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GOVERNMENT ACCOUNTABILITY UNIT

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August 12, 2019

By Certified Mail, Return Receipt Requested

Bullhead City Council
c/o Garnet K. Emery, City Attorney
2355 Trane Rd.
Bullhead City, Arizona 86442

Re: Alleged use of city resources to influence an election

Councilmembers and Mr. Emery:

As you may know, the Office of the Attorney General ("Office") has received a complaint alleging city resources are being improperly used to influence the upcoming ballot initiative regarding issuance of debt to acquire EPCOR's water system. Specifically, the Office is aware of a July 16, 2019 Bullhead City Council ("City") meeting where Mayor Tom Brady commented on the acquisition and upcoming election. Those comments were then isolated and reposted on the City's official YouTube account and the City's website. The Office is also in receipt of photos depicting posts and comments about the acquisition on the City's official Facebook account and digital billboard advertisements with the slogans, "Our City, Our Water, Our Rates" and "Local Control = Local Benefit."

This Office is authorized to take action under A.R.S. § 9-500.14 regarding use of city resources to influence the outcome of an election. In order to better assess whether the mayor's comments along with the subsequent reposting, posts on Facebook, and advertising may implicate A.R.S. § 9-500.14, the Office is requesting a response to assist in determining the facts surrounding the allegations.

To that end, please provide any information you believe may be useful and in particular:

1. Who authorized cropping the aforementioned City Council meeting to reflect the mayor's comments;
2. For postings to the City's official website, Facebook, and YouTube accounts:
 - a. Who authorized posting the cropped video;
 - b. Who subsequently posted the cropped video;
 - c. Who manages the City's posts on a daily basis;
 - d. How much time is spent managing the City's posts on a daily basis;
3. The hourly salary of any person responsible for social media management as described above;
4. Who created the content for the digital billboard advertisements;

5. Who authorized the content for the digital billboard advertisements;
6. Who executed the digital billboard advertisements; and
7. The cost for a member of the public to digitally advertise on the billboards.

Please respond with the requested information within thirty (30) days of receiving this letter. A failure to timely respond to this letter will be noted in evaluating whether action under A.R.S. § 9-500.14 may be necessary.

If legal counsel will be representing you in connection with this inquiry, please have counsel notify me of such representation.

Sincerely,



Keena Patel
Assistant Attorney General