employees. This section designed to facilitate the will  
298 of the majority of the council. If there are specific provisions of a collective bargaining  
299 agreement that are different than this section, the collective bargaining agreement shall  
300 prevail.

301 **F. Definitions.** For the purposes of this section OR 2-030:

302 1. "Administrative services staff" are those legislative branch employees  
303 assigned to communications, government relations, administration and clerk blocks in the  
304 organization chart, Attachment A to this motion.

305 2. "Chief officers" includes the chief of staff and chief legal counsel;

306 3. "Directors" includes the clerk of the council, the communication director, the  
307 director of council initiatives, the director of government relations, the director of  
308 municipal relations, the director of operations, the housing coordinator and the chief  
309 policy officer;

310 4. "Independent agency officers" includes the auditor, director of law  
311 enforcement oversight, hearings examiner, King County Flood Control District executive  
312 director and director of the office of citizen complaints/tax advisor, which is also known  
313 as the ombuds.

314 5. "Legislative services staff" are those legislative branch employees assigned to  
315 the legislative services block in the organization chart, Attachment A to this motion.

316 IV. Motion 11122, Section F, as amended, and OR 2-120 are each hereby  
317 rescinded.

318 V. Motion 10651, Section VI, as amended, and OR 3-010 are each hereby  
319 amended to read as follows:

320 **Use of councilmembers' district accounts and district support and constituent**  
321 **services accounts.**

322 A.1. All salaries and benefits for a councilmember and a councilmember's personal  
323 staff shall be paid out of the councilmember's district account, and all salaries and benefits  
324 for a councilmember's district support and constituent services staff shall be paid out of the  
325 councilmember's district support and constituent services account.

326 2.a. The council prohibits councilmembers from hiring as personal or district  
327 support and constituent services staff persons who have been employed within the prior  
328 twelve months:

329 (1) as a council ~~((policy))~~ legislative services staff member classified at range  
330 62 or above in the King County 10 step annual exempt squared table, or as an  
331 administrative ~~((central))~~ services staff member classified at range 23 or above in the  
332 Legislative Branch Classification Plan; or

333 (2) persons who have been employed as a personal or district support and  
334 constituent services staff member of another currently serving councilmember, except  
335 with the consent of that councilmember.

336 b. District account and district support and constituent services account  
337 moneys cannot be used to pay the salary or benefits of persons prohibited from being  
338 hired as set forth subsection A.2.a. of this section.

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

341           3. The central council account, a district account or a district support and  
342 constituent services account may not be used to fund benefits for employees whose  
343 employment as personal and district support and constituent services staff is prohibited by  
344 subsection A.2. of this section.

345           B.1. All expenditures for mail originating from an individual councilmember's  
346 office shall be paid for out of that councilmember's district account or district support and  
347 constituent services account, except for mailings of ten items or less, which may be paid for  
348 out of the council administration budget, and for postage that may be funded from the  
349 council administration budget subject to the approval of the chair of the council.

350           2. A councilmember shall not send any mass mailing that is deposited in the mail  
351 between the date the councilmember has filed a declaration and affidavit of candidacy with  
352 the department of elections and election day in any year in which an election is to be held  
353 to fill the councilmember's office. However, mailings may be made after the last day for  
354 filing for office if the councilmember has not filed for the office. For the purposes of this  
355 subsection B.2, "mass mailing" means any mailing of more than two hundred pieces that  
356 contains essentially identical messages and that is prepared or sent by or on behalf of an  
357 individual councilmember at council expense.

358           C. All expenditures for rent, office equipment and furniture, utilities and  
359 telephones to support a councilmember's outside district office shall be paid out of the  
360 councilmember's district support and constituent services account.

361           D. All travel expenditures incurred by a councilmember or the councilmember's or  
362 personal staff or the councilmember's district support and constituent services staff shall be  
363 paid for out of the councilmember's district support and constituent services account or

364 from the ((councilmember's district support and constituent services account, or from the))  
365 council administration budget with the approval of the chair of the council.

