



## Legislation Text

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A MOTION relating to the organization of the council, electing the chair and vice-chairs of the council and designating the committees and committee functions and chairs and vice-chairs of committees for the year 2007; and amending Motion 10651, Section II, as amended, and OR 1-010, 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, Motion 11122, Section F, as amended, and OR 2-120, Motion 10651, Section VI, as amended, and OR 3-010, Motion 11327, Section II, and OR 3-101 and Motion 10002, Sections A-C, and OR 4-010.

WHEREAS, the King County Charter provides that the county council "shall elect one of its members as chairman, shall be responsible for its own organization and for the employment and supervision of those employees," and

WHEREAS, the council desires to elect a chair and vice-chairs of the council, establish committees and appoint committee chairs and vice-chairs and clarify its general organization;

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

I. Motion 10651, Section II, as amended, and OR 1-010 are each hereby amended to read as follows:

A. The council shall elect a chair and vice-chairs, who shall serve at the pleasure of the council for a term of one year, unless decided otherwise by the (~~full~~) council and until successors are elected.

B. There shall be (~~three~~) two vice-chairs: the vice-chair of policy (~~(and administration,)~~) and the vice

~~-chair of ((council affairs and the vice-chair of regional affairs)) employment and administration. For the purposes of implementing the provisions of K.C.C. chapter 1.24, "vice-chair" means the vice-chair of policy ((and administration;)). ((i))In the absence of the vice-chair of policy ((and administration)), "vice-chair" means the vice-chair of ((council affairs; and in the absence of the vice-chair of council affairs, "vice-chair" means the vice-chair of regional affairs)) employment and administration.~~

C. In the event the chair is unable to serve the remainder of a term, the vice-chair shall become chair, consistent with the order set forth in subsection 1.B. of this section. In the event a vice-chair is unable to serve the remainder of a term, a new vice-chair shall be elected.

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

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

B. The chair shall have the responsibility and general direction for the council's resources, budget, operation and organizational structure. The chair shall be responsible for the general oversight of legislative branch employees, except personal staff of councilmembers. The council chief of staff and policy staff director shall be responsible for the overall management and administration of legislative branch employees as specified in OR 3-030.

C. The chair of the council shall not enter into a consultant contract for more than twenty-five thousand dollars without first being authorized to do so by council motion. All consultants shall comply with the King County code of ethics.

D. The chair shall regularly consult in the exercise of her or his duties with the vice-chairs. The chair, in consultation with committee chairs, shall direct the necessary coordination of staff. The council's chief of

staff and the policy staff director shall report to the chair or the chair's staff designee. The chair may exercise any power conferred upon the chief of staff or policy staff director.

E. The chair shall be a member of the employment and administration committee.

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

A. The vice-chairs shall exercise the duties, powers and prerogatives of the council chair in the event of the chair's absence, consistent with the order set forth in OR 1-010.B.

B. The vice-chair of policy (~~and administration~~) shall serve as the chair of the committee-of-the-whole.

C. The vice-chair of (~~council affairs~~) employment and administration shall serve as the chair of the employment and administration committee. The vice-chair of (~~council affairs~~) employment and administration shall issue, upon recommendation of the employment and administration committee and with the approval of a majority of the (~~full~~) council, all employment decisions for legislative branch employees except the councilmembers' personal staff. The vice-chair of (~~council affairs~~) employment and administration shall convene the employment and administration committee as needed.

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

**Chair and vice-chair elected.** For the year (~~(2006)~~) 2007, and until a successor is elected, the council elects Councilmember Larry (~~(Phillips)~~) Gossett as council chair, Councilmember (~~(Larry Gossett)~~) Julia Patterson as council vice-chair of policy (~~and administration~~); and Councilmember Jane Hague as council vice-chair of (~~council affairs; and Councilmember Pete von Reichbauer as council vice-chair of regional affairs~~) employment and administration.

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

**Committee-of-the-whole - functions.** 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;

agendas for council meetings; and other program and policy matters. The committee-of-the-whole shall be responsible for conducting regular town hall meetings on issues of significance. For the purposes of K.C.C. chapter 3.16, the committee-of-the-whole is designated as the committee responsible for establishing labor policy. The committee-of-the-whole shall consider labor policy issues at least quarterly.

