

1987 CHARTER REVIEW ISSUE SUMMARY

ISSUE SUBJECT: Comprehensive Plan Update Process

ISSUE RAISED BY: Bill Reams, Councilman

DESCRIPTION OF ISSUE:

The first King County land use Comprehensive Plan was adopted in 1964. During the following years a number of changes to the plan were adopted in piecemeal fashion. In 1978 an effort was initiated to undertake a comprehensive update of the Comprehensive Plan. The revised plan was finally adopted in 1985. The issue that has arisen is the amount of time it has taken to start and complete a comprehensive update of the plan. The Council recognized the problem and addressed it by requiring a five year reporting cycle on the accomplishment of the plan goals and policies. This process anticipates a report which would also propose any appropriate plan policy changes necessary to address problems with the plan and any change in public concerns affecting the plan. This approach was proposed to avoid the problems created by the piecemeal approach of prior years.

ALTERNATIVES:

The Planning and Community Development Division has prepared and is circulating for review a draft ordinance with proposed revision to Title 20. Included in the draft is language to address the five year reporting cycle in more detail than initially outlined by the 1985 plans' adopting ordinance.

PROPOSED CHARTER REVISION:

Add a section to Article 8 titled, "Comprehensive Plan Review and Amendment Process." The text would read as follows:

"The comprehensive plan map and policies shall be reviewed every five years from date of adoption to determine whether the plan's key concepts are being implemented effectively to reflect new community goals, and to respond to changing conditions. Detailed procedures for implementing this requirement may be established by ordinance."

SUMMARY OF ARGUMENTS FOR AND AGAINST CHARTER REVISION:

For:

- o Would highlight and place greater emphasis on this aspect of the planning process.
- o Less dependence on relation to other priorities of the county.

Against:

- o The King County Code currently requires the department to undertake the plan review and update process every five years.
- o The draft title 20 revisions will re-emphasize this approach and further refine how this will operate in the context of the community planning and functional plan processes.
- o Establishing this approach by ordinance provides greater flexibility to respond to emerging and changing needs.
- o Establishes by ordinance a program emphasis which the division must address in its annual budgeting process.

REFERENCE MATERIALS:

Title 20 - Draft Revision, Ordinance 7178 - adopting the 1985 comprehensive plan.

DG:ew26.1

1987 CHARTER REVIEW ISSUE SUMMARY

ISSUE SUBJECT: Should the Charter include a section on land use planning-- specifically requiring a comprehensive land use plan and community and other implementing plans, and stating underlying policies with which the plans must be consistent?

ISSUE RAISED BY: Regional Issues Committee in response to speaker comments.

DESCRIPTION OF THE ISSUE:

The County has a three part process for managing growth in King County. The County's 1985 comprehensive land use plans replaces the County's 1964 comprehensive plan, and was adopted after extensive debate and compromise. The comprehensive plan contains general policies to guide the physical development of King County. It is implemented by community plans and functional plans. The community plans are intended to implement the comprehensive plan through the development of detailed plans for local areas. Functional plans implement the comprehensive plan through the development of detailed plans for a specific program such as transportation, parks and open space, and economic development.

There are legal reasons why it is advisable (though not necessary) to have a comprehensive land use plan and implementing plans to support land use decisions such as zoning and use permits. There are also practical reasons in a highly urbanized and rapidly developing county for having land use policies clearly delineated. There are, however, no State mandates requiring the comprehensive, community and/or functional plans. Adoption of these plans are part of the County's discretionary powers.

The Charter is presently silent on this matter except to the extent that under the transitory provisions (Section 920.20.70) the department of planning (now Department of Parks, Planning and Resources) is required to prepare and present to the County Council comprehensive plans (see attached language) but without any specification of what those plans are, what they are to contain, or how they are to be used. The question is whether the Charter should contain policies requiring a comprehensive land use plan and other policies directing what the content and direction of that plan should be?

ALTERNATIVES:

1. No change.
2. Amend the Charter to require and provide specific direction for comprehensive land use planning and implementation plans.

PROPOSED CHARTER REVISION:

New Section 8XX. Land Use Planning.

The County Council shall adopt a comprehensive land use plan setting forth policies for the orderly development of the county. The county council shall also adopt community plans to guide local development and other implementing

plans that shall contain more detailed policies on specific land use and public facilities, such as water, sewer, and roads.

The comprehensive plan, the community plans, and other specific implementing plans shall be developed with broad community involvement by those citizens whom the plans will affect. The processes for developing the comprehensive, community plans, and other specific implementing plans shall ensure that there is in the plans a balance between regional and local community needs.

