



KING COUNTY
Signature Report

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

October 12, 2011
Motion 13575

Proposed No. 2011-0371.2

Sponsors Gossett

1 A MOTION relating to the organization of the council; and
2 amending Motion 10651, Section III, as amended, and OR
3 1-020, Motion 10651, Section V, as amended, and OR 2-
4 030, Motion 10651, Section VII, as amended, and OR 3-
5 030, Motion 10651, Section VIII, as amended, and OR 3-
6 040 and Motion 11327, Section II, as amended, and OR 3-
7 101.

8 WHEREAS, the council has specified by motion policies for members and staff;
9 and

10 WHEREAS, the council desires to implement a dual-accountability staff
11 leadership model;

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

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

15 **OR 1-020. Powers and duties of the chair.**

16 A. The chair, with their consent, shall appoint councilmembers to regional
17 committees, standing committees, administrative committees, special committees and
18 outside committees as required or as deemed necessary to efficiently conduct the business
19 of the council. The council recognizes that its committee structure, membership and

20 chairs and vice-chairs reflect the council's will. Any changes thereto shall be made only
21 by formal legislative motion adopted by a majority of the members at a council meeting.

22 B. The chair shall have the responsibility and general direction for the council's
23 resources, budget, operation and organizational structure. The chair shall allocate an
24 equal amount of funding and FTE positions to each councilmember's district support and
25 constituent services account from within the council administration account. The chair
26 shall be responsible for the general oversight of legislative branch employees, except
27 personal and district support and constituent services staff of councilmembers. Each
28 councilmember shall be responsible for making employment decisions for his or her
29 personal and district support and constituent services staff. The council director of
30 government relations shall be responsible for the overall management and administration
31 of municipal relations, strategic policy initiatives, communications and CTV staff. The
32 council chief of staff shall be responsible for the overall management and administration
33 of ~~((council staff employees, except for personal staff and district support and constituent~~
34 ~~services staff))~~ policy staff, committee assistants, administrative staff inclusive of
35 technology services and the clerk's office employees. The council chief of staff shall be
36 responsible for the overall management and administration of other legislative branch
37 employees as specified in OR 3-030, except for personal and district support and
38 constituent services staff.

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

42 D. The chair shall regularly consult in the exercise of her or his duties with the
43 vice-chair. The chair, in consultation with committee chairs, shall direct the necessary
44 coordination of staff, except for personal and district support and constituent services
45 staff. The council's chief of staff shall report to the chair and the director of government
46 relations shall report to the ~~((chair))~~ chief of staff. The chair may exercise any power
47 conferred upon the chief of staff or the director of government relations.

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

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

51 **OR 2-030. Employment and administration committee.**

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

54 **B. Duties and process.**

55 1. Administrative committee. The employment and administration committee is
56 an administrative committee of the council. The employment and administration
57 committee shall consult with councilmembers ~~((and))~~, the chief of staff and the director
58 of government relations on a continuing basis in order to review council operations under
59 the staffing structure defined in this motion.

60 2. Personnel decisions. The employment and administration committee shall
61 make recommendations to the council concerning decisions for legislative branch
62 employees, except for interns and councilmembers' personal and district support and
63 constituent services staff, and except for minor personnel decisions, which may be made
64 by the chair of the employment and administration committee in accordance with

65 subsection B.5. of this section. Personnel decisions include decisions to hire, to fill
66 vacancies, to make staffing adjustments, to designate staff employment assignments,
67 except assignments of policy staff to specific issues and legislation which shall be made
68 by the chief of staff under OR 3-040.D.2, to adjust staff pay, to analyze future hiring
69 needs and to make other necessary employment decisions. Personnel decisions do not
70 include termination or disciplinary decisions, which follow the process stated in
71 subsection B.3. of this section, or minor personnel decisions, which follow the process
72 stated in subsection B.5. of this section. Where applicable, employment and
73 administration committee recommendations on personnel decisions shall be developed in
74 consultation with appropriate committee chairs and, where applicable, either or both the
75 chief of staff and the director of government relations.