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

**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. ((Annual budget reconciliation and adoption committee shall convene for purposes of reviewing and making recommendations on the executive's proposed 2007 annual budget. In respect to consideration of the county's annual budget, all members of the council will be considered voting members of the committee. The annual budget reconciliation and adoption committee shall contain a capital budget panel and an operating budget panel. The capital budget panel and the operating budget panel shall review the executive's proposed 2007 annual budget make recommendations to the annual budget reconciliation and adoption committee.~~

~~The capital budget committee and the operating budget committee shall stand down during the review of the of the executive's proposed 2007 annual budget, except for purposes of considering legislation and briefings related to the 2006 budget.~~

B.)) **Capital budget committee** shall ((, in consideration of the capital budget)) review ((and monitor the budget)) capital improvement proposals and programs, including financial plans, revenues(;) and expenditures(, quarterly reports, and capital improvement programs; monitor the financial status of county funds); provide capital project oversight; and consider and make recommendations on ((debt and investment proposals, levies, fees and taxes)) all capital budget appropriations.

**B. External affairs committee** shall consider and make recommendations to the council on legislation before the federal, state and local governments that affects King County. The committee shall meet regularly with all branches of King County government to review legislation and policies that affect them and to

coordinate the county's response to issues from other levels of government.

**C. General government and labor relations committee shall:**

1. Consider and make recommendations on policies relating to management organizational structure; customer service; the efficiency, cost effectiveness and performance of county departments, including: assessor; personnel; purchasing; civil rights and compliance; real property management; general services; records and elections; facilities management; risk management; safety and worker's compensation; and cooperative extension community services;

2. Consider and make recommendations to the full council on the annual audit program;

3. Consider and make recommendations to the full council on labor agreements;

4. Perform the functions of the labor implementation committee as specified in K.C.C. chapter 3.16;

5. Consider and make recommendations relating to information technology, cable communications and telecommunications issues;

6. Consider and make recommendations relating to constitutional and human rights, discrimination, civil and criminal liability, ethics and campaign practices; and

7. Consider and make recommendations relating to the King County international airport.

**D. Growth management and natural resources committee shall consider and make**

recommendations on policies relating to land use development, comprehensive planning, development regulations, regulatory reform and recommendations to the department of development and environmental services (DDes). In respect to consideration of updates of the Comprehensive Plan, all members of the council not assigned to the growth management and natural resources committee will be considered ex officio voting members of the committee. The chair of the committee may refer various portions of the Comprehensive Plan to panels of members. The chair of the committee may employ the various standing committees as panels. The panels shall transmit their recommendations to all councilmembers for their consideration as regular or ex officio members of the growth management and natural resources committee

before the committee refers the annual update of the Comprehensive Plan to the full council.

The committee shall consider and make recommendations relating to: market rate housing and housing affordability; Growth Management Planning Council (GMPC), including GMPC task forces, timelines, products (such as benchmarking and land capacity), and Countywide Planning Policies; Potential Annexation Areas ~~((and interlocal agreements))~~; boundary review board ~~((and nonutility annexations))~~; planned action environmental impact statements and related phased state Environmental Policy Act review; and the Puget Sound Regional Council; and development and land use regulations necessary to either implement salmon recovery or comply with the Endangered Species Act, or both.

The committee shall ~~((: consider and make recommendations on King County motions and ordinances which have force and effect only in the unincorporated areas of the county; evaluate and make recommendations on the quality of service delivery in areas such as police, roads and human services; and))~~ consider and make recommendations relating to subarea planning community councils and other unincorporated self-government strategies.

The committee shall consider and make recommendations on policies relating to: natural resources; cultural resources; recreation programs; issues relating to the Endangered Species Act; parks; open space; agricultural lands; resource lands; utility services including wastewater treatment, solid waste management, flood control and surface water and stormwater management; utility annexations; utility comprehensive plans and franchises; and water quality and water quantity issues.