The comprehensive plan, which shall recognize the relationship of the county and its regions, is to include at least the following elements: parks and open space, environment, residential development, commercial and industrial development; resource lands and industries, transportation; and public facilities such as for water or sewer. The comprehensive plan policies shall generally direct growth to existing urban areas in order to reduce the cost of public services and preserve open spaces, farm lands, and other important regional amenities. the comprehensive plan shall encourage, through land use and service delivery policies, annexation and incorporation of urbanized unincorporated areas.

The county council shall review the comprehensive plan and revise it as necessary at least every ten years after initial adoption and review the community plans and other specific implementing plans at least once every seven years after initial adoption.

The community plans and other specific implementing plans shall be consistent with the comprehensive plan. all county land use actions shall be consistent with the comprehensive plan, the community plans and other specific implementing plans. The county council, though the adoption of service delivery policies and capital improvement budgets, shall support the comprehensive plan, community plans, and specific implementing plans.

SUMMARY OF ARGUMENTS FOR AND AGAINST PROPOSED CHARTER REVISION:

For:

- o The County already has adopted a comprehensive plan and has community plans and other implementing plans. There is, however, no policy framework for the development of these plans. The proposed Charter amendment would provide that framework.
- o The amendment is consistent with the general policy setting nature of the Charter. It outlines the minimum requirements for plans, but in general terms so as to provide the flexibility to respond to changing planning approaches.
- o The amendment would require that the County's planning recognize regional impacts of land use decisions. This would enable King County to respond to (and provide leadership for) any regional planning authority which may be developed.

- o The amendment would clarify the application of the comprehensive land use plan and supporting plans in county land use decisions.
- o The amendment would promote consistency of county land use decisions over-time.
- o The amendment would give legal weight to the comprehensive plan which is now lacking.
- o It is useful for citizens to have an explicit service level policies so they can understand what to expect from County services.
- o It is useful for citizens to know the County's position on annexation and incorporation so they can make up their own minds on these issues.

Against:

- o This amendment is not necessary as the County already has a comprehensive plan and supporting plans adopted by ordinance.
- o The amendment has the potential for inviting legal challenges or being brought into legal challenges to land use decisions. the language is too vague to be able to be specifically applied to land use decisions and is therefore not useful.
- o If this area eventually has a regional comprehensive plan to which the county must adhere, the amendment might be in conflict with that requirement.
- o This is just a backdoor way of forcing annexations and incorporations on unincorporated areas residents.
- o If the Charter amendment is defeated at the ballot, it will undermine the credibility of the County's current comprehensive plan and implementing community and functional plans.

RECOMMENDATION:

The Regional Committee found that comprehensive planning is of sufficient importance to warrant policy direction on this matter in the Charter.

The Regional Committee recommended that the Charter be amended to include policy direction for the development of the County's comprehensive land use plan and implementing community and functional plans.

The Commission considered this issue on March 29, May 17 and 24, 1988, and gave final approval to this recommendation.

REFERENCE MATERIALS:

1985 King County Comprehensive Plan, Ordinance No.

DG:ew27.1

1987 CHARTER REVIEW ISSUE SUMMARY

ISSUE SUBJECT: Should the Charter be amended to contain a policy regarding the County's role as a regional agency?

ISSUE RAISED BY: Regional Issues Committee.

DESCRIPTION OF ISSUE:

Traditionally, and at the time the Charter was developed in the 1960's, King County was primarily thought of as a provider of municipal services to unincorporated areas (mostly police, parks, and roads) and a provider of a few countywide arm-of-the-state services (the courts and elections, for example). In the last 20 years, however, King County has become a major player in regional issues. This new County role is not always recognized or accepted.

As King County has become increasingly urbanized, many problems which were centralized in Seattle or a few suburban areas have now spread across jurisdictional boundaries. In many cases, however, individual cities and the County continue to split the responsibility for resolving these problems. There has been increasing concern and discussion about how these problems can best be resolved and what governmental organization is best suited to implement these solutions. King County, by virtue of its many mandated countywide responsibilities and by the fact that it geographically encompasses all the jurisdictions within the county, is a regional service provider as well as a major influence in many other regional issues. Many feel that regional problems will increase and that the County will have continuing, and perhaps increasing, regional responsibilities.

PROPOSED CHARTER REVISION:

New Section 8YZ. County Role in Regional Services.

The county shall encourage the development of regional management of those problems and services which cross jurisdictional boundaries and which can most effectively and economically be provided on a regional basis whether subcounty, countywide or multi-county.