366 E. All other expenditures for community meetings, training, publications,  
367 newspaper advertising, nonnewspaper advertising, cellular phones, cellular phone services  
368 or other related activities as determined by the councilmember shall be paid out of the  
369 councilmember's district account or from the councilmember's district support and  
370 constituent services account, or from the council administration budget with the approval of  
371 the chair of the council.

372 F. Whenever questions about expenditures may arise, a councilmember shall  
373 consult with the chief of staff, legal counsel or the chief of staff's designee as necessary in  
374 considering whether a specific expenditure is authorized by this section OR 3-010.

375 VI. Motion 10651, Section VII, as amended, and OR 3-030 are each hereby  
376 amended to read as follows:

377 **Legislative branch organization** (~~(-organization chart—chief of staff—policy~~  
378 ~~staff director—King County Flood Control Zone District executive director)~~)).

379 A. **Organization chart.** The legislative branch shall be organized in accordance  
380 with the organization chart, Attachment A to ((Motion 14819.)) this motion. The chief of  
381 staff shall prepare and file with the clerk of the council a revised organization chart to  
382 replace Attachment A to ((Motion 14919)) this motion when the organization of the  
383 legislative branch is changed either by any employment and administration committee  
384 decision or by any ordinance, motion or personnel decision adopted by the council.

385 B. **Chief of staff.** There shall be a council chief of staff who reports to the chair,  
386 and shall be accountable and responsive to all councilmembers. The chief of staff is

387 responsible for the efficient overall management and administration of the ~~((following~~  
388 ~~staff of the legislative branch and their subordinates: the administrative services~~  
389 ~~supervisor; the clerk; the director of communications; the director of strategic policy~~  
390 ~~initiatives; and the director of government relations)) administrative and legislative  
391 services staff as they are defined in OR 2-030. All directors, as defined in OR 2-030, shall  
392 report to the chief of staff. The chief of staff is also responsible for monitoring the  
393 independent agencies of the council. ~~((The chief of staff shall be a resource for personal~~  
394 ~~and committee staff. In addition, the chief of staff, at the direction of the council and in~~  
395 ~~consultation with appropriate committee chairs, may coordinate with the policy staff~~  
396 ~~director the work of committee staff, legal counsel and others as needed on significant~~  
397 ~~issues.)) The chief of staff shall be the council's bargaining lead for all legislative branch  
398 bargaining units.~~~~

399 C. ~~((Policy staff director.))~~ **Chief policy officer.** There shall be a ~~((policy staff~~  
400 ~~director)) chief policy officer who, as a director, reports to the ~~((chair,))~~ chief of staff and  
401 shall be ~~((accountable and))~~ responsive to all councilmembers. ~~((The policy staff director~~  
402 ~~is responsible for the efficient overall management and administration of the committee~~  
403 ~~staff, which includes committee assistants and represented legislative analysts. Committee~~  
404 ~~chairs and members are responsible for providing policy direction to committee staff by,~~  
405 ~~among other things, setting priorities and directing the work of committee staff. In~~  
406 ~~addition, the policy staff director, at the direction of the council chair and in consultation~~  
407 ~~with appropriate committee chairs, may coordinate with the chief of staff the work of~~  
408 ~~committee, legal counsel and others as needed on significant issues.)) As the chief policy  
409 officer is the direct report for the legislative services staff, the chief policy staff officer is~~~~

410 responsible for: the efficient overall management and administration of the legislative  
411 services staff; development and administration of analytic standards; committee lead and  
412 support assignments; and legislative and policy assignments for analysis.

413 **D. Chief legal counsel.** There shall be a chief legal counsel who reports to the  
414 chair and shall be accountable and responsive to all councilmembers for the provision of  
415 legal services to the council, councilmembers, and administrative and legislative services  
416 staff. The chief legal counsel is responsible for the efficient overall management and  
417 administration of the legal services staff, outside counsel and coordination with the  
418 prosecuting attorney's office.

419 **E. Independent agency officers.** For all the independent agencies, identified in  
420 the organization chart, Attachment A to this motion, their officers shall be appointed by  
421 the council and each independent agency officer shall be accountable and responsible for  
422 the efficient overall management and administration of their agencies. The independent  
423 agencies, their officers, managers and staff are subject to the policies and procedures of  
424 the legislative branch.

