



DISTRICT OF COLUMBIA
BOARD OF ELECTIONS
WASHINGTON, D.C. 20001-2745



MINUTES OF THE BOARD OF ELECTIONS REGULAR MEETING
March 2, 2016

The District of Columbia Board of Elections (“the Board”) held its Regular Monthly Meeting on Wednesday, March 2, 2016 in the Board’s Hearing Room, located in Suite 280 North, One Judiciary Square, 441 4th Street, N.W., Washington, D.C. 20001. The Board’s Chairman, Deborah K. Nichols, was absent, and Board Member Stephen Danzansky presided as acting Chairman with Board member Dionna Lewis in attendance. Also present on the dais were Kenneth McGhie, the Board’s General Counsel, and Terri Stroud, the Board’s Acting Executive Director.

Chairman Danzansky called the meeting to order at 10:42 a.m.

The meeting agenda was approved and adopted.

The minutes of the last regular meeting on February 3, 2016 were moved for approval and adopted without objection.

Mr. Danzansky noted for the record that this may well be his and Ms. Nichols’ final Board meeting as their successors are scheduled to be confirmed on March 10. He publicly thanked our chairman for her dedicated and tireless service to the board, to the citizens of the District of Columbia, and to our city, and likewise, his former colleague, Devarieste Curry who left the Board several months ago.

Mr. McGhie thanked the Board members on behalf of the staff for their service.

Ms. Stroud introduced the Board’s Support Services Specialist, Mr. Arlin Budoo, to present precinct relocations: **Precinct 13**—relocate from Our Lady Queen of Americas Church to St. Margaret’s Episcopal Church located at 1820 Connecticut Avenue; **Precinct 36**—relocate from Latin American Youth Center to Columbia Heights Community Center; **Precinct 51**—combine Lafayette Elementary School with Precinct 52, St. John’s College High School as a temporary combination due to ongoing renovations; **Precinct 88**—combine Thankful Baptist Church with Precinct 89, Eastern Market North Hall; **Precinct 92**—Kenilworth Elementary School relocated to Caesar Chavez Public Charter School; **Precinct 101**—relocating Beyond the Veil Worship Center back to River Terrace Elementary School; **Precinct 115**—relocate back to Seventh District Police Station; **Precinct 119**—relocate Matthews Memorial Baptist Church to Barry Farms Recreation Center; **Precinct 131**—relocate Van Ness Elementary School to the newly developed Community Center located at 1005 5th Street S.E.

BOARD ACTION—the Board approved the relocation of the aforementioned polling places

Mr. Budoo identified the early voting centers. One Judiciary Square will serve as the initial early voting center beginning on May 31, 2016 and serve as the Ward 2 Early Voting Center. The satellite sites will begin on June 4, 2016 and include the following: Ward 1 early voting center will be the Columbia Heights Community Center, located at 1480 Girard Street, Northwest; Ward 3 will be the Chevy Chase Community Center located at 5601 Connecticut Avenue; Ward 4 will be the Tacoma Community Center located at 300 Van Buren Street Northwest; Ward 5 will be the Turkey Thicket Recreation Center located at 1100 Michigan Avenue Northeast; Ward 6 will be using the King Green Recreation Center located at 201 N. Street Southwest; Ward 7 will be using the Adobe Heights Lending Library located at 3935 Benning Road, Northeast; Ward 8 will be using the former Malcolm X Elementary School located at 1351 Alabama Avenue Southeast.

Ms. Stroud reported on the Board's election preparation: to date, 39 individuals have picked up nominating petitions for 41 contests. February 22nd was the first day to file nominating petitions and 2 candidates have filed to date. March 16th is the deadline for filing nominating petitions. All nominating petitions will be posted for inspection on the commencement of the challenge process on March 19th, and the ten-day challenge period will end on March 28th. The Board has taken delivery of new voting equipment as an upgrade to the technology used since 2010. There are 435,537 registered voters as of February 29, 2016.

Mr. McGhie introduced Staff Attorney McGann and OCF General Counsel William Sanford to present OCF petitions for Enforcement: **15R-008**, Morgan for D.C. \$2200.00; **15R-003**, Morgan for D.C. for \$350.00; **15P-034** Youth Action Pac for \$1400; **15-P-033**, Gertrude Stein, Democratic Political Account, for \$1400; **15P-029**, Action-Pac for \$1900; **15P-026**, Gertrude Stein, Democratic Political Account, the fine is in the amount of \$600; **15P-024**, Youth Action Pac for \$1700.00; **15C-046**, Whitaker for Ward 4 for \$2500; **15C-045B**, Bell for Ward 8, for \$2500; **15C-045A**, Whitaker for Ward 4 for \$2000; **15C-039**, Bell for Ward 8 for \$2000; **15C-9036**, Whitaker for Ward 4, for \$2500; **15C-033**, Gaston 2015 for \$2500; **5C-13 031**, Bell for Ward 8, for \$2500; **15C-016**, Bruce Majors, Libertarian for Mayor for \$1400; and **15D-013**, Committee to Elect Villareal Johnson, for \$1400. All of these fines are as a result of failure to file, reports of receipts and expenditures.

