

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ELECTIONS

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REGULAR BOARD MEETING

+ + + + +

WEDNESDAY

JUNE 2, 2021

+ + + + +

The District of Columbia Board of Elections convened via video-teleconference, pursuant to notice at 10:00 a.m. EDT, Michael Bennett, Chair, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

- MICHAEL BENNETT, Chair
- MIKE GILL, Member
- KARYN GREENFIELD, Member

BOARD OF ELECTIONS STAFF PRESENT:

- ALICE P. MILLER, Executive Director
- TERRI D. STROUD, General Counsel

ALSO PRESENT:

- CECILY COLLIER-MONTGOMERY, Director,
Office of Campaign Finance
- WILLIAM SANFORD, ESQ., General Counsel,
Office of Campaign Finance

CONTENTS

Call to Order/Ascertainment of Quorum. 3

Adoption of Agenda/Approval of Minutes 3

Board Matters. 5

General Counsel's Report 5

Campaign Finance Report. 9

General Counsel's Report17

Executive Director's Report.21

Public Matters25

P-R-O-C-E-E-D-I-N-G-S

(10:08 a.m.)

CALL TO ORDER/ASCERTAINMENT OF QUORUM

CHAIR BENNETT: Good morning. This is Michael Bennett, and this is the June meeting of the D.C. Board of Elections. I'd like to call the meeting to order. First, I want to ascertain a quorum. Can I have Ms. Greenfield acknowledge that she's present?

MEMBER GREENFIELD: I'm present.

CHAIR BENNETT: Thank you, Ms. Greenfield. Can I have Mr. Gill acknowledge his presence?

MEMBER GILL: I'm here, Michael.

CHAIR BENNETT: Thank you, Mr. Gill. So we've got a quorum.

ADOPTION OF AGENDA/APPROVAL OF MINUTES

CHAIR BENNETT: I'd like to start out first by adopting the agenda for today and also approval of the minutes from the May 5th meeting, which was the May meeting. Can I get a motion from Mr. Gill to adopt the agenda for today and

1 to approve the minutes from the May 5th meeting,
2 the May meeting?

3 MEMBER GILL: I make a motion to
4 approve the minutes from the May meeting.

5 CHAIR BENNETT: Great. Can I get a
6 second from Ms. Greenfield?

7 MEMBER GREENFIELD: I second.

8 CHAIR BENNETT: It's been properly
9 moved and seconded. Can I get a voice vote? Ms.
10 Greenfield.

11 MEMBER GREENFIELD: Aye.

12 CHAIR BENNETT: Mr. Gill.

13 MEMBER GILL: Aye.

14 CHAIR BENNETT: Mr. Gill.

15 MEMBER GILL: Aye.

16 CHAIR BENNETT: You may be on mute,
17 but I assume that's an aye. It's aye for me, as
18 well, so it's -- I think I see some motion. So
19 it is unanimous. The agenda for today and the
20 minutes from the last meeting are adopted. It is
21 now time for Board matters.

22 Let me stop, though, before Board

1 matters, and make sure that our court reporter is
2 present. Can I get an acknowledgment from the
3 court reporter that they are present and that
4 they can hear?

5 (No audible response.)

6 CHAIR BENNETT: Yes, I got a thumb's
7 up.

8 BOARD MATTERS

9 CHAIR BENNETT: In the Board matters,
10 Mr. Gill, do you have any Board matters today?

11 MEMBER GILL: No, I do not.

12 CHAIR BENNETT: Ms. Greenfield, do you
13 have any Board matters for today?

14 MEMBER GREENFIELD: No, I do not.

15 CHAIR BENNETT: I do not, as well. We
16 shifted the normal agenda around a little bit to
17 make sure we get to -- to be able to vote on a
18 couple things relatively early. We're going to
19 start off with the general counsel's report, Ms.
20 Terri Stroud. Thank you.

21 GENERAL COUNSEL'S REPORT

22 MS. STROUD: Good morning, everyone.

1 I have on my agenda a final rulemaking. The
2 rulemaking is to amend Chapter 10 to place that
3 chapter into conformity with the newly enacted
4 Initiative and Referendum Process Improvement
5 Amendment Act of 2020, which took effect on March
6 16th.

7 Emergency and proposed rulemaking with
8 respect to this rulemaking was introduced at the
9 Board's April 7th meeting, and it was published
10 in the D.C. Register on April 16th. No written
11 comments on the proposed rules were received
12 during the public comment period, and no
13 substantive changes have been made to the
14 regulations as they were proposed.

15 As I discussed during the Board's
16 April meeting, the rulemaking reflects amendments
17 to the Board's regulations which reflect
18 legislation. It requires, among other things,
19 that the Board's drafted summary statement for
20 the initiative be written in plain language.

21 The Board is required to request a
22 fiscal impact statement with respect to

1 initiative measures from the Office of the Chief
2 Financial Officer and to request advisory
3 opinions from the Office of the General Counsel
4 for the Council, as well as the attorney general.

5 They are required to submit advisory
6 opinions within a certain time frame. We're also
7 required to publish our formulations with respect
8 to initiatives and referenda which were adopted
9 at a public meeting in the D.C. Register, at
10 least one newspaper in general circulation, and
11 to be posted on the Board's website. That's a
12 summary of the regulations. I'm requesting that
13 the Board approve the rulemaking so that it can
14 be sent to the D.C. Register for publication.

15 CHAIR BENNETT: It seems like our
16 camera's not on, but we're going to keep going.
17 We're going to try and fix that. I do understand
18 the camera's not on, but we're going to try to
19 fix that. Okay, can I get a motion from Mr. Gill
20 to approve the permanent rulemaking -- the final
21 rulemaking, sorry, that Ms. Stroud just
22 described?