425 **F. King County Flood Control ((Zone)). District executive director.** ~~The((re~~  
426 ~~shall be a))~~ King County Flood Control ((Zone)) District executive director ((who)) shall  
427 report((s)) to the county councilmember who serves as the chair of the King County  
428 Flood Control ((Zone)) District((, and who)). The executive director shall be accountable  
429 and responsive to all councilmembers who serve on the King County Flood Control  
430 ((Zone)) District board of supervisors. The executive director is responsible for the  
431 efficient overall management and administration of the King County Flood Control  
432 ((Zone)) District and the flood control ((zone)) district administration unit and its

433 employees. The executive director is subject to the policies and procedures of the  
434 legislative branch.

435 VII. Motion 14725, Section II, and OR 3-035 are each hereby amended to read as  
436 follows:

437 **King County Flood Control ((Zone)) District administration.**

438 A. The legislative branch shall provide staffing, facilities and services for the  
439 King County Flood Control ((Zone)) District at actual cost and fully reimbursed by the  
440 district through an interlocal agreement between King County and the district.

441 B. For the administration and management of the King County Flood Control  
442 ((Zone)) District, a flood control ((zone)) district administration unit is established for  
443 legislative branch employees exclusively providing support for the King County Flood  
444 Control ((Zone)) District. The unit is exempt from all other provisions of this  
445 organizational compilation except this section, OR ((3-030.D.)) 3-030.F. and OR 3-110.

446 C. The following applies to the employees within the unit:

447 1. Job descriptions and classifications for employees in the unit shall be  
448 reviewed and recommended by the King County Flood Control ((Zone)) District  
449 executive committee and authorized by motion by the council;

450 2. The executive committee shall establish and be responsible for the outreach,  
451 recruitment and hiring process for all employees of the unit. Hiring of the employees  
452 shall be subject to appointment by motion by the council, but shall not be subject to ((the  
453 hiring process of OR 3-101 or)) the decision-making requirements of OR 2-030;

454           3. The executive committee shall annually evaluate the performance of the King  
455 County Flood Control (~~Zone~~) District executive director, using a process established by  
456 the executive committee;

457           4. The executive director shall annually evaluate the performance of the  
458 employees within the unit using a process established by the executive committee. The  
459 executive director shall also annually present the results of these completed performance  
460 evaluations to the executive committee;

461           5. Employees within the unit, other than the executive director, are subject to  
462 disciplinary actions as determined by the executive director. Before suspension or  
463 termination, the executive director shall notify the county councilmember who serves as  
464 the chair of the King County Flood Control (~~Zone~~) District. An employee of the unit  
465 who has been either suspended without pay for two weeks or more or terminated may  
466 appeal the decision of the executive director to the council. The appeal must be filed  
467 within ten calendar days of written notice of the suspension or termination being sent to  
468 the employee. An appeal is filed by delivering a notice of appeal to the clerk of the  
469 council;

470           6. The executive director is subject to disciplinary actions as determined by the  
471 executive committee. The executive director, if either suspended without pay for two  
472 weeks or more or terminated, may appeal the decision to the council. The appeal must be  
473 filed within ten calendar days of written notice of the suspension or termination being  
474 sent to the employee. An appeal is filed by delivering a notice of appeal to the clerk of  
475 the council;

476 7. In common with all county employees and officials and elected officials,  
477 employees of the unit shall comply with the King County code of ethics, K.C.C. chapter  
478 3.04. All employees shall familiarize themselves with the code of ethics, and in the event  
479 they identify any issue of possible concern they shall promptly seek advice from their  
480 supervisor, the chief of staff or council's chief legal counsel, or shall seek an advisory  
481 opinion from the board of ethics; and

482 8. The chief of staff shall be a resource for the employees of the unit and  
483 responsible for implementing and carrying out OR 3-110.

