



## Legislation Details (With Text)

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<b>On agenda:</b>		<b>Final action:</b>	12/13/2022
<b>Enactment date:</b>		<b>Enactment #:</b>	16264
<b>Title:</b>	A MOTION relating to the organization of the council; amending Motion 11105 (part), as amended, and OR 1-040, Motion 11122, Section D, as amended, and OR 2-020, Motion 10651, Section V, as amended, and OR 2-030, Motion 11122, Section G, as amended, and OR 2-040, Motion 11122, Section H, as amended, and OR 2-050 and Motion 10651, Section VII, as amended, and OR 3-030 and establishing an effective date.		
<b>Sponsors:</b>	Dave Upthegrove		
<b>Indexes:</b>	Council, King County		
<b>Code sections:</b>			
<b>Attachments:</b>	1. Motion 16264, 2. A. 2023 Metropolitan King County Council Organization Chart		

Date	Ver.	Action By	Action	Result
12/13/2022	1	Metropolitan King County Council	Passed as Amended	Pass

A MOTION relating to the organization of the council; amending Motion 11105 (part), as amended, and OR 1-040, Motion 11122, Section D, as amended, and OR 2-020, Motion 10651, Section V, as amended, and OR 2-030, Motion 11122, Section G, as amended, and OR 2-040, Motion 11122, Section H, as amended, and OR 2-050 and Motion 10651, Section VII, as amended, and OR 3-030 and establishing an effective date.

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

WHEREAS, the charter provides that the council shall elect one of its members as chair, and Motion 10651, Section II, as amended, and OR 1-010 provides that the council shall elect a chair who shall serve at the pleasure of the council for a term of one year, unless otherwise ordered by the council, and

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

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

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

**OR 1-040. Chair and vice-chair elected.** ~~((For the year 2022 and u))~~Until a successor is elected, the council elects Councilmember ~~((Claudia Balducci))~~ Dave Upthegrove as council chair, Councilmember ~~((Girmay Zahilay))~~ Jeanne Kohl-Welles council vice-chair of policy development and review and Councilmember ~~((Dave Upthegrove))~~ Reagan Dunn as council vice-chair of regional coordination.

II. Motion 11122, Section D, as amended, and OR 2-020 are hereby amended to read as follows:

**OR 2-020. Standing committees - functions.** In addition to any committee otherwise established by law, the committees of the metropolitan King County council and their respective functions are established as follows:

**A. Budget and fiscal management committee.**

1. The committee shall consider and make recommendations on: the county revenue and expenditure fiscal structural gap; capital and operating budget appropriations; the sale, lease or transfer of real property to or by the county; debt and investment proposals; bond issues; the office of economic and financial analysis; levies unless referred to another committee; supplemental appropriations related to the COVID-19 pandemic response; and financial policies~~((; however, any levy proposals or bond proposals to finance projects or programs to address, mitigate or respond to climate change and its impacts must first be considered and recommendations made by the transit, economy and environment committee and must be considered and recommendations made by the budget and fiscal management committee))~~.

~~((1-))~~ 2. The committee shall develop recommendations on policy direction for the biennial budget, based on the recommendations of other council committees and taking into account the estimated fiscal impacts

of state and federal legislation.

~~((2-))~~ 3. In respect to consideration of the county's proposed biennial budget, all members of the council not assigned to the budget and fiscal management committee shall be considered ex officio voting members of the committee.

**B. Committee of the whole.** The committee ~~((of the whole))~~ shall consider: issues of interest to the entire council, including appointments to the state legislature and department directors and key subordinate units in the executive branch; the annual legislative program; legislation before the federal, state and local governments that affect King County; the King County Strategic Plan; oversight of Harborview Medical Center; arts and culture and associated levies, if any; the Puget Sound Taxpayer Accountability Account; gun safety; the immigrant and refugee commission; issues related to the census; the charter review commission; homelessness, including the King County Regional Homelessness Authority; COVID-19 pandemic response, excluding supplemental appropriations; racial equity; gender equity; and other program and policy matters. The committee of the whole shall conduct town hall meetings on issues of significance.