1 MEMBER GILL: I make a motion to
2 approve the final rulemaking with the general
3 counsel's description.

4 CHAIR BENNETT: Okay. Can I get a
5 second from Ms. Greenfield?

6 MEMBER GREENFIELD: Yes, I second
7 that.

8 CHAIR BENNETT: It's been properly
9 moved and seconded. Get a voice vote. Ms.
10 Greenfield.

11 MEMBER GREENFIELD: Aye.

12 CHAIR BENNETT: Mr. Gill.

13 MEMBER GILL: Aye.

14 CHAIR BENNETT: Aye for me, as well,
15 so it's unanimous. The final rulemaking is
16 complete. Thank you, Ms. Stroud. Can you
17 continue with your report?

18 MS. STROUD: That is the only item on
19 my agenda for today's meeting.

20 CHAIR BENNETT: Okay. Mr. Gill, do
21 you have any questions for the general counsel?

22 MEMBER GILL: No questions.

1 CHAIR BENNETT: Ms. Greenfield, do you
2 have any questions for the general counsel on any
3 other matters?

4 MEMBER GREENFIELD: No, I don't have
5 any questions.

6 CHAIR BENNETT: Okay, great. Neither
7 do I. Thank you, Ms. Stroud. We're going to
8 move on --

9 MS. STROUD: I'll just state, for the
10 record, that I will submit this, and it will be
11 published in the D.C. Register on next Friday,
12 not this coming Friday, but the next Friday.

13 CHAIR BENNETT: Okay, great. Thank
14 you. Also, now we have Item 6 on the agenda,
15 campaign finance, Ms. Cecily Montgomery.

16 CAMPAIGN FINANCE REPORT

17 MS. COLLIER-MONTGOMERY: Yes, good
18 morning. First, again, I would like to report
19 that the Office of Campaign Finance continues to
20 operate under a modified status. All of our
21 services continue to be provided remotely, by
22 email, as well as by telephone. We can be

1 reached at 202-671-0547.

2 All candidate and committee reports
3 will continue to be received online, at our
4 website, on the required deadlines. Candidates
5 may contact the office for instructions
6 concerning the registration process.

7 Commencing June 7, 2021, the OCF
8 managerial staff will return to the office for at
9 least 50 percent of their scheduled weekly tour
10 of duty. Also, I want to announce, on the
11 record, that as of this date, the OCF line staff
12 is scheduled to return on July 12, 2021.

13 On May 21, 2021, the Office of
14 Campaign Finance published, at our website, fact
15 sheets for the fair elections and the traditional
16 campaign finance programs during the 2020
17 election cycle.

18 The information brochures contained
19 information concerning the following deadlines
20 during the 2022 election cycle, as well as
21 information concerning the contribution limits
22 for the traditional program and the threshold

1 requirements for the fair elections program.

2 With community outreach during the month of May,
3 the Office of Campaign Finance once again
4 initiated its program with the advisory
5 neighborhood commissions across the city.

6 During the month of May, the OCF
7 managers participated in the following ANC
8 virtual meetings: on Tuesday, May 4, ANC 4A; on
9 Wednesday, May 12, ANC 1C; on Wednesday, May 12,
10 ANC 6C; and on Wednesday, May 19, ANC 5A.

11 With our fair election program, during
12 the month of May, again, during the 2020 election
13 cycle, the total sum of \$4,016,797.64 was
14 disbursed from the fair elections fund in base
15 amount and matching payment to the 36 candidates
16 who were certified in the program to participate
17 in the June 2, 2020 primary election, the June
18 16, 2020 special election, and the November 3,
19 2020 general election.

20 The 2020 election cycle closed on
21 November 3, 2020, and the 2020 special election
22 cycle closed on June 16, 2020. During the month

1 of May 2021, there were no disbursements
2 authorized for base amount and matching payments
3 from the fund for candidates who have registered
4 seeking to participate in the program during the
5 2022 election cycle. The audit section of the
6 fair elections program during the month of May
7 conducted nine desk reviews of termination and
8 amended reports of receipts and expenditures,
9 which have been filed with the Agency and, as a
10 result of those desk reviews, issued four
11 requests for additional information.

12 As of May 31, 2020, the total fund of
13 \$132,148.07 have been remitted for deposit in the
14 fair elections fund from the campaign operations,
15 again, of participating candidates in the June
16 16, 2020 special election, the June 2, 2020
17 primary election, and the November 3, 2020
18 general election.

19 During the month of May 2021, the
20 Office of Campaign Finance did not receive any
21 further remission payments. With the ongoing
22 post-election full field audits which have been

1 initiated in the fair elections program of the
2 candidates who participated in the three
3 elections during calendar year 2020, the status
4 of those audits -- and there are 34 audits in
5 total -- will be posted at our website with the
6 report of the office this evening, at the close
7 of business. Just for information, there were
8 ten post-election audits which were initiated
9 with respect to the June 2nd primary election.

10 There were four post-election audits
11 which were initiated at the June 16, 2020 special
12 election, and ten post-election audits which were
13 initiated of the November 3, 2020 general
14 election 20.

15 I would just also say, for the record,
16 with these post-election audits, the audits are
17 -- these are full-field audits which are
18 conducted of the entire campaign operations of
19 the candidates who were certified in the fair
20 elections program.

