GOVERNMENT OF THE DISTRICT OF COLUMBIA

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### BOARD OF ELECTIONS

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### SPECIAL BOARD MEETING + + + + +

#### WEDNESDAY

SEPTEMBER 13, 2023

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The District of Columbia Board of Elections convened a Special Board Meeting via Video/Teleconference, pursuant to notice, at 10:30 a.m. EDT, Gary Thompson, Chair, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

GARY THOMPSON, Chair KARYN GREENFIELD, Member J.C. BOGGS, Member

BOARD OF ELECTIONS STAFF PRESENT:

MONICA HOLMAN EVANS, Director TERRI STROUD, General Counsel CECILY COLLIER-MONTGOMERY, Office of Campaign Finance

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1 P-R-O-C-E-E-D-T-N-G-S 10:33 a.m. 2 3 MR. THOMPSON: Good morning. 4 Hopefully, everybody can hear me out there in Zoom land. 5 6 My name is Gary Thompson, the Chair 7 of the Board of Elections. 8 And with us today is Karyn 9 Greenfield and J.C. Boggs. All three Board 10 members are present, along with our executive 11 staff. 12 And good morning. 13 Ι see we have a court reporter 14 present. 15 The first thing we do is adopt our 16 agenda. It's been publicly noticed and 17 distributed to everybody. 18 So, at this time, I would move that 19 we adopt the agenda. 20 MS. GREENFIELD: Second. 21 MR. THOMPSON: All right. All in 22 favor?

1 (Chorus of ayes.) 2 Those are three ayes. 3 Also, the minutes from our last 4 regular Board meeting of July 21st have been distributed. We've all had a chance to review 5 6 They look good to me. I'll move that those. 7 we adopt those minutes. 8 MS. GREENFIELD: Second. MR. BOGGS: 9 Second. 10 MR. THOMPSON: Okay. And all in 11 favor, I guess? (Chorus of ayes.) 12 13 Three ayes. 14 The ayes have it. All right. Thank 15 you so much. 16 So, moving on to Board members, 17 Karyn and J.C., anything from you? 18 MR. BOGGS: No. 19 MS. GREENFIELD: No, I don't have 20 anything. 21 MR. THOMPSON: Okay. I'm going to 22 turn it over to our Executive Director, Monica

1	Holman Evans. We lost a dear member of the BOE
2	family, Antoinette Williams, and Monica is
3	going to say a few words about that.
4	MS. HOLMAN EVANS: Thank you, Gary.
5	And as the Chair mentioned, I'd just
б	like to begin by adding some heartfelt news to
7	the official meeting record for today.
8	It's always difficult when you lose
9	a member of your family or your family
10	experiences some sort of tragedy. Well, our
11	BOE family is in that position right now.
12	We recently experienced the loss of
13	our beloved colleague, Antoinette Williams. On
14	August 31st, she lost her battle with cancer.
15	So, needless to say, this news has shaken BOE.
16	And Antoinette worked in our IT
17	Division, but, of course, she touched every
18	Division here at BOE. And she also worked very
19	closely with our vendors and contractors, and
20	many of them have also reached out to us to
21	express their condolences.
22	I would like to begin, if you don't

1	mind, Chair, just by having a moment of
2	silence, so that we can reflect on what
3	Antoinette meant to our family and just think
4	about loved ones during this time.
5	Thank you.
6	MR. THOMPSON: Yes. Thank you.
7	(A few moments of silence.)
8	MS. HOLMAN EVANS: Thank you for
9	that.
10	Now, I really would like to open it
11	up to BOE staff. I know a lot of staff members
12	have things on their hearts and things they
13	would like to say. And so, at this time, if
14	any staff member would like to come off of
15	mute and say a few words or express any
16	thoughts about Antoinette, I would like to have
17	you do that at this time.
18	MS. BURROWS: Hi. This is Stacy.
19	Can you hear me?
20	(Audio feedback.)
21	MS. HOLMAN EVANS: I hear a lot of
22	feedback.

1 Τf someone else would like to qo 2 while Stacy figures out her audio? 3 MR. FAGEN: Hello. This is Shawn 4 Fagen. 5 A dear friend, she was my right hand and at many points both hands. She was the 6 7 glue in the IT Division that kept the ball 8 rolling in many ways. Her personality drew you 9 close to paying attention and focusing on a 10 task at hand, when needed. But she knew how to 11 keep the seas calm when things got rocky. She was about delivering the details in a clean and 12 13 precise method that everyone could appreciate 14 and follow to the T. She became that go-to 15 person within our Division, hands down. 16 Over time, we became good friends, 17 she had a straight to the point where 18 connection to my wife, and I'm still trying to 19 figure out how that happened. But Antoinette 20 at that time became family. 21 Т will never forget the kind and 22 supportive person with that big heart during

1 those moments when she was there, not just for 2 me, but for others, too. She truly will be 3 missed and not forgotten. Thank you. 4 5 MS. McCANN: So, Monica, this is I have a few words. 6 Lenez. 7 Can you hear me? 8 MS. HOLMAN EVANS: Yes, we hear you. 9 MS. McCANN: Okay. Great. 10 So, Antoinette and I started at BOE 11 around the same time, and we sat back there 12 side by side in that hoteling area, and that's when I got to know her best. 13 I mean, it was, 14 you know, never a dull moment back there with 15 Antoinette. And that was back in the time when 16 17 we didn't have all the buildings around us and 18 we had a beautiful view outside the hoteling 19 And one thing about her that she loved, area. 20 she loved watching planes take off and land. 21 And so, we used to sit back there, of course, 22 while we were doing our work, and watch the

							remember	the	joy	
2	that	she	got	out	of	doing	that.			

3 She was part of a little team we 4 have back there around the hoteling area called lunch bunch." 5 the "Oreo And so, it was Antoinette and Rudy and myself, a few other 6 7 people. And every Friday, it was a contest to see who could bring in the Oreo cookie that 8 9 nobody has ever had before. And I think I'm still carrying a few pounds from those Oreo 10 11 Fridays that we used to have.

And I definitely am still carrying a 12 13 few pounds from the business that she had. Ι 14 know most of us know she had a business called 15 the Pound." And she made "Heaven by some 16 delicious cakes. I mean, my favorite of hers 17 was for lemon cake, and she would throw some 18 blueberries in there. And, I mean, it was just 19 -- you know, I can't even say anything more 20 about that cake. But she definitely had baking skills, those of which I wish I had a fraction 21 22 of.