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

1. The committee shall consider and make recommendations on:

a. improving the efficiency, cost effectiveness and performance of all branches of county government (legislative, executive and judicial);

b. enhancing oversight, accountability and transparency in King County government, the annual county audit program and federal, state or county audit reports, the administration of the Public Records Act, capital projects oversight, the Puget Sound Emergency Radio Network, performance measurement and performance management, management organizational structure and technology management; and

c. general government oversight, including customer service, worker safety, the department of assessments; elections; records and licensing; animal control; cable communications; the county fair; King County international airport; risk management; veterans, and executive services such as telecommunications,

facilities management, purchasing and real property management.

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

**D. Law, justice, health and human services committee.**

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

a. law, safety and criminal justice programs, including those related to: implementation of the charter amendments related to the duties of the sheriff's office; public safety; adult detention; juvenile justice and youth services; superior and district courts; judicial administration; prosecuting attorney; public defense; emergency medical services; office of law enforcement oversight; bail reform; pretrial services; alternatives to incarceration; combating human trafficking; hate crime prevention; and civil rights;

b. health services provided to the community by county agencies and branches;

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

d. human services programs, including review of human services-related levies(~~(; and)~~).

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

**E. Local services and land use committee.**

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

a. water supply;

b. unincorporated and rural areas;

c. local government;

d. permitting and zoning;

e. county roads and bridges;

f. levies to support county roads and bridges;

- g. emergency management;
- h. annexations;
- i. local parks and trails;
- j. housing;
- k. water and sewer district plans; ~~((and))~~
- l. growth management including regional planning, countywide planning policies; and the

Comprehensive Plan; and

m. resource lands, including agricultural, forestry and mineral resources.

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

**F. Transportation, economy and environment committee.**

1. The committee shall consider and make recommendations on:

a. transportation, including passenger ferries, regional trails and public transportation including spending plans for new revenue, if any, and fares and fare equity policies;

b. the environment, including:

(1) salmon recovery and barriers to recovery such as culverts;

~~(( (2) resource lands, including agriculture, forestry and mineral resources ))~~);

~~(((3)))~~4) energy;

~~(((4)))~~3) water quality, including wastewater;

~~(((5)))~~4) regional parks and open space, including conservations futures tax;

~~(((6)))~~5) climate, including levy proposals or bond proposals to finance projects or programs to address, mitigate or respond to climate change and its impacts, and the King County Strategic Climate Action Plan;

~~(((7)))~~6) solid waste; and

~~(((8)))~~7) surface water management; and

c. economic development, including equity and pay disparity.

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

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

**OR 2-030. Employment and administration committee.**

**A. Duties.**

1. In accordance with this section OR 2-030, the committee shall oversee employment-related issues in the legislative branch, excluding all decisions for those positions and employees serving councilmembers' personal, district support and constituent services functions.

2. The employment and administration committee shall consider and make recommendations on:

a. administrative and personnel-related policies affecting all legislative branch employees;

b. changes to the organization chart established in the King County Legislative Branch Employee, Equipment and Facilities Policies adopted under OR 3-120;

c. ~~((classification specifications and compensation ranges;~~

~~d.))~~ job descriptions, including classification specifications and compensation ranges, for ((all positions in the legislative branch)) chief officers, independent agency officers and central staff director-level positions, and new job descriptions for any new position within the legislative branch;

~~((e.))~~ d. hiring chief officers and independent agency officers, in accordance with a hiring process established by the committee that may include forming a subcommittee to implement the hiring process. The committee may consult with the board of appeals on its hiring of the executive director and staff of the board of appeals and the committee may express its preference;

e. appeals from certain employment actions as prescribed in the legislative branch employee, equipment, and facilities policies; and

f. censure related to alleged violations by a councilmember of any antiharassment or discrimination policy.

3. The council chair, in consultation with the committee, shall provide oral and written expectations and counseling regarding employee performance for chief officers and independent agency officers. The council chair (~~((of the council))~~), with committee input, shall establish a process for periodically evaluating the chief officers and independent agency officers for their performance in performing job duties and achieving goals.