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

486 ~~((Staff guidelines.))~~ **Ethical considerations.**

487 A. ~~((For the purposes of this section, unless the context clearly requires  
488 otherwise:~~

489 1. ~~"Administrative staff" means the council chief of staff and staff who report  
490 directly or indirectly to the council chief of staff; and~~

491 2. ~~"Policy staff" means the council staff who report directly or indirectly to the  
492 policy staff director, including, but not limited to, staff assigned to a standing or regional  
493 committee or the board of health, and who are assigned to provide policy, fiscal or  
494 program analysis for all councilmembers.~~

495 ~~B. Ethical considerations.))~~ In common with all county employees and officials,  
496 legislative branch employees and elected officials shall comply with the King County  
497 code of ethics, K.C.C. chapter 3.04. Each ~~((E))~~employee((s)) shall ~~((familiarize  
498 themselves))~~ become familiar with the ~~((content of the))~~ code of ethics and, in the event

499 ~~((they identify))~~ the employee identifies any issue of possible concern ~~((they)), the~~  
500 employee shall promptly seek advice from ~~((their))~~ the employee's supervisor, the ~~((policy~~  
501 ~~staff director))~~ chief policy officer, the ~~((council))~~ chief of staff or the chief legal counsel or  
502 shall seek an advisory opinion from the board of ethics.

503 ~~((C. Lobbying restriction on administrative and policy staff and on the legal~~  
504 ~~counsel to the council.~~

505 1)) B. Administrative or ~~((policy))~~ legislative services staff or ~~((the))~~ legal  
506 counsel ~~((to the council))~~ shall not ~~((in any way))~~ seek to influence the passage or rejection  
507 of any matter under consideration by the council or any committee of the council, except  
508 ~~((where))~~ when an employee within the scope of ~~((his or her))~~ the employee's duties is  
509 required to make a recommendation or is specifically asked by a councilmember to give a  
510 recommendation on the particular matter. ~~((This restriction does not apply to the policy~~  
511 ~~staff director, the director of government relations or the chief of staff to the council~~  
512 ~~pursuant to previously adopted council action.~~

513 2.) C. Staff of the legislative branch and councilmembers shall not seek to  
514 influence or restrict objective and impartial legislative, policy, fiscal or program analysis  
515 by administrative or legislative services staff.

516 D. All staff assigned to perform legislative and policy analysis shall conduct  
517 objective, nonbiased analysis on legislation and work items to which the staff is assigned.

518 E. With respect to contacts involving the news media related to the political or  
519 policy aspects of county business, administrative and ~~((policy))~~ legislative services staff  
520 and legal counsel ~~((of the council))~~ are encouraged first to refer such matters to the

521 committee chair or councilmember with jurisdiction over the subject matter. ((Reporting  
522 relationships and assignments of policy staff.

523 ~~1. Policy direction. Policy staff work for and are accessible to all~~  
524 ~~councilmembers, and the policy staff director. Policy staff receive policy direction~~  
525 ~~regarding issues within the committee's jurisdiction from the committee chair, members~~  
526 ~~of the committee, the policy staff director and team leaders.~~

527 ~~2. Policy staff assignments. Policy staff assignments shall be made by the~~  
528 ~~policy staff director with collaboration from team leaders. Notwithstanding an~~  
529 ~~assignment to a standing or regional committee, policy staff may be assigned tasks to~~  
530 ~~various committees by the policy staff director or his or her designee. All policy staff are~~  
531 ~~subject to the administrative supervision of the policy staff director or his or her designee.~~  
532 ~~Policy staff are responsible for conducting objective analysis on legislation and work~~  
533 ~~items to which they are assigned.~~

534 ~~3. Administrative supervision. In order to ensure maximum effectiveness of the~~  
535 ~~resources of policy staff and ensure that the Charter-based needs of the council are met,~~  
536 ~~administrative supervision includes: overall coordination of all policy staff work plans;~~  
537 ~~developing and implementing an ongoing equitable performance evaluation system that~~  
538 ~~provides accountability of staff work product; developing, conducting and overseeing~~  
539 ~~training and development programs, plans and processes for policy staff that link~~  
540 ~~assessment of policy staff work with staff's professional development and growth. The~~  
541 ~~policy staff director or his or her designee shall have administrative supervision,~~  
542 ~~responsibility over policy staff consisting of represented legislative analysts and~~  
543 ~~committee assistants. The chief of staff or his or her designee shall have administrative~~

544 supervision responsibility over administration staff as shown in Attachment A to Motion  
545 14819.