21 In the Public Information and Records
22 Management Division, during the month of May,

1 there was one filing deadline. That filing
2 deadline was on May 3, 2021. That was the filing
3 deadline for the 16th report of receipts and
4 expenditures by the legal defense committee,
5 which is registered with the office. There was
6 one required filer, filing timely filed and also
7 electronically filed the report. During the
8 month of May, in terms of new candidates and
9 committees in our traditional program, we had two
10 candidates who registered, one was Phil
11 Mendelson, Mendelson for chairman, registered on
12 May 5, 2021, Oye Owolewa, Owolewa for U.S.
13 representative '22, registered on May 11, 2021.

14 As of May 31, 2021, four candidates
15 have registered in the traditional campaign
16 finance program, and one candidate has registered
17 seeking to participate in the fair elections
18 program for the 2022 election cycle.

19 We also had candidates and treasurers
20 who completed the mandatory entrance conference
21 presentation during the month of May, one Brandon
22 Scott, treasurer for the Ward 7 Democrats,

1 Brandon Clark, treasurer for Ryan Jones for
2 attorney general, Ben Young, treasurer of
3 Mendelson for chairman 2022, Oye Owolewa,
4 candidate Owolewa for U.S. representative 2022.

5 In our traditional audit program,
6 during the month of May 2021, the audit branch
7 conducted ten desk reviews of reports which have
8 been filed with the Office of Campaign Finance.
9 Also during the month of May, for the record I
10 would like to state what the status of the audits
11 are in the traditional audit program. First,
12 there were no audit reports issued. With respect
13 to ongoing audits, we have two full-field audits
14 of newly elected officials in the District of
15 Columbia which are ongoing.

16 The first is Brooke Pinto for Ward 2,
17 and the audit notification letter was issued on
18 February 8, 2021. The records were due on March
19 15, '21. An extension was approved until March
20 30, 2021. The audit was initiated on April 4 --
21 April 8, 2021, and the field work is in progress.

22 The second audit of a newly elected

1 official is Jacque DC for at-large State Board of
2 Education. The audit notification letter was
3 issued on February 8, '21.

4 The records were due on March 8th.
5 The second reminder was sent on March 12th. The
6 audit was initiated on April 5, 2021. The audit
7 manager is in the process of reviewing the audit
8 field work, and also is preparing the issuance of
9 the draft preliminary statement of findings.
10 With respect to random periodic audits in the
11 traditional audit program of past and continuing
12 committees who participated in the 2020 election,
13 there are ongoing audits of the January 31, 2021
14 report. The first is with Oye for U.S.
15 representative. The preliminary draft statement
16 of findings was issued on April 14, 2021, and the
17 audit manager's in the process of reviewing the
18 committee's response in the final audit report.

19 The second is the committee to elect
20 Alex Pedro. The preliminary draft statement of
21 findings was issued on April 1, 2021. The audit
22 manager is in the process of reviewing the

1 committee's response and the final audit report.

2 That completes my report with respect
3 to the divisions, the Fair Elections Program
4 division, as well as our traditional program, and
5 also the Public Records and Information Division.
6 I would ask the General Counsel, William Sanford,
7 to now provide the report of the Office of the
8 General Counsel.

9 GENERAL COUNSEL'S REPORT

10 CHAIR BENNETT: Thank you. Mr.
11 Sanford.

12 MR. SANFORD: Good morning, Mr.
13 Chairman and distinguished Board members. I am
14 William Sanford, General Counsel for the Office
15 of Campaign Finance. During the month of May
16 2021, the Office of the General Counsel did not
17 receive any referrals for informal hearings.
18 However, the office did issue a total of 35
19 orders, which included the following. Seven
20 orders were issued in which statements of
21 violations and notices of hearings were vacated.

22 Twenty-eight orders were issued in

1 which fines that totaled \$52,600 were imposed.
2 During the month of May 2021, the Office of the
3 General Counsel imposed fines against 28
4 respondents.

5 However, I will not read each fine and
6 respondent into the record, but the entire report
7 will be published at the Office of Campaign
8 Finance website by close of business today.
9 During the month of May 2021, the Office of the
10 General Counsel did not collect any fines.

11 During the month of May 2021, there
12 were no open investigations. There were no
13 requests for interpretive opinions, and there
14 were no show cause proceedings conducted. That
15 should conclude my report.

16 CHAIR BENNETT: Thank you, Mr.
17 Sanford. I just had -- Mr. Gill said he didn't
18 have any questions. Ms. Greenfield, do you have
19 any questions?

20 MEMBER GREENFIELD: No, I don't have
21 any questions.

22 CHAIR BENNETT: I have one. Ms.

1 Montgomery, can you tell me, again -- I know you
2 repeated it in your report -- the number of
3 people that have applied for the fair elections
4 program so far and who they are?

5 MS. COLLIER-MONTGOMERY: Yes. In this
6 -- as of this date, there has been one candidate
7 who has applied to -- who has registered, rather,
8 to participate -- seeking to participate in the
9 fair elections program. I believe that candidate
10 is Ryan Jones, who has registered as a candidate
11 for the Office of Attorney General.

12 CHAIR BENNETT: Okay. There's
13 obviously a lot more time that people could file
14 and apply for that. Is it possible to start out
15 in the traditional program, and then switch if
16 you have not actually collected money that would
17 be in violation of the fair elections program?

18 MS. COLLIER-MONTGOMERY: Yes, it is
19 possible. What they would be required to do is
20 to file a termination report of their receipts
21 and expenditures in the traditional program, then
22 register (Simultaneous Speaking). Yes.

1 CHAIR BENNETT: If they had collected
2 and had -- that was not in compliance with the
3 fair election, they'd have to give money back, I
4 would assume, in order to be in compliance.

5 MS. COLLIER-MONTGOMERY: Yes, they
6 would. In fact, they would have to distribute
7 the surplus in accordance with the process that
8 is established in the Campaign Finance Act.
9 There is no provision which would allow them to
10 transfer those funds over into the fair elections
11 program for the purposes of qualifying in that
12 program.