1	I'll always remember, you know, she
2	was festive when it came to holiday times. I
3	mean, some of the outfits that she used to wear
4	around Halloween or around Christmas, I'll
5	always remember those types of outfits.
6	And the other thing that I will
7	always remember about Antoinette is nobody kept
8	the teapot clean like Antoinette. I mean, she
9	would come in and she would see a whole teapot
10	full of water, and she'd throw it out. She
11	said, "Nobody can drink this." And she would
12	clean the bottom of that teapot like nobody
13	else. And so, you know, I don't even feel
14	right drinking out of the teapot anymore, that
15	she's not here to clean it.
16	So, those are some of my memories of
17	Antoinette. She will definitely be missed.
18	She was a good friend to the agency and to me.
19	Thank you.
20	MS. HOLMAN EVANS: Thank you, Lenez.
21	MS. MILLER: Monica, hi. This is
22	Alice. I can on.

1 I can say this: Antoinette has been 2 with us for a while, as Lenez said, starting in 3 the back in a temporary position, and then, moving to the permanent position. 4 Unfortunately for this agency, this 5 is becoming more of the norm than an exception 6 7 to lose staff members. And I'll just briefly, 8 on reflection, mention Berlinda Vaughan and 9 Damon Brodas, who was also a member of the Rudy, 10 staff; and now, here are with we 11 Antoinette. It's just unfortunate over the 12 past, I would say, four to five years, we have 13 lost so many members of our staff. And as I

14 say, it's becoming more of a norm than it is 15 the exception.

16 But Antoinette was an exception in 17 her own way, as Lenez has mentioned. You know, 18 she, oftentimes, brought some of her cooking 19 skills into the office, and we all were 20 fortunate enough to share in that. They are 21 untouched, her baking skills and the fact that 22 she would do that freely and of her own will.

And I was fortunate enough to have her do that for me with my daughter when we celebrated my daughter's surprise party for her 4 30th birthday. And she willingly participated with that and helped me get that underway by bringing all sorts of treats. just And everybody from my family even took part in that.

9 She was very, very kind. Her 10 infectious smile -- even when we went to visit 11 her in the hospital, I can still see her just smiling because we were there. And she would 12 13 say, "Take my hand." You know, "I'm so happy 14 ladies. You all see you, look to so 15 beautiful." And, Monica, I know you were there 16 one day when she said that to us, when she saw 17 She did not in any way waver from us come in. 18 telling us how nice we looked when we walked 19 in. And all she wanted us to do was to hold 20 her hand, and complimented us on how we were 21 dressed. And so, "I love that top you have 22 on."

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1	Because that's exactly who she was.
2	Just unwavering in her patience, especially
3	with me when it came to technology, because I
4	never know what I'm doing. And she would just
5	come in my office and take her time and fix my
6	computer, fix whatever needed to be fixed, and
7	stand there and just look at me, as I would
8	just like say, "Oh, my God, I don't know what
9	this is." And she'd take her time and fix it
10	and it would get done, and then, she would
11	leave and just say, "Alice, this was not that
12	big a deal." Right? And it would be done.
13	I just want to say one last thing,
14	and this is a quote. And it says, "How lucky I
15	am to have something that makes saying goodbye
16	so hard." And that's from Winnie-the-Pooh.
17	So, those are my thoughts. Those
18	are my memories.
19	We never thought we would be in this
20	position, especially with Antoinette, who, when
21	we found out she had something going on, we
22	never thought it would end like this.

1	MS. HOLMAN EVANS: Thank you, Alice.
2	MS. BURROWS: All right. Monica,
3	this is Stacy. Can you hear me? I'm using
4	Shawn's machine.
5	MS. HOLMAN EVANS: Yes.
6	MS. BURROWS: Okay. All right.
7	I just want to say I'm really at a
8	loss for words right now. And I really can't
9	express how our team feels and how they're
10	actually dealing with this, but it is with deep
11	sadness that we remember Antoinette, which was
12	a beloved member of our IT team and was
13	affectionately known as Tony by those who had
14	the privilege of working with her closely.
15	Me, myself, personally, I have
16	worked with her a couple of years, not as long
17	as many of you have worked with her. But just
18	observing Antoinette and working with her, she
19	was always ready to extend a helping hand and
20	really shared her expertise with others
21	throughout the Division.
22	She was a beacon of professionalism

1	and commitment. And she actually set an
2	example for all of us to follow. She was
3	classy, but could also get sassy at times, but
4	with the right people.
5	While Antoinette may no longer be
б	with us in person, her absence will be deeply
7	felt. Her influence on our team will endure
8	for years to come.
9	Our thoughts and our condolences
10	continue to go out to the family, the loved
11	ones, and to the entire BOE team during this
12	challenging time. And that's from the IT team.
13	MS. HOLMAN EVANS: Thank you, Stacy.
14	And unless there's anyone else, I
15	think we will return to the agenda.
16	The last thing I would just like to
17	add, there was always an ongoing battle with
18	Antoinette between Nike versus Adidas, or as I
19	say, "Adi-das". And she was an Adidas girl.
20	And so, I'd just ask, next time you throw on
21	those Stan Smiths or, you know, pair of Adidas,
22	just fondly remember Antoinette.

1	I remember asking her one time, "You
2	should own stock in Adidas; you wear so much of
3	it." And she said, "I do."
4	So, next time you throw on our
5	"Adi-das", just, you know, smile and remember
6	Antoinette fondly.
7	Thank you, Mr. Chair. I will turn
8	the agenda back over to you.
9	MR. THOMPSON: Okay. Thank you,
10	everybody.
11	Returning to the agenda, next back
12	to Director Evans for the regular report.
13	MS. HOLMAN EVANS: Thank you again.
14	Good morning.
15	The Executive Report for the months
16	of July and August is as follows:
17	Precinct mapping. As required by
18	regulations, the Board is looking at our
19	current precinct boundaries to divide the
20	District into appropriate voting precincts
21	based on our election Wards. We have created
22	additional SMDs in our electionware software

1 We are preparing a comprehensive platform. 2 simulation of the redistricting changes, based 3 on test specs, before the mapping process is finalized. And a file has been sent to OCTO to 4 5 verify the SMDs and precinct alignment. vacancies. We have 13 6 ANC ANC

7 vacancies for the 2023-2025 term. These 8 vacancies are in different stages of being 9 filled. After candidate filing requirements 10 are met, an open vote of registered voters of 11 the affected SMD will be held during а 12 regularly scheduled ANC meeting.

