

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF GOLD BAR, WASHINGTON, ADOPTING A
POLICY REGARDING COUNCIL ACCESS TO GOLD BAR
DOCUMENTS.**

WHEREAS, Councilmember Robert Amenn has created tremendous turmoil and paralysis in the Gold Bar community by focusing his public service on frivolous and reckless accusations of wrongdoing against Gold Bar employees and officials;

WHEREAS, Mr. Amenn's reckless obsession with finding wrongdoing has seriously disrupted the ability of the Council and City staff to serve the public, has destroyed the morale of the Council and city employees and has unjustifiably undermined public trust in City Hall; and

WHEREAS, Councilmember Amenn's meddling and disparaging comments about the Sonsteng litigation have caused great concern with the City's insurance carrier, the Association of Washington (AWC) Cities Risk Management Services Agency; and

WHEREAS, due to Mr. Amenn's conduct in the Sonsteng litigation, AWC sent a letter to the City dated July 29, 2004 in which it threatened to stop covering the City if Mr. Amenn continued to undermine the City's defense; and

WHEREAS, the financial impact of having to find a new insurance carrier on the basis that one of its council members is a liability hazard would be devastating to the City, as noted in the AWC letter, Gold Bar would have to "face the realities of a private insurance market that simply compensates for an insured's history of irresponsibility through exorbitant insurance premiums"; and

WHEREAS, the Council has determined that the City has wasted tremendous City time and resources in addressing the damage caused by Mr. Amenn and that it is time to move beyond Mr. Amenn's destructive tendencies to a more constructive agenda for the Gold Bar community, including making the Gold Bar community a better, safer and more enjoyable place for people to work and live; and

WHEREAS, in order to move forward, protect the City's insurance coverage and reduce its potential liability, the Council has determined that it must take measures to protect the City from the destructive behavior of Councilmember Amenn; and

WHEREAS, Councilmember Amenn's wife has made a large public records request for Gold Bar documents; and

WHEREAS, Councilmember Amenn has refused to recuse himself from Council executive sessions on the legal strategies and liabilities involved in the records request, thus depriving the Council of a meaningful opportunity to acquire legal counsel on the issue and to monitor the City's response; and

WHEREAS, Councilmember Amenn has now made a records request to review the records that the City refused to release to his wife; and

WHEREAS, the documents he requests are largely comprised of e-mail information addressing personal, noncity business and e-mails prepared in anticipation of litigation; and

WHEREAS, given Councilmember Amenn's past behavior if he is given access to the nondisclosed e-mails he will no doubt find information of which he is "concerned" and that "due diligence" and his oath of office compel him to make further baseless and harmful accusations that will cause further turmoil and cost the City additional expense; and

WHEREAS, although Councilmember Amenn's actions have demonstrated little respect or concern for the interests of his community, the remainder of the Gold Bar City Council is committed to providing the good constructive public service that Gold Bar residents deserve and will take this and any other legal actions necessary to provide that service; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF GOLD BAR, WASHINGTON,
HEREBY RESOLVES AS FOLLOWS:

Section 1. Councilmembers shall have no more access to public records than the general public as required by the Public Disclosure Act, Chapter 42.17 RCW, unless directed otherwise by a majority of the Council or unless required by law.

RESOLVED this _____ day of _____, 2004.

APPROVED by the Mayor this ____ day of _____, 2004.

MAYOR, COLLEEN HAWKINS

ATTEST:

HESTER GILLELAND, CITY CLERK

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
RESOLUTION NO. _____