13 CHAIR BENNETT: Okay.

14 MS. COLLIER-MONTGOMERY: One thing I
15 would like to add and neglected to report would
16 be the audits that are currently being conducted
17 in the constituent service program. Those are
18 periodic random audits of the April 1, 2021
19 reports.

20 The first is Phil's Fund for Citizen
21 Service. The audit records were due to the audit
22 staff on May 3rd. An extension was approved until

1 May 18th. The records were received on May 14,
2 2021, and the audit field work is in progress.
3 The second is the Evans Constituent Service Fund.
4 The audit records were due to the audit staff on
5 May 3, 2021. This is a termination report. The
6 audit staff has requested that the committee
7 request the final bank statement from its
8 depository. That concludes my report.

9 CHAIR BENNETT: Thank you, Ms.
10 Montgomery, and thanks for answering my question.
11 The next item on the agenda is the executive
12 director's report, Ms. Alice Miller.

13 EXECUTIVE DIRECTOR'S REPORT

14 MS. MILLER: Good morning. Thank you,
15 Mr. Chairman. Not a lot, but I will report that
16 on May 24th, we appeared before the subcommittee
17 on redistricting, which is chaired by
18 Councilmember Silverman, and also Councilmember
19 Henderson and Councilmember Bonds serves on that
20 committee, to provide comment on the
21 redistricting process as it relates to the ward's
22 responsibilities.

1 As you know, every ten years, the city
2 undergoes a redistricting process. Normally, the
3 city council would have had the redistricting
4 information. They usually get it in March. But
5 the census was delayed with that data due to
6 COVID, nationally, so the data will not be
7 provided until late August, which has backed up
8 the whole process, not only in D.C., but on a
9 national level, and has created some challenges
10 as it relates to the redistricting process.

11 Basically, just for the record, the
12 D.C. law requires the Board to assist Board task
13 forces as they draw ANC SMD boundaries. D.C. law
14 requires that the Board, along with the mayor,
15 provide each ward task force with technical and
16 analytical services necessary for the decennial
17 redistricting.

18 The services include, but are not
19 limited to, statistical analysis of official
20 census data and the production of the maps. The
21 Board will work, as I put on the record, in
22 conjunction with the Office of Planning, to

1 provide the materials needed to each of the ward
2 task forces.

3 We have done this in the past, so we
4 will do it with this process, as well. We will
5 have to have the materials by December 23rd.

6 That's 180 days before the election, before the
7 June 21st election, which is what the law
8 requires, in order for us to successfully
9 complete the process prior to the election.

10 Anything after December 23rd would not provide
11 timely delivery of the information for us to have
12 it done in time for the June 21st election.

13 Also, we did do our first in-person outreach
14 event last Thursday, on May 26th, at the Harriet
15 Tubman House women's shelter.

16 That was the first one since COVID.
17 We were able to register approximately 20
18 individuals. We will start scheduling these a
19 little bit more frequently now that things have
20 gotten a little better.

21 That one was scheduled from 11:00 to
22 1:00, as I said, and it was a women's shelter. I

1 will also put on the record that we will have our
2 ANC 7F-07 election, which is the first election
3 that the Board will actually conduct.

4 As you know, the council initiated
5 emergency legislation that provided -- that we
6 were responsible for conducting elections for the
7 ANC as long as the public health emergency
8 existed. This is the only one, so far, that has
9 been -- that has mandated that we conduct an
10 election because the other vacancies have all
11 been -- have not required an election to be
12 conducted because only one person is qualified.
13 Those individuals have been, basically, the ones
14 confirmed as the winners. They've not been
15 contested. The 7F-07 election will be scheduled
16 for June 15th, from 3:30 to 7:30, at Park Kennedy
17 Apartments, 1901 C Street, Southeast. That
18 concludes my report.

19 CHAIR BENNETT: Great, thanks, Ms.
20 Miller. Any questions, Ms. Greenfield? I think
21 Mr. Gill has no questions.

22 MEMBER GREENFIELD: No, I don't have

1 any.

2 CHAIR BENNETT: All right, thank you.
3 We are now at public matters. If you have a
4 question or some thoughts, please just, I guess,
5 raise your hand and we will unmute you and go
6 from there.

7 PUBLIC MATTERS

8 CHAIR BENNETT: Let's unmute everybody
9 and see if anybody has anything to say. Anybody
10 have anything? You can unmute yourselves. Okay,
11 I will take that as no public matters today.
12 With that, can I take a motion from Ms.
13 Greenfield to adjourn the meeting?

14 MEMBER GREENFIELD: Yes, I move that
15 we adjourn the meeting.

16 CHAIR BENNETT: Okay, second. It's
17 been properly --

18 MS. BRIZILL: This is Dorothy Brizill.
19 I was trying to unmute myself to raise a public
20 matter.

21 CHAIR BENNETT: Okay. Sorry, Ms.
22 Brizill. We will not adjourn the meeting. Would

1 you go ahead and identify yourself, Ms. Brizill,
2 and ask a question.

3 MS. BRIZILL: This is Dorothy Brizill,
4 B-R-I-Z-I-L-L. I'm executive director of D.C.
5 Watch, located at 1327 Gerard Street, Northwest.
6 I have two public matters I'd like to raise. I'm
7 raising them because we're in the budget season
8 and the budget hearing for the Board of Elections
9 will be held before the next Board meeting.

10 My first question has to do with what
11 is -- I'd like to learn what is the status of the
12 Chairman's plan to reorganize the Board of
13 Elections and the Office of Campaign Finance, as
14 well as to change election processes and
15 procedures, such as the creation of large vote
16 centers, the mailing of absentee ballots to all
17 registered voters, etc. Can you tell me what the
18 status of that plan is?