13 List maintenance. We have now 14 305,402 mailers to registered voters canvass 15 who did not participate in the 2022 general election. We have received 77,508 mailers back 16 from the U.S. Postal Service. We are sending 17 18 71,221 notices as part of our second canvass 19 mailer. After the second notice is sent, these 20 individuals will be moved to an inactive 21 status. We have also identified 65,628 current 22 inactive voters who will be removed from our

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voter rolls. The second mailer will go out no later than September 22nd.

3 Vendor engagement. We hosted 4 KNOWiNK on August 9. They provided а demonstration of their poll print solution. 5 is, essentially, a ballot-on-demand 6 And that 7 option. We are working with ES&S to replace the batteries in our DS200 units before the end 8 9 of the year.

10 Education and training. Tabletop 11 the Vote 2023. On August 16, we participated 12 in a tabletop exercise sponsored by the 13 Infrastructure Cybersecurity and Security 14 Agency, or CISA. The purpose of the tabletop 15 exercise was to facilitate the identification 16 of best practices and areas for improvement in 17 election incident planning, identification, 18 response, and recovery.

19 Wasp AssetCloud training. On August 20 30 and 31, Wasp conducted a training session at 21 our warehouse for our logistics team. This 22 training is designed to optimize the

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1 utilization of the Wasp platform that will effectively manage 2 to inventory, empower us 3 oversee logistics, and closely monitor our 4 supplies, equipment, and other resources. 5 and off-year election Next steps planning. draft 6 primary and general Our 7 election calendars for the 2024 election cycle 8 are posted on our website. Our Candidate 9 Access Forms have been reviewed and appropriate 10 edits have been made. We have started 11 processing election worker applications that 12 have been submitted, and we are updating 13 election worker assignment and training forms. 14 We updated ballot have special 15 envelopes and prompt screens on our poll pads 16 to adhere legislation allowing to new 17 non-citizens to vote in local elections. 18 We are implementing the requirements 19 of the Elections Modernization Amendment Act 20 and the Local Resident Voting Rights Amendment 21 Act. 22 We with VR have met Systems, our

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voter registration database vendor, to create a data visualization interface on our website and to assist with a database solution to house non-citizens who register to vote in local elections.

We will acquire additional equipment 6 ballot processing 7 assist with our mail to 8 activities. We, of course, received funding in 9 budget to purchase additional our FΥ 2024 10 Agilis machines to sort ballots and to purchase 11 signature verification software.

We have finalized a brochure and other informational materials that will be used to assist with outreach to non-citizens, and we are creating an election worker training addendum to address non-citizen voting in local elections.

Additionally, we are updating the Election Worker Training Platform, developing the 2024 Voter Education and Outreach Plan, and assessing our plan for vote center and mail ballot dropbox locations. Our plan for vote

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center and mail ballot dropbox locations is posted on our website, and we are receiving comments until October 2nd.

We are engaged in conversations with Maryland, Virginia, and North Carolina to discuss the best ways to share data and update information outside of ERIC.

8 We have entered into an MOU with 9 Virginia share information to regarding 10 registered voters and voter participation. 11 This will allow us to share information to 12 assist with our list maintenance process and 13 our voter participation efforts. This MOU is 14 particularly helpful because Virginia left ERIC 15 earlier this summer.

education 16 Voter and outreach. 17 During the month of July, the Voter Education 18 and Outreach Division conducted 19 outreach 19 events on behalf of the agency. Events 20 included voter registration drives at Fresh 21 Farm Market in Columbia Heights and Barracks 22 Row Main Street Jazz in the Park. We also

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conducted a voter registration drive at the July 11th Naturalization Ceremony held at U.S. District Court.

4 During the month of August, Voter 5 Education and Outreach conducted 15 outreach August highlights include: 6 events. voter 7 registration drives Community at The College 8 Preparatory School and with Building Bridges 9 Across the River at THEARC in Ward 8.

10 Voter registration rolls. In July, 11 we registered 2,339 new voters and processed 12 360 registration changes. In total, we 13 prepared 2,699 voter registration cards to be 14 Additionally, 86 registered voters mailed. 15 moved out of D.C.; nine voters cancelled their 16 registrations and registered with other 17 jurisdictions, and 988 voters registered in 18 D.C. after cancelling their registrations in 19 other jurisdictions.

In August, we registered 2,979 new
voters and processed 358 registration changes.
In total, we prepared 3,337 voter registration

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1 cards to be mailed. Additionally, 276 2 registered voters moved out of D.C.; 670 voters 3 cancelled their registrations and registered with other 4 jurisdictions, and 944 voters 5 registered in D.C. after cancelling their registrations in other states. 6

7 We are continuing to register voters 8 using our website portal. And to date, we have 9 processed over 37,539 applications using the 10 portal. These include new voter registrations 11 and updated to existing registrations.

12 And that concludes my report. Thank13 you.

14MR. THOMPSON: Thank you, Director15Evans.

16 That report summarizes a whole lot 17 of work by dozens of brilliant and busy BOE 18 staff. So, thank you, everybody, for being 19 behind the scenes for everything that Director 20 Evans just summarized.

I was just reflecting on how everysingle thing that was just mentioned revolves

1	around IT support. It's behind everything we
2	do. So, special thanks to our IT staff,
3	especially, of course, Antoinette Williams.
4	Just a couple of quick questions.
5	You mentioned non-citizen voting. And I think
6	I heard the registration in that regard will
7	commence January 1st?
8	MS. HOLMAN EVANS: That is correct,
9	no later than.
10	MR. THOMPSON: Oh, it could be
11	sooner?
12	MS. HOLMAN EVANS: Yes.
13	MR. THOMPSON: Okay. And you also
14	mentioned that something like 77,000 mailers
15	were returned and second mailers have gone out
16	to 71,000-something. And I assume that, at
17	some point, a pretty large number of registered
18	voters will be moved to inactive status. So, I
19	was just wondering when that move would take
20	place.
21	MS. HOLMAN EVANS: Yes. (Audio
22	malfunction.)