4.a. The council chair, in consultation with the committee, shall, when appropriate, issue either written reprimands or performance improvement plans, or both, regarding employee performance issues of a chief officer or an independent agency officer that persist, following an oral or written statement of expectations or counseling.

b. It is the responsibility of the council chair, when appropriate, to recommend to the committee for approval either suspension without pay or termination of chief officers or independent agency officers.

c. Following a suspension without pay of more than ten working days or termination hearing decision, a chief officer or independent agency officer subject to the committee's suspension without pay or termination decision may, within five business days of being notified of the decision, appeal the decision to the council. An appeal is filed by delivering a notice of appeal to the clerk of the council.

d. A decision of the council to suspend without pay or terminate a chief officer or independent agency officer is final.

e. The chair of the council, with consultation of the committee, may execute a settlement agreement with a chief officer or independent agency officer.

f. A written disciplinary action may not be issued before completion of review of it by legal counsel or the civil division of the office of the prosecuting attorney. For the purposes of this subsection A.4., "written disciplinary action" means written expectations and counseling regarding employee performance issues,

reprimands, performance improvement plans and decisions regarding suspension without pay or termination of an employee.

**B. Committee recommendations and actions.**

1. Committee recommendations on matters set out in subsection A.2. of this section shall be presented to the council as a motion for its consideration.

2. For actions authorized under subsection A.3. and 4. of this section, the chair of the employment and administration committee shall issue notice to the affected employee upon final action of the committee or council.

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

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

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

1. "Administrative services staff" are those legislative branch employees assigned to communications, government relations, operations, council initiatives, ~~((municipal relations))~~ local and regional affairs, equity ~~((& ))~~ and social justice and clerk blocks in the organization chart, Attachment A to ~~((Motion 15794))~~ this motion.

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

3. "Directors" includes the clerk of the council, the communication director, the director of government relations, the director of ~~((municipal relations))~~ local and regional affairs, the ~~((director of operations))~~ chief operating officer, the director of equity and social justice, the director of council initiatives and the chief policy officer;



4. "Independent agency officers" includes the auditor, the director of law enforcement oversight, the hearing examiner, the board of appeals and equalization and the director of the office of citizen complaints/tax advisor, which is also known as the ombuds.

5. "Legislative services staff" are those legislative branch employees assigned to the legislative services block in the organization chart, Attachment A to this motion. (~~(Motion 15791.\*)~~) "Legislative services staff" includes the policy analysts and legislative clerks who are assigned to support council committees.

IV. Motion 11122, Section G, as amended, and OR 2-040 are hereby amended to read as follows:

**OR 2-040. Chairs and vice-chairs.** The council designates the following councilmembers as chairs and vice-chairs of the standing committees created in this motion and the regional committees established in the King County Charter.

Budget and fiscal management committee:

Chair: Joe McDermott.

Vice-chair: (~~((Dave Upthegrove))~~) Rod Dembowski.

Committee of the whole:

Chair: Jeanne- Kohl-Welles.

Vice-chair: (~~((Reagan Dunn))~~) Claudia Balducci.

Employment and administration committee:

Chair: (~~((Claudia Balducci))~~) Dave Upthegrove.

Vice-chair: (~~((Girmay Zahilay))~~) Jeanne Kohl-Welles.

Government accountability and oversight committee:

Chair: Pete von Reichbauer.

Vice-chair: (~~((Jeanne Kohl-Welles))~~) Joe McDermott.

Law, justice, health and human services committee:

Chair: Girmay Zahilay.

Vice-chair: ((~~Jeanne Kohl-Welles~~)) Sarah Perry.

Local services and land use committee:

Chair: Sarah Perry.

Vice-chair: ((~~Claudia Balducci~~)) Girmay Zahilay.

Transportation, economy and environment committee:

Chair: Rod Dembowski.

Vic-Chair: Pete von Reichbauer.