19 CHAIR BENNETT: I am still, actually,
20 thinking through and working through some -- the
21 whole process in my own head, relative to what I
22 may recommend for a reorganization. I hope to

1 put something out in probably 30 days or so, Ms.
2 Brizill, if I put anything out. I've been kind
3 of thinking through it and got drafts of my own
4 that I'm kind of working through --

5 (Simultaneous speaking)

6 MS. BRIZILL: Along those lines, can
7 you tell us, other than your input, how will the
8 plan be developed, and how will you secure public
9 input or the input of elected officials?

10 CHAIR BENNETT: What I'll do is to put
11 out some recommendations to both the elected
12 official council and also the mayor's office, as
13 well as to the general public. It will be just
14 recommendations, in terms of how I see things.

15 Just to recap a little bit, this past
16 year or so has taught us all a lot in every part
17 of our life. The reality is, I don't think,
18 anyway, that we are going to go back to how life
19 was before the pandemic. I have some thoughts as
20 how it might work best for both the public and
21 for the organization, relative to structure. I
22 plan to make it -- to make my recommendations

1 known probably within the next 30 days, Ms.
2 Brizill.

3 MS. BRIZILL: The current budget
4 before the council does not reflect any
5 reorganization changes or policy changes at the
6 Board of Elections.

7 CHAIR BENNETT: No, ma'am.

8 MS. BRIZILL: My next question has to
9 do with the warehouse. What are the plans for
10 the warehouse in Northeast? In the budget, there
11 is specific reference to the warehouse in this
12 sentence: funding is provided in the budget for
13 temporary warehouse space and to install an IT
14 infrastructure for BOE's voting equipment,
15 systems, and activity. What does that mean and
16 reference?

17 CHAIR BENNETT: Ms. Miller.

18 MS. MILLER: Yes. That has to do with
19 the temporary location that we have right now
20 where the drop boxes are stored. There is no IT
21 communication -- there's no communication in that
22 specific location. I believe that's what that is

1 referring to, to be able for the staff, the
2 warehouse staff to be able to use that location
3 to do things, such as charting poll paths and
4 setting up a communications system there.

5 MS. BRIZILL: Can you tell me, Ms.
6 Miller, where were election ballots counted and
7 processed last year? Were they processed at the
8 warehouse?

9 MS. MILLER: The ballots, yes.

10 MS. BRIZILL: Going forward, you said
11 the warehouse would be more than just the storing
12 of drop boxes and charging of pods. It would be
13 the site for the tabulation of votes. Am I
14 correct?

15 MS. MILLER: I'm sorry, Ms. Brizill.
16 You're muffled. I couldn't quite understand what
17 you're saying.

18 MS. BRIZILL: Can we go back, in terms
19 of reviewing your answer? Is it your intention
20 to use the warehouse, in the future, in the same
21 manner that you used it in 2020? That was to
22 process votes.

1 MS. MILLER: Yes, for the ballots that
2 came in through the mail, that's correct. That's
3 not -- your question referred to the IT.

4 MS. BRIZILL: No. Wait a minute. Why
5 don't I state my question so that you don't
6 speculate as regards what my question is. In
7 2020, where were ballots processed by the Board
8 of Elections? Was it at the warehouse?

9 MS. MILLER: Yes.

10 MS. BRIZILL: Going forward, where do
11 you intend to process ballots in the future?

12 MS. MILLER: The mail-in ballots will
13 be processed at the warehouse.

14 MS. BRIZILL: And is that the reason
15 for the funding for IT infrastructure at the
16 warehouse?

17 MS. MILLER: No.

18 MS. BRIZILL: I don't understand that
19 answer, then.

20 MS. MILLER: Because we have two
21 locations. The IT infrastructure that the
22 upgrades are referring to are tied to the second

1 location, which is about -- which is located down
2 the street from the location where 3535 V Street
3 is.

4 That, as I said, currently, actually,
5 has no communication, whatsoever, capabilities.
6 Those funds are to provide communication data
7 processing. There's no telephone system. There
8 is no communication -- so that we'll be able to
9 do things such as charge poll pads, charge the
10 voting machines and things like that.

11 CHAIR BENNETT: I think your question,
12 Ms. Brizill, was whether or not we would be
13 counting ballots at that second location. I
14 think the answer is no, if that was your
15 question.

16 MS. BRIZILL: Where did you tabulate
17 ballots in 2020, what location?

18 MS. MILLER: 3535 V Street.

19 MS. BRIZILL: The funding that's in
20 the mayor's budget for IT infrastructure, is
21 there a second warehouse that is referred in the
22 budget as temporary warehouse?

1 MS. MILLER: That's correct.

2 MS. BRIZILL: Why is it temporary?

3 MS. MILLER: Because it's a temporary
4 location. It's not a permanent location.

5 MS. BRIZILL: Do you intend to
6 identify a permanent location?

7 MS. MILLER: We have no idea as to
8 whether or not that will be provided to us.
9 Right now, it's identified as temporary because
10 that's what we've been told.

11 MS. BRIZILL: One last question. The
12 main warehouse for the Board of Elections at 3535
13 V Street is not air conditioned.

14 MS. MILLER: It is air conditioned.

15 MS. BRIZILL: When did it get air
16 conditioned?

17 MS. MILLER: It's always been air
18 conditioned. The air --

19 (Simultaneous speaking)

20 MS. BRIZILL: I'm talking about the
21 main large space at that warehouse.

22 MS. MILLER: -- always been air

1 conditioned. I can tell you that the air
2 condition is not always functioning.