The county first shall seek to assume regional responsibilities when consistent with its existing responsibilities or when there is no other entity able or willing to do so, and when such action can be taken without negatively effecting the county's ability to meet existing mandates and service responsibilities. Alternatively, the county shall seek to transfer its responsibilities to another agency when such transfer would enable a regional problem to be addressed more economically and effectively than if the county were to retain the responsibility. When not appropriate for the county to assume regional responsibilities, the county secondly shall seek to have an existing agency assume such responsibilities when consistent with that agency's responsibilities. The county lastly shall seek the development of a new agency or intergovernmental arrangement when it is not appropriate for the county to assume such responsibilities or when there is no existing agency which is able or willing to do so.

assessor, the officers and employees of administrative offices and executive departments and their respective divisions established by this charter or created by the county council and the members of the boards and commissions except the board of appeals and the personnel board. The executive branch shall have all executive powers of the county under this charter.

Section 550. Career Service Positions.

All county employees and officers shall be members of the career service except those in the following positions; all elected officers; the county auditor, the clerk and all other employees of the county council; ~~((the county administrative officer))~~ the deputy county executive; the chief officer of each executive department and administrative office; the chief officer of each division within an administrative office or executive department; the chief officer of a key subordinate unit as determined by the council; the members of all boards and commissions; administrative assistants for the county executive and one administrative assistant each for the ((county administrative officer)) the deputy county executive, the county auditor, the county assessor, the chief officer of each executive department and administrative office and designated divisions therein, and for each board and commission; a chief deputy for the county assessor; one confidential secretary each for the county executive, the chief officer of each executive department and administrative office and designated divisions therein, and for each administrative assistant specified herein;

SUMMARY OF ARGUMENTS FOR AND AGAINST RECOMMENDED CHARTER REVISION:

For:

Said positions are reflective of the policies and political philosophies of the County Executive and therefore should be appointive under the same or similar circumstances as department and administrative office directors.

Against:

These positions, being more subordinate positions, need not directly reflect the political policies and philosophies of the County Executive. Therefore, not only should the Charter not be amended, but the provisions in K.C.C. 2.16 and 3.02 which permit exemptions should be repealed.

RECOMMENDATIONS:

The Structural Committee found that:

- o The Charter calls for only two organizational entities within the Executive branch--administrative offices and executive departments.
- o The Charter provides that the "chief officer of each administrative office and executive department shall be 'exempt' from the Career Service Systems.

The county may carry out its regional responsibilities in any manner available to it including but not limited to: direct funding or acting as a regional collection agent for special purpose revenues; planning, coordination and administration of services; direct delivery of services or by contractual arrangement; purchase of services; and participation in intergovernmental agencies and interlocal agreements.

The county, in determining the appropriate action to take in regional issues, shall be guided by the following criteria: Efficiency of service delivery to citizens, economy of service delivery to citizens; accountability of implementing jurisdiction to those citizens or other jurisdictions affected by the service delivery; and logical relationship of their service to the agency providing the service.

SUMMARY OF ARGUMENTS FOR AND AGAINST RECOMMENDED CHARTER REVISION:

For:

- o The County is now and well continue to be a major regional agency. It is appropriate that a growing regional role be recognized in the Charter.
- o The process and criteria for determining the County's role in regional services as described in the Charter is essentially how the County decides what new regional responsibilities it will assume. It is useful to have them formally stated in the Charter as a reminder to county elected officials and to give visibility to the process.
- o It is appropriate that the County's role in regional issues be clarified in the Charter, particularly given the current discussion of regional issues.
- o Although this could be stated in a motion or ordinance (as part of a regional services plan for example), the Charter gives the policy greater force.
- o The proposed language provides enough flexibility for the county to respond to a wide range of regional issues including multi-county issues.

Against:

- o The proposed amendment looks like a County power grab and will be fought by cities and other local governments.
- o The proposed amendment will not be accepted by voters without a change to the County Council to expand it and/or require that some or all of the Council positions be elected on a regional basis.
- o Things happen this way anyway so it does not need to be put into the Charter. If it must be stated, it can be done through a policy motion or adopted in an ordinance as part of a regional services plan.

- o The proposed amendment is unnecessary. Clarification of the County's regional role will not change its regional responsibilities or change the way regional problems are resolved.
- o The proposed language is too vague to be meaningful. It does not provide specific enough direction.

DG:ew28.1

1987 CHARTER REVIEW ISSUE SUMMARY

ISSUE SUBJECT: Should the Charter be amended to include policies regarding the County's role(s) in health and human services and requirements for comprehensive health and human services planning?

ISSUE RAISED BY: Regional Issues Committee

DESCRIPTION OF ISSUE:

King County's responsibilities in health and human services were limited primarily to public health services until the late 1960's when changes in federal and state laws and funding programs resulted in a swift and significant expansion of those responsibilities. The expansion began in the late 1960's with mental health, drug and alcohol abuse, developmental disabilities, aging and expanded public health programs. The County assumed additional program responsibilities, both federal and state funded or mandated and County initiatives, in the early to mid 1970's including but not limited to Housing and Community Development Block Grants, emergency medical services, work training programs (adult and youth), youth service bureaus, senior centers and women's programs.