BOARD ACTION—the Board approved a motion to enforce these petitions in Superior Court.

Mr. McGhie presented the litigation status of cases involving the Board:

- ***Wingo v. D.C. Board of Elections*** involves a challenge to the Board's formulation of the short title and summary statement for Initiative 76, the District of Columbia Minimum Wage Act. The Board filed a summary judgment motion on Friday October 9, the Plaintiff's opposition was filed October 26, the Board's reply was filed November 9, and the Plaintiff's final reply was filed November 23. There was a status hearing on last Friday, January 29th, at which time the Judge ruled from the bench and the judge denied The Board's and the intervener's motions for summary judgment, and granted the plaintiff's motion for summary judgment on the sole ground that the Board was not properly constituted because of a D.C. code statute that put a limitation of 180 days on the hold-over provisions for boards and commissions. The Board filed a motion to amend the judgment yesterday, and the Attorney General also filed a motion to intervene.

There is a status hearing set on March 3rd at 10:30 a.m. in front of Judge Ross and at that time it is expected that he will make a decision.

Mr. Sanford, on behalf of Ms. Collier-Montgomery, announced the statistics for OCF as follows:

- At the month of January in the Office of the Campaign Finance, there was the January 31st reporting date for the filing of Reports of Receipts and Expenditures for Principle Campaign Committees and Political Action Committees. There were 147 required filers; 99 filers timely filed (64 PCCs, 55 PACs), and 26 failed to timely file, (23 PCCs, 3PACs) and they were referred to the office of General Counsel.
- Committees registered to participate in the 2016 election cycle during February include the following: Ryan Austin and the Committee to Elect Ryan Austin for city council; Leon T. Andrews Jr., Friends of Leon T. Andrews candidate for city council; Franklin Garcia, Franklin for D.C. 2016 U.S. Representative; Anita Kurtz, 2016 Ward A City Council; Calvin Gurley, Calvin Gurley 2016 Ward 4 City Council; candidate, Vincent Gray, Vincent Gray 2016; Vincent Gray for Ward 7 City Council; Trayon White, Treon White for Ward 8, City Council candidate; Gertrude Aikin US representative; Gertrude Aikin again at Large City Council; Gertrude Aikin again Ward 2 City Council; Oliver Johnson, We are Ward 8; Oliver Johnson Ward 8 City Council candidate; Michael McHugh, Ward 1 D.C. Republican Committee; Gary Kraiss Ward 2 City Council; and Robert Hyman, Ward 3 D.C. Republican Committee. Also during the month of February, there were an exploratory committee and that was established by Shakira Hemphill, Family and Friends of Shakira Hemphill for Ward 8; state member of the Board of Education and that committee was established on the 18th of February 2016.
- OCF held two entrance conferences for new registrants in February.
 - **February 12, 2016:** Michael Zack on behalf of Paul Cavill, candidate for Republican National Committee; Chris Royster Junior, Treasurer; the committee to elect Ron Austin; Walter Deleon candidate for Deleon 2016.. **February 24,** Ronald Austin, Candidate; Renita Marcellane Finance Director for Tierra Jolle, a Ward 8 candidate for the State Board of Education; Nichole Spritz, Treasurer for Treon White Ward 8 for Ward 8 council member from that ward, Treon White, Candidate, Ward 8; Calvin Gurley, Candidate Ward 4; and Renita Kurt, Candidate Treasurer for Renita Kurt Ward 8, 2016.
- OCF Audit Branch conducted 126 desk reviews of financial reports that have been filed and conducted 3 periodic random audits.
- The audit of Yvette Alexander Constituent Service Fund is ongoing.
- The ongoing full field audits of newly elected officials are as follows: LaRuby May 2015; Brandon Todd for Ward 4; Brianne for D.C.; and Elissa 2014.

Mr. Sanford presented the statistics from the Office of the General Counsel of OCF.

- The General Counsel received 26 referrals from the Public Information Division: (23 PCCs 3 PACs).
- The Office completed 5 informal hearings and issued 5 orders including: 4 orders for failure to timely file reports in which no fines were imposed; and 1 order for failure to timely file a report in which a fine of \$100 was imposed against the SEIU Political Action Committee.

- OCF collected fines from the following respondent: \$200 from the Committee to Elect Ron Moten, a candidate for Ward 7.
- The OGC carried a total of seven open investigations and no new investigations were opened during the month.

Mr. Michael Sindram raised the matter of the Board scheduling a hearing regarding a rescinded grant that occurred in Advisory Neighborhood Commission 4A. Mr. Sindram also raised allegations concerning the actions of ANC Commissioner Dwayne Tolliver entering into contracts on behalf of his Advisory Neighborhood Commission.

Mr. Sindram also complained that an elected official, LaRuby May, owes Disabled Veterans \$163 for services rendered in delivering craft kit tchotchke. Ms. Lewis confirmed that the Board is taking delivery of new voting equipment and that Ms. Alice Miller has been hired by the Board as an Election Management Advisor.

There being no further business before the Board, the meeting adjourned at 11:13 a.m.