~~((There shall be one chair of the growth management and natural resources committee with responsibility and authority for committee operations. There shall be three policy chairs of the growth management and natural resources committee: the policy chair of growth management, the policy chair of unincorporated and rural affairs, and the policy chair of natural resources, parks and utilities.~~

~~**((D. Labor, operations and technology committee shall:**~~

- ~~1. Consider and make recommendations on policies relating to management organizational structure;~~

~~customer service; the efficiency, cost effectiveness and performance of county departments, including: assessor; personnel; purchasing; civil rights and compliance; real property management; general services; records and elections; facilities management; risk management; safety and worker's compensation; and cooperative extension community services;~~

~~2. Consider and make recommendations to the full council on the annual audit program;~~

~~3. Consider and make recommendations to the full council on labor agreements;~~

~~4. For the purposes of K.C.C. chapter 3.16, is labor implementation committee;~~

~~5. Consider and make recommendations relating to municipal service contracts;~~

~~6. Consider DDES efficiency and customer service; and~~

~~7. Consider and make recommendations relating to information technology, cable communications and telecommunications issues.))~~

**E. Law, justice and human services committee shall:**

1. Consider and make recommendations on policies relating to: public safety; adult detention; ((~~constitutional and human rights; discrimination; civil and criminal liability; ethics; campaign practices;~~)) juvenile justice programs; youth services; the superior and district courts; judicial administration; prosecuting attorney; and public defense; and

2. Consider and make recommendations on matters relating to personal and environmental health; mental health; developmental disabilities; alcoholism and substance abuse; emergency medical services; human services; families and children; women's programs; and aging programs.

~~((There shall be one chair of the law, justice and human services committee with responsibility and authority for committee operations. There shall be two policy chairs of the law, justice and human services committee: the policy chair of law and justice, and the policy chair of human services.~~

~~**F. Legislative steering committee shall consider and make recommendations to the full council on legislation before the federal, state and local governments that affect King County. The committee shall meet**~~

regularly with all branches of King County government to review legislation and policies that affect them and to coordinate the county response to issues from other levels of government.))

~~((G.))~~ **F. Operating budget, fiscal management and mental health committee** shall, in consideration of the operating budget: review and monitor the budget, including financial plans, revenues, expenditures, quarterly reports, and operating programs; monitor the financial status of county funds; consider and make recommendations to all supplemental appropriations; and consider and make recommendations on debt and investment proposals, levies, fees and taxes. The committee shall consider and make recommendations on municipal annexations and incorporations and on all briefings and actions related to Motion 12320 regarding mental health, chemical dependency and therapeutic court services and the mental health recovery plan.

In addition to these functions, the operating budget, fiscal management and mental health committee shall convene for the purpose of reviewing and making recommendations on the executive's proposed 2008 annual budget. All members of the council shall be considered voting members of the committee for the duration of the committee's review of the executive's proposed 2008 annual budget. The chair of the operating budget, fiscal management and mental health committee shall appoint members to an operating budget panel, chaired by the vice-chair of the operating budget, fiscal management and mental health committee and a capital budget panel, chaired by the chair of the capital budget committee. The vice-chair of the capital budget committee shall be the vice-chair of both panels. The operating budget panel and the capital budget panel shall review the executive's proposed 2008 annual budget and make recommendations to the operating budget, fiscal management and mental health committee.

~~((H.))~~ **G. Transportation committee** shall consider and make recommendations on policies relating to: transportation; planning; roads; engineering; and public transportation.

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

**Employment and administration committee.**

**A. Membership requirements - duties.** The employment and administration committee shall consist

of four members and two alternates. Two members and one alternate shall be from the majority party and two members and one alternate shall be from the minority party. The only time an alternate may vote is when a regular member of the same party is absent. ~~((If a regular member of the employment committee cannot attend an employment committee meeting, an alternate member may be appointed. The chair of the council shall appoint the alternate for an absent member from the majority party. The minority caucus shall appoint the alternate for an absent member from the minority party. An appointment of an alternate must be in writing and filed with the clerk of the council and the chair of the employment committee. Alternate employment committee members may be designated for either a specific meeting or for any meeting at which an absence might occur in the future.))~~ A quorum of the employment and administration committee shall consist of three committee members.

The council vice-chair of ~~((the council))~~ employment and administration shall chair the committee.