76 3. Personnel decisions shall be contained in a written recommendation report
77 and may be voted out of committee upon: a. the receipt of the signature of three
78 committee members during a meeting of the committee; or b. subject to signature by a
79 quorum of the committee members in accordance with K.C.C. 1.24.055.C (Rule 6.C).
80 Once the necessary signatures are obtained, recommendation reports from the committee
81 shall be forwarded to the council for consideration on an employment and administration
82 committee consent agenda. The chair of the employment and administration committee
83 shall issue, upon recommendation of the employment and administration committee and
84 with the approval of a majority of the council, all employment decisions for legislative
85 branch employees except interns and the councilmembers' personal and district support
86 and constituent services staffs.

87 4. Terminations and disciplinary decisions. The employment and administration
88 committee makes decisions on discipline and termination, including layoffs., except for
89 councilmembers' personal and district support and constituent services staff. If three
90 committee members vote for a termination or disciplinary action the decision is final,
91 except when an employee exercises the right of an appeal to the full council. An
92 employee who has been either suspended without pay of two weeks or more or
93 terminated may appeal the decision of the employment and administration committee to
94 the council. The appeal must be filed within ten calendar days of written notice of the
95 suspension or termination being sent to the employee. An appeal is accomplished by
96 delivering a notice of appeal to the clerk of the council. Nondisciplinary terminations are
97 subject to appeal in the same manner as disciplinary terminations.

98 5. Minor personnel decisions.

99 a. Except for interns and councilmembers' personal and district support and
100 constituent services staff, the chair of the employment and administration committee shall
101 make all minor personnel decisions as set forth in this subsection B.5. Minor personnel
102 actions are:

103 (1) authorizing recruiting for a vacated or newly created position;

104 (2) increasing or reducing the hours assigned to a current position up to the
105 total budgeted hours for the position, as reflected in the Staff and Salary Detail Report
106 maintained by the chief of staff or his or her designee;

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

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

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

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

119 b. Requests for minor personnel decisions shall be made in writing to the
120 employment and administration committee chair via the chief of staff. Requests may be
121 made only by councilmembers, legislative branch agency managers, the chief of staff, the
122 director of government relations or a staff member who is supervised directly by the chair
123 of the council. The chief of staff shall promptly provide the employment and
124 administration committee chair with a copy of the request and the chief of staff's
125 recommendation for approval, disapproval or modification of the request.

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

131 6. Nothing in this process is to be construed to alter the at-will status of
132 legislative branch employees. This process is designed to facilitate the will of the

133 majority of the council. If there are specific provisions of a collective bargaining
134 agreement that are contrary to this process, the collective bargaining agreement controls.

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

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

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

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

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

155 **OR 3-030. Legislative branch organization - organization chart.**

156 The legislative branch shall be organized in accordance with the organization
157 chart, Attachment A to ~~((Motion 13378))~~ this motion.

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

160 **OR 3-040. Staff guidelines.**

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

162 1. "Administrative staff" means: the council chief of staff and staff who report
163 directly or indirectly to the council chief of staff; and the director of government relations
164 and staff who directly or indirectly report to the director of government relations; and

165 2. "Policy staff" means the council staff who report directly or indirectly to the
166 chief of staff, including, but not limited to, staff assigned to a standing or regional
167 committee or the board of health, and who are assigned to provide policy, fiscal or
168 program analysis for all councilmembers;

169 B. Ethical considerations.

170 In common with all county employees and officials, legislative branch employees
171 and elected officials shall comply with the King County code of ethics, K.C.C. chapter
172 3.04. Employees shall familiarize themselves with the content of the code of ethics and
173 in the event they identify any issue of possible concern they shall promptly seek advice
174 from their supervisor, the council chief of staff or the legal counsel or shall seek an
175 advisory opinion from the board of ethics.

