

NO. _____

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

**IN THE MATTER OF MODIFYING SPOKANE)
COUNTY RESOLUTION NOS. 96-0825, 03-)
0687, 03-0730, 06-0360, AND 07-1089)
REORGANIZING THE SPOKANE COUNTY)
HEALTH DISTRICT BASED ON RECENT)
LEGISLATIVE AMENDMENTS)**

RESOLUTION

WHEREAS, pursuant to the Constitution and laws of the State of Washington, Spokane County, Washington is a class A county duly organized and existing; and

WHEREAS, pursuant to the provisions of RCW 36.01.030, the powers of Spokane County can only be exercised through the Board of County Commissioners of Spokane County, Washington (“Board” or “Board of County Commissioners”); and

WHEREAS, pursuant to the provisions of RCW 36.32.120(6), the Board of County Commissioners has the care of County property and the management of County funds and business; and

WHEREAS, pursuant to the provisions of RCW 70.46.031, not amended by Section 6 of SHB 1152 having an effective date of July 1, 2022, the Board of County Commissioners may by resolution or ordinance establish a health district to consist of one county and specify the membership, representation on the district health board, or other matters relative to the formation or operation of the health district. The county legislative authority may appoint elected officials from cities and towns and person other than elected officials as members of the health district board so long as persons other than elected officials do not constitute a majority; and

WHEREAS, pursuant to RCW 70.46.031, as referenced herein above, the Board of County Commissioners, under Spokane County Resolution No. 96-0825, established an eleven (11) member Health District. Under Spokane County Resolution Nos. 03-0687 and 03-0737 the Board of County Commissioners increased the membership on the Spokane Regional Health District Board from eleven (11) members to twelve (12) members by adding two (2) voting members from the City Council of the City of Spokane Valley and reducing the membership of cities and town, other than the City of Spokane and City of Spokane Valley, from two (2) members to one (1) member. Under Resolution No. 06-0360 the Board of County Commissioners provided that the three (3) non-elected members appointed by the Board would be “voting” members and one would come from each county commissioner district. Under Resolution No. 07-1089 the Board further modified the various resolutions addressing the twelve (12) member Regional Health District Board so that the three (3) voting members from the City of Spokane and two (2) voting members from the City of Spokane Valley and one (1) member

from the cities and towns, other than the City of Spokane and City of Spokane Valley, can be from either their respective Councils or their respective Mayors; and

WHEREAS, the 2021 Washington State Legislature under E2SHB 1152 enacted legislation addressing the compositions and appointments to local boards of health which will require Spokane County as of July 1, 2022 to modify the above reference resolutions wherein it established a single county Health District; and

WHEREAS, Washington State's Governor, the Honorable Jay Inslee, has declared a state of emergency due to the Covid-19 pandemic and in conjunction therewith signed Proclamation No. 20-78 which prohibited any county in the State of Washington which is a party to an agreement to operate a combined city and county health department made under chapter 70.08 RCW or any members of a health district created under chapter 70.46 RCW from taking any action to terminate or commence or advance the legal process for termination of any agreement to operate a combined city and county health department or to withdraw or commence or advance legal process for withdrawal from membership in any health district except under certain conditions; and

WHEREAS, Washington State remains under a declared state of emergency due to the Covid-19 pandemic and as such Proclamation No. 20-78 is still effective; and

WHEREAS, the Board of Commissioners desires to modify and reconstitute the membership of the Spokane County Health District Board of Health, without withdrawing from the Health District or establishing a Health Department.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of County Commissioners of Spokane County, Washington, pursuant to the provisions of RCW 36.01.030, RCW 36.32.120(6) and RCW 70.46.031, not amended by Section 6 of E2SHB 1152 and having an effective date of July 1, 2022, that Spokane County Resolution No. 96-0825, as amended and clarified by Spokane County Resolution Nos. 03-0687, 03-0737, 06-0360, and 07-1089 respectively, be modified to provide as follows:

III. Establish an eight (8) member Spokane Regional Health District Board to consisting of the following voting members, except as provided to the contrary:

- A. Three (3) members of the county legislative authority; and
- B. One (1) member to be an elected official from a city/town within Spokane County to be selected by the Spokane County Board of County Commissioners who shall serve for a two-year term or so long as the individual holds the elected position, whichever comes first; and
- C. Three (3) members appointed by majority vote of the Spokane County Board of County Commissioners who shall not be otherwise elected to any public office selected from one

of each of the following categories who shall serve a two-year term. Provided however, these three (3) members may not participate in any decision related to the setting or modification of permit, licensing, or application fees which shall only be determined by elected members of the Spokane Regional Health District Board. The categories are:

- i. One (1) member representing public health, health care facilities, or providers, who is practicing or employed in Spokane County and are a medical ethicist; epidemiologist; experienced in environmental public health, such as a registered sanitarian; community health worker; holder of a master's degree or higher in public health or equivalent; employee of a hospital located within Spokane County; or any of the following providers holding an active or retired license in good standing under Title 18 RCW: physician or osteopathic physician, advanced registered nurse practitioner, physician assistant or osteopathic physician assistant, registered nurse, dentist, naturopath, or pharmacists.
 - ii. One (1) member representing consumers of public health who is a Spokane County resident who has self-identified as having faced significant health inequities or having lived experiences with public health-related programs such as: the special supplemental nutrition program for women, infants, and children; the supplemental nutrition program; home visiting, or treatment services. Individuals from historically marginalized and underrepresented communities may be given preference. Provided, this member may not be an elected official and may not have any fiduciary obligation to a health care facility or other health agency, and may not have a material financial interest in the rendering of health services.
 - iii. One (1) member representing community stakeholders who represents the following types of organizations located in Spokane County: community-based organization or nonprofit that works with populations experiencing health inequities in Spokane County; the business community; or the environmental public health regulated community.
- D. One (1) tribal member selected by the American Indian Health Commission who is not an elected official if a federally recognized Indian tribe holds reservation, trust lands, or has usual and accustomed areas within the Spokane County, or if a 501(c)(3) organization registered in Washington serves American Indian or Alaska Native people that provides services within Spokane County. Provided however, this member may not participate in any decision related to the setting or modification of permit, licensing, or application fees which shall only be determined by elected members of the Spokane Regional Health District Board.

IV. Members appointed to the Spokane Regional Health District Board shall serve without compensation, but shall be reimbursed for necessary expenses including but not limited to parking and mileage.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Spokane County, Washington, that the provisions of this this Resolution shall become effective as of the 31st day of December, 2021.

PASSED AND ADOPTED this _____ day of _____, 2021.

BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

JOSH KERNS, Chair

ATTEST:

MARY L. KUNEY, Vice-Chair

Ginna Vasquez, Clerk of the Board

AL FRENCH, Commissioner