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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4880

AN ORDINANCE relating to the establishment and designation of City departments and offices; establishing a new department of information services and adding a new Chapter 3.46 to the Bellevue City Code; changing the designation of the department of finance, information and personnel services and its responsibilities; changing the designation of the office of policy planning and its responsibilities; changing the responsibilities of the office of human resources; amending Sections 3.37.010, .020, .030, .050, .060, .070, and .080, Sections 3.79.040(E), .060(A) and .070(A), Section 3.98.040, and Section 5.30.200 of the Bellevue City Code; amending Section 1(part) of Ordinance No. 4564 and Sections 3.44.010 and .020 of the Bellevue City Code; amending Section 3 of Ordinance No. 3728, as amended by Section 3 of Ordinance No. 4680, and Section 3.64.155 of the Bellevue City Code; and amending Section 1(part) of Ordinance No. 4565 and Section 3.47.010 of the Bellevue City Code.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. A new Chapter 3.46 entitled Department of Information Services is added to Title 3 of the Bellevue City Code to read as follows:

3.46.010 Department Established - Function.

There is established a Department of Information Services which shall administer a corporate information technology plan; oversee computer applications; manage the voice and data communications infrastructure; provide an array of technology services to support city staff; and provide such other services as may be directed by the city manager.

3.46.020 Director - Appointment - Designation as Chief Information Officer.

The functions of the department shall be executed under the supervision and control of a Director of Information Services who shall be designated the Chief Information Officer of the City. The director shall be appointed for an

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indefinite term by the city manager. The director may be removed by the city manager at any time pursuant to the provisions of RCW 35A.13.100.

Section 2. Section 3.37.010 of the Bellevue City Code, as most recently amended by Section 1 of Ordinance No. 4562, is further amended to read as follows:

3.37.010. Department established - Function.

There is established a department of finance which shall be responsible for general supervision over the financial affairs of the city .

Section 3. Section 3.37.020 of the Bellevue City Code, as most recently amended by Section 2 of Ordinance No. 4562, is further amended to read as follows:

Section 3.37.020. Director - Appointment.

The functions of the department shall be executed under the supervision and control of a director of finance. The director shall be appointed for an indefinite term by the city manager for his/her executive and administrative qualifications in such work. The director may be removed by the city manager at any time pursuant to the provisions of RCW 35A.13.100.

Section 4. Section 3.37.030 of the Bellevue City Code, as most recently amended by Section 3 of Ordinance No. 4562, is further amended to read as follows:

Section 3.37.030. Director - Designated treasurer.

The director of finance shall be designated city treasurer to perform in such capacity whenever the laws of the state or the ordinances of the city make reference to such position.

The director may appoint a subordinate employee from the department to assist in the performance of the duties of city treasurer.

Section 5. Section 3.37.050 of the Bellevue City Code, as most recently amended by Section 4 of Ordinance No. 4562, is further amended to read as follows:

Section 3.37.050. Director - Powers and duties.

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The director of finance shall have powers and duties coextensive with those prescribed by the laws of the state and the ordinances of the city as now in force or as hereinafter amended or adopted.

Section 6. Section 3.37.060 of the Bellevue City Code, as most recently amended by Section 5 of Ordinance No. 4562, is further amended to read as follows:

Section 3.37.060. Director - Investment of city funds.

The director of finance is authorized to determine the amount of money available in each fund administered by the city for investment purposes, and is authorized to invest such moneys in all forms of investments that are authorized by law.

The director may appoint a subordinate employee from the department to assist in the performance of the duties described in this section.

Section 7. Section 3.37.070 of the Bellevue City Code, as most recently amended by Section 6 of Ordinance No. 4562, is further amended to read as follows:

Section 3.37.070. Director - Interfund loan authority.

The director of finance is authorized to make loans from one city fund to another city fund for periods not exceeding three months. Such loans shall be authorized by the director only after he has made a determination, in writing, that the loaning fund will have adequate cash balances to continue to meet current expenses payable from the fund after the loan is made and until repayment thereof and that the loan is necessary to enable the receiving fund to meet current expenses payable from the receiving fund. Such loans shall be without interest unless interest is required by law, in which case the director shall designate the appropriate rate.

The director may appoint a subordinate employee from the department to assist in the performance of the duties described in this section.