Regional policy committee:

Chair: Pete von Reichbauer.

Regional transit committee:

Chair: ((~~Dave Upthegrove~~)) Sarah Perry.

Regional water quality committee:

Chair: ((~~Reagan Dunn~~)) Claudia Balducci.

V. Motion 11122, Section H, as amended, and OR 2-050 are hereby amended to read as follows:

**OR 2-050. Memberships.** The council designates the following councilmembers, in addition to the chairs and vice-chairs, as members of the standing committees created in this motion and the regional committees established in the King County Charter.

Budget and fiscal management committee:

Members: Claudia Balducci, ((~~Rod Dembowski~~)), Jeanne Kohl-Welles, Sarah Perry,  
Girmay Zahilay.

Committee of the whole:

Members: All councilmembers.

Employment and administration committee:

Members: ((~~All councilmembers~~)) Joe McDermott, Girmay Zahilay.

Government accountability and oversight committee:

Members: ~~((Claudia Balducci, Reagan Dunn, Joe McDermott))~~ Dave Upthegrove, Jeanne Kohl-Welles.

Law, justice, health and human services committee:

Members: Claudia Balducci, Rod Dembowski, Reagan Dunn, ~~((Sarah Perry))~~ Jeanne Kohl-Welles.

Local services and land use committee:

Members: Reagan Dunn, Joe McDermott~~((, Girmay Zahilay))~~.

Transportation, economy and environment committee:

Members: Claudia Balducci, ~~((Jeanne Kohl-Welles,))~~ Joe McDermott~~((, Sarah Perry, Dave Upthegrove, Girmay Zahilay))~~.

Regional policy committee:

Members: Claudia Balducci, Rod Dembowski.

Alternate: ~~((Jeanne Kohl-Welles))~~

Regional transit committee:

Members: Joe McDermott, ~~((Girmay Zahilay))~~ Dave Upthegrove.

Alternate: ~~((Claudia Balducci.))~~

Regional water quality committee:

Members: Reagan Dunn, ~~((Sarah Perry,))~~ Dave Upthegrove.

Alternate:

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

**OR 3-030. Legislative branch organization.**

A. **Organization chart.** The legislative branch shall be organized in accordance with the organization chart, Attachment A to ~~((Motion 15794))~~ this motion. The chief of staff shall prepare and file with the clerk of

the council a revised organization chart to replace Attachment A to ((~~Motion 15791~~)) this motion when the organization of the legislative branch is changed either by any employment and administration committee decision or by any ordinance, motion, or personnel decision adopted by the council.

B. **Chief of staff.** There shall be a council chief of staff who reports to the chair, and shall be accountable and responsive to all councilmembers. The chief of staff is responsible for the efficient overall management and administration of the administrative and legislative services staff as they are defined in OR 2-030. All directors, as defined in OR 2-030, shall report to the chief of staff. The chief of staff is also responsible for monitoring the independent agencies of the council. The chief of staff shall be the council's bargaining lead for all legislative branch bargaining units.

C. **Chief policy officer.** There shall be a chief policy officer who, as a director, reports to the chief of staff and shall be responsive to all councilmembers. As the chief policy officer is the direct report for the legislative services staff, the chief policy officer is responsible for: the efficient overall management and administration of the legislative services staff; development and administration of analytic standards; committee lead and support assignments; and legislative and policy assignments for analysis.

D. **Chief operating officer.** There shall be a chief operating officer who, as a director, reports to the chief of staff and shall be responsive to all councilmembers. The chief operating officer is responsible for the effective management of the legislative branch's finances and accounting; administrative services; human resources; and information technology.

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

((E.)) F. **Independent agency officers.** For all the independent agencies, identified in the organization

chart, Attachment A to ((~~Motion 15791~~)) this motion, their officers shall be appointed by the council and each independent agency officer shall be accountable and responsible for the efficient overall management and administration of their agencies. The independent agencies, their officers, managers and staff are subject to the policies and procedures of the legislative branch.

VII. This motion takes effect 11:59 p.m., December 31, 2022.