In 1976, the King County Council appointed a citizens committee to develop proposed policies to guide the County's decisions in health and human services funding. This committee, the Human Services Committee of the Policy Development Commission, did develop several reports one of them being the Report on General Health and Human Services Policies for King County (October, 1977). This report was transmitted to the County Council, but the Council did not act on it.

A significant step towards improvement management and coordination of the County's expanded health and human services responsibilities occurred in 1982 with the creation of the Department of Human Services into which many of these programs were placed. Previously, the health and human services had been in the Seattle-King County Department of Public Health or scattered throughout many departments as a result of a variety of incremental, uncoordinated organizational decisions.

Beginning in the mid-1970's some County programs developed, at least to some extent comprehensive policies and plans, but not all programs have such documents. There has not, however, been an effort to develop a comprehensive approach to the County's role(s) in health and human services programs for which is it responsible or in relationship to the vast array of other health and human service needs and service and funding agencies in the county.

In 1987, the County Council commissioned consultants (Frolich-Wallar Associates) to assist the Council in conducting and analyzing the results of public meetings and an opinion survey on human services issues in King County. In preparing background information for the meetings and survey, the consultants found that in 1987 King County expended about \$33.7 million for health and human services programs out of a total local government health and human services expenditure of about \$74.5 million. These funds included both County general funds and

federal and state funds coming through the County. The consultants found that over 90 percent of the elected officials, governmental staff and community opinion leaders surveyed believed that local governments have the following human services roles, in priority order: (1) Planning and coordination, (2) funding, (3) service provision; and (4) administration. In terms of specific services, these people believed that education and prevention programs and family services were most important to the general welfare of King County residents.

In 1987, the County Council also adopted the County's 1988 budget with several provisos including a statement that the portion of the 1988 sales tax increase to be dedicated to health and human services programs cannot be expended "until the Council approves a health and human services plan and accompanying budget which recommends specific programs or projects" (Ordinance 8331 Section 39). It should be noted that the policy direction of this section is consistent with the 1977 Human Services Committee report and the finding in the 1987 Frolich-Wallar report.

In 1987, the King County 2000 Human Services Capital Needs Committee found that there was a lack of information on human services capital needs and that this lack of information tended to make these needs take a lower priority to the more readily identifiable traditional capital needs such as roads and sewers. The committee also found that the operating needs for services and personnel are, in effect, the infrastructure for health and human services programs. Three of the most pressing health and human services needs requiring a regional strategy were for children, health care for the low-income and those without health insurance/ and low-cost housing for the homeless and special populations.

ALTERNATIVES:

1. No change; 2. Amend the Charter to include planning and policy setting requirements for (A) the County's general role in regional health and human services needs, or (B) those health and human services programs for which the County is specifically responsible; and 3. Amend the Charter to require that the Council adopt a policy plan on the County's purposes and roles in health and human services.

SUGGESTED CHARTER AMENDMENT FOR ALTERNATIVE 2.A. Regional Role Health and Human Services:

NEW SECTION. 8HS. County Health and Human Services Programs

The county's roles in health and human services should be to, in cooperation with the cities, the State, and private agencies, serve as: a central source for identification of human needs in King County and of the resources to meet those needs; an advocate of the residents of King County to ensure that human services needs are made known to

appropriate agencies and to stimulate the development of resources and programs to meet those needs; a coordinator to ensure that resources are most effectively used in public or private delivery systems; a funding agency where such a role is mandated or where a determination is made that county initiative is appropriate and that there are county resources available; and a service provider when mandated or determined to be appropriate.

The county council shall, at least every five years, adopt a comprehensive plan which describes how the county will achieve the purposes stated in this section and the county's health and human services priorities, identification of resources to be allocated to achieving these purposes, and the county's health and human services priorities. The plan will address the broad range of health and human services needs and specific plans for county-assisted services and related actions. State and local jurisdictions and citizens are to be involved in the plan development process.

SUMMARY OF ARGUMENTS FOR AND AGAINST ALTERNATIVE 2.A:

For:

- o Since a significant portion of King County government resources are devoted to health and human services programs and since it is estimated that King County government contributes to about 45 percent of local government support of health and human services in the county, it is appropriate that the Charter be amended to provide policy direction for these services.
- o The Charter was written prior to the time that King County's health and human services responsibilities were expanded. Health and human services have developed a significant County responsibility which should be now addressed through a Charter amendment.
- o Health and human services needs and the service delivery systems to meet those needs are complicated and often interdependent. No need can be effectively addressed in isolation from other needs. It is important that, as a major health and human service provider and

funder, King County go beyond its specific program responsibilities in planning and coordination.

- o The proposed Charter amendment language is general enough to accommodate changing needs, methods of service delivery, funding sources and changes in local government organization.