3 MS. BRIZILL: It has never been
4 functioning in the times I've been over there.
5 What percentage of the time is the air
6 conditioning down?

7 MS. MILLER: It has the capability to
8 provide air conditioning, and it goes out quite
9 frequently, but it's always repaired.

10 CHAIR BENNETT: Last summer was a very
11 difficult period for air conditioning at that
12 facility.

13 MS. BRIZILL: The reason I'm asking
14 that question is to invest in putting -- first of
15 all, to be counting ballots in a space where you
16 have workers, as well as sensitive equipment, and
17 that space is not air conditioned, especially in
18 the summer months and heat that we had last year,
19 is that a wise investment to make, or is there a
20 need to identify an alternative location?

21 MS. MILLER: I agree with you, but
22 this space is air conditioned, and they fix it

1 all the time. It is air conditioned.

2 MS. BRIZILL: Mr. Bennett, if I could
3 ask a question -- I hate to belabor this.

4 CHAIR BENNETT: Okay.

5 MS. BRIZILL: A great deal of funds
6 were spent to relocate the Offices of the Board
7 of Elections, the Office of Campaign Finance to
8 what many in the community refer to as pretty
9 posh space.

10 Why wasn't an allocation of space made
11 for the tabulation of votes there, as opposed to
12 a dirty, non-air conditioned space at a warehouse
13 in far Northeast that is not readily accessible?
14 Why wasn't provision and planning made to put the
15 counting center in the main offices of the Board
16 of Elections?

17 CHAIR BENNETT: I appreciate your
18 question, but quite honestly, we're not
19 completely in control of our space. We make
20 requests, but the Department of General Services
21 actually drives the matter around space. I
22 appreciate your point. I don't have any argument

1 with you. Alice, did you want to add anything?

2 MS. MILLER: I can say that we don't
3 identify the space that we're in, as Mr. Bennett
4 has just said. We put in a request for space,
5 and we're told where that space will be. We
6 don't go out and find space. That's not what we
7 do.

8 MS. BRIZILL: That's not what my
9 question was, and that's not what I asked about.
10 That's not what I asked about at all. In terms
11 of size and space, which was an odyssey the Board
12 went on for several years, you had to identify to
13 the General Services Administration the total
14 square footage you needed and any other special
15 specifications you needed in that space.

16 When you did that, did you indicate
17 that you needed space allocated for a count
18 center for the tabulation and review of ballots
19 and voter registrations, or did you always intend
20 to have that operation separate and apart, over
21 at the warehouse? That is not a decision General
22 Services made. That's a decision the Board of

1 Elections made.

2 MS. MILLER: I just also received a
3 message that DGS has replaced the unit, the air
4 conditioning unit, and it's currently functional,
5 to answer that part of your question, as well.

6 MS. BRIZILL: That does nothing for
7 the problems that occurred last year and that
8 could likely occur again. But can you answer my
9 question, in terms of DGS acted on
10 specifications, including square footage, and any
11 other qualifications that (audio interference) in
12 terms of the need for new (audio interference).

13 I didn't indicate that I expected the
14 Board or the Board staff to go around, in terms
15 of going to real estate options and what have
16 you, but why didn't the Board make preparations
17 for a vote center, a counting center, a counting
18 facility in its new offices?

19 CHAIR BENNETT: I wish we could answer
20 your question, Ms. Brizill, but we are -- we work
21 with DGS and provide them with the information
22 and the square footage and all the specifications

1 that we need. That's an ongoing activity. We
2 appreciate your concern, and we are constantly
3 focused on trying to make sure we have adequate
4 space, along with all the other things. I'm not
5 sure how best to answer your question.

6 MS. BRIZILL: Mr. Bennett, are you
7 saying that the Board of Elections did not
8 provide DGS with information regarding the need
9 for space for its computers, for its staff, for
10 its equipment to tabulate votes at its main
11 office?

12 CHAIR BENNETT: Yes, we did.

13 MS. MILLER: We did. They actually
14 came to the old space, looked at it, made
15 measurements and all of that, saw what we had
16 there, took that, identified it, and then made
17 measurements with respect to moving to the new
18 space. All of that took place.

19 MS. BRIZILL: Where did things fall
20 apart, then?

21 MS. MILLER: I'm sorry; can you repeat
22 the question?

1 MS. BRIZILL: Where did things fall
2 apart? When you moved into your new space, were
3 you aware then that there was no room, or did you
4 separately decide that you didn't want to
5 tabulate the votes there and that you wanted to
6 have an offsite location to tabulate votes?

7 CHAIR BENNETT: Your question is why
8 didn't we have this space as space to tabulate
9 ballots. Was that your --

10 MS. BRIZILL: I think that was my
11 question.

12 CHAIR BENNETT: Okay, Ms. Brizill,
13 we're struggling trying to hear you.

14 MS. MILLER: The normal process, we
15 would receive the votes back by modem. We would
16 never have the number of paper ballots that we
17 had to be tabulated that we had last year. Last
18 year was an exceptional circumstance that we had
19 to adjust and figure out how to do what we did.

20 As you know, we get the ballots back
21 through electronic means. We get the results
22 back through electronic means, which comes in

1 through the polling places, through our sticks,
2 through our vote sticks. We never generally had
3 that number of ballots that we're actually
4 manually counting.

5 MS. BRIZILL: I don't mean to belabor
6 it, but you do -- you would acknowledge that with
7 special ballots having to be cast at polling
8 sites, you do have a good deal of paper ballots,
9 even in a normal election, that you have to
10 process. Do you provide space at your main
11 office for the processing of those paper ballots,
12 or did you just always intend to have the
13 tabulation of votes done offsite?

