



City handed \$75k bill for legal services

BY JOYCE LOBECK @YSJoyceLobeck

2012-08-25 18:28:00

The city of Yuma recently received a bill for legal services totalling nearly \$75,000 from the firm that conducted the investigation into alleged misconduct by Mayor Al Krieger.

The invoice was from the firm of Gust Rosenfeld for services provided to the city dated from April 3 to July 26. The investigation was conducted by Attorney David Pennartz on behalf of the Yuma City Council.

Just how much of that total was for the mayor's investigation was unclear as some of the charges are for other legal services, said City Administrator Greg Wilkinson. However, he estimated that about two-thirds of the \$74,988 were directly related to the investigation.

The remainder was for legal services provided by Gust Rosenfeld for other matters, Wilkinson said.

Pennartz presented his findings to the council on May 16 and was directed by the council at that time to forward his report and supporting documentation to "appropriate authorities for consideration of enforcement action."

The allegations against Krieger included charges of open meeting law violations and conflict of interest.

"The seriousness of the allegations caused the increase in the cost to properly investigate them," Wilkinson said.

Further adding to the cost, he said, is that the mayor cancelled his first meeting with Pennartz.

Other allegations that Krieger also had violated the city charter were dropped to protect city employees from potential retribution, Wilkinson said.

The council has been criticized for contracting with an attorney to do the investigation rather than turning the matter over to the Office of the Attorney General.

Wilkinson said that documents were sent to that office in February, but were returned with a statement dated April 4 that "their submission to the Attorney General's Office is premature."

As for the remainder of the bill from Gust Rosenfeld, dated July 31, Wilkinson pointed out that some of the charges on the invoice for professional services were dated after the investigation ended three months ago.

"It's not clear what attorney fees were just for the investigation," he said. "It's hard to break out the cost because the firm is providing ongoing services."

While Wilkinson didn't elaborate about the purpose of those services, he said that "some want to keep rehashing the controversy," referring to the effort to recall Councilmen Paul Johnson and Jerry Stuart. "Now we have additional need to contract with outside counsel."

That includes a claim filed by Mayor Krieger against the city for his legal fees to defend himself. The claim was discussed by the council in executive session on Aug. 14 so no further information is available.

"The council, city staff and community are trying to move on," Wilkinson said. "We have more important