1	MR. THOMPSON: Oh, okay.
2	MS. HOLMAN EVANS: Yes. So, as soon
3	as we mail the canvass, and we're looking to do
4	that no later than September 22nd, then those
5	individuals will be placed on an inactive list.
6	MR. THOMPSON: Okay.
7	MS. HOLMAN EVANS: Previously
8	identified inactive voters in effect, 65,000
9	they are right to be removed now, and that
10	should happen this week, as we just need to get
11	the press release out for that.
12	MR. THOMPSON: Okay. So, those are
13	some pretty big numbers that we're going to be
14	seeing in the next couple of weeks or months,
15	certainly, well before the end of the year,
16	that, hopefully, will revise our voter
17	registration rolls well in advance of the
18	calendar kind of kicking into gear, including
19	petitions that are being circulated, and that
20	sort of thing.
21	MS. HOLMAN EVANS: Absolutely.
22	MR. THOMPSON: That's great. Thank
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1	you.
2	Okay. So, with that, let's turn to
3	General Counsel Terri Stroud. And we're
4	starting with the issuance of the Petition for
5	92 83?
6	MS. STROUD: Yes. So, the first
7	item on the agenda is the issuance of the
8	Initiative Measure No. 83, which and it is
9	indicated on the agenda as we would do so if it
10	was appropriate.
11	And it would appropriate in the
12	event that no objections were timely filed to
13	the formulations, or on any other grounds,
14	within 10 calendar days from the date the Board
15	published the Summary Statement, Short Title,
16	and Legislative Form in the DC Register that
17	stated objections and requesting appropriate
18	changes.
19	And this will be discussed later on
20	in my Litigation Status Report. There were two
21	complaints that were filed, but they were not
22	filed within 10 calendar days from the date

that the Board published the formulations in the DC Register. Such publication occurred on September 1st, which meant that the deadline to file those objections would have been Monday, September 11th. And aqain, there were complaints that filed prior were to that publication date.

And so, there being no timely filed 8 9 objections, I think it would be appropriate to 10 proceed with the measure, but we did receive 11 correspondence from the proposer, Lisa Rice and Joe Sandler, who I see are present today. And 12 13 I'll let them discuss what they are proposing 14 in terms of the issuance of the petition in 15 support of Initiative Measure No. 83. 16 MS. RICE: Yes. Hi. Good morning. 17 Can you hear me? 18 MS. HOLMAN EVANS: Yes. 19 Can you hear me? MS. RICE: Okay, 20 great. 21 Hi. Good morning, Ms. Stroud, 22 Members of the Board.

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1	This is Lisa Rice.
2	I would like to request that the
3	Board hold the issuance of the petition for
4	Initiative 83 in abeyance until January 2024.
5	And Mr. Sandler has some remarks as
6	well.
7	MR. SANDLER: Thank you, Lisa, and
8	thank you, Ms. Stroud.
9	This request stems from the issue
10	that was just raised in the Executive
11	Director's Report. As the Executive Director
12	indicated, registration of non-citizens is not
13	expected to start it may start as late as
14	January 1st.
15	The proposer and the Committee
16	learned of this, I think, for the first time at
17	a public roundtable convened by Councilmember
18	Bonds on June 26th. And it is the desire of
19	the proposer and the Committee feel strongly
20	that they want to have the maximum number of
21	potential voters to register, to solicit, to
22	sign the petition.

1	As we're all familiar with it's a
2	difficult process. When the number of
3	signatures is close to the required amount,
4	there are inevitably challenges, and there are
5	open challenges, which imposes significant
б	burden on the time and resources of the Board,
7	as well as, you know, potentially, having made
8	it a potential waste of time for the whole
9	effort.
10	But I should also note that we
11	submitted a form of petition which differs in
12	format and in language in one respect from that
13	presented to the Board, which we believe would
14	make it easier for voters to follow and to fill
15	out.
16	But because of the January the
17	advent of registration of non-citizens January,
18	we're asking that the issuance of the petition
19	to the proposer be delayed until the regular
20	Board meeting of the Board in January.
21	With respect to the legal authority
22	of the Board to entertain/honor such a request,

the statute, Section 1001.16g states that, upon final establishment of the Summary Statement, Short Title, and Legislative Form, Initiative Proposal, the Board shall prepare and provide to the proposer in a public meeting an original petition, which the proposer shall formally adopt.

8 But, unlike other provisions of the 9 statute, there's not a set time period between 10 establishment of the Statement, Short Title, 11 and Legislative Form, and the providing to the 12 proposer of the formal petition.

13 situation we're The one aware of 14 where this had previously come up was in 2020 15 with respect to Initiative 81, the Entheogenic 16 Plant and Fungus Policy Act of 2020, where the 17 requested a delay of this nature proposer 18 of because the advent of the pandemic and 19 difficulty in getting out and starting the 20 petition process. And at a meeting held on 21 March 12th, 2020, where that request was made, 22 it was granted.

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1	And the General Counsel, Ms. Stroud,
2	indicated, quote, "There's no legal barrier
3	with respect to just holding the petitions."
4	She said that there's nothing in the law and
5	the General Counsel went on to say there's
6	nothing in the law that provides that we have
7	to "We are standing in a juncture at which
8	we could issue the petitions, but there's in
9	the law that provides we have to do so within a
10	certain timeframe."
11	And so, assuming the Board takes
12	action with respect to a new request, there's
13	no legal barrier for the request that you're
14	making of the Board. That's at the hearing
15	that the Board held on March 12th, 2020, at
16	pages 46 and 47 of the transcript.
17	Relying on that precedent, and the
18	lack of any time period in the statute itself,
19	we would, respectfully, request that the Board
20	entertain this request to hold the presentation
21	of that petition form to the proposer until
22	next January.

