



Legislation Details (With Text)

File #: 2009-0084 **Version:** 2

Type: Motion **Status:** Passed

File created: 2/2/2009 **In control:** Metropolitan King County Council

On agenda: **Final action:** 2/2/2009

Enactment date: **Enactment #:** 12920

Title: A MOTION relating to organization of the council specifying committee functions and clarifying staff roles, assignment process and work prioritization; and amending Motion 10651, Section III, as amended, and OR 1-020, Motion 11122, Section D, as amended, and OR 2-020, Motion 10651, Section 5, as amended, and OR 2-030, Motion 10651, Section VII, as amended, and OR 3-030 and Motion 10651, Section VIII, as amended, and OR 3-040.

Sponsors: Dow Constantine

Indexes:

Code sections:

Attachments: 1. 12920.pdf, 2. A. King County Legislative Branch Organization Chart, 3. A. King County Legislative Branch Organization Chart

Date	Ver.	Action By	Action	Result
2/2/2009	1	Metropolitan King County Council	Passed as Amended	Pass

Clerk 02/02/2009

A MOTION relating to organization of the council specifying committee functions and clarifying staff roles, assignment process and work prioritization; and amending Motion 10651, Section III, as amended, and OR 1-020, Motion 11122, Section D, as amended, and OR 2-020, Motion 10651, Section 5, as amended, and OR 2-030, Motion 10651, Section VII, as amended, and OR 3-030 and Motion 10651, Section VIII, as amended, and OR 3-040.

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

WHEREAS, the council desires to specify committee functions and clarify the role of the policy staff director and other staff roles and the staff assignment process and work prioritization;

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

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

A. The chair, with their consent, shall appoint 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 policy staff director shall be responsible for the overall management and administration of policy staff employees. The council chief of staff shall be responsible for the overall management and administration of other legislative branch employees as specified in OR 3-030, except for personal staff.

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 policy staff director shall report to the chair. 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.

II. 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.

1. The committee shall develop recommendations on policy direction for the 2010 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 committee.

1. The committee shall consider and make recommendations on: ~~((a-))~~ 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 ~~((b-))~~ the efficiency, cost effectiveness and performance of county departments and programs ~~((including: assessor; 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 and solid waste))~~.

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 2010 annual budget.

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

C. 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.

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 2010 annual budget.

3. The committee shall have a primary chair and a secondary chair. The primary chair shall have authority to set the agenda and conduct meetings for law, safety, criminal justice and emergency management issues. The secondary chair shall have authority to set the agenda and conduct meetings for health and human services issues. Each chair shall be allocated half of each committee meeting time for that chair's issues, unless that chair determines that the time is not needed at any specific meeting. In the absence of either chair during a meeting, the other chair shall act as chair.

D. Physical 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, annexations and affordable housing;

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

recreation and cultural resources; and

c. transportation, including roads and public transportation;

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 2010 annual budget.

III. 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 members.

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 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 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.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, the policy staff director and the chief of staff.

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 staffs.

4. 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 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. 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 council administrator;
- (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 council administrator. Requests may be made only by councilmembers, legislative branch agency managers, the council administrator or a staff member who is supervised directly by the chair of the council. The council administrator shall promptly provide the employment and administration committee chair with a copy of the request and the administrator'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 council administrator 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 10651, Section VII, as amended, and OR 3-030 are each hereby amended to read as follows:

The legislative branch shall be organized in accordance with the organization chart, Attachment A to ((~~Motion 12914~~)) this motion.

V. Motion 10651, Section VIII, as amended, and OR 3-040 are each hereby amended to read as follows:

A. For the purposes of this section, unless the context clearly requires otherwise:

1. "Administrative staff" means the council chief of staff and staff who report directly or indirectly to the council chief of staff(~~(, with the exception of policy staff as defined in subsection A.2. of this section)~~); and

2. "Policy staff" means the policy staff director and staff who reports directly or indirectly to the policy staff director, including staff assigned to a standing or regional committee or the board of health;

B. Ethical considerations.

In common with all county employees and officials, legislative branch employees and elected officials shall comply with the King County code of ethics, K.C.C. chapter 3.04. Employees shall familiarize themselves with the content of the code of ethics and in the event they identify any issue of possible concern they shall promptly seek advice from their supervisor, the council chief of staff, the policy staff director, the administrator or the legal counsel or shall seek an advisory opinion from the board of ethics.

C. Lobbying restriction on administrative and policy staff and on the legal counsel to the council.

1. Administrative or policy staff or the legal counsel to the council shall not in any way seek to influence the passage or rejection of any matter under consideration by the council or any committee of the council, except where an employee within the scope of his or her duties is required to make a recommendation or is specifically asked by a councilmember to give a recommendation on the particular matter. This restriction does not apply to the chief of staff to the council pursuant to previously adopted council action.

2. With respect to contacts involving the news media related to the political or policy aspects of county business, administrative and policy staff and the legal counsel of the council are encouraged first to refer such matters to the committee chair or councilmember with jurisdiction over the subject matter.

D. Reporting relationships and assignments of policy staff.

1. Policy direction. Policy staff work for and are accessible to all councilmembers and the policy staff director. Policy staff receive policy direction regarding issues within the committee's jurisdiction from the committee chair and members of the committee.

2. Policy staff assignments. Policy staff assignments ~~((should))~~ to issues shall be made by the policy staff director ~~((, in collaboration with all issue managers and considering))~~. ~~((i))~~ Input from committee coordinators, issue managers and affected policy staff shall be taken into consideration by the policy staff director when making staff assignments. ~~((Any change in assignment of issue managers to a committee may be made only with the approval of the committee chair or, in extraordinary circumstances, with the approval of the employment and administration committee.))~~

3.a. The policy staff director is responsible for administrative supervision of all policy staff.