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

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

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

189 D. Reporting relationships and assignments of policy staff.

190 1. Policy direction. Policy staff work for and are accessible to all
191 councilmembers (~~and~~), the chief of staff and the director of government relations.
192 Policy staff receive policy direction regarding issues within the committee's jurisdiction
193 from the committee chair, members of the committee, the chief of staff and lead staff.
194 Where issues are related to the work of the director of government relations, municipal
195 relations or strategic policy initiatives, the chief of staff and lead staff shall consult and
196 confer with the director before providing direction to policy staff.

197 2. Policy staff assignments. Policy staff assignments shall be made by the chief
198 of staff with collaboration from committee lead staff. Notwithstanding an assignment to
199 a standing or regional committee, policy staff may be assigned tasks to various
200 committees by the chief of staff or his or her designee. All policy staff are subject to the

201 administrative supervision of the chief of staff or his or her designee. Policy staff are
202 responsible for conducting objective analysis on legislation and work items to which they
203 are assigned.

204 3. Administrative supervision. In order to ensure maximum effectiveness of the
205 resources of policy staff and ensure that the Charter-based needs of the council are met,
206 administrative supervision includes: overall coordination of all policy staff work plans;
207 developing and implementing an ongoing equitable performance evaluation system that
208 provides accountability of staff work product; developing, conducting and overseeing
209 training and development programs, plans and processes for policy staff that link
210 assessment of policy staff work with staff's professional development and growth. The
211 chief of staff or his or her designee shall have administrative supervision responsibility
212 over ~~((administrative and))~~ policy staff. The chief of staff and director of government
213 relations or his or her designee shall have administrative supervision responsibility over
214 administrative staff under his or her supervision as detailed in OR 1-020.B.

215 4. Lead policy staff. Lead policy staff function as the supervisor for the policy
216 staff assigned work in their respective committees. The lead staff for a committee is
217 responsible for managing the administrative work of the committee, including ensuring
218 that committee agendas are prepared, approved by the committee chair, and distributed in
219 a timely manner. Subject to the confidentiality rules in subsection F. of this section,
220 policy staff are expected to keep the chief of staff and lead staff informed about their
221 assignments and any issues that may arise.

222 E. Scope of work.

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

230 2. If policy staff believe that a work request cannot be accomplished consistent
231 with the above priorities, they should discuss the issue with the committee chair, the lead
232 staff for the committee and with the chief of staff, subject to the limitations identified in
233 subsection F. of this section concerning confidentiality.

234 F. Confidentiality.

235 1. Councilmembers may request an administrative staff or a policy staff member
236 to perform work and keep the nature of the work confidential. Unless otherwise
237 instructed by the councilmember requesting confidential work, administrative and policy
238 staff shall apprise the chief of staff or the director of government relations based upon the
239 staff assignment under OR 1-020.B. as to the general nature of and time required to
240 perform a confidential work request.

241 2. Consistent with the reporting relationship and assignment rules in subsections
242 B. through E. of this section, policy staff are expected to inform lead staff and the chief of
243 staff about the amount of time required to perform the work.

244 3. Based upon staff assignment under OR 1-020.B. ~~((F))~~if administrative staff or
245 policy staff believe that a work request by a councilmember is contrary to adopted

246 council rules or violates the staff's professional ethics, the staff may consult with the
247 director of government relations, the chief of staff or lead staff, and for this purpose may
248 disclose the information necessary to identify the problem. The director of government
249 relations, the chief of staff and lead staff shall also maintain confidentiality.

250 G. Staff assistance. Based upon staff assignment under OR 1-020.B,
251 ((A))administrative and policy staff should seek the assistance of the chief of staff or the
252 director of government relations to resolve any concerns regarding performance of their
253 assigned duties.

254 V. Motion 11327, Section II, as amended, and OR 3-101 are each hereby
255 amended to read as follows:

256 **OR 3-101. Hiring.** The council wishes to formalize its process for outreach,
257 recruitment and hiring as described in this section.