Section 8. Section 3.37.080 of the Bellevue City Code, as most recently amended by Section 7 of Ordinance No. 4562, is further amended to read as follows:

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Section 3.37.080. Director - Petty cash accounts.

The director of finance is authorized to establish petty cash accounts within any fund of the city for any lawful purpose, which purpose shall be stated in writing by the director. At the time the account is established the director shall also appoint a single custodian for the account. The custodian may be changed from time to time as the director determines in writing. The director may also adopt procedures regarding the establishment and maintenance of such accounts.

Section 9. Section 3.79.040(E) of the Bellevue City Code, as most recently amended by Section 1 of Ordinance No. 4573, is further amended to read as follows:

Section 3.79.040. General working conditions.

E. Sexual Harassment. Sexual harassment of any employee by any other employee is prohibited. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. Any employee who believes he/she is being sexually harassed is strongly encouraged to seek immediate assistance from his/her department director and/or the office of human resources. The grievance procedures established in this chapter may also be used on either a formal or informal basis. Any report of sexual harassment will be investigated immediately and confidentially, and appropriate action taken in order to protect all parties involved from further harassment, retaliation or false accusations.

Section 10. Section 3.79.060(B) of the Bellevue City Code, as most recently amended by Section 2 of Ordinance No. 4573, is further amended to read as follows:

3.79.060 Grievance procedure.

B. Steps of the Grievance Procedure. All grievances shall be handled according to the following procedure except allegations of unlawful discrimination or harassment, which may be filed directly with the department

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director, office of human resources or city manager. Grievances must be initiated within 90 days of the employee's alleged grievable act.

Section 11. Section 3.79.070(A) of the Bellevue City Code, as most recently amended by Section 3 of Ordinance No. 4573, is further amended to read as follows:

Section 3.79.070. Termination from city service.

It is the city's intent to retain employees on the basis of their qualifications and the adequacy of their job performance, and to provide an orderly and fair system of terminating employees should the need arise.

A. Layoff. The city may lay off employees where there are changes in duties in the organization or reorganization of positions, a position or service is abolished, or there is lack of work or shortage of funds. Every reasonable effort will be made to integrate affected employees into other positions. The procedures are as follows:

1. Whenever a layoff is anticipated, employees whose jobs may be affected will be notified of the situation and options available as soon as possible to allow time to make necessary arrangements.
2. Temporary employees performing similar work in the same department or division will be laid off before regular employees are affected.
3. Options such as part-time work schedules, job sharing and voluntary time and/or pay reductions may also be explored, if, in the opinion of the department director, such options are feasible.
4. Regular employees will be retained on the basis of seniority when job performance and qualifications are equal. Related job performance will be determined by the department head on the basis of past job performance evaluations. Qualifications will be determined by the knowledge, abilities and skills required for affected position as stated in the class specification, and the employee's ability to perform the remaining work without further training.

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5. For a period of one year, regular employees affected by layoff will be offered the first opportunity to fill comparable vacant positions for which they are qualified. These employees will be placed on the city's job announcement mailing list for one year from the effective date of the layoff to assist them in applying for other job vacancies in the city for which they are qualified.
6. The office of human resources will coordinate limited out-placement services to regular employees who have been laid off such as job counseling, assistance in the development of resumes, and assistance in location of contacts and resources which may lead to other suitable employment.

Section 13. Section 3.98.040 of the Bellevue City Code, as most recently amended by Section 3 of Ordinance No. 4633, is further amended to read as follows:

Section 3.98.040. Emergency operations board.

A. There is created and established an emergency operations board to oversee and provide policy recommendations to the city council during emergency and recovery periods, and to provide policy direction for development and maintenance of the emergency operations plan. During any emergency or disaster, the board shall also oversee and provide direction to the emergency management committee, and shall be chaired by the director of emergency services.

B. The emergency operations board shall consist of the following members:

1. City manager, who shall be the chairperson;
2. Deputy city manager, who shall be the vice-chairperson;
3. City attorney;
4. Fire chief;
5. Police chief;
6. Director, department of community development;
7. Director, department of finance;
8. Director, department of parks and community services;
9. Director, department of planning, neighborhoods, and economic development;
10. Director, transportation department;
11. Director, utilities department;
12. Director, office of human resources;

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13. Director, department of information services; and
14. Other departments or divisions as designated by director.

