

## Legislation Text

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A MOTION relating to the organization of the council; and amending Motion 10651, Section IV, as amended, and OR 1-030, 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, and Motion 11122, Section H, as amended, and OR 2-050.

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, and

WHEREAS, the council desires to specify committee names and functions;

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

I. Motion 10651, Section IV, as amended, and OR 1-030 are each hereby amended to read as follows;

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

A. The vice-chair shall exercise the duties, powers and prerogatives of the council chair in the event of the chair's absence.

B. The vice-chair shall serve as the chair of the committee of the whole.

~~((C. The vice-chair shall serve as the chair of the employment and administration committee. The chair of the employment and administration committee shall issue, upon recommendation of the employment and administration committee and with the approval of a majority of the council, all employment decisions for legislative branch employees except interns and the councilmembers' personal and district support and constituent services staff, other than employment decisions that are made by the chair of the employment and~~

~~administration committee as provided in OR 2-030.))~~

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

**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** shall consider and make recommendations on: the county revenue and expenditure fiscal structural gap; capital and operating budget appropriations; the sale and lease of real property to or by the county; debt and investment proposals; bond issues; the office of economic and financial analysis; and financial policies. The committee shall also consider the implementation of appropriate labor agreements.

1. The committee shall develop recommendations on policy direction for the ~~((2012))~~ 2013 annual budget, based on the recommendations of other council committees and taking into account the estimated fiscal impacts of state and federal legislation.

2. In respect to consideration of the county's proposed annual 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. ~~((Government accountability and oversight))~~ **Government accountability, oversight and financial performance committee.**

~~1. The committee shall consider and make recommendations on: policies relating to the department of assessments; elections; records and licensing; animal control; cable communications; the county fair; King County international airport; risk management; executive services such as telecommunications, facilities management, purchasing and real property management; capital project oversight; and wastewater treatment as well as strategic planning; performance management and performance measurement; management organizational structure; technology management; customer service; and the efficiency, cost effectiveness and performance of all branches of county government (legislative, executive and judicial).~~

~~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 2012 annual budget.~~

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

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, including financial policies, the office of law enforcement oversight, the annual county audit program and federal, state, or county audit reports, the administration of the public records act, civil rights and compliance, capital projects oversight, implementation of a pre-trial risk assessment tool, strategic planning, performance measurement and performance management, management organizational structure, and technology management;

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 2013 annual budget.

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

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

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

b. 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

c. human services programs, including review of the veterans and human services levy programs and options for levy renewal; therapeutic and low-income housing; and civil rights and social justice. The committee shall also consider the implementation of appropriate labor agreements.

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 2012 annual budget.

~~((D-))~~ **E. Transportation, economy and environment committee.**

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

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

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

c. transportation, including roads and public transportation. The committee shall also consider the implementation of appropriate labor agreements.

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 2012 annual budget.

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

**Employment and administration committee.**

**A. Membership requirements.** The employment and administration committee shall consist of four members. The chair of the employment and administration committee shall issue, upon recommendation of the employment and administration committee and with the approval of a majority of the council, all employment

decisions for legislative branch employees except interns and the councilmembers' personal and district support and constituent services staff, other than employment decisions that are made by the chair of the employment and administration committee as provided in this section.

**B. Duties and process.**

1. Administrative committee. The employment and administration committee is an administrative committee of the council. The employment and administration committee shall consult with councilmembers, the chief of staff and the director of government relations on a continuing basis in order to review council operations under the staffing structure defined in this motion.

2. Personnel decisions. The employment and administration committee shall make recommendations to the council concerning decisions for legislative branch employees, except for interns and councilmembers' personal and district support and constituent services staff, and except for minor personnel decisions, which may be made by the chair of the employment and administration committee in accordance with subsection B.5. of this section. Personnel decisions include decisions to hire, to fill vacancies, to make staffing adjustments, to designate staff employment assignments, except assignments of policy staff to specific issues and legislation which shall be made by the chief of staff under OR 3-040.D.2, to adjust staff pay, to analyze future hiring needs and to make other necessary employment decisions. Personnel decisions do not include termination or disciplinary decisions, which follow the process stated in subsection B.3. of this section, or minor personnel decisions, which follow the process stated in subsection B.5. of this section. Where applicable, employment and administration committee recommendations on personnel decisions shall be developed in consultation with appropriate committee chairs and, where applicable, either or both the chief of staff and the director of government relations.