258 A. A job announcement will be prepared by the chief of staff or his or her
259 designee and will be distributed by the county personnel department to the county's
260 standard distribution list and will be posted on the Internet. The job announcement
261 should include a job description, salary, minimum qualifications, the standard "EEO"
262 notice encouraging women and minorities to apply, and application instructions.
263 Appropriate employment resources to recruit persons from minority groups should be
264 used in order to attract as many minority applicants as possible. In cases where vacancies
265 exist within the purview of the director of government relations, the chief of staff will
266 collaborate with the director of government relations on the development of the job
267 description, salary and minimum qualifications.

268 B. Positions will remain open for a reasonable period of time.

269 C. Applications will be screened according to written objective work-related
270 criteria established from the job description. Oral interviews will be scheduled with an
271 interview team selected by the chief of staff or his or her designee, or, where the vacancy
272 exists within the purview of the director of government relations, the chief of staff will
273 select the interview team in collaboration with the director of government relations. The
274 oral interview has a ~~((two-fold))~~ twofold purpose: 1. to give the applicant a more
275 detailed description of the job, the council and the staff; and 2. to examine in a structured
276 fashion the experience and qualifications of the applicant. The oral interview may be
277 supplemented by additional tests of an applicant's abilities such as writing samples and
278 analytical exercises.

279 D.1. The chief of staff or his or her designee will assess the results of the
280 interview and testing process and will recommend the top candidates to the employment
281 and administration committee; however, where the vacancy exists within the purview of
282 the director of government relations, the chief of staff will perform this function in
283 collaboration with the director of government relations.

284 2. The employment and administration committee may choose to consider other
285 candidates than those recommended by the chief of staff or his or her designee. The
286 employment and administration committee will recommend a candidate to the council for
287 final selection. After the employment and administration committee has made a
288 recommendation, the council may choose to consider other candidates than those
289 recommended by the employment and administration committee.

290 E. In cases where any new vacancy in the legislative branch occurs within six
291 months of the recruitment process described in subsections A., B., C. and D.1. of this

292 section, the chief of staff or his or her designee may consider any applicants from a
293 previous recruitment process to select top candidates for recommendation to the
294 employment and administration committee to fill the vacant position. Where the vacancy
295 exists within the purview of the director of government relations, the chief of staff will
296 perform this function in collaboration with the director of government relations.

297 F. The only exceptions to this procedure will be for internal promotions or
298 reassignments of legislative branch employees and for the recruitment and hiring of the
299 chief of staff, the director of government relations, current county employees, interns,
300 clerical employees, CTV operations specialists and temporary employees.

301 G. A preference shall be given to an applicant for any position who is presently
302 on the staff of the legislative branch who has already demonstrated the capability to
303 perform the duties of the position satisfactorily.

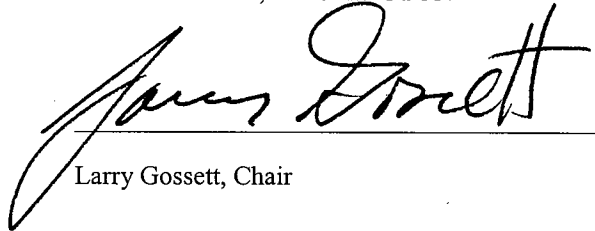
304 H. The authority for hiring temporary employees for sixty days or less is
305 delegated to the chief of staff; where the vacancy exists within the purview of the director
306 of government relations, the chief of staff will perform this function in collaboration with
307 the director of government relations. For the purposes of this subsection, "sixty days"

308 means sixty actual days of work or no more than four hundred twenty hours of work,
309 whichever is less.
310

Motion 13575 was introduced on 9/12/2011 and passed as amended by the Metropolitan King County Council on 10/10/2011, by the following vote:

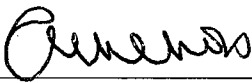
Yes: 8 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,
Ms. Patterson, Ms. Lambert, Mr. Dunn and Mr. McDermott
No: 1 - Mr. Ferguson
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Larry Gossett, Chair

