

*directed to provide the City Council with the name of a law firm to provide independent advice and assistance to the City Council for the investigation.*

Upon the Mayor's request, **Bushong** confirmed the above motion had failed. **Mayor Krieger** stated that Item B (above) is in direct conflict with the failed motion of this body. Isn't that correct?

**Wilkinson** stated that the City Council is receiving questions, phone calls and letters about the issue. A law firm is calling City employees and *The Sun* has received letters. There are a lot of things going on behind the scenes; on several occasions City Councilmembers have asked him about getting legal representation and advice. No action has been taken regarding outside legal counsel. He does not feel placing this on the agenda is in conflict with the failed motion. The City Council voted to reconsider the motion at the Special Council Meeting of January 25, 2012; he has done his job - appropriately representing the City Council - by responding to its wishes.

**Mayor Krieger** stated he has a difference of opinion with the City Administrator. He intends to strike Item B from the agenda. **Johnson** raised a point of order. **Mayor Krieger** asked not to be interrupted. **Johnson** referred to Robert's Rules of Order, saying a point of order supersedes all other motions.

**Motion (Johnson/Thomas):** To direct Mayor Krieger to abide by the agenda as written. [Clerk's Note: This motion was not addressed as it was made moot by the departure of Mayor Krieger from the dais.]

**Mayor Krieger** objected; **Johnson** insisted, saying that the Mayor continues to dominate the City Council, making it impossible for the City Council to conduct City business. The Yuma City Charter and City Code spell out how meetings are to proceed, but Mayor Krieger has jumped ahead and taken items out of order so that he can attack the possible investigation. A point of order takes precedence; he (Johnson) is simply asking that the City Council be allowed to have a civilized discussion - one without a lecture by the Mayor. **Mayor Krieger** stated that he chairs the meeting, which is different from dominating it. Before he was interrupted, he was simply going to ask that Item B be struck and he was going to excuse himself.

**Mayor Krieger** left the dais and sat in the audience with his family and coworkers, turning the meeting over to Deputy Mayor Johnson at 7:52 p.m. **Deputy Mayor Johnson** asked if Mayor Krieger was declaring a conflict by his actions. **Mayor Krieger** stated he was not; he was simply turning the meeting over to the Deputy Mayor.

**Deputy Mayor Johnson** noted that a motion must be on the floor prior to a discussion, therefore, he offered the following motion.

**Motion (Johnson/Thomas):** That the Yuma City Council invoke the powers, pursuant to Article VII, Section 10, of the Yuma City Charter, to investigate allegations regarding Mayor Alan Krieger and authorize the law firm of Gust Rosenfeld, P.L.C., to proceed as attorney on behalf of the Yuma City Council.