Administrative supervision of policy staff includes: coordination of policy staff work plans; management of policy staff; staff development and training; timely ~~((implementation))~~ administration of the council's employee performance evaluation process for policy staff, including conducting staff performance evaluations; and ~~((ensuring))~~ seeking to ensure that administrative functions of the council support the policy analysis needs of policy staff.

b. A committee staffing plan shall be recommended to the council by the employment and administration committee. The staffing plan shall designate a committee coordinator for each council committee as well as ~~((Θ))~~one or more issue managers for each committee ~~((shall be designated by action of the council upon recommendation of the employment and administration committee))~~. In some instances, the council may designate that an issue manager also serve as the committee coordinator.

c. A committee coordinator is responsible for managing the administrative work of the committee, including ensuring that committee agendas are prepared, approved by the committee chair, and distributed in a timely manner. Committee coordinators shall work closely with the issue managers and the committee chair.

d. An issue manager is responsible for: identifying ~~((and coordinating committee))~~ work related to the issue manager's issue area; making recommendations to the policy staff director regarding assignment of policy staff to legislation or other work items; ~~((coordinating))~~ supervising the work of policy staff who are assigned to work on legislation or items in the issue manager's issue area that might involve the work of one or more committees; participating in the issues management team; identifying work items in the issue manager's issue area that impact other issue areas or whose analysis would benefit from a collaboration among policy staff and communicating and coordinating with other issue managers, committee coordinators, the policy staff director and policy staff on such work items; and conducting analysis, particularly on controversial or complex legislation and work items.

~~((c. A committee coordinator for the committee of the whole and for each committee which has more~~

~~than one issue manager shall be designated by action of the council upon recommendation of the employment and administration committee. A committee coordinator is responsible for coordinating the administrative work of the committee, including ensuring that committee agendas are prepared, approved by the committee chair, and distributed in a timely manner. Committee coordinators shall work closely with the issue managers and the committee chair.))~~

4. ~~((Central))~~ All policy staff are responsible for conducting analysis on legislation and work items to which they are assigned.

5. ~~((Work assignments: Policy staff assignments to issue managers and to other policy staff shall be made by the policy staff director, in collaboration with all issue managers and considering input from affected policy staff.~~

6.) Issue management team: ~~((All issue managers and t))~~The policy staff director shall ~~((meet regularly through the year as an issue management team. The issue management team shall: collaborate and coordinate on))~~ convene an issue management team including committee coordinators and issue managers. The team shall meet regularly through the year. The purpose of the issue management team is to assist the policy staff director, as needed, in: policy staff work assignments, including the establishment of policy staff work teams where appropriate; ((monitor)) monitoring transmittal of legislation and ((identify)) identifying emerging issues; ((assist)) assisting in resolving referral, scheduling and other issues; ((assist)) assisting in planning and conducting policy staff meetings; ((collaborate and coordinate)) supporting collaboration and coordination on work items that impact more than one issue area or involve a significant number of policy staff.

~~((7.))~~ 6. Subject to the confidentiality rules in subsection F. of this section, policy staff are expected to keep the policy staff director ~~((and)),~~ issue managers and committee coordinators informed about their work assignments and any issues that may arise as well as the amount of time required to perform the work. ~~((Consistent with the reporting relationship and assignment rules in subsections B. through E. of this section, policy staff are expected to inform issue managers and the policy staff director about the amount of time~~

required to perform the work.))

E. Policy work prioritization.

1. Policy staff's first priority is to staff issue assignments that support committee work responsibilities as established by the council and carried out under the direction of the committee chair in the committee work plan. Their second priority is to support ~~((committee members'))~~ work requests related to a committee's work plan or emergent issues within the committee's jurisdiction from councilmembers. ~~((Their third priority is to support work request related to committee work from noncommittee members.))~~ Their ~~((fourth))~~ third priority is to accomplish ~~((all))~~ other work requests from councilmembers. ~~((The committee chair shall make reasonable provisions for each priority.))~~ All policy staff assignments shall be made in accordance with subsection D.2. of this section.

2. The policy staff director shall coordinate with the committee coordinators and issue managers to make reasonable provisions for each priority. If, in consultation with the committee coordinators and issue managers, the policy staff director believes that a work request cannot be accomplished consistent with the ~~((above))~~ priorities in subsection E.1. of this section, the policy staff director shall discuss the issue with affected councilmembers~~((, in consultation with the chief of staff))~~ and the council chair, subject to the limitations identified in subsection F. of this section concerning confidentiality.

F. Confidentiality.

1. Councilmembers may request an administrative staff or a policy staff member to perform work and keep the nature of the work confidential. Unless otherwise instructed by the councilmember requesting confidential work, administrative staff shall apprise the chief of staff as to the general nature of and time required to perform a confidential work request, and policy staff shall apprise the policy staff director as to the general nature of and time required to perform a confidential staff request.

2. If policy staff believe that a work request by a councilmember is contrary to adopted council rules or violates the staff's professional ethics, the staff may consult with the policy staff director and for this purpose

may disclose to the director information necessary to identify the problem. The director shall also maintain confidentiality. If administrative staff believe that a work request by a councilmember is contrary to adopted council rules or violates that staff's professional ethics, the staff may consult with the chief of staff and for this purpose may disclose to the chief of staff information necessary to identify the problem. The chief of staff shall also maintain confidentiality.

G. Staff assistance. Policy staff should seek the assistance of the policy staff director to resolve any concerns regarding performance of their assigned duties.

Administrative staff should seek the assistance of the chief of staff to resolve any concerns regarding performance of their assigned duties.