Against:

- o The County Council is already addressing the need for comprehensive planning for health and human services programs so there is no need to do this through a Charter amendment. Additionally, the proposed Charter language can be adopted as a policy statement in ordinance or motion.
- o Developing comprehensive policy plans takes resources which could be better spent on providing direct services.
- o The proposed amendment would create unrealistic expectations for increased county funding of health and human services programs or may result in more health and human services programs forced on the county by the State, or private or other public agencies which would try to dump their programs on the County.
- o The proposed Charter amendment might be in conflict with State law if the legislature were to enact health and human services planning requirements which were different than those stated in the amendment.
- o The proposed Charter amendment language is too general to provide any real direction for decision-making. Health and human services needs and programs change too quickly over time for inclusion in the Charter. The Charter should be used only for stable, long-term county responsibilities which can be clearly defined. Address health and human services through ordinances and motions.

SUGGESTED CHARTER AMENDMENT FOR ALTERNATIVE 2.B. Establish County role in health and human services and require service plans.

NEW SECTION 8HS. County Health and Human Services Plans.

The purpose of the county's involvement in health and human services programs should be to maximize the individual's ability to be self-sufficient and to reduce the degree of dependency on supportive services.

Each county health and human service program shall have a at least a biennial plan which shall include: an assessment of needs; an

assessment of available resources; program policies for funding and service delivery; program goals and objectives and a schedule for reaching those goals; and a statement of how the county relates to private and other public agencies with similar programs. The county council shall, at least every five years, adopt a comprehensive plan which shall state county health and human services funding and service delivery policies; an assessment of local human services needs in those areas for which the county is responsible and of resources available to the county to meet those needs; and goals and objectives to guide funding, service delivery and other program activities.

SUMMARY OF ARGUMENTS FOR AND AGAINST ALTERNATIVE 2.B.: See also argument under Alternative 2.A.)

For:

- o The proposed Charter language defines the scope of the County's health and human services responsibilities to manageable limits.
 - o The proposed Charter language does not create unrealistic expectations for the County's involvement in health and human services.
- Against :

- o The proposed Charter language is too narrow. The County cannot effectively impact health and human services needs and services unless it addresses those needs and services outside its specific program responsibilities.

SUGGESTED CHARTER AMENDMENT FOR ALTERNATIVE 3. Establish County's role in health and human services and require policy plan.

NEW SECTION 8HS. Health and Human Services Programs.

The county council shall adopt by ordinance a policy plan that shall set forth the purposes and roles of county health and human service programs. The ordinance shall include a provision for periodic review of the policy plan. This plan shall address the programs for which the county is responsible as well as the relationship of the

county's programs to the programs of other jurisdictions, and public and private agencies and organizations.

SUMMARY OF ARGUMENTS FOR AND AGAINST ALTERNATIVE 3. (See also arguments under Alternatives 2.A. and 2.B.)

For:

- o This amendment recognizes that health and human services are a significant part of County government's services and that the County has a responsibility to provide regional leadership in health and human services.
- o This amendment would not require the level of expenditure as would the development of service delivery plans--expenditures which could be better spent on service delivery. Also, it would allow the County the flexibility to determine where the limited health and human services resources could be best spent. For example, it may be more effective to put funds into developing a comprehensive information base than a comprehensive service delivery plan.
- o Most of the County's health and human services programs already have their own policies and service delivery/fund allocation plans. What is lacking are overall policies to guide the development of the categorical policies and plans in a consistent manner.

Against:

- o Policies do not mean anything unless there are plans and services to implement them. There is no way to enforce the implementation of the policies which are adopted.
- o County funds would be better spent on service delivery rather on developing policy plans.
- o This could be addressed through ordinance such as are the policy and plan requirements for the County's comprehensive land use planning. This does not require the extreme measure of a Charter amendment.

RECOMMENDATION:

The Regional Issues Committee found that:

- o While health and human services are a significant part of the services provided by King County government, they receive no mention in the Charter.
- o King County has a significant role in funding or providing health and human services in this region, but has no overall policy direction for that role.

- o Since the Charter was adopted, an additional organizational entity known as "divisions" has been created and the managers of these division have been declared "exempt" from the Career Service System. This has been accomplished through bridging ordinances.
- o Division managers should be exempt positions and department directors should have the privilege of selecting those managers who closely associated with their style of management.

The Structural Committee recommended that the Charter be amended to reflect the current organization of County government and to recognize the existence of divisions as organizational entities.

The Commission considered this issue on March 22, May 19 and May 24, 1988. It gave final approval to the Structural Committee's recommendation.

REFERENCES: K.C.C. 2.16.100 and 3.12.010.A6.