3. Personnel decisions shall be contained in a written recommendation report and may be voted out of committee upon: a. the receipt of the signature of three committee members during a meeting of the committee; or b. subject to signature by a quorum of the committee members in accordance with K.C.C.

1.24.055.C (Rule 6.C). Once the necessary signatures are obtained, recommendation reports from the committee shall be forwarded to the council for consideration on an employment and administration committee consent agenda. The chair of the employment and administration committee shall issue, upon recommendation of the employment and administration committee and with the approval of a majority of the council, all employment decisions for legislative branch employees except interns and the councilmembers' personal and district support and constituent services staffs.

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

5. Minor personnel decisions.

a. Except for interns and councilmembers' personal and district support and constituent services staff, the chair of the employment and administration committee shall make all minor personnel decisions as set forth in this subsection B.5. Minor personnel actions are:

- (1) authorizing recruiting for a vacated or newly created position;
- (2) increasing or reducing the hours assigned to a current position up to the total budgeted hours for the position, as reflected in the Staff and Salary Detail Report maintained by the chief of staff or his or her designee;
- (3) reassigning an employee employed within a legislative branch agency of the county auditor,

board of appeals/equalization, hearing examiner, ombudsman/tax advisor or civic television to another position in the same agency and pay range;

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

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

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

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

c. Action on a requested minor personnel decision shall be in writing, signed by the chair of the employment and administration committee. The chief of staff shall file the original of the decision action with the clerk of the council, and shall provide copies of the decision action to the agency manager or supervisor, affected employee and members of the employment and administration committee.

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

**C. Recommendations to the council chair.** The employment and administration committee may consider and make recommendations to the council chair regarding management organization structure and

legislative branch customer service. The committee may monitor and make recommendations on the legislative branch budget.

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

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

**F. 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 conspicuously identified as such and separated from nonexempt records.

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

**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.

Committee of the whole:

Chair: Jane Hague.

Vice-chair: ((~~Larry Phillips~~)) Julia Patterson.

Budget and fiscal management committee:

Chair: ((~~Julia Patterson~~)) Joe McDermott.

Vice-chair: Kathy Lambert.



Employment and administration committee:

Chair: ((~~Jane Hague~~)) Julia Patterson.

Vice-chair: ((~~Larry Gossett~~)) Jane Hague.

((~~Government accountability and oversight~~ )) Government accountability, oversight and financial performance committee:

Chair: ((~~Kathy Lambert~~)) Bob Ferguson.

Vice-chair: ((~~Reagan Dunn~~)) Pete von Reichbauer.

Law, justice, health and human services committee:

Chair: ((~~Bob Ferguson~~)) Kathy Lambert.

Vice-chair: ((~~Kathy Lambert~~)) Larry Gossett.

Transportation, economy and environment committee:

Chair: Larry Phillips.

Vice-chair: Pete von Reichbauer.

Regional policy committee:

Chair: Pete von Reichbauer.

Regional transit committee:

Chair: Reagan Dunn.

Regional water quality committee:

Chair: ((~~Larry Gossett~~)) Larry Phillips.

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

**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: ~~((Reagan Dunn,))~~ Jane Hague, ~~((Joe McDermott,))~~ Julia Patterson, Larry Phillips.

Committee of the whole:

Members: All councilmembers.

Employment and administration committee:

Members: Larry Gossett, Kathy Lambert ~~((, Julia Patterson))~~.

~~((Government accountability and oversight))~~ Government accountability, oversight and financial performance committee:

Members: Larry Gossett, ~~((Pete von Reichbauer))~~ Kathy Lambert.

Law, justice, health and human services committee:

Members: Reagan Dunn, ~~((Larry Gossett))~~ Bob Ferguson, Joe McDermott.

Transportation, economy and environment committee:

Members: ~~((Bob Ferguson))~~ Larry Gossett, ~~((Joe McDermott,))~~ Jane Hague, Kathy Lambert, Joe McDermott.

Regional policy committee:

Members: Bob Ferguson, ~~((Joe McDermott))~~ Kathy Lambert.

Regional transit committee:

Members: Julia Patterson, ~~((Larry Phillips))~~ Joe McDermott.

Regional water quality committee:

Members: ~~((Jane Hague, Kathy Lambert))~~ Reagan Dunn, Larry Gossett.