



**KING COUNTY**  
**Signature Report**

ATTACHMENT 4  
1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Motion**

**Proposed No.** 2019-0476.1

**Sponsors** Gossett and Dembowski

1           A MOTION relating to the organization of the council;  
2           amending Motion 10651, Section V, as amended, and OR  
3           2-030 and Motion 10651, Section VII, as amended, and OR  
4           3-030 and adding a new section to the organizational  
5           compilation.

6           WHEREAS, Ordinance XXXX (Proposed Ordinance 2019-0XXX) established  
7           the King County human and civil rights commission to enforce antidiscrimination laws  
8           and conduct activities to protect the human and civil rights of county residents, and

9           WHEREAS, Ordinance XXXX (Proposed Ordinance 2019-0XXX) required that  
10          the organization and administration of the commission be sufficiently independent to  
11          assure that no interference or influence external to the commission adversely affects the  
12          independence and objectivity of the commission, and

13          WHEREAS, Section 220.30 of the King County Charter provides that the county  
14          council "shall be responsible for its own organization and for the employment and  
15          supervision of those employees whom it deems necessary to assist it," and

16          WHEREAS, the council desires to implement changes with regard to the  
17          administration of the King County human and civil rights commission;

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

19          I. Motion 10651, Section V, as amended, and OR 2-030 are hereby amended to

20 read as follows:

21 **Employment and administration committee.**

22 **A. Membership requirements.** The employment and administration committee  
23 shall consist of five members. The chair of the council shall be a member of the  
24 committee.

25 **B. Duties.**

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

30 2. Administrative decisions. In consultation with the chief of staff, the  
31 committee shall:

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

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

36 c. recommend to council classification specifications and compensation  
37 ranges; and

38 d. recommend to council job descriptions for all positions in the legislative  
39 branch.

40 3. Hiring chief officers and independent agency officers. The committee shall  
41 establish the hiring process for chief officers and independent agency officers, as well as  
42 make hiring recommendations to the council concerning these positions. The committee

43 may consult with the board of appeals on its hiring of the executive director and staff of  
44 the board of appeals and the committee may express its preference.

45 4. Performance evaluations of chief officers and independent agency officers.

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

51 5. Discipline of chief officers and independent agency officers.

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

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

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

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

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

68 f. A written disciplinary action may not be issued before completion of review  
69 of it by legal counsel or the civil division of the office of the prosecuting attorney. For  
70 the purposes of this subsection B.5. "written disciplinary action" means written  
71 expectations and counseling regarding employee performance issues, reprimands,  
72 performance improvement plans and decisions regarding suspension without pay or  
73 termination of an employee.

74 6. Motions for censure. The committee shall consider and make  
75 recommendations to the council on motions for censure related to alleged violations by a  
76 councilmember of any antiharassment or discrimination policy.

77 **C. Committee decisions.**

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

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

84 3. Upon the request of any member present before the council, any specific  
85 recommendation from the employment and administration committee shall be removed  
86 from the consent agenda and considered separately by the council before adoption of the  
87 employment and administration committee consent agenda.

88 4. The chair of the employment and administration committee shall issue notice

89 to the affected employee upon final action of the committee or council.

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

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

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

100 1. "Administrative services staff" are those legislative branch employees  
101 assigned to communications, government relations, administration and clerk blocks in the  
102 organization chart, Attachment A to (~~Motion 15446~~) this motion.

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

104 3. "Directors" includes the clerk of the council, the communication director, the  
105 director of government relations, the director of municipal relations, the director of  
106 operations, the director of equity and social justice and the chief policy officer;

107 4. "Independent agency officers" includes the auditor, director of law  
108 enforcement oversight, hearings examiner, King County Flood Control District executive  
109 director, King County human and civil rights commission executive director and director  
110 of the office of citizen complaints/tax advisor, which is also known as the ombuds.

111 5. "Legislative services staff" are those legislative branch employees assigned to

112 the legislative services block in the organization chart, Attachment A to ((~~Motion 15446~~))  
113 this motion.