DG:ew21.1

1987 CHARTER REVIEW ISSUES SUMMARY

ISSUE SUBJECT: Career Service status for part-time positions

ISSUE RAISED BY: Personnel Division

DESCRIPTION OF ISSUE:

Section 550 of the King County Charter exempts part-time and temporary employees from Career Service. However, in many instances there is no inherent difference between the work performed by full-time and part-time employees. The operational requirements of certain County agencies can be best met by a combination of both types of employees. In addition, regular employees and applicants for regular employment would be free to accept part-time work, job sharing and reduction in work hours in lieu of layoff, without jeopardizing their status as regular (Career Service) employees. Part-time employees could become members of the Career Service, with all of the rights and benefits attendant thereto.

ALTERNATIVES:

1. No change--continue to exclude part-time employees from the Career Service System.
2. Include all part-time employees in the Career Service System.
3. Provide flexibility to include part-time employees in the Career Service System when appropriate for the characteristics of the work to be done.

PROPOSED CHARTER REVISION FOR ALTERNATIVE 2: (See also attachment.)

Section 550. Career Service Positions

All county employees and officers shall be members of the career service except those in the following positions: . . . (~~part time and~~) temporary employees; . . .

SUMMARY OF ARGUMENTS FOR AND AGAINST ALTERNATIVE 2:

For:

- o All part-time employees should have the protection of the Career Service System. All such positions should be hired and otherwise managed by a merit-based system of rules.
- o Personnel rules could be developed to address the special hiring needs of, for example, parks and recreation programs and still be consistent with the objectives of the Career Service System.

Against:

- o The Career Service System is too cumbersome to be responsive and cost effective for hiring people with special skills for a limited time period - on short notice as in the case of parks and recreation programs hires.
- o The County can adopt personnel procedures to address problems with part-time employees.

PROPOSED CHARTER REVISION FOR ALTERNATIVE 3: (See also attachment.)

Section 550. Career Service Positions

All county employees and officers shall be members of the career service except those in the following position: . . . Less than half-time part-time employees to be defined by ordinance and temporary employees; . . .

SUMMARY OF ARGUMENTS FOR AND AGAINST ALTERNATIVES 3:

For:

- o This language would allow the County Council to determine by ordinance which part-time positions should be part of the Career Service System and which positions are not appropriate for inclusion in the system. The immediate result would be greater order in personnel positions, greater flexibility in the development of job sharing positions and creative responses to the workload needs of the County.
- o This would reduce the possibility of abuses of part-time positions by putting many of these positions under the Career Service procedures.
- o Recent amendments to the personnel system (KCC 3.12) are only a patchwork treatment of the audit problems with part-time employees. The Charter revision is needed to allow straightforward treatment of these positions.

Against:

- o All part-time employees should be brought into the Career Service System to prevent favoritism and other non-merit based personnel practices.
- o The proposed Charter revision would be ineffective because it would leave loopholes when defining which part-time positions should be Career Service. This could result in disagreements, personnel grievances, and abuses.
- o The departments should do a better job of allocating workload, staffing, and budget planning. Departments would not be able to end run position limits in their budgets by adding part-time positions.
- o The proposed Charter amendment is not necessary as there have been amendments to the personnel system (KCC 3.12) which provide the Executive with the authority to define part-time positions for inclusion in the Career Service System.

RECOMMENDATIONS:

The Technical Committee found that:

- o There are part-time positions which are, in effect, permanent positions and should be included under the Career Service System. There are also some part-time positions which are not appropriate to include in the Career Service System because of the duration of employment, type of work involved, or other job characteristics.
- o While there needs to be some flexibility in determining which part-time positions should be included in the Career Service System, there also needs to be specific criteria in the Charter for making this determination. The threshold which appears to have the greatest agreement in general terms is to include those positions which are at least half in the Career Service System.

The Technical Committee recommended that the Charter should be amended to exclude less than half time part-time positions from the Career Service System, the definition of less than half time to be defined by ordinance to accommodate differences in hours worked in a week for different groups of County employees now or in the future.

The Commission reviewed this issue on March 22 and May 17, 1988. It gave final approval to the Technical Committee's recommendation to exclude less than half-time, part-time positions from the career service system, the definition of less than half-time to be defined by ordinance.

REFERENCE MATERIALS:

King County Ordinance No. 7723, and K.C.C 3.12.010

DG:ew22.1

1987 CHARTER REVIEW ISSUES SUMMARY

ISSUE SUBJECT: Reduction in number of personnel systems in King County Government.

