

**BEFORE THE BOARD OF HEALTH  
SPOKANE REGIONAL HEALTH DISTRICT**

**RESOLUTION NO. 21-12**

RE: AUTHORIZING INDEMNIFICATION OF THE MEMBERS OF THE SPOKANE REGIONAL HEALTH DISTRICT (SRHD) BOARD OF HEALTH AND THE SRHD ADMINISTRATIVE OFFICER FOR LEGAL FEES, LEGAL COSTS AND/OR DAMAGES ARISING FROM OR RELATED TO THE TERMINATION OF THE FORMER HEALTH OFFICER, ROBERT LUTZ, M.D.

WHEREAS, the SRHD Board of Health terminated the employment of Robert Lutz, MD ("Lutz") on November 5, 2020 after a public hearing.

WHEREAS the Spokane Regional Health District believes that litigation is forthcoming related to the termination of Lutz which may name SRHD Board Members and/or the Administrative Officer in their individual capacities.

WHEREAS, the Washington State Board of Health has also scheduled a hearing related to the termination of Lutz.

WHEREAS SRHD Board of Health members took actions related to Lutz in their capacities as members of the governing body for Spokane Regional Health District.

WHEREAS, at all relevant times, the Administrative Officer has been acting in the course and scope of her employment for Spokane Regional Health District.

NOW, THEREFORE, BE IT RESOLVED that the SRHD Board of Health agrees to indemnify those individuals who were members of the SRHD Board of Health for the period of January 1, 2020 through December 31, 2021 of and from all reasonable legal fees, legal costs and damages awarded, if any, arising from or related to their actions as members of the SRHD Board of Health related to or arising out of the employment of Lutz as Health Officer for Spokane Regional Health District. This indemnification does not extend to actions taken in a member's individual capacity or actions taken in another governmental capacity.

BE IT FURTHER RESOLVED that the Board of Health for Spokane Regional Health District agrees to indemnify Amelia Clark, Administrative Officer for Spokane Regional Health District, of and from all reasonable legal fees, legal costs and damages awarded, if any, arising from or related to Lutz's employment as the Health Officer for Spokane Regional Health District and from or related to actions of the Washington State Board of Health regarding the Lutz termination hearing.

Approved this 2nd day of December 2021 by:

SPOKANE REGIONAL HEALTH DISTRICT  
BOARD OF HEALTH

  
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CHAIR, COMMISSIONER MARY KUNEY

  
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BREEAN BEGGS, COUNCIL PRESIDENT

  
Al French (Dec 10, 2021 16:42 PST)  
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AL FRENCH, COMMISSIONER

  
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ANDREA FROSTAD, BOARD MEMBER

**ABSENT**


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TIM HATTENBURG, COUNCILMEMBER

  
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JOSH KERNS, COMMISSIONER

  
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VICE CHAIR, MAYOR KEVIN FREEMAN

  
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JASON KINLEY, BOARD MEMBER

  
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KAREN STRATTON, COUNCILMEMBER

  
Ben Wick (Dec 13, 2021 08:09 PST)  
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BEN WICK, MAYOR

  
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BETSY WILKERSON, COUNCILMEMBER