546 4. Team leader. Team leader staff function as the supervisors for policy staff  
547 and committee assistants. A team leader is responsible for: consulting with committee  
548 lead staff to ensure adequate staffing to meet the needs of the committee; mentoring and  
549 coaching staff; assigning work to committee analysts and support staff, in conjunction  
550 with committee lead staff; reviewing staff work against professional and technical  
551 standards; meeting on an ongoing basis with staff on the team leader's team to ensure that  
552 the work program goals are being met and necessary training provided as well as  
553 providing quarterly reviews and preparing performance evaluations. Subject to the  
554 confidentiality rules in subsection F. of this section, policy staff are expected to keep the  
555 policy staff director and team leader staff informed about their assignments and any  
556 issues that may arise.

557 5. Committee lead staff. The committee lead staff for a committee is  
558 responsible for working with policy staff director and team leader staff in ensuring  
559 adequate staff resourcing to meet the needs of the committee, managing the  
560 administrative work of the committee, including ensuring that committee agendas are  
561 prepared, approved by the committee chair and distributed in a timely manner.

562 E. Scope of work.

563 1. The first priority of policy staff is to support committee work responsibilities  
564 as established by the council and carried out under the direction of the committee chair.  
565 Their second priority is to support committee members' work requests. Their third  
566 priority is to support noncommittee members' work requests related to the work of the

567 ~~committee. Their fourth priority is to accomplish all other work requests from~~  
568 ~~councilmembers. The committee chair shall make reasonable provisions for each~~  
569 ~~priority.~~

570 ~~2. If policy staff believe that a work request cannot be accomplished consistent~~  
571 ~~with the above priorities, they should discuss the issue with the committee chair, the lead~~  
572 ~~staff for the committee and with the policy staff director, subject to the limitations~~  
573 ~~identified in subsection F. of this section concerning confidentiality.))~~

574 F. ~~((Confidentiality.~~

575 ~~1.)) Councilmembers may request ((an administrative staff or a policy staff~~  
576 ~~member)) staff to perform work and keep the nature of the work confidential.~~  
577 ~~((However, administrative analytic staff may)) The work may be shared with legal~~  
578 ~~counsel, the clerk and the code reviser unless the councilmember specifically directs~~  
579 ~~otherwise. Administrative services staff shall apprise the chief of staff and ~~((policy))~~~~  
580 ~~legislative services staff ((may)) shall apprise the ~~((policy staff director as to))~~ chief policy~~  
581 ~~officer of the requested work and time required to perform it. The ((policy staff director))~~  
582 ~~chief policy officer shall apprise the chief of staff of the councilmember requests and both~~  
583 ~~the chief policy officer and chief of staff shall maintain the confidential nature of~~  
584 ~~councilmember requests. ~~((2. Consistent with the reporting relationship and assignment~~~~  
585 ~~rules in subsections B. through E. of this section, policy staff are expected to inform lead~~  
586 ~~staff and the policy staff director about the amount of time required to perform the work.~~

587 ~~3. Based upon staff assignment under OR 1-020.B, if administrative staff or~~  
588 ~~policy staff believe)) If an administrative or legislative services staff believes that a work~~  
589 ~~request by a councilmember is contrary to adopted council rules or violates the staff's~~

590 professional ethics, the staff may consult with the (~~policy staff director~~) chief policy  
591 officer, the chief of staff or (~~lead~~) staff's supervisor, and for this purpose may disclose  
592 the information necessary to identify the problem. The (~~policy staff director and~~) chief  
593 policy officer, chief of staff and the staff's supervisor shall maintain the confidential  
594 nature of the request.

595 G. (~~Staff assistance. Based upon staff assignment under OR 1-020.B,~~  
596 a)) Administrative services staff should seek the assistance of the chief of staff and  
597 (~~policy~~) legislative services staff should seek the assistance of the (~~policy staff~~  
598 ~~director~~) chief policy officer to resolve any concerns regarding performance of (~~their~~)  
599 the staff's assigned duties.

600 IX. Motion 11327, Sections II, as amended, and OR 3-101 are each hereby  
601 rescinded.

602 X. The chief of staff is directed to update job descriptions to reflect the  
603 department and position titles in this motion."

