



## Legislation Text

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**File #:** 2008-0025, **Version:** 2

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Clerk 01/08/2008

A MOTION relating to the organization of the council, designating functions of the committee of the whole, the standing committees and the employment and administration committee and members of committees; and amending Motion 10651, Section III, as amended, and OR 1-020, Motion 10651, Section IV, as amended, and OR 1-030, Motion 11122, Section B, as amended, and OR 2-010, Motion 10651, Section V, as amended, and OR 2-030, Motion 11122, Section G, as amended, and OR 2-040 and Motion 11122, Section H, as amended, and OR 2-050.

WHEREAS, the council has specified by motion the chairs and vice-chairs 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 designates the functions for the council committees by adoption of a formal legislative motion;

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:

**Powers and duties of the chair.**

A. The chair 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 council chief of staff and policy staff director shall be responsible for the overall management and administration of legislative branch employees as specified in OR 3-030.

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

D. The chair shall regularly consult in the exercise of her or his duties with the vice-chairs. The chair, in consultation with committee chairs, shall direct the necessary coordination of staff. The council's chief of staff and the policy staff director shall report to the chair (~~or the chair's staff designee~~). The chair may exercise any power conferred upon the chief of staff or policy staff director.

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

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

**Powers and duties of the vice-chairs.**

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

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

C. The vice-chair of policy and administration shall also serve as a member 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.

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

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

**A. Membership requirements - duties.** The employment and administration committee shall consist of four members ~~((and two alternates.)), with ((F))two members ((and one alternate shall be))~~ from the majority party and two members ~~((and one alternate shall be))~~ from the minority party. ~~((The only time an alternate may vote is when a regular member of the same party is absent. A quorum of the employment and administration committee shall consist of three committee members.~~

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

**B. Duties and process.**

1. Administrative committee. The employment and administration committee is an administrative committee of the council.

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. Personnel decisions include decisions to hire, to fill vacancies, to make staffing adjustments, to

assign or reassign staff, to adjust staff pay, to analyze future hiring needs and to make other necessary employment decisions. Personnel decisions do not include termination or disciplinary decisions, which follow the process stated in subsection B.~~((2))~~3. of this section. 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 ~~((that shall,))~~ and may be voted out of committee upon: a. the receipt of the signature of three committee members~~((; be sent to the council))~~ 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). ~~((The council shall consider the))~~ 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.

~~((3-))~~ 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 ~~((with))~~ 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.

((4-)) 5. 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.

V. 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: Dow Constantine.

Vice-chair: Reagan Dunn.

Capital budget committee:

Chair: Larry Phillips.

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

Employment and administration committee:

Chair: Jane Hague.

Vice-chair: Julia Patterson.

General government and labor relations committee:

Chair: Larry Gossett.

Vice-chair: Pete von Reichbauer.

Growth management and natural resources committee:

Chair: Larry Gossett.

Vice-chair: Jane Hague.

Law, justice and human services committee:

Chair: Kathy Lambert.

Vice-chair: Bob Ferguson.

Operating budget, fiscal management and select issues committee:

Chair: Bob Ferguson.

Vice-cair: Kathy Lambert.

Transportation committee:

Chair: Dow Constantine.

Vice-chair: (~~Reagan Dunn~~) Pete von Reichbauer.

2009 budget review and adoption committee:

Chair: Larry Phillips.

Capital budget panel:

Chair: Jane Hague.

Vice-chair: Kathy Lambert.

Operating budget panel:

Chair: Bob Ferguson.

Vice-chair: Kathy Lambert.

Utilities and parks committee:

Chair: Jane Hague.

Vice-chair: Larry Gossett.

Regional policy committee:

Chair: Pete von Reichbauer.

Regional transit committee:

Chair: Reagan Dunn.

Vice-chair: Bob Ferguson.

Regional water quality committee:

Chair: Larry Phillips.

Vice-chair: Jane Hague.

VI. 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.

Board of health:

Reagan Dunn, Bob Ferguson, Larry Gossett, Kathy Lambert, Julia Patterson, ((~~Larry Phillips~~))

Pete von Reichbauer.

Committee((-))of((-))the ((-)) whole:

Members: All councilmembers.

Capital budget committee:

Members: Bob Ferguson, (~~Larry Phillips~~) Julia Patterson, Pete von Reichbauer.

Employment and administration committee:

Members: Dow Constantine, Kathy Lambert(~~, Julia Patterson~~).

~~((Alternate members:~~

~~A. Democrat: Larry Phillips.~~

~~B. Republican: Reagan Dunn.~~

~~External affairs committee:~~

~~Members: Dow Constantine, Larry Gossett, Kathy Lambert.))~~

General government and labor relations committee:

Member: Larry Phillips.

Growth management and natural resources committee:

Members: Dow Constantine, Reagan Dunn, (~~Larry Gossett~~), Larry Phillips.

Law, justice and human services committee:

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

Operating budget, fiscal management and (~~(mental health)~~) select issues committee:

Members: Dow Constantine, Reagan Dunn, (~~Julia Patterson~~) Larry Phillips.

Transportation committee:

Members: (~~Dow Constantine,~~) Bob Ferguson, Jane Hague, Julia Patterson.

Regional policy committee:

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



Phillips.

Regional transit committee:

Members: Dow Constantine, (~~Bob Ferguson, Jane Hague~~) Kathy Lambert, Julia Patterson,  
Pete von Reichbauer.

Regional water quality committee:

Members: Dow Constantine, (~~Reagan Dunn,~~) Larry Gossett, Kathy Lambert, Pete von  
Reichbauer.

2009 budget review and adoption committee:

Members: All councilmembers.

Utilities and parks committee:

Member: Larry Phillips.