**B. Duties and ((P))process.**

1. Personnel decisions. The employment and administration committee shall make recommendations to the ~~((full))~~ council concerning decisions for legislative branch employees, except for councilmembers' personal staff. Personnel decisions include decisions to hire, to fill vacancies, to make staffing adjustments, to assign or reassign staff, 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.2 of this section. Employment and administration committee recommendations on personnel decisions shall be developed in consultation with appropriate committee chairs. Personnel decisions shall be contained in a written recommendation report that shall, upon signature of three committee members, be sent to the ~~((full))~~ council. The council shall consider the recommendation reports from the committee on an employment and administration committee consent agenda.

2. Terminations and disciplinary decisions. The employment and administration committee makes decisions on discipline and termination, including layoffs. 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 (~~(full)~~) council. The appeal must be filed with 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.

3. 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.

**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 (~~(full)~~) 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.

~~((D.))~~ **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.

~~((E.))~~ **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.

VIII. 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: ~~((Larry Gossett))~~ Julia Patterson.

Vice-chair((s)): Jane Hague ~~((and Larry Phillips)).~~

~~((Annual budget reconciliation and adoption committee:~~

~~Chair: Dow Constantine.~~

~~Capital budget panel chair: Bob Ferguson.~~

~~Operating budget panel chair: Jane Hague.))~~

Capital budget committee:

Chair: ~~((Bob Ferguson))~~ Dow Constantine.

Vice-chair((s)): ~~((Larry Gossett, Pete von Reichbauer))~~ Kathy Lambert.

Capital budget panel:

Chair: Dow Constantine.

Vice-chair: Kathy Lambert.

Employment and administration committee:

Chair: Jane Hague.

Vice-chair: Larry Gossett.

External affairs committee:

Chair: Pete von Reichbauer.

Vice-chair: Larry Phillips.

General government and labor relations committee:

Chair: Larry Gossett.

Vice-chair: Pete von Reichbauer.

Growth management and natural resources committee:

Chair: ~~((Dow Constantine))~~ Larry Phillips.

~~((Policy))~~ Vice-chair ~~((of growth management: Dow Constantine.~~

~~Policy chair of unincorporated and rural affairs: Reagan Dunn.~~

~~Policy chair of natural resources, parks and utilities))~~: Jane Hague.

~~((Labor, operations and technology committee:~~

~~Chair: Larry Gossett.~~

~~Vice chair: Jane Hague.))~~

Law, justice and human services committee:

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

~~((Policy))~~ Vice-chair ~~((of law and justice: Bob Ferguson.~~

~~Policy chair of human services))~~: ~~((Kathy Lambert))~~ Larry Gossett.

~~((Legislative steering committee:~~

~~Co-chairs: Dow Constantine, Kathy Lambert.))~~

Operating budget, fiscal management and mental health committee:

Chair: ~~((Dow Constantine))~~ Bob Ferguson.

Vice-chair((s): ~~((Larry Gossett, Kathy Lambert))~~ Jane Hague.

Operating budget panel:

Chair: Jane Hague.

Vice-chair: Kathy Lambert.

Transportation committee:

Chair: ((~~Julia Patterson~~)) Reagan Dunn.

Vice-chair: ((~~Reagan Dunn~~)) Julia Patterson.

Regional policy committee:

Chair: Pete von Reichbauer.

Regional transit committee:

Chair: Reagan Dunn.

Vice-chair: Julia Patterson.

Regional water quality committee:

Chair: Larry Phillips.

Vice-chair: Jane Hague.

IX. Motion 11122, Section F, as amended, and OR 2-120 are each hereby amended to read as follows:

**Interim staff assignments.** Pending consideration by the employment and administration committee and action by the ((~~full~~)) council on general staffing adjustments necessary as a result of committee reorganization, the council chair, in consultation with the employment and administration committee chair, the affected committee chairs, the policy staff director and the chief of staff, is hereby authorized to temporarily assign staff to any committee or legislation. Such assignments shall give due consideration to existing areas of expertise, workload and priorities of committee chairs.

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

**Use of councilmembers' district accounts.**

A.1. All salaries for a councilmember's personal staff shall be paid out of the councilmember's district account.

2. The cost of benefits for personal staff shall be paid out of the council's central administration account for up to ((~~three~~)) four personal staff per district. The cost of benefits for each personal staff member above ((~~three~~)) four for a councilmember shall be paid out of that councilmember's district account.

B.1. All expenditures for mail originating from an individual councilmember's office shall be paid for out of that councilmember's district account, except for mailings of ten items or less, which may be paid for out of the council's central administration account.