1 Thank you. Thank you, Mr. Chairman. 2 MR. THOMPSON: All right. Yes, 3 thank you, Mr. Sandler. Appreciate that. 4 And to Ms. Rice, those seem like 5 good and sensible reasons to me to defer the 6 issuance of the petitions. And thank you for 7 addressing our authority. 8 I guess, to summarize, we're ready 9 to issue the petitions today, but we certainly have the discretion to defer that until next 10 11 month or November, or even January. And I 12 that it makes sense to wait for agree 13 non-citizens to be able to register to vote 14 because they could also sign those petitions. 15 And another sensible reason to me to 16 defer this is, over the next month or so, the 17 voter registration lists will work themselves 18 and redefine the denominator out that the 19 circulators will be dealing with. 20 So, I'm fine with it. I don't want 21 to be bound to January, though. I mean, I 22 would just agree have the discretion to we

1 defer this, and I think we should defer it. 2 So, I guess I'll make a motion to my fellow Board members that we defer the issuance 3 4 of the petitions for Initiative 83 until such time as the Board decides to issue them, which 5 could be in the next couple of months, but our 6 7 discretion may well point to January. I just 8 don't want to box us into a particular date. 9 There may be some reason why we would want to go ahead and issue them October or November. 10 11 So, that would be my motion. This 12 MS. GREENFIELD: I second it. 13 is Karyn. 14 So, I don't MR. THOMPSON: Okay. 15 know if there's any comment. But I guess I'll 16 call the vote on that. 17 All in favor? 18 (Chorus of ayes.) 19 So, we'll take it under advisement 20 as the next couple of months pass, and then, 21 make sure everybody is well-informed what we 22 plan to do with the issuance of the petitions.

1 It may well end up being January. 2 really appreciate So, that. we 3 Thank you. 4 MR. Thank SANDLER: Mr. you, 5 Chairman. 6 Thank you. MS. STROUD: 7 The next item on my agenda is --8 MS. RICE: Thank you. 9 MS. STROUD: The next item on my 10 agenda is final rulemaking. 11 In I think it was June during the Board meeting, we presented a 12 Notice of 13 Rulemaking with Proposed respect to the 14 rulemaking that we are offering now today for 15 final adoption. That rulemaking was published 16 in the DC Register on June 30th. 17 The purpose of the amendments was to 18 have them conform, primarily have them conform 19 with the Elections Modernization Act of 2022, 20 and to make other non-substantive housekeeping 21 updates and corrections of typographical 22 errors.

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No written comments on the proposed
rules were received during the public comment
period, and no substantive changes have been
made to the regulations as proposed.
Accordingly, I am requesting that
the Board adopt these rules as final today, so
that they can be submitted for publication in
the September 22nd edition of the DC Register,
at which time they will become effective.
And so, if the Board could offer a
motion?
MR. THOMPSON: Sure. I'm happy to
make a motion to that effect.
MS. STROUD: Okay.
MR. THOMPSON: Any comment or
questions out there?
MS. GREENFIELD: No, I don't have
any. I will second it. So moved.
MR. THOMPSON: I'll call the vote.
All in favor?
(Chorus of ayes.)
MS. STROUD: And so, thank you for
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1	On July 21st, 2023, the Office of
2	the Attorney General filed a Motion to Dismiss,
3	and the extended deadline for PILF to respond
4	to that motion is October 6th, 2023.
5	The second matter is Stacia Hall v.
б	the Board. That's in the U.S. District Court
7	for the District of Columbia with Judge Amy
8	Berman Jackson.
9	On June 7th, the Office of the
10	Attorney General filed the Motion to Dismiss on
11	behalf of the Board.
12	On July 14th, the Plaintiffs filed
13	an Opposition to the Motion to Dismiss.
14	And on August 18th, the OAG filed a
15	Reply to that Opposition.
16	And so, that's where the matter
17	stands. We're waiting for a ruling in that
18	matter.
19	And the next two matters have to do
20	with Initiative 83. They are both captioned
21	District of Columbia Democratic Party v. Muriel
22	Bowser, et al.

1	The first challenge was filed and
2	the only difference between the two is that
3	another Plaintiff was added and there are some
4	minor differences. But both of these matters
5	were filed prior to the publication of the
6	formulations for Initiative 83 in the DC
7	Register on September 1st.
8	An initial hearing for the first
9	matter has been set for November 3rd, 2023. To
10	date, the Board has not been served, but I
11	understand that the Office of the Attorney
12	General was served on September 12th.
13	The initial hearing for the second
14	matter is set for December 1st, 2023. But,
15	again, the Board has not been served, and the
16	Office of the Attorney General has been, with
17	respect to these matters, as of September 12th.
18	And that concludes my report.
19	MR. THOMPSON: And I believe, if we
20	are served and are a party to these suits, we
21	would make an appearance as the Board
22	MS. STROUD: Yes.

1	MR. THOMPSON: and represent
2	ourselves?
3	MS. STROUD: The Attorney General,
4	uh-hum.
5	MR. THOMPSON: Okay. With that,
6	Cecily Collier-Montgomery, the OCF Report.
7	MS. COLLIER-MONTGOMERY: (Audio
8	malfunction)
9	MS. HOLMAN EVANS: Cecily, your mic.
10	MS. COLLIER-MONTGOMERY: Again, good
11	morning.
12	For the record, the full report of
13	the activity of the Office of Campaign Finance
14	for the months of July and August 2023 will be
15	posted at our website, www.ocf.dc.gov before
16	close of business today.
17	I will, however, at this time
18	highlight a few items of interest for the
19	public from the report.
20	In the Office of the Director, I
21	would note that the 2022 Post-Election Cycle
22	Report was published at the website on

1 September the 1st, 2023, as required by D.C. 2 Official Code Section 1-1163.32j, Subsection 3 (a). 4 The data presented in this report is 5 based on the information which was reported in the Reports of Receipts and Expenditures, which 6 7 were filed with the agency, covering the start of the campaign of the candidates referenced in 8 9 the report through December the 31st, 2022. 10 The report is presented in four 11 parts. Part 1 is an Overview of the 2022 12 13 Election Cycle and the Fair Elections Program. 14 2 is the OCF Review of the Part 15 National Trends and Public Funding Programs in Other Jurisdictions. 16 is 17 3 the Presentation of Part 18 Statistical Data of the 2022 Election Cycle. 19 And Part 4 contains significant data 20 pertaining to the 2022 election cycle and the 21 list of qualified small dollar contributors and 22 expenditures for the Fair Elections Program

from all of the Fair Elections Program
candidates.

3 Tn community outreach during the 4 July and August 2023, the agency months of 5 participated in 12 Beat the Streets community outreach events, which are organized by 6 the Police 7 Metropolitan D.C. Department and scheduled during the months of July and August 8 9 in Wards 2, 4, 5, 6, 7, and 8.