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

116 **Legislative branch organization.**

117 A. **Organizational chart.** The legislative branch shall be organized in accordance  
118 with the organization chart, Attachment A to ((~~Motion 15446~~)) this motion. The chief of  
119 staff shall prepare and file with the clerk of the council a revised organization chart to  
120 replace Attachment A to ((~~Motion 15446~~)) this motion when the organization of the  
121 legislative branch is changed either by any employment and administration committee  
122 decision or by any ordinance, motion, or personnel decision adopted by the council.

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

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

135 support assignments; and legislative and policy assignments for analysis.

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

142           **E. Independent agency officers.** For all the independent agencies, identified in  
143 the organization chart, Attachment A to ~~((Motion 15446))~~ this motion, their officers shall  
144 be appointed by the council and each independent agency officer shall be accountable  
145 and responsible for the efficient overall management and administration of their agencies.  
146 The independent agencies, their officers, managers and staff are subject to the policies  
147 and procedures of the legislative branch.

148           **F. King County Flood Control District executive director.** The King County  
149 Flood Control District executive director shall report to the county councilmember who  
150 serves as the chair of the King County Flood Control District. The executive director  
151 shall be accountable and responsive to all councilmembers who serve on the King County  
152 Flood Control District board of supervisors. The executive director is responsible for the  
153 efficient overall management and administration of the King County Flood Control  
154 District and the flood control district administration unit and its employees. The  
155 executive director is subject to the policies and procedures of the legislative branch.

156           **G. King County human and civil rights commission executive director.** The  
157 King County human and civil rights commission executive director shall report to the

158 human and civil rights commission. The executive director shall be accountable and  
159 responsive to all members who serve on the King County human and civil rights  
160 commission. The executive director is responsible for the efficient overall management  
161 and administration of the King County human and civil rights commission and the human  
162 and civil rights commission administration unit and its employees.

163 III. There is hereby added to the organizational compilation a new section to read  
164 as follows:

165 **King County human and civil rights commission administration.**

166 A. The legislative branch shall provide staffing, facilities and services for the  
167 King County human and civil rights commission.

168 B. For the administration and management of the King County human and civil  
169 rights commission, a human and civil rights commission administration unit is  
170 established for legislative branch employees exclusively providing support for the King  
171 County human and civil rights commission. The unit is exempt from all other provisions  
172 of this organizational compilation except this section, OR 3-030.G. and OR 3-110.

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

174 1. Job descriptions and classifications for employees in the unit shall be  
175 reviewed and recommended by the King County human and civil rights commission and  
176 authorized by motion by the council;

177 2. The King County human and civil rights commission shall establish and be  
178 responsible for the outreach, recruitment and hiring process for the King County human  
179 and civil rights commission executive director. Hiring of the executive director shall be  
180 subject to appointment by motion by the council, but shall not be subject to the decision-



181 making requirements of OR 2-030;

182           3. The King County human and civil rights commission shall annually evaluate  
183 the performance of the King County human and civil rights commission executive  
184 director, using a process established by the King County human and civil rights  
185 commission;

186           4. Before initiating a hiring process, the executive director shall consult with the  
187 King County human and civil rights commission chair. For the purposes of this section,  
188 the executive director shall have the same duties and responsibilities as a chief officer  
189 under section III of this motion, with regard to employees within the unit and pertaining  
190 to hiring, staffing and discipline; and

191           5. In common with all county employees and officials and elected officials,  
192 employees of the unit shall comply with the King County code of ethics, K.C.C. chapter  
193 3.04. All employees shall familiarize themselves with the code of ethics, and in the event  
194 they identify any issue of possible concern they shall promptly seek advice from the

195 executive director or council's chief legal counsel, or shall seek an advisory opinion from  
196 the board of ethics.  
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KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

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Rod Dembowski, Chair

ATTEST:

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Melani Pedroza, Clerk of the Council

APPROVED this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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Dow Constantine, County Executive

**Attachments:** A. King County Legislative Branch Organizational Chart 11.05.2019