14 MS. MILLER: We do tabulate our
15 special ballots and absentee ballots at our main
16 location, yes.

17 MS. BRIZILL: Let me make sure I
18 understand this. What did you tabulate at the
19 warehouse, then?

20 MS. MILLER: We tabulated the mail-in
21 ballots at the warehouse, the ballots that came
22 in through the drop boxes, the ballots that came

1 in by mail we tabulated at the warehouse.

2 MS. BRIZILL: Where did you tabulate
3 voter registrations sent in by mail?

4 MS. MILLER: I'm sorry?

5 MS. BRIZILL: Where did you tabulate
6 voter registrations sent in by mail?

7 MS. MILLER: Where did we tabulate
8 voter registrations sent in by mail?

9 MS. BRIZILL: Yes, that's the
10 question.

11 CHAIR BENNETT: They come into the
12 main office, and they're loaded here, at the main
13 office.

14 MS. BRIZILL: So the only thing that
15 the pictures show of paper being fed through your
16 equipment are the absentee ballots that came in
17 by mail or the drop boxes?

18 CHAIR BENNETT: Yes.

19 MS. MILLER: The mail and drop boxes.

20 CHAIR BENNETT: Yes.

21 MS. BRIZILL: The second warehouse
22 that you want to acquire, that would be

1 predicated upon the D.C. Government passing
2 legislation that would authorize the Board to
3 send absentee ballots to every registered voter.

4 MS. MILLER: No.

5 CHAIR BENNETT: That particular
6 warehouse, Ms. Brizill, was really acquired for
7 storage that was -- that we needed for drop boxes
8 that we bought last year that we hadn't
9 anticipated buying.

10 We had no idea we would need that kind
11 of storage. With that space, the point is there
12 are other things that could be done there that
13 you need some kind of IT infrastructure to be
14 able to do. You need phones. You need to be
15 able to have IT. I'm not sure --

16 MS. BRIZILL: Okay. What is the
17 address of the second warehouse?

18 CHAIR BENNETT: Say again.

19 MS. BRIZILL: What is the address of
20 the second warehouse?

21 MS. MILLER: It's about three or four
22 doors down from 3535 V Street. I don't know the

1 exact address. It's on V Street.

2 CHAIR BENNETT: We can find that. If
3 you want to drop an email, we'll certainly be
4 happy to give that to you, Ms. Brizill.

5 MS. BRIZILL: Okay. See you at the
6 budget hearing.

7 CHAIR BENNETT: Thanks. Any other
8 public matters?

9 (No audible response.)

10 CHAIR BENNETT: Okay, I think I'll
11 take a motion to adjourn again.

12 MS. MILLER: I have it. It's 3559 V
13 Street.

14 CHAIR BENNETT: Okay. Can I get a
15 motion to adjourn from Mr. Gill? I think I see
16 him.

17 MEMBER GILL: I make a motion to
18 adjourn the meeting.

19 CHAIR BENNETT: Can I have a second
20 from Ms. Greenfield.

21 MEMBER GREENFIELD: I second.

22 CHAIR BENNETT: It's been properly

A

a.m. 1:12 3:2 43:9
able 5:17 23:17 29:1,2
 31:8 41:14,15
above-entitled 43:8
absentee 26:16 39:15
 40:16 41:3
accessible 34:13
acknowledge 3:8,12
 39:6
acknowledgment 5:2
acquire 40:22
acquired 41:6
Act 6:5 20:8
acted 36:9
activity 28:15 37:1
add 20:15 35:1
additional 12:11
address 41:17,19 42:1
adequate 37:3
adjourn 25:13,15,22
 42:11,15,18
adjourned 43:6
adjust 38:19
Administration 35:13
adopt 3:22
adopted 4:20 7:8
adopting 3:19
Adoption 2:3 3:17
advisory 7:2,5 11:4
Agency 12:9
agenda 3:19,22 4:19
 5:16 6:1 8:19 9:14
 21:11
Agenda/Approval 2:3
 3:17
agree 33:21
ahead 26:1
air 32:13,14,15,17,18
 32:22 33:1,5,8,11,17
 33:22 34:1 36:3
Alex 16:20
Alice 1:17 21:12 35:1
allocated 35:17
allocation 34:10
allow 20:9
alternative 33:20
amend 6:2
amended 12:8
Amendment 6:5
amendments 6:16
amount 11:15 12:2
analysis 22:19
analytical 22:16
ANC 11:7,8,9,10,10
 22:13 24:2,7
announce 10:10
answer 29:19 30:19

31:14 36:5,8,19 37:5
answering 21:10
anticipated 41:9
anybody 25:9,9
anyway 27:18
apart 35:20 37:20 38:2
Apartments 24:17
appeared 21:16
applied 19:3,7
apply 19:14
appreciate 34:17,22
 37:2
approval 3:20
approve 4:1,4 7:13,20
 8:2
approved 15:19 20:22
approximately 23:17
April 6:9,10,16 15:20,21
 16:6,16,21 20:18
argument 34:22
ascertain 3:7
asked 35:9,10
asking 33:13
assist 22:12
assume 4:17 20:4
at-large 16:1
attorney 7:4 15:2 19:11
audible 5:5 42:9
audio 36:11,12
audit 12:5 15:5,6,11,12
 15:17,20,22 16:2,6,6
 16:7,11,17,18,21 17:1
 20:21,21 21:2,4,4,6
audits 12:22 13:4,4,8
 13:10,12,16,16,17
 15:10,13,13 16:10,13
 20:16,18
August 22:7
authorize 41:2
authorized 12:2
aware 38:3
aye 4:11,13,15,17,17
 8:11,13,14 43:2,4,5