10 Our involvement in these programs 11 gave us the ability to disseminate information 12 about our programs in the community.

13 the Fair Elections In Program 14 Division during the months of July and August, 15 again, I would note for the record that, during 16 the 2022 election cycle, which was the second the administration of 17 cycle of the Fair 18 Elections Program by the agency, the agency 19 authorized a total sum of \$12,358,606.95 for 20 disbursement from the Fair Elections Fund and 21 base amount and matching payment to the (audio 22 interference) candidates who were certified in

the program to participate in both the general primary election and the November 2022 general election. The 2022 election cycle closed on November the 8th, 2022.

In the 2024 election cycle to date, 5 certified 6 there participating are two 7 candidates registered candidates who and two 8 are seeking to participate in the program for 9 the election cycle. 2024 There were no 10 disbursements from the Fund which were 11 authorized during the month of July 2023.

However, during of month of August 12 13 2023, the certification and disbursements were: 14 first, the Re-elect Brooke Pinton -- I'm sorry the Re-Elect Brooke Pinto 15 2024 Principal 16 Campaign Committee. The candidate Brooke Pinto 17 was certified on August the 28th, 2023, as a 18 participating candidate in the program in the 19 June 4th, 2024 primary election for the covered office of Member of the Council from Ward 2. 20 21 Matching payments in the amount of \$74,450 were 22 authorized for disbursement from the Fund.

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1	Two, the Re-Elect Brooke Pinto 2024
2	Principal Campaign Committee on August the
3	31st, 2023, matching payments in the amount of
4	\$2,000 were authorized for disbursement from
5	the Elections Fund to the campaign committee.
6	Three, the Friends of Selene Adolfo
7	Principal Campaign Committee, on August 21st,
8	2023, matching payments in the amount of
9	\$24,045 were authorized for disbursement from
10	the Fund to this previously-certified
11	participating candidate in the program.
12	The Fair Elections Program Division
13	also conducted 48 desk reviews of amended
14	Reports of Receipts and Expenditures which had
15	been filed during this period, and as a result
16	of the desk reviews, issued 22 requests for
17	additional information.
18	As of July 31st, 2023, the total sum
19	of \$803,207.20 has been remitted for deposit
20	into the Fair Elections Fund from the campaign
21	operations, again, of candidates who
22	participated in the 2022 election cycle.
18 19	As of July 31st, 2023, the total sur of \$803,207.20 has been remitted for deposit

1 With the ongoing 2020 post-election 2 full field audits in the program, the OCF 3 initiated 34 full field audits of the campaign 4 operations of the candidates who were certified 5 to participate in the program during the 2020 election cycle. 6 There are currently 12 of 7 these post-election audits which are ongoing 8 and are in various stages in the audit process. And the statements of those audits are listed 9 10 in our report. 11 The FEP Division has issued a total of 22 final audit reports of the post-election 12 13 audits which were initiated for the 2020 14 election cycle, including, most recently, the 15 John Fanning for Ward 2 Non-Compliance Final 16 Audit Report which was issued and referred to 17 the OGC on July 11th, 2023; the John Fanning, 18 John Fanning of Ward 2 Special Election 2020 19 Non-Compliance Final Audit Report, which was 20 issued and referred to the OGC on August the 1st, 2023, and the Chander for Council 21 22 Compliance Final Audit Report which was issued

on August the 2nd, 2023.

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2	For the 2022 election cycle, the
3	Office of Campaign Finance issued 42
4	post-election audit letters for both the
5	primary and the November general election to
6	the candidates who were certified to
7	participate in the 2022 election cycle.
8	To date, the FEP has issued 15
9	Preliminary Statements of Audit Findings and
10	five Final Audit Reports for the 2022 election
11	cycle, including during the months of July and
12	August 2023, the following Preliminary Audit
13	Reports and Final Audit Reports:
14	The first, Re-Elect Charles Allen
15	for Ward 6. The Final Audit Report was issued
16	on July the 3rd, 2023.
17	Eric Goulet for Ward 3, the Final
18	Audit Report was issued on July 3rd, 2023.
19	McDuffie 2022, a Preliminary
20	Statement of Findings was issued on July the
21	5th.
22	For Matthew Frumin for Ward 3,
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1 Preliminary Statement of Findings was issued on 2 July the 11th. 5, Friends of Faith 3 for Ward 4 Preliminary Statement of Findings issued on 5 July the 12th. 6 Committee to Elect Karim D. Marshall 7 Preliminary Statement of Findings was issued on July the 14th. 8 for 9 David 3, Preliminary Ward 10 Statement of Findings was issued on July the 11 18th. Niosi 2022, Preliminary Statement of 12 13 Findings was issued on August the 1st. 14 Together with Wiley, Preliminary 15 Statement of Findings was issued on August the 15th. 16 17 And Elect Fleming, Nate the 18 Preliminary Statement of Findings was issued on 19 August the 11th. 20 With all of the Final Audit Reports, 21 whether they are issued in the Fair Elections 22 Program or in the Traditional Campaign Finance

Program, the reports are available at our website for review by the public.

3 Tn our Public Information and 4 Records Management Division, during the months 5 of July and August 2023, there were three due 6 dates for the filing of Reports on Receipts and 7 Expenditures: the July 1st, 2023, which was 8 due on July 3rd; Activity Report for the 9 Constituent Services and the Statehood Fund 10 Program; the July 31st Reports on Receipts and 11 Expenditures, which was due from the 12 Traditional Principal Campaign Finance 13 Committee and Candidates; our Political Action 14 FEP Candidate Committee; Committee; our our 15 Independent Expenditure Committee; our 16 Initiative, Referendum, and Recall Committees, 17 and the Inaugural Committee. The real-time 18 images of the reports are available at the 19 website for review by the public.

20 With new candidates and committees 21 for the 2024 election cycle, there are no new 22 candidate registrations for the month of July.

