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Title: A MOTION relating to the organization of the council; and amending Motion 10651, Section II, as amended, and OR 1-010, Motion 10651, Section III, as amended, and OR 1-020, Motion 10651, Section IV, as amended, and OR 1-030, 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 H, as amended, and OR 2-050, Motion 11122, Section F, as amended, and OR 2-120, Motion 10651, Section VI, as amended, and OR 3-010, Motion 5586, Section D, and OR 3-020, Motion 10651, Section VII, as amended, and OR 3-030, Motion 13327, Section II, as amended, and OR 3-101 and Motion 8868, Sections 1-2, as amended, and OR 3-110.

Sponsors: Bob Ferguson, Jane Hague

Indexes: Council

Code sections:

Attachments: 1. 13129.pdf, 2. A. King County Legislative Branch Organization Chart, 3. B. Policies and Procedures Against Unlawful Harassment and Discrimination

Date	Ver.	Action By	Action	Result
1/19/2010	1	Metropolitan King County Council	Passed	Pass

Clerk 01/19/2010

A MOTION relating to the organization of the council; and amending Motion 10651, Section II, as amended, and OR 1-010, Motion 10651, Section III, as amended, and OR 1-020, Motion 10651, Section IV, as amended, and OR 1-030, 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 H, as amended, and OR 2-050, Motion 11122, Section F, as amended, and OR 2-120, Motion 10651, Section VI, as amended, and OR 3-010, Motion 5586, Section D, and OR 3-020, Motion 10651, Section VII, as amended, and OR 3-030, Motion 13327, Section

II, as amended, and OR 3-101 and Motion 8868, Sections 1-2, as amended, and OR 3-110.

WHEREAS, the charter provides that the council shall elect one of its members as chair, and Motion 10651, Section II, as amended, and OR 1-010 provides that the council shall elect a chair who shall serve at the pleasure of the council for a term of one year, unless otherwise ordered by the council, and

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 has specified by motion policies for members and staff;

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:

Election of the chair and vice-chair((s)).

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

~~B. ((There shall be two vice-chairs: the vice-chair of policy and the vice-chair of administration and finance. For the purposes of implementing the provisions of K.C.C. chapter 1.24, "vice-chair" means the vice-chair of policy. In the absence of the vice-chair of policy, "vice-chair" means the vice-chair of administration and finance.~~

~~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~~)) the 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:

Powers and duties of the chair.

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))~~ council chief of staff shall be responsible for the overall management and administration of ~~((policy))~~ council staff employees, except for personal staff. 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-chair((s)). 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.

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

Powers and duties of the vice-chair.

A. The vice-chair((s)) 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))~~ shall serve as the chair of the committee of the whole.

C. The vice-chair ~~((of administration and finance))~~ shall serve as the chair of the employment and

administration committee. The chair of the employment and administration committee shall issue, upon recommendation of the employment and administration committee and with the approval of a majority of the council, all employment decisions for legislative branch employees except interns and the councilmembers' personal staff, other than employment decisions that are made by the chair of the employment and administration committee as provided in OR 2-030.

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

Chair and vice-chair((s)) elected. For the year ~~((2009))~~ 2010, and until a successor is elected, the council elects Councilmember ~~((Dow Constantine))~~ Bob Ferguson as council chair~~((s))~~ and Councilmember ~~((Bob Ferguson))~~ Jane Hague as council vice-chair ~~((of policy and Councilmember Jane Hague as council vice-chair for administration and finance))~~.

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; legislation before the federal, state and local governments that affect King County; agendas for council meetings; the King County Strategic Plan; 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 ~~((shall receive the initial briefing on the 2009 health provision work plan, in response to a 2009 budget proviso, Ordinance 16312, Section 92, P 5. The committee of the whole))~~ may hold briefings on the status of the mental illness and drug dependency fund services and programs.

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 and the committee responsible for labor implementation, including labor agreements and labor-related issues such as employee benefits and implementation of the furlough. The committee of the whole shall consider labor policy issues at least annually..

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

Standing committees - functions. In addition to any committee otherwise established by law, the committees of the metropolitan King County council and their respective functions are established as follows:

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

1. The committee shall develop recommendations on policy direction for the ((2010)) 2011 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. **Environment and transportation 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;

c. transportation, including roads and public transportation; and

d. In respect to consideration of the Shorelines Master Plan, all members of the council not assigned to the environment and transportation committee will be considered voting members of the committee. Only for those portions of a meeting when the committee votes on recommendations on the Shorelines Master Plan

shall these additional members be considered members of the committee for purposes of quorum and attendance.

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 2011 annual budget.