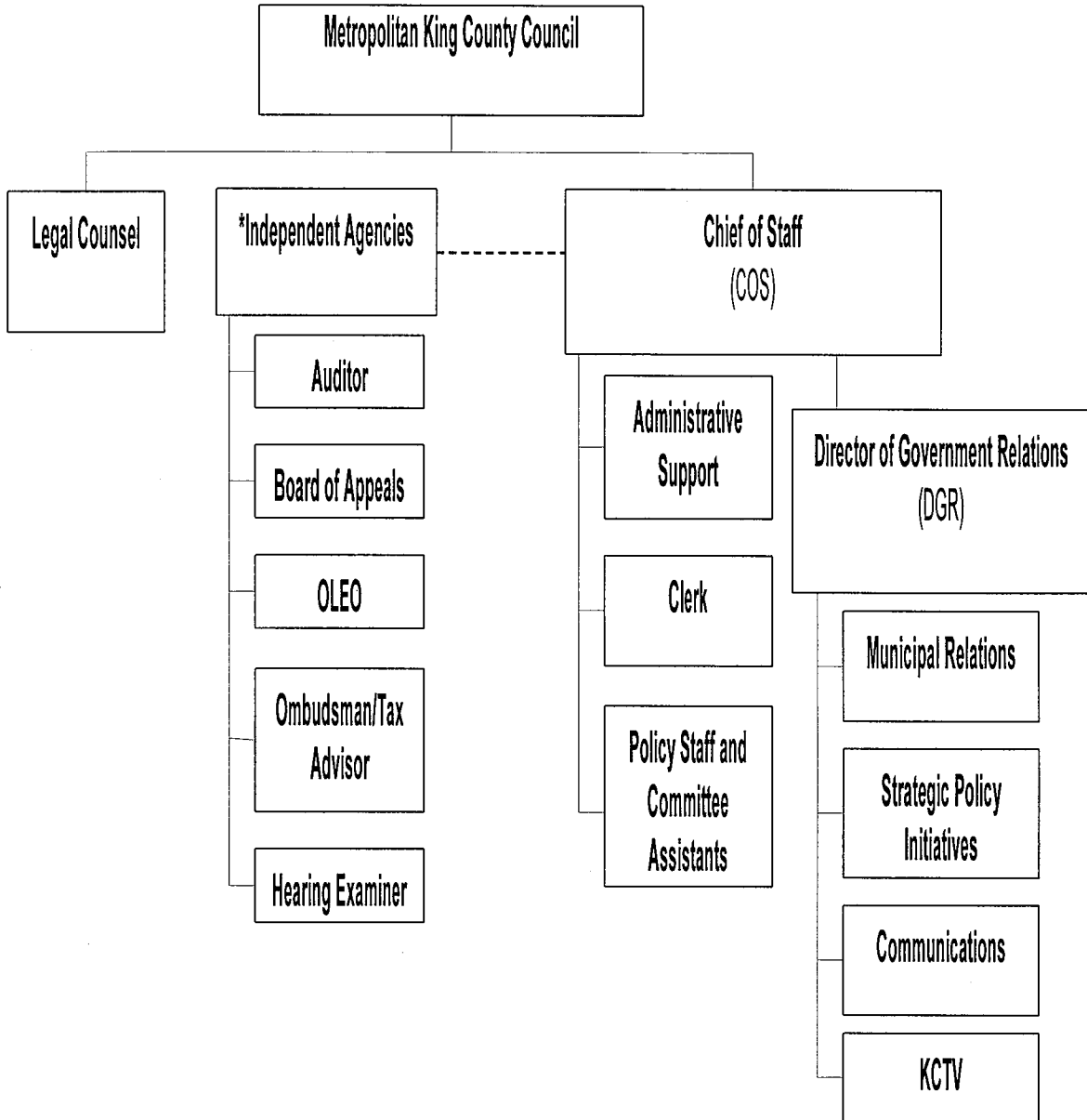
ATTEST:



Anne Noris, Clerk of the Council

Attachments: A. King County Legislative Branch Organization Chart Revised 10-10-11

King County Legislative Branch Organization Chart



*The Chief of Staff monitors the offices and activities of the Council's Independent Legislative Branch Agencies

**Each member supervises his or her personal and district support and constituent services staff