

BOARD OF SUPERVISORS' SPECIAL MEETING MINUTES

The Pima County Board of Supervisors met remotely in special session through technological means, at 9:00 a.m. on Tuesday, November 22, 2022. Upon roll call, those present and absent were as follows:

Present: Sharon Bronson, Chair
Adelita S. Grijalva, Vice Chair
Rex Scott, Member
Dr. Matt Heinz, Member
*Steve Christy, Member

Also Present: Jan Leshner, County Administrator
Sam Brown, Chief Civil Deputy County Attorney
Melissa Manriquez, Clerk of the Board
Robert Krygier, Sergeant at Arms

*Supervisor Christy joined the meeting at 9:08 a.m. He participated telephonically.

1. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

2. LAND ACKNOWLEDGEMENT STATEMENT

The Land Acknowledgement Statement was delivered by Kelsey Yonnie Webb, Special Staff Assistant Senior, REACH Program, Pima County Health Department.

ELECTIONS

3. Canvass

Pursuant to A.R.S. §16-642(A), canvass of the election results for the November 8, 2022, General Election.

Sam Brown, Chief Civil Deputy County Attorney, provided an explanation to the Board regarding the statutory requirements. He stated it was a ministerial act required by statute to meet and canvass the election within the statutory timeframe.

Chair Bronson questioned if the Board had received election equipment certification information from the Elections Director.

Jan Leshner, County Administrator, responded the election equipment certification was received prior to the Primary Election, which was certified and a basis for the canvass of the Primary Election.

It was moved by Supervisor Grijalva and seconded by Supervisor Heinz to canvass the election. No vote was taken at this time.

Supervisor Scott commented that he understood that approval of the canvass was a ministerial action, but felt it was important for the public to know that County elections in November and August were conducted safely, securely, fairly and efficiently. He thanked Ms. Hargrove, her staff and election volunteers for their work during this election cycle. He added that the question regarding certification of the equipment was answered by Ms. Hargrove in a memorandum that could be found on the District 1 website.

Chair Bronson stated that the memorandum was posted on the County website. She added that the Elections Director indicated via memorandum that all the votes had been counted for the General Election.

Supervisor Scott asked that besides the Board of Supervisors, who was responsible for certifying the election results and when would that be done.

Supervisor Christy questioned whether the Board had violated any open meeting laws, since the official canvass was not provided in the background material when the agenda was posted.

Mr. Brown responded that the Board had not violated any open meeting laws. He stated that the item was efficiently described on the agenda.

Supervisor Christy questioned whether the Board violated open meeting laws by not holding an open Call to the Public.

Mr. Brown responded no. He stated that Call to the Public was not a requirement and was discretionary to the Board.

It was thereupon moved by Supervisor Christy to install Call to the Public. The motion died for lack of a second.

It was furthermore moved by Supervisor Christy that all public comments be read by the Clerk of the Board. The motion died for lack of a second.

Chair Bronson commented that the Clerk indicated all public comments were published to the agenda on the website.

Melissa Manriquez, Clerk of the Board, concurred and stated that the Clerk's Office received the official canvass from the Elections Department on November 21, 2022, and it was distributed to each district office and posted online.

Supervisor Christy stated that the 2022 election issues were numerous and troubling. He questioned why the Elections Department showed 705,072 registered voters and the Recorder showed 639,885 registered voters.

Chair Bronson indicated that Supervisor Christy's questions would be directed to the appropriate individuals within the County.

Supervisor Christy questioned how the Board could certify or not certify a canvass of almost 3,000 pages that had not been available in a timely fashion. He stated that it was irresponsible to have less than 24 hours to review the documents. He indicated that the Recorder, Gabriella Cázares-Kelly, was actively electioneering on behalf of Congressman Raúl Grijalva and other Democratic candidates. He stated her activities took place during an election cycle, which she had official oversight in her capacity as Pima County Recorder. He stated that it was unprofessional behavior from an elected official entrusted with the most significant role in the conduct of Pima County elections and was partisan, divisive and damaging to voters' faith in the election. He added that the Recorder had access to every layer of election activity in Pima County during the election. He stated that the current Secretary of State, Katie Hobbs, potentially acted in violation of numerous statutes and regulations, that governed conduct related to conflict of interest of State of Arizona officers and employees. He indicated that Ms. Hobbs was an incumbent in the Office of Secretary of the State and Democrat nominee for the Office of Governor. He stated that Ms. Hobbs chose not to recuse herself from her current duties, which included certifying her own election. He added that Ms. Hobbs authored the 2019 Elections Procedure Manual and oversaw the 2020 election, which continued to provoke controversy. He stated that Ms. Hobbs had complete access to all voter and election procedures, tabulations and results to all elections, including Pima County. He asked if Ms. Hobbs acted in accordance with state regulations since she had not recused herself. He requested that the Pima County Attorney and the Attorney General of the State of Arizona issue an opinion as to the actions of Ms. Hobbs in this matter and that both offices render a determination based on what relief could be afforded to the voters of Pima County and the State of Arizona. He stated that until his questions were answered, he could not support approval of certifying the canvass of Pima County.

Supervisor Heinz commented that Ms. Hobbs was the Governor-elect and in the State of Georgia in 2018, the then Secretary of State removed tens of thousands of voters from the roll, had run for Governor and certified his own election and became Governor-elect himself. He stated that there was nothing wrong with the way Governor-elect Hobbs was doing in her role as Secretary of State. He expressed his support of the approval of the canvass.

Mr. Brown explained that all fifteen Arizona counties needed to certify their election by November 28, 2022, and the Secretary of State needed to certify statewide results by December 5, 2022.

Supervisor Scott questioned whether the Governor or the Attorney General had a role in the certification.

Chair Bronson commented that she believed they did and that there would be a recount of the Attorney General's race since it was close and it was a statutory requirement.

Mr. Brown clarified that the Governor and Attorney General had roles in the certification of the canvass, but did not have the specifics of their roles.

Upon roll call vote, the motion carried 4-1, Supervisor Christy voted "Nay."

4. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 9:20 a.m.

CHAIR

ATTEST:

CLERK