2. A councilmember shall not send any mass mailing that is deposited in the mail between June 30 and election day in any year in which an election is to be held to fill the councilmember's office. However, mailings may be made after the last day for filing for office if the councilmember has not filed for the office. For the purposes of this subsection B.2, "mass mailing" means any mailing of more than two hundred pieces that contains essentially identical messages and that is prepared or sent by or on behalf of an individual councilmember at council expense.

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

D. All travel expenditures incurred by councilmembers or personal staff shall be paid for out of the councilmember's district account, except that travel relating to legislative advocac or travel that is likely to provide financial benefits to the county may be paid out of the council's central administration account, subject to approval of the chair of the council within the chair's discretion.

E. All other expenditures for community meetings, training, newspaper advertising, nonnewspaper advertising or other related activities as determined by the councilmember shall be paid out of the councilmember's district account.

F. Whenever questions about expenditures may arise, a councilmember shall consult with the chief of staff, legal counsel or the council administrator as necessary in considering whether a specific expenditure is authorized by this rule OR 3-010.

XI. Motion 11327, Section II, and OR 3-101 are each hereby amended to read as follows:

**Hiring.** The council wishes to formalize its process for outreach, recruitment and hiring as described below.

A. A job announcement will be prepared by the council administrator and will be distributed by the county personnel department to the county's standard distribution list. The job announcement should include a job description, salary, minimum qualifications, the standard "EEO" notice encouraging women and minorities to apply, and application instructions. Appropriate employment resources to recruit persons from minority groups should be used in order to attract as many minority applicants as possible.

B. Positions will remain open for a reasonable period of time.

C. Applications will be screened according to written objective work-related criteria established from the job description. Oral interviews will be scheduled with an interview team selected by the council administrator. The oral interview has a two-fold purpose: (1) to give the applicant a more detailed description of the job, and the council and the staff; and (2) to examine in a structured fashion the experience and qualifications of the applicant. The oral interview may be supplemented by additional tests of an applicant's abilities such as writing samples and analytical exercises.

D. The council administrator will assess the results of the interview/testing process and will recommend the top candidates to the employment and administration committee. The employment and administration committee may choose to consider other candidates than those recommended by the council administrator. The employment and administration committee will recommend a candidate to the council for final selection. After the employment and administration committee has made a recommendation, the council may choose to consider other candidates than those recommended by the employment and administration committee.

E. In cases where a new vacancy occurs within six months of the recruitment process described above, the administrator may use the results of the previous recruitment process to select finalists for recommendation to the council to fill the vacant position.

F. The only exceptions to this procedure will be for internal promotions and for the recruitment of interns, clerical employees, CTV operations specialists, and temporary employees.

G. A preference shall be given to an applicant for any position who is presently on the staff of the legislative branch who has already demonstrated the capability to perform the duties of the position satisfactorily.

H. The authority for hiring temporary employees for positions lasting sixty days or less is delegated to the chief of staff.

XII. Motion 100002, Sections A-C, and OR 4-010 are each hereby amended to read as follows:

**Office of government access television.**

A. The office of government access television is created within the legislative branch.

B. The position of manager of the office of government access television is hereby created. The manager of the office shall be appointed to the position by a majority of the members of the county council for a term of three years. A subcommittee of the government access channel oversight committee, consisting of its citizen members, shall review and interview sufficient applicants for the position and recommend a group of finalists to the council.

C. The manager of the office may be removed at any time, with or without cause, by a vote of two-thirds of the members of the county council. The council may appoint an interim manager, for a period not to exceed six months, pending the appointment of a new manager whenever the term of office has expired or the office otherwise becomes vacant. The council's employment and administration committee may take disciplinary action regarding the manager, consistent with council employment practices and policies. The chair of the council shall provide reasonable notification to the government access channel oversight committee of any such disciplinary action. The manager shall be appointed solely with regard to his or her qualifications and experience to manage a government access television channel. The manager shall hold no other appointive or elective public office or position during the term of employment as manager.

XIII. For purposes of implementing council procedures and policies, any references in adopted procedures, policies or legislation to "employment committee" shall

be deemed to mean the employment and administration committee.

XIV. This motion takes effect January 1, 2007.