B

B-R-I-Z-I-L-L 26:4
back 20:3 27:18 29:18
 38:15,20,22
backed 22:7
ballots 26:16 29:6,9
 30:1,7,11,12 31:13,17
 33:15 35:18 38:9,16
 38:20 39:3,7,8,11,15
 39:15,21,21,22 40:16
 41:3
bank 21:7
base 11:14 12:2
basically 22:11 24:13

belabor 34:3 39:5
believe 19:9 28:22
Ben 15:2
Bennett 1:12,14 3:4,5
 3:11,15,18 4:5,8,12
 4:14,16 5:6,9,12,15
 7:15 8:4,8,12,14,20
 9:1,6,13 17:10 18:16
 18:22 19:12 20:1,13
 21:9 24:19 25:2,8,16
 25:21 26:19 27:10
 28:7,17 31:11 33:10
 34:2,4,17 35:3 36:19
 37:6,12 38:7,12 40:11
 40:18,20 41:5,18 42:2
 42:7,10,14,19,22 43:3
 43:5
best 27:20 37:5
better 23:20
bit 5:16 23:19 27:15
Board 1:4,6,11,13,16
 2:4 3:6 4:21,22 5:8,9
 5:10,13 6:21 7:13
 16:1 17:13 22:12,12
 22:14,21 24:3 26:8,9
 26:12 28:6 30:7 32:12
 34:6,15 35:11,22
 36:14,14,16 37:7 41:2
Board's 6:9,15,17,19
 7:11
BOE's 28:14
Bonds 21:19
bought 41:8
boundaries 22:13
boxes 28:20 29:12
 39:22 40:17,19 41:7
branch 15:6
Brandon 14:21 15:1
Brizill 25:18,18,22 26:1
 26:3,3 27:2,6 28:2,3,8
 29:5,10,15,18 30:4,10
 30:14,18 31:12,16,19
 32:2,5,11,15,20 33:3
 33:13 34:2,5 35:8
 36:6,20 37:6,19 38:1
 38:10,12 39:5,17 40:2
 40:5,9,14,21 41:6,16
 41:19 42:4,5
brochures 10:18
Brooke 15:16
budget 26:7,8 28:3,10
 28:12 31:20,22 42:6
business 13:7 18:8
buying 41:9

C

C 24:17
calendar 13:3

call 2:2 3:3,6
camera's 7:16,18
campaign 1:20,21 2:8
 9:15,16,19 10:14,16
 11:3 12:14,20 13:18
 14:15 15:8 17:15 18:7
 20:8 26:13 34:7
candidate 10:2 14:16
 15:4 19:6,9,10
candidates 10:4 11:15
 12:3,15 13:2,19 14:8
 14:10,14,19
capabilities 31:5
capability 33:7
cast 39:7
cause 18:14
Cecily 1:20 9:15
census 22:5,20
center 34:15 35:18
 36:17,17
centers 26:16
certain 7:6
certainly 42:3
certified 11:16 13:19
Chair 1:12,14 3:4,11,15
 3:18 4:5,8,12,14,16
 5:6,9,12,15 7:15 8:4,8
 8:12,14,20 9:1,6,13
 17:10 18:16,22 19:12
 20:1,13 21:9 24:19
 25:2,8,16,21 26:19
 27:10 28:7,17 31:11
 33:10 34:4,17 36:19
 37:12 38:7,12 40:11
 40:18,20 41:5,18 42:2
 42:7,10,14,19,22 43:3
 43:5
chaired 21:17
chairman 14:11 15:3
 17:13 21:15
Chairman's 26:12
challenges 22:9
change 26:14
changes 6:13 28:5,5
chapter 6:2,3
charge 31:9,9
charging 29:12
charting 29:3
Chief 7:1
circulation 7:10
circumstance 38:18
Citizen 20:20
city 11:5 22:1,3
Clark 15:1
close 13:6 18:8
closed 11:20,22
collect 18:10
collected 19:16 20:1

COLLIER-MONTGO...
 1:20 9:17 19:5,18
 20:5,14
Columbia 1:2,11 15:15
come 40:11
comes 38:22
coming 9:12
Commencing 10:7
comment 6:12 21:20
comments 6:11
commissions 11:5
committee 10:2 14:4
 16:19 21:6,20
committee's 16:18 17:1
committees 14:9 16:12
communication 28:21
 28:21 31:5,6,8
communications 29:4
community 11:2 34:8
complete 8:16 23:9
completed 14:20
completely 34:19
completes 17:2
compliance 20:2,4
computers 37:9
concern 37:2
concerning 10:6,19,21
conclude 18:15
concludes 21:8 24:18
condition 33:2
conditioned 32:13,14
 32:16,18 33:1,17,22
 34:1,12
conditioning 33:6,8,11
 36:4
conduct 24:3,9
conducted 12:7 13:18
 15:7 18:14 20:16
 24:12
conducting 24:6
conference 14:20
confirmed 24:14
conformity 6:3
conjunction 22:22
constantly 37:2
constituent 20:17 21:3
contact 10:5
contained 10:18
CONTENTS 2:1
contested 24:15
continue 8:17 9:21 10:3
continues 9:19
continuing 16:11
contribution 10:21
control 34:19
convened 1:11
correct 29:14 30:2 32:1
council 7:4 22:3 24:4

27:12 28:4
Councilmember 21:18
 21:18,19
counsel 1:18,21 7:3
 8:21 9:2 17:6,8,14,16
 18:3,10
counsel's 2:6,10 5:19
 5:21 8:3 17:9
count 35:17
counted 29:6
counting 31:13 33:15
 34:15 36:17,17 39:4
couple 5:18
court 5:1,3
COVID 22:6 