

ORDINANCE NO. 2408

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, RELATING TO INDEMNIFICATION OF CITY EMPLOYEES AND OFFICIALS, AMENDING SECTION 2.06.020 OF THE REDMOND MUNICIPAL CODE TO ADOPT PROVISIONS INDEMNIFYING THE REGISTERED DOMESTIC PARTNERS OF EMPLOYEES AND OFFICIALS; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in 2006, the City adopted Chapter 2.06 of the Redmond Municipal Code providing for the indemnification of City employees and officials; and

WHEREAS, in 2008 the Washington State Legislature amended chapter 26.16 RCW to provide for community property between domestic partners who have registered with the Washington Secretary of State; and

WHEREAS, the City Council desires to amend Section 2.06.020 of the Redmond Municipal Code to include indemnification of registered domestic partners of employees or officials of the City, under the same conditions as Section 2.06.020 currently indemnifies spouses of employees and officials of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Amendment of section. RMC 2.06.02, Legal Representation, is hereby amended to read as follows:

2.06.020 Legal representation.

A. As a condition of service or employment the city shall provide to an official or employee, and any spouse or registered domestic partner of an official or employee to the extent the [~~MARITAL~~] community, as community is defined in chapter 26.16 RCW as

amended by Chapter 6, Laws of 2008, is implicated, subject to the conditions and requirements of this chapter, and notwithstanding the fact that such official or employee may have concluded service or employment with the city, such legal representation as may be reasonably necessary to defend a claim or lawsuit filed against such official or employee resulting from any conduct, act or omission of such official or employee performed or omitted on behalf of the city in their capacity as a city official or employee, which act or omission is within the scope of their service or employment with the city.

B. The legal services shall be provided by the office of the city attorney unless:

1. Any provision of an applicable policy of insurance provides otherwise; or
2. A conflict of interest or ethical bar exists with respect to said representation; or
3. The Mayor determines that the assignment of counsel other than the city attorney is necessary or prudent under the circumstances.

C. In the event that outside counsel is retained under subsection (B)(2) above, the city shall indemnify the employee from the reasonable costs of defense.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance or any code provision adopted hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance or any such code provision.

Section 3. Effective date. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

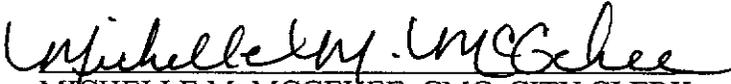
ADOPTED by the Redmond City Council this 15 day of July, 2008.

CITY OF REDMOND



JOHN MARCHIONE, MAYOR

ATTEST/AUTHENTICATED:



MICHELLE M. MCGEHEE, CMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: _____

FILED WITH THE CITY CLERK:	July 9, 2008
PASSED BY THE CITY COUNCIL:	July 15, 2008
SIGNED BY THE MAYOR:	July 15, 2008
PUBLISHED:	July 21, 2008
EFFECTIVE DATE:	July 26, 2008
ORDINANCE NO: <u>2408</u>	