ISSUE RAISED BY: Councilmember Lois North

DESCRIPTION OF ISSUE:

The current personnel system in King County is in need of review. Councilmember North believes that the fragmentation which exists with the current Career Service system, the proposed Health Department "Unique Personnel System", the Department of Public Safety/Sheriff's Civil Service system, as well as separate systems for the Legislative and Judicial branches (not to include the Executive Department of Judicial Administration) should be consolidated. (Although there appears to be some misconception that the Departments of Judicial Administration and Assessments also have separate personnel systems, such is not the case. As Executive Branch departments, their employees are covered by the Career Service system.)

ALTERNATIVES:

(1) No change; (2) bring all personnel systems, including the Council's, under the Career Service System or Personnel Division oversight; and (3) same as Alternative 2 but exempting the Council employees.

PROPOSED CHARTER REVISIONS:

See attached language, points A, B, and E.

Point A. This language is intended to allow other personnel systems to be brought under the administration of the Personnel Division for oversight without having to be part of the Career Service System.

Point B. Those positions which the Council appoints and which would be exempt from the Career Service System are: the Clerk (Charter); all personal staff of Councilmembers; Central Program staff; Auditor (Charter and KCC2.20); Zoning and Subdivision Examiner (ordinance); Ombudsman (ordinance); and Tax Advisor (ordinance). Those staff who are appointed/hired by any of the above exempted persons would not be exempt from the Career Service System and would therefore be part of the Career Service System or a separate system as may be provided in other Charter amendments (Point A). (Such provisions are already made for the Ombudsman and proposed for the Auditor.)

Point C. This language recognizes that there may be situations, such as the interlocal agreement which transferred the administration of the Seattle-King County Health Department from Seattle to King County, wherein the personnel system is to be separate. Anticipating the complexity of negotiations of the transfer of other services (as a result of discussions of regional services/governance), this language would provide the necessary flexibility.

SUMMARY OF ARGUMENTS FOR AND AGAINST ALTERNATIVE 2:

For:

- o The proposed revisions provide flexibility to develop personnel systems best suited to the particular group of employees.
- o The proposed revisions provide flexibility to the County to respond to the assumption of new responsibilities with unforeseen personnel system issues.
- o Administration of individual personnel systems by the Personnel Division would provide oversight and assurance of consistency among the separate systems.
- o The proposed language revision is consistent with that of the administration of the Sheriffs' Civil service system which is separate, but by ordinance, has been transferred to the Personnel Division.
- o The Assessor has stated to the Charter Review Commission that her staff operate within the Career Service System without problems.
- o Separate systems allow for the possibilities of the same abuses we have now. There is a potential for staff in one system being treated more favorably than staff in another system in areas as vacation, sick leave or discipline.

Against:

- o Currently the Career Service System is too cumbersome. The act of combining all the systems either into one system or under the administration of the Personnel Division will make things worse.
- o Currently the Personnel System has no problems with things the way they are now.
- o As a separate branch of government, the Council should have its own personnel system. Putting the Council's system under the King County Personnel Division presents a conflict of interest in the division of powers in government.

SUMMARY OF ARGUMENTS FOR AND AGAINST ALTERNATIVE 3.

For:

- o This proposed revision eliminates all questions about whether any of the employees of the Council or other persons appointed by the Council are exempt. If they are employees of the legislative branch, they are exempt. It is clear to which branch of government employees belong.

The Regional Issues Committee recommended that the Charter be amended to include a requirement for health and human services policies.

The Commission considered this issue on March 29 and May 24, 1988. The Commission gave final approval to the Regional Committee's recommendation.

DG:ew29.1

PROPOSED CHARTER REVISIONS:

Alternative 1: Increase Fixed Rate.

Section 815. Contracts and Competitive Bidding

The construction of all public buildings and works shall be performed by independent contractors; except that county road projects having a value of less than ~~fifteen~~ twenty-five/fifty thousand dollars may be performed by county employees. Whenever the county would have been required to do so by general law if it had not adopted this charter, it shall purchase all property and award all contracts by competitive bidding in accordance with the procedures established by ordinance.

SUMMARY OF ARGUMENTS FOR AND AGAINST REVISION:

For:

- o The original intent of the Charter \$15,000 limit was to limit the amount of construction work performed by county forces, not to restrict county forces to performing projects of every diminishing scope.
- o There is no rationale for \$15,000 limit which was arbitrarily established by the Freeholders in 1968 without any analysis of impacts.
- o King County is the only county in Washington State with greater restrictions than those provided by State law for road day labor construction.
- o The Pierce County Charter Review Commission has proposed to change the Charter language from deferring to state law to a \$25,000 limit.
- o The \$15,000 limit, if inflated to 1987 dollars, would be roughly equivalent to \$50,000.
- o There is a \$50,000 limit for cities the size of Seattle and King County has many more miles of road than does Seattle.
- o The \$50,000 limit would allow for more cost effective roads projects management. Small projects would not have to be deferred until they cost enough to make it cost effective to contract or until enough project needs developed within a geographic area to make it cost effective to group them for a contract.
- o Even with the \$50,000 limit, there would be no change in policy or practice regarding contracting. Projects which would not be contracted out under the \$50,000 limit are not now being contracting out due to cost effectiveness. The County would not expand its road crew and equipment, but continue to contract for additional work crew, materials and equipment as is presently done.