C. Government accountability and oversight committee.

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

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))~~ 2011 annual budget.

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

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

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

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

b. public health programs, including those related to the protection, promotion and provision functions of the department of public health, including the structure of the public health centers; and

c. human services programs, including review of the veterans and human services levy programs and options for levy renewal; therapeutic and low-income housing; and civil rights and social justice.

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))~~ the 2011 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 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.))~~

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

Employment and administration committee.

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

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(~~(;~~) and 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)~~) chief of staff under OR 3-040.D.2, to adjust staff pay, to analyze future hiring needs and to make other necessary employment decisions. Personnel decisions do not include termination or disciplinary decisions, which follow the process stated in subsection B.3. of this section, or minor personnel decisions, which follow the process stated in subsection B.5. of this section. Where applicable, employment and administration committee recommendations on personnel decisions shall be developed in consultation with appropriate committee chairs and, where applicable, the (~~(policy staff director)~~) 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))~~ chief of staff or his or her designee.

(3) reassigning an employee employed within a legislative branch agency of the county auditor, board of appeals/equalization, hearing examiner, ombudsman/tax advisor or civic television to another position in the same agency and pay range;

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

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

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

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

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

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

C. Recommendations to the council chair. The employment and administration committee may consider and make recommendations to the council chair regarding management organization structure and legislative branch customer service. The committee may monitor and make recommendations on the legislative branch budget.

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

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

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

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: ((~~Bob Ferguson~~)) Jane Hague.

Vice-chair: ((~~Reagan Dunn~~)) Larry Phillips.

Budget and fiscal management committee:

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

Vice-chair: ((~~Jane Hague~~)) Kathy Lambert

Employment and administration committee:

Chair: Jane Hague.

Vice-chair: Kathy Lambert.

Environment and transportation committee:

Chair: Larry Phillips.

Vice-chair: Pete von Reichbauer.

Government accountability and oversight committee:

Chair: ~~((Reagan Dunn))~~ Kathy Lambert.

Vice-chair: ~~((Pete von Reichbauer))~~ Jan Drago

Law, justice, health and human services committee:

~~((Primary))~~ Chair: ~~((Kathy Lambert))~~ Reagan Dunn.

~~((Secondary))~~ Vice-chair: ~~((Julia Patterson))~~ Larry Gossett.

~~((Physical environment committee:~~

~~Chair: Jane Hague.~~

~~Vice chair: Larry Phillips.))~~

Regional policy committee:

Chair: Pete von Reichbauer.

Regional transit committee:

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

Regional water quality committee:

Chair: ~~((Larry Phillips))~~ Jan Drago.

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

Memberships. The council designates the following councilmembers, in addition to the chairs and vice-chairs, as members of the standing committees created in this motion~~((, the board of health))~~ and the regional committees established in the King County Charter.

Budget and fiscal management committee:

Members: Reagan Dunn, ~~((Bob Ferguson))~~, Larry Gossett, Jane Hague, ((Kathy Lambert, Julia Patterson)) Larry Phillips.

Committee of the whole:

Members: All councilmembers.

Employment and administration committee:

Members: (~~(Dow Constantine)~~) Bob Ferguson, Larry Phillips.

Environment and transportation committee:

Members: Larry Gossett, Jane Hague, Julia Patterson.

Government accountability and oversight committee:

Members: Reagan Dunn, (~~(Larry Gossett, Larry Phillips)~~) Pete von Reichbauer.

Law, justice, health and human services committee:

Members: Jan Drago, (~~(Reagan Dunn,)~~) Bob Ferguson, (~~(Larry Gossett,)~~) Kathy Lambert.

(~~(Physical environment committee:~~

Members: ~~Dow Constantine, Larry Gossett, Pete von Reichbauer.))~~

Regional policy committee:

Members: Reagan Dunn, Bob Ferguson(~~(, Julia Patterson)~~).

Regional transit committee:

Members: Jane Hague, Julia Patterson (~~(Pete von Reichbauer)~~).

Regional water quality committee:

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

X. The council designates the following councilmembers as members of the 2011 Budget adoption leadership team: Julia Patterson, Kathy Lambert, Larry Gossett, Reagan Dunn.

XI. 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 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(~~(;))~~ and the (~~(policy staff director and the))~~ chief of staff, is hereby authorized to temporarily designate staff employment assignments in order to accomplish the work of the council. Such assignments shall give due consideration to existing areas of expertise, workload and priorities of committee chairs.

