

Legislation Text

File #: 2015-0117, **Version:** 1

A MOTION relating to the organization of the council; and amending Motion 11105 (part), as amended, and OR 1-040, Motion 11122, Section B, as amended, and OR 2-010, 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 and rescinding Motion 13129, Section X, and OR 2-051.

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 and membership;

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

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

For the year ((2014)) 2015 and until a successor is elected, the council elects Councilmember Larry Phillips as council chair, Councilmember Joe McDermott as council vice-chair of policy development and review and Councilmember Jane Hague as council vice-chair of regional coordination.

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

The council may go into committee of the whole at any time. The committee of the whole shall consider: issues of interest to the entire council, including the annual work program and appointments to the state legislature and to the executive branch; the annual legislative program; legislation before the federal, state and local governments that affect King County; ((agendas for council meetings;)) the King County Strategic

Plan; oversight of the Harborview Medical Center management agreement; and other program and policy matters. The committee of the whole shall be responsible for conducting regular town hall meetings on issues of significance.

~~((The committee of the whole may hold briefings on the status of the mental illness and drug dependency fund services and programs.))~~

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

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 2015/16 biennial 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 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. 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 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 pretrial risk assessment tool,~~)) strategic planning, 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.

C. Health, housing and human services committee.

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

a. 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;

b. affordable housing, including therapeutic and low-income housing ; and

c. human services programs, including review of human services-related levies, 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 biennial budget.

D. Law, justice(~~(, health and human services)~~) and emergency management 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; implementation of a pretrial risk assessment tool;

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)) and the Puget Sound emergency radio network project.~~

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-))~~ 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, including implementation of its affordable housing elements, economic development, including pay equity and income disparity, and 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; and

c. transportation, including roads, passenger ferries 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 biennial budget.

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

A. Membership requirements. The employment and administration committee shall consist of ~~((four~~

)) three 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 policy staff director 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.6. 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 policy staff director 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.6. 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, the chief of staff and policy staff director.

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

6. 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.6. 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, office of law enforcement oversight, 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 or policy staff director. Requests may be made only by councilmembers, legislative branch agency managers, the chief of staff, the policy staff director or a staff member who is supervised directly by the chair of the council. The chief of staff or policy staff director shall promptly provide the employment and administration committee chair with a copy of the request and the chief of staff's or policy staff director'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.

7. 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.

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

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: Joe McDermott.

Budget and fiscal management committee:

Chair: Joe McDermott.

Vice-chair: Kathy Lambert

Employment and administration committee:

Chair: Larry Gossett.

Vice-chair: Reagan Dunn.

Government accountability and oversight committee:

Chair: Pete von Reichbauer.

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

Health, housing and human services committee:

Chair: Dave Upthegrove

Vice-chair: Kathy Lambert

Law, justice(~~(, health and human services)~~) and emergency management committee:

Chair: Kathy Lambert.

Vice-chair: ((~~Rod Dembowski~~)) Larry Gossett.

Transportation, economy and environment committee:

Chair: Rod Dembowski.

Vice-chair: Jane Hague.

Regional policy committee:

Chair: Pete von Reichbauer.

Regional transit committee:

Chair: Reagan Dunn.

Regional water quality committee:

Chair: Dave Upthegrove.

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

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: Rod Dembowski, Jane Hague, Dave Upthegrove.

Committee of the whole:

Members: All councilmembers.

Employment and administration committee:

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

Government accountability and oversight committee:

Members: ((~~Rod Dembowski,~~)) Reagan Dunn.

Health, housing and human services committee:

Members: Larry Gossett

Law, justice((~~, health and human services~~)) and emergency management committee:

Members: ((~~Larry Gossett,~~)) Rod Dembowski, Joe McDermott.

Transportation, economy and environment committee:

Members: Kathy Lambert, Joe McDermott, Larry Phillips, Dave Upthegrove, Pete von Reichbauer.

Regional policy committee:

Members: Larry Gossett, Kathy Lambert.

Alternate: Joe McDermott.

Regional transit committee:

Members: Jane Hague, Joe McDermott.

Alternate: Rod Dembowski.

Regional water quality committee:

Members: Jane Hague, Larry Phillips.

Alternate: ((~~Rod Dembowski~~)).

VI. Motion 13129, Section X, and OR 2-051 are each hereby rescinded.