- o The \$25,000 limit would provide some small increment of relief to the County without depriving the private sector of contract opportunities.

Against:

- o The \$25,000 limit is too small an increment to have any real impact on County road project management problems.
- o There would be a temptation for the County to begin increasing its own road crew and equipment inventory instead of contracting out.
- o Contracting with the private sector is more cost effective than using county road crews.

Alternative 2: Annually Adjusted Fixed Rate.

Section 815. Contracts and Competitive Bidding

The construction of all public buildings and works shall be performed by independent contractors, except that county road projects having a value of less than ~~fifteen~~ twenty-five/fifty thousand dollars shall be performed by county employees, provided that this amount shall be annually adjusted to reflect the increased cost of construction by a percentage rate established in the ordinance adopting the county's annual budget. Whenever the county would have been required to do so by general law if it had not adopted this charter, it shall purchase all property and award all contracts by competitive bidding in accordance with the procedures established by ordinance.

SUMMARY OF ARGUMENTS FOR AN AGAINST THE SUGGESTED CHARTER REVISION:

See also arguments under Alternative 1.

For:

- o This will allow the limit for county road projects to be adjusted to reflect the Consumer Price Index (CPI) or according to accepted construction cost indices. This also allows the most appropriate index to be selected as sometimes costs of a specific type (such as fuel) increase faster (or slower) than the CPI.
- o There can be public participation in the decision to set the index through the budget process. Specifying the annual budget ordinance makes the location and timing of the adjustment certain and easy to identify.
- o Elected officials can be held accountable for the rate of adjustment.

Against:

- o This alternative allows the possibility of abuse in selection the index which is the highest (maximizing County road crew work) rather than the rate which is most appropriate.

- o A private construction contractor has enough problems with County contracting requirements, a highly competitive environment, and uncertain economic conditions without having to have the added uncertainty about the level of projects the county will contract out.

Alternative 3: Defer to State Statute.

Section 815. Contracts and Competitive Bidding

The construction of all public buildings and works shall be performed by independent contractor; except that county road projects ~~having a value of less than fifteen thousand dollars may be performed by county employees shall be governed by applicable provisions of state law.~~ Whenever the county would have been required to do so by general law if it had not adopted this charter, it shall purchase all property and award all contracts by competitive bidding in accordance with the procedures established by ordinance.

SUMMARY OF ARGUMENT FOR AND AGAINST:

See also argument for and against increasing the bid limit (which deferring to state law would do).

For:

- o The formula in RCW 36.77.065 was arrived at after several years of difficult negotiations between counties and the state association of general contractors. The formula was also based on analysis of actual practices by counties.
- o The formula sets a maximum total value of roads projects to be performed by the county (15 percent). This allows the county to select those projects which are most appropriately and cost effectively performed by county road crews rather than to make this decision based on an arbitrarily imposed limit.
- o The formula is based on a percentage of total road projects which allows for inflationary increases and changes in the total size of a roads capital budget from year to year.
- o Deferring to state law allows a more thorough and more broad study of this issue than is possible at the county level. It also allow changes by the Legislature when such studies indicate it is appropriate to respond to changing circumstances.
- o This allow would change the maximum value of road projects to be performed by King County road crews to go from \$1.5 million (100 \$15,000 projects) to \$2.5 million (based on 15 percent of the 1987 roads capital budget). The County's policy of contracting out most projects and many of the components of County performed projects (extra personnel, equipment, and materials) would not be changed.

Against:

- o The County would be tempted to do more larger projects itself, thus depriving the private sector of contracting opportunities. The County could still defer low cost, small projects so there would be no change in the backlog of projects of this type.
- o The State formula has a problem in that the private sector and counties disagree over the method of determining maintenance versus new construction costs. Use of this formula will just lead to debate over this issue between local contractors and King County.

RECOMMENDATION:

The Technical Committee found that:

- (1) The present \$15,000 bid limit in the Charter is too low and unnecessarily hinders the effective operations of County government; and
- (2) This issue has been extensively discussed and resolved at the State level.

The Technical Committee recommended that Section 815 of the Charter be revised to eliminate the present \$15,000 public works bid limit and defer to state statute in this matter (Alternative 3). It should be noted that the Committee's second choice was an increased, fixed amount with provision for an annual inflationary adjustment.

The Commission considered this issue on March 29, May 24 and 26, 1988. The Commission gave final approval to the Technical Committee's recommendation.

OG:ew30.1