604 **EFFECT:**

605 **General Changes Throughout Organizational Compilation:**

606

- 607 • **Change Administrative Services Supervisor to Director of Operations**
- 608 • **Change Policy Staff Director to Chief Policy Officer**
- 609 • **Reflect reporting relationship of Chief Policy Officer to Chief of Staff**
- 610 • **Change references to Chief Officers and Independent Agency Officers**
- 611 • **Change Committee Staff to Legislative Services Staff**
- 612 • **Address gender neutrality**

613

614

615 **01-020**

- 616 • **Shifts Chair membership in EAC to EAC Membership section**

617

618 **02-030 Employment and Administration Committee**

- 619 • **Restructure and clarify the committee duties as follows:**

620

621 **A. Membership**

- 622 • Specifies that EAC will consist of 5 members and that the Chair of the Council  
623 will be a member of EAC. Also, shift duties to individual sub sections  
624
- 625 **B. Duties**
- 626 **1. General Duties:**
- 627 • Clarifies that EAC is responsible for employment related decisions and  
628 recommendations, excluding those related to Personal Staff  
629
- 630 **2. Administrative Decisions:**
- 631 • Recommend to Council administrative and personnel policies  
632 • Recommend to the Council revisions to the organizational chart  
633 • Recommend to Council job descriptions and compensation ranges  
634
- 635 **3. Hiring Decisions:**
- 636 • For COS, CLC/Independent Agency Officers/Directors - Establish hiring  
637 process and recommend to Council (Acknowledging consulting role relative to  
638 Board of Appeals Executive Director hiring)
- 639 • For Supervisors and non-supervisory staff - Committee decision based on the  
640 recommendation of Chief of Staff, Chief Legal Counsel or Independent Agency  
641 Director  
642
- 643 • *Chair of Committee has the decision authority to:*
- 644 ○ begin recruitment  
645 ○ appoint interns, temporary and term limited temporary
- 646 • Preference given for Legislative Branch employees already performing the  
647 duties
- 648 • Applicants from previous hiring pools may be brought forward into a new  
649 hiring process
- 650 • Chief of Staff may hire temporary employees for 60 working days or less  
651
- 652 **4. Compensation and Classification:**
- 653 • All current employees - final decision of the committee for reclassification, and  
654 promotion or withholding of a step increase
- 655 • Reassign employee at same range/step  
656  
657
- 658 **5. Staff Assignment (reported by Chief of Staff)**
- 659 • All assignments made by COS, CLC, Chief Policy Officer or Independent  
660 Agency Officer  
661
- 662 **6. Work Schedule Decisions:**
- 663 • Day to Day schedule decisions - appropriate management  
664 • Increase or decrease of FTE level (within budgeted authority) - decision of  
665 committee  
666 • For temporary "accommodations" - decision of Chief of Staff

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**7. Leave Carryover:**

- **Chair of the Committee decision**

**8. Performance Evaluations (by position type and reported by Chief of Staff):**

- **Chief of Staff and Chief Legal Counsel/Independent Agency Officers - Chair of Council establishes the process with Committee input**
- **All other employees - Chief of Staff, Chief Legal Counsel and Independent Agency Officers**

**9. Discipline (by action category):**

- **Oral and Written (including reprimands) - Chief of Staff, Chief Legal Counsel, directors and Independent Agency Officers. Written reprimands are appealable to the EAC.**
- **Suspension/Termination - Committee with appeal to Council**
- **Settlement Agreement - Chair of Council**
- **If employee actions are egregious enough any progressive steps above may be skipped**
- **Legal counsel must review all written disciplinary actions prior to issuance**
- **Censure for violation of antiharassment policy - Recommend to Council**

**C. Committee Decisions**

- **Written notification of Decisions - Inform Council**
- **Recommendations - Contained in a written report and an EAC Consent Agenda for Council**
- **At Council, any Councilmember may request items be pulled from EAC Consent Agenda**
- **Chair of the Committee responsible for employee notification of EAC and Council action for these related EAC recommendations and decisions**

**Sections renumbered and reordered for clarity.**