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1 In the Traditional Campaign Finance Program, there are currently a total of six 2 3 candidates who are registered to participate in 4 the June 2024 primary election, including two 5 new registrations for the month of August 2023 for the Office of U.S. Shadow 6 Senator, the 7 election, Hamilton primary Wendy the 8 candidate registered on July the 28th -- and 9 Andrew Haynesworth, who registered on July the 10 31st, 2023. 11 In the Fair Elections Program, there 12 currently, again, total of four are а 13 candidates who are registered to participate in 14 2024 primary election, the June and that 15 includes two new registrations for the month of 16 August 2023. 17 For the Office of Member of the 18 Council-at-Large, for the primary election, 19 Robert White registered on August the 1st and 20 Rodney Grant registered on August the 7th. With referrals to the Office of the 21 22 General Counsel, there were 21 referrals to the

Office of the General Counsel for the failure to timely file the July 31st Report of Receipts and Expenditures. The committees who were referred, again, are listed in our report, and that can be viewed by members of the public at the close of business today.

five 7 candidates There were and 8 treasurers who have completed the OTF Entrance 9 Conference for July and August 2023, and that 10 is a mandatory requirement by statute that new 11 candidates and treasurers, upon registration, 12 complete a mandatory Entrance Conference for 13 informing them the purpose of about their 14 duties and responsibilities under the Campaign 15 under the Fair Finance Act or Elections 16 Program.

17 The candidates and treasurers were 18 Andrew Haynesworth, candidate for U.S. Shadow 19 Wendy Hamilton, candidate for U.S. Senator; 20 Shadow Senator; Josh Jacobson, treasurer for 21 Wendv Hamilton for Senate; Brandaun Dean, 22 candidate, U.S. Shadow Senator; Jonathan Α.

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Moore, treasurer; our Friend Brandon Douglas, Shadow Senator.

3 In our Traditional Campaign Finance 4 Program for audit, the Reports Analysis and 5 Audit Division, during the months of July and August, the Traditional Program conducted 91 6 7 desk reviews and issued 15 requests for 8 additional information, as the result of the 9 review of Reports of Receipts and Expenditures 10 which were received in July of 2023.

11 The Traditional Program issued one 12 audit during the month of August, and that was 13 Mendelson for Chairman 2022. Ιt was а 14 compliance audit. It was issued on August the 15 7th, and that was a full field audit of a 16 newly-elected official.

17 ongoing audits There are in our 18 Reports Analysis and Audits Division. There is 19 full field audit for a newly-elected one 20 official for the 2022 election cycle. And that 21 was the Kenyan McDuffie 2022 Principal Campaign 22 Committee. And at this point, the audit field

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1 work is still in progress.

2	With respect to mandatory audits,
3	there are three random periodical audits which
4	are just initiated on Political Action
5	Committees. It's with respect to the July
6	31st, 2023 Report of Receipts and Expenditures.
7	The audit notification letters were issued on
8	August the 18th, and the records are due on
9	September the 5th. And they are the DC Latino
10	Caucus PAC, the DCM Democrats, and the Citizens
11	for Empowerment.
12	There is one full field audit which
13	is also ongoing of the Inaugural Committee, and
14	that is the Inaugural Committee from the 2022
15	election cycle, the D.C. Crowd Inaugural
16	Committee. The audit pre-work has begun and
17	the audit staff is waiting for the filing of
18	the report of the committee, so that it can
19	commence the audit.
20	And that completes my report, with
21	the exception of the report from the General
22	Counsel for the Office of Campaign Finance,

1 William Sanford. 2 MR. THOMPSON: Hello, Mr. Sanford. 3 Good morning. 4 MR. SANFORD: Good morning, Mr. 5 Chairman Distinguished Members and Board 6 Greenfield and Boggs. 7 I'm William Sanford, General Counsel for the Office of Campaign Finance. 8 9 During the month of July 2023, the Office of the General Counsel received three 10 11 referrals; completed six informal hearings, and issued six orders in which the total of \$11,800 12 13 in fines were imposed. 14 During the month of July 2023, the 15 Office of the General Counsel imposed fines 16 against the following Respondents: 17 A fine of \$1,300 was imposed against 18 Jacque4DC. A second fine of \$1,000 was imposed 19 20 against Jacque4DC. 21 A fine of \$2,200 was imposed against 22 DEMS for Progress.

1	A fine of \$2,400 was imposed against
2	Marcus for D.C.
3	A fine of \$2,700 was imposed against
4	Fred Hill for Council-at-Large.
5	And a fine of \$2,200 was imposed
6	against Committee to Elect Ravi Perry.
7	During the month of July 2023, the
8	Office of the General Counsel collected a total
9	\$2,162.50 in fines from the following
10	committees:
11	A payment of \$862.50 was received
12	from the Ward 7 Democrats.
13	A payment of \$800 was received the
14	Patrick Kennedy for Ward 2 Campaign.
15	And a payment of \$500 was received
16	from the Committee to Elect Ravi Perry.
17	During the month of July 2023, there
18	were no open investigations in the Office of
19	General Counsel. There were no requests for
20	interpretative opinions, and there were no show
21	cause proceedings conducted.
22	During the month of August, the
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1 Office of General Counsel received 22 referrals 2 initially. One of the referrals was withdrawn. 3 Conducted and completed 14 informal hearings 4 and issued 14 orders which included the 5 following: 6 Four Orders to Vacate the Notice of 7 Hearing for Appearance were issued; two orders in which no fines were imposed or issued, and 8 9 eight orders in which a total of \$15,475 in 10 fines were imposed. 11 The Office of the General Counsel 12 imposed fines against the following 13 Respondents: 14 A fine of \$2,750 was imposed against 15 U.S. Citizens Recovery Initiative. 16 A fine of \$2,750 was imposed against 17 the EDEE Pathway PAC -- that's the Academic 18 Development Pathway PAC 19 A fine of \$2,750 was imposed against 20 the Black Autonomy Movement. A fine of \$2,750 was imposed against 21 22 the DC Recovery Act for Living Descendants.