C. Each department director shall have specific duties and responsibilities for mitigation, preparedness, response and recovery as provided in the city emergency operations plan and shall ensure that the policies established by the emergency management organization in the plan are implemented within their respective city departments.

Section 12. Section 5.30.200(A) of the Bellevue City Code, as most recently amended by Section 1 of Ordinance No. 4673, is amended to read as follows:

Section 5.30.200. Letter of credit.

A. In the event that a letter of credit is required pursuant to the franchise agreement, a grantee shall deposit with the city a letter of credit from a financial institution chosen by the grantee and reasonably approved by the city in the amount set by the city. The letter of credit may be replaced by the grantee, but may not otherwise be revoked or terminated during the term of a franchise plus an additional 60 days except with written approval of the city. The form and content of such letter of credit shall be approved by the director of finance and the city attorney. The letter of credit shall be used to insure the faithful performance by a grantee of all provisions of the franchise and this chapter, compliance with all orders, permits, and directions of any agency, commission, board, department, division, or office of the city having jurisdiction over its acts or default under the license, and the payment by the grantee of any fees, costs, claims, liens, liquidated damages, and taxes due the city which arise by reason of the construction, operation, or maintenance of the system, or breach or termination of a franchise.

Section 13. Section 1(part) of Ordinance No. 4564 and Section 3.44.010 of the Bellevue City Code are amended to read as follows:

Section 3.44.010 Office established - Functions.

There is created and established a department of planning, neighborhoods, and economic development which shall administer the comprehensive plan of the city; provide long-range planning; coordinate the development and implementation of city policy; administer the community outreach program; and provide such other services as may be directed by the city manager.

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Section 14. Section 1(part) of Ordinance No. 4564 and Section 3.44.020 of the Bellevue City Code are amended to read as follows:

Section 3.44.020 Director - Appointment - Responsibilities.

The city manager shall appoint the director of the department of planning, neighborhoods, and economic development who shall report directly to the city manager. The director shall be appointed for an indefinite term and may be removed at any time pursuant to the provisions of RCW 35A.13.100. The director shall direct the operations of the department of planning, neighborhoods, and economic development.

Section 15. Section 3 of Ordinance No. 3728, as amended by Section 3 of Ordinance No. 4680, and Section 3.64.155 of the Bellevue City Code are amended to read as follows:

Section 3.64.155 Bylaws and procedures.

The planning commission shall adopt bylaws and procedures, in addition to the limitations and standards set forth by the city council and consistent therewith, for the conduct of its meetings and hearings, for the setting of times of hearings, and for the giving of notices to the public and to property owners whose property rights or privileges may be altered by such action. A copy of the adopted bylaws and procedures may be obtained from the department of planning, neighborhoods, and economic development.

Section 16. Section 1(part) of Ordinance No. 4565 and Section 3.47.010 of the Bellevue City Code are amended to read as follows:

Section 3.47.010 Office established - Functions.

There is created and established an office of human resources, which shall provide review and planning of personnel policies; coordinate the development and implementation of city personnel policies; administer the city's affirmative action program; provide employee benefit design and administration including management of the medical/dental self insurance fund; and provide such other services as may be directed by the city manager.

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Section 17. This ordinance shall take effect and be in force thirty days after its passage.

PASSED by the City Council this 17th day of June, 1996, and signed in authentication of its passage this 18th day of June, 1996.

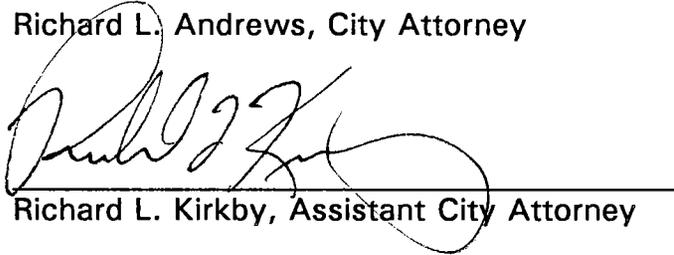
(SEAL)



Ronald E. Smith, Mayor

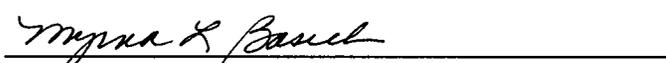
Approved as to form:

Richard L. Andrews, City Attorney



Richard L. Kirkby, Assistant City Attorney

Attest:



Myrna L. Basich, City Clerk

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