XII. 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.a. The council prohibits councilmembers from hiring as personal staff persons who have been employed within the prior twelve months:

(1) as a council policy or administrative central staff member classified at range 23 or above in the Legislative Branch Classification Plan; or

(2) persons who have been employed within the prior twelve months as a personal staff member of another councilmember, except with the consent of the former-employer councilmember.

b. District account funds cannot be used to pay the salary or benefits of persons prohibited from being hired as set forth subsection A.2.a. of this section.

c. This subsection A.2. shall not apply to any employee hired as a personal staff member before October 13, 2008.

3. The cost of benefits for personal staff shall be paid out of the central council account for up to four personal staff per district. The cost of benefits for each personal staff member above four for a councilmember shall be paid out of that councilmember's district account. Neither the central council account nor a district account may be used to fund benefits for employees whose employment as personal staff is prohibited by subsection A.2. of this section.

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 administration budget, and for postage that may be funded from the council administration budget subject to the approval of the chair of the council. ~~((Neither the central council account nor a district~~

~~account may be used to fund benefits for employees whose employment as personal staff is prohibited by subsection A.2. of this section.))~~

2. A councilmember shall not send any mass mailing that is deposited in the mail between the date the councilmember has filed a declaration and affidavit of candidacy with the ~~((records, elections and licensing services division))~~ department of elections 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 outside 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, or from the council administration budget with the approval of the chair of the council.

E. All other expenditures for community meetings, training, publications, newspaper advertising, nonnewspaper advertising, cellular phones, cellular phone services or other related activities as determined by the councilmember shall be paid out of the councilmember's district account, or from the council administration budget with the approval of the chair of the council.

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

XIII. Motion 5586, Section D, and OR 3-020 are each hereby amended to read as follows:

Reimbursement for use of privately owned vehicles. Reimbursement for the use of privately owned vehicles in connection with county business shall be allowed at the current rate per mile prescribed by county

ordinance. In lieu of such reimbursement, King County councilmembers who would otherwise be eligible to be permanently assigned to a county vehicle may, at their individual option, be compensated on a monthly basis for the use of privately owned vehicles used in connection with county business. To implement this alternative, the ~~((administrator of the council))~~ chief of staff or his or her designee shall periodically, and no less than annually, ascertain the average monthly costs to the motor pool for the maintenance and operation of equivalent vehicles within the fleet. Ninety percent of that figure shall be the maximum allowable compensation.

XIV. Motion 10651, Section VII, as amended, and OR 3-030 are each hereby amended to read as follows:

Legislative branch organization - organization chart.

The legislative branch shall be organized in accordance with the organization chart, Attachment A to ~~((Motion 12920))~~ this motion.

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

Staff guidelines.

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; and

2. "Policy staff" means the ~~((policy staff director and))~~ council staff who report((s)) directly or indirectly to the ~~((policy staff director))~~ chief of staff, including, but not limited to, staff assigned to a standing or regional committee or the board of health, and who are assigned to provide policy, fiscal or program analysis for all councilmembers.

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))~~ chief of staff. Policy staff receive policy direction regarding issues within the committee's jurisdiction from the committee chair (~~(and)~~), members of the committee, the chief of staff and lead staff.

2. Policy staff assignments. Policy staff assignments shall be made by the (~~(policy staff director))~~ chief of staff with collaboration from committee lead staff. (~~(Input from committee coordinators, issue managers and affected policy staff shall be taken into consideration by the policy staff director when making staff assignments.))~~ Notwithstanding an assignment to a standing or regional committee, policy staff may be assigned tasks to various committees by the chief of staff or his or her designee. All policy staff are subject to the administrative supervision of the chief of staff or his or her designee. Policy staff are responsible for conducting objective analysis on legislation and work items to which they are assigned.

3. (~~(a. The policy staff director is responsible for administrative supervision of all policy staff.))~~ Administrative supervision. In order to ensure maximum effectiveness of the resources of policy staff and

ensure that the Charter-based needs of the council are met, ((A))administrative supervision ((of policy staff)) includes: overall coordination of all policy staff work plans; ((management of policy staff; staff development and training; timely administration of the council's employee performance evaluation process for policy staff, including conducting staff performance evaluations; and seeking to ensure that administrative functions of the council support the policy analysis needs of policy staff)) developing and implementing an ongoing equitable performance evaluation system that provides accountability of staff work product; developing, conducting and overseeing training and development programs, plans and processes for policy staff that link assessment of policy staff work with staff's professional development and growth. The chief of staff or his or her designee shall have administrative supervision responsibility over administrative and 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 one or more issue managers for each committee. In some instances, the council may designate that an issue manager also serve as the committee coordinator.~~

~~e. 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 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; 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.~~

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

~~5. Issue management team: The policy staff director shall 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; monitoring transmittal of legislation and identifying emerging issues; assisting in resolving referral, scheduling and other issues; assisting in planning and conducting policy staff meetings; supporting collaboration and coordination on work items that impact more than one issue area or involve a significant number of policy staff.~~

~~6. Subject to the confidentiality rules in subsection F. of this section, policy staff are expected to keep the policy staff director, 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.~~

~~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 work requests related to a committee's work plan or emergent issues within the committee's jurisdiction from councilmembers. Their third priority is to accomplish other work requests from councilmembers. 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 priorities in subsection E.1. of this section, the policy staff director shall discuss the issue with affected councilmembers and the council chair, subject to the limitations identified in subsection F. of this section~~

~~concerning confidentiality.))~~

4. Lead policy staff. Lead policy staff function as the supervisor for the policy staff assigned work in their respective committees. The lead staff for a committee 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. Subject to the confidentiality rules in subsection F. of this section, policy staff are expected to keep the chief of staff and lead staff informed about their assignments and any issues that may arise.

E. Scope of work.

1. The first priority of policy staff is to support committee work responsibilities as established by the council and carried out under the direction of the committee chair. Their second priority is to support committee members' work requests. Their third priority is to support noncommittee members' work requests related to the work of the committee. Their fourth priority is to accomplish all other work requests from councilmembers. The committee chair shall make reasonable provisions for each priority.

2. If policy staff believe that a work request cannot be accomplished consistent with the above priorities, they should discuss the issue with the committee chair, the lead staff for the committee and with the chief of staff, 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 and policy 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. Consistent with the reporting relationship and assignment rules in subsections B. through E. of this section, policy staff are expected to inform lead staff and the chief of staff about the amount of time required to

perform the work.

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

G. Staff assistance. Administrative and ~~((P))~~ policy staff should seek the assistance of the ~~((policy staff director))~~ chief of staff to resolve any concerns regarding performance of their assigned duties.

XVI. Motion 13327, Section II, as amended, 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 in this section.

A. A job announcement will be prepared by the ~~((council administrator))~~ chief of staff or his or her designee and will be distributed by the county personnel department to the county's standard distribution list and will be posted on the Internet. 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))~~ chief of staff or his or her designee. The oral interview has a two-fold purpose: 1. to give the applicant a more detailed description of the job, 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.1. The ~~((council administrator))~~ chief of staff or his or her designee will assess the results of the interview and testing process and will recommend the top candidates to the employment and administration committee.

2. The employment and administration committee may choose to consider other candidates than those recommended by the ~~((council administrator))~~ chief of staff or his or her designee. 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 any new vacancy in the legislative branch occurs within six months of the recruitment process described in subsections A., B., C. and D.1. of this section, the ~~((administrator))~~ chief of staff or his or her designee may consider any applicants from a previous recruitment process to select top candidates for recommendation to the employment and administration committee to fill the vacant position.

F. The only exceptions to this procedure will be for internal promotions or reassignments of legislative branch employees and for the recruitment and hiring of current county employees, 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 sixty days or less is delegated to the chief of staff. For the purposes of this subsection, "sixty days" means sixty actual days of work or no more than four hundred twenty hours of work, whichever is less.

XVII. Motion 8868, Sections 1-2, as amended, and OR 3-110 are each hereby amended to read as

follows:

Policies and procedures against sexual harassment and discrimination - policy statement.

A. The metropolitan King County council promotes a respectful, nondiscriminatory work environment, free of behavior which is illegal and/or which contributes to interpersonal conflicts, poor performance or poor morale. Therefore, the metropolitan King County council prohibits:

1. Sexual harassment;

2. Discrimination or harassment of, or inappropriate conduct toward, any employee on the basis of his or her race, color, sex, marital status, sexual orientation, religion, ancestry, national origin, and/or the presence of any sensory, mental, or physical disability; and

3. Retaliation.

B. This policy applies to members of the council, councilmembers' personal staff and all employees of the legislative branch. Violations of this policy may lead to censure or discipline, up to and including discharge.

C. This policy is supplemental to other procedures available under federal, state, and county laws, including but not limited to the Whistleblower Ordinance, K.C.C. chapter 3.42, the Ethics Code, K.C.C. chapter 3.04, and the Fair Employment Practices Code, K.C.C. chapter 12.18. Employees are encouraged to report pursuant to this policy, but shall continue to have the right to utilize other formal complaint procedures established by law.

The policies and procedures against sexual harassment and discrimination in the legislative branch in Attachment B to (~~Motion 12492~~) this motion are hereby adopted.