1	A fine of \$2,750 was imposed against
2	the Money Supply Initiative Committee.
3	A fine of \$850 was imposed against
4	the Committee to Elect Art Roy.
5	A fine of \$825 was imposed against
6	Rodney Red Grant for Mayor.
7	And a fine of \$50 was imposed
8	against Dasha Collectney.
9	During the month of August 2023, the
10	Office of General Counsel collected payments
11	for fines from the following committees:
12	A payment of \$208.39 was received
13	from the Jeff David Wood Principal Campaign
14	Committee.
15	A fine of \$50 was received from the
16	Daniel Whittles Principal Campaign Committee.
17	And a fine of \$1,650 was received
18	from the Marlena Edwards Principal Campaign
19	Committee.
20	During the month of August 2023,
21	there were no open investigations; there were
22	no requests for interpretative opinions, and no

1 show cause proceedings were conducted. 2 The contents of this report will be 3 posted at the Office of the Campaign Finance 4 website by close of business today. 5 And that should conclude my report. 6 Thank you. 7 Thank you very much, MR. THOMPSON: Mr. Sanford. 8 9 Thank you to the --10 MR. SANFORD: And that concludes our 11 report. 12 MR. THOMPSON: All right. Thank 13 you. Thank you to the OCF. 14 We are nearing the end of our Okay. 15 meeting. 16 We have eight months and 21 days 17 until the primary. I see the Registrar shaking 18 her head. We're going to make it. We have a 19 lot of work to do, but the calendars have been released and it's going very well, as you heard 20 21 today. So, everybody hand in there. The time 22 is marching forward, but it's all remarkably

1 well-organized.

2	With that, we'll turn to public
3	comment. Anybody who would like to comment,
4	you're welcome to comment for no more than
5	three minutes. We love to hear from our D.C.
6	residents. So, you just have to raise your
7	Zoom hand and we will unmute you and ask you to
8	speak, starting with Nikolas Schiller.
9	MR. SCHILLER: Hey there, can you
10	hear me okay?
11	MR. THOMPSON: Yes.
12	MR. SCHILLER: I would just like
13	some very quick clarity on the list
14	maintenance. Some of the side conversation was
15	without a microphone.
16	Stepping back, my name is Nikolas
17	Schiller, 2448 Massachusetts Avenue, Northwest.
18	I heard something like 65,000 voters
19	are going to be moved to inactive status, and
20	there's a second mailer that's going out to
21	77,000 voters. Doing the math, that brings it
22	to about, potentially, 130,000 voters. Or is

1	the 65,000 separate from the 77,000?
2	MS. HOLMAN EVANS: I will clarify.
3	And so, the second mailer will include 71,221
4	notices. Once that second mailer goes out,
5	those individuals are right to move to the
6	inactive status.
7	We currently have 65,628 voters
8	already in the inactive status category. They
9	will be removed once we post the notice on our
10	website and put out our press release. And
11	that will happen within short order, within the
12	next week.
13	MR. SCHILLER: Okay. Thank you so
14	much. I really appreciate the work that you've
15	done on this.
16	That's all.
17	MS. HOLMAN EVANS: Thank you.
18	MR. THOMPSON: Okay. I see a hand
19	from Don Mario Cristaldo. Let's get you
20	unmuted.
21	MR. CRISTALDO: Good afternoon,
22	Members of the Commission, Mr. Chairman.

1	My name is Mario Cristaldo. I'm a
2	Ward 1 resident for over 25 years here in the
3	neighborhood. I'm also the Executive Director
4	of Trabajadores Unidos de Washington, D.C.,
5	also known as Workers United of Washington,
6	D.C., a community-based organization,
7	membership-based, with more than 1100 members.
8	And 90 percent of all members are immigrants
9	Latinos, Africans, and other members of our
10	community, immigrant community here in the
11	District of Columbia.
12	We're really excited about this
13	opportunity. I know I have a minute or so.
14	But, with the passage of Local Resident Voting
15	Rights Amendment Act of 2022 allowing
16	non-citizens to vote in local elections, D.C.
17	residents and all of us are extended now the
18	opportunity to incorporate non-citizens to vote
19	in local elections.
20	And I heard that you guys, the
21	Commission and, also, the Board of Elections,
22	are working diligently to make sure that we

have the regulation in place by the beginning of this -- by the next year, and that, if it is possible, I would like to request the opportunity before the end of the year to see if we can bring the community to kind of see a little more about the regulations in place.

7 I would like to call your attention about the process of the D.C. driver's license 8 9 of identification card application that needs 10 to be updated. For example, under Section G of 11 that application for voter registration, it 12 must say instead of "be a U.S. citizen," that 13 it should be a "D.C. resident," for example, 14 and the opportunity for other D.C. Government 15 agencies to kind of collaborate and make sure 16 that our voting rights that we're expanding are 17 not being shadowed by ID regulations and things 18 like that.

We understand this is not a 100-dash process. We understand that this is a great process that's going to take a while. But the opportunity for us to discuss the issue between

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1 now and January 1st, the more we do, the better 2 prepared we're going to be to allow more than 3 30 -- perhaps more non-citizens to vote in our 4 local elections. 5 So, I'm hoping to hear a little more about this issue. 6 Thank you. 7 All right. Thank MR. THOMPSON: 8 you. 9 All right. Looking for any other hands out there. 10 11 (Pause.) 12 Going once. Going twice. 13 All right. Thank you, everybody, 14 for joining us. We appreciate it. 15 MS. HOLMAN EVANS: Yes, and I was remiss in not indicating that our Director of 16 17 Communications position has been filled. And 18 so, we now have Sarah Graham working with our 19 Public Information Officer, Nick Jacobs. And 20 we welcomed Sarah Graham about two weeks ago, 21 and she is already streamlining some of our 22 processes and making sure that our website and

1 materials are more robust and consistent. And 2 so, we appreciate the addition of the staff 3 member. 4 Thank you. 5 MR. THOMPSON: Yes, welcome, Sarah Graham. 6 7 I think, with that, seeing no Okay. 8 other hands or not hearing any other issues, I will move that -- well, before we adjourn, when 9 10 is our next meeting? October 4th? 11 MS. GREENFIELD: Yes. 12 MR. THOMPSON: All right. We'll be 13 back on October 4th, barring a special meeting 14 in the interim, if we need one. 15 It's a gorgeous day. So, get out 16 there and take a walk or go for a bike ride. 17 It's really, really worth stepping outside 18 today. 19 And with that, I'd move we adjourn. MS. GREENFIELD: 20 Second. 21 MR. BOGGS: Second. 22 MR. THOMPSON: Three votes.

1			All	right.	Thank	you.		
2			(Whe	ereupon,	at	11:41	a.m.,	the
3	meeting	was	adjo	ourned.)				
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In the matter of: Special Board Meeting

Before: DC BOE

Date: 09-13-23

Place: teleconference

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