



## Legislation Text

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**File #:** 2008-0515, **Version:** 2

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Clerk 10/14/2008

A MOTION relating to the organization of the council; prohibiting hiring by council members of any person as personal staff who is a recent personal staff member or council administrative or policy staff employee at pay range 23 or above, and prohibiting payment of salary or benefits for such persons by the county from either the central council account or any member's district account; and amending Motion 10651, Section VI, as amended, and OR 3-010.

WHEREAS, the council employs a number of persons in policy and administrative positions who work for and provide service to all councilmembers, who are referred to as "central staff," and

WHEREAS, each councilmember also employs a number of persons in positions designed to serve the needs of the individual district and its councilmember, who are referred to as "personal staff," and

WHEREAS, employees in personal staff and policy central staff positions have access to and knowledge of background information, of policy formation proposals and considerations which are often confidential in nature to one or more councilmembers, and

WHEREAS employees in central administrative positions have access to and knowledge of technical, financial and administrative information and processes that are often sensitive or confidential in nature to one or more councilmembers, and WHEREAS, the possibility that a policy or administrative central staff employee, who provides service and works closely with all councilmembers, could be hired into a personal staff position reduces the effectiveness of policy and administrative staff, and

WHEREAS, councilmembers are less likely to candidly discuss policy formation considerations, relay

confidential information or seek assistance from staff if they are not assured that the staff person will not be employed by another councilmember as a personal staff member in the near future. These concerns will have a chilling effect on councilmembers' candid and confidential working relationship with policy and administrative central staff and their own personal staff, and

WHEREAS, the prohibition in this motion on hiring of certain county central staff as personal staff members applies only to positions classified in the Legislative Branch Compensation and Classification plan in pay range 23 and above because the duties assigned to lower classified positions generally do not include access to and knowledge of significant confidential or sensitive technical, financial and administrative information and processes of concern to councilmembers. Positions in pay range 23 and above include, but are not limited to, legislative analyst, executive assistant, network analyst and code reviser, for example;

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

I. 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 central council account.

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 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 councilmember travel relating to legislative advocacy or travel that is likely to provide financial benefits to the county may be paid out of the central council 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.