



TO: Elizabeth Pauli, City Manager
FROM: Chris Bacha, City Attorney
COPY: City Council, Deputy City Manager and City Clerk
SUBJECT: Request for Ordinance amending Tacoma Municipal Code Sections 1.12.920 and 1.12.940 to comply with the requirements of Washington State law regarding defense of City officers and employees for acts in the scope of official duties.
DATE: 6/4/2024

SUMMARY & PURPOSE:

The City Attorney’s Office is requesting an Ordinance amending Tacoma Municipal Code Sections 1.12.920 and 1.12.940 to comply with the requirements of Washington State law regarding defense of City officers and employees for acts in the scope of official duties.

BACKGROUND:

Washington State law sets specific standards for circumstances in which all local governments in Washington must defend and indemnify their officers and employees for acts and omissions in the scope of their official duties. The standards set forth in Tacoma Municipal Code sections 1.12.920 and 1.12.940 were enacted prior to those in State law and vary from the statewide requirements. While the requirements of State law on this issue would control over conflicting local code, to avoid a perception of conflict and provide clear guidance to Tacoma officers and employees it is necessary to amend the Tacoma Municipal Code to conform to State law.

COMMUNITY ENGAGEMENT /CUSTOMER RESEARCH):

This legislation is necessary to align an older section of the Tacoma Municipal Code with the current requirements of Washington State law.

2025 STRATEGIC PRIORITIES:

- **Equity and Accessibility:** This resolution will ensure alignment of the Tacoma Municipal Code with State law, avoid a perception of conflict and provide clear guidance to Tacoma officers and employees.

Economy/Workforce: *Equity Index Score:* Moderate Opportunity
This Ordinance maintains compliance with the requirements of State law.

Livability: *Equity Index Score:* Moderate Opportunity
Increase positive public perception of safety and overall quality of life.
This Ordinance maintains compliance with the requirements of State law.

STAFF RECOMMENDATION:

The recommendation is to:

- Approve the Ordinance.



ALTERNATIVES:

Alternatives.

Alternative	Positive Impacts	Negative Impacts
1. Do not approve the Resolution.	None.	Without approval of the Ordinance the City code will not be compliant with current Washington State law.

EVALUATIONS AND FOLLOW UP:

The City will continue to apply the State mandated standards for defense and indemnification of employees.

FISCAL IMPACT:

There is no fiscal impact.

ATTACHMENTS:

Proposed Ordinance amending Tacoma Municipal Code Sections 1.12.920 and 1.12.940 to conform to the requirements of Washington State law regarding defense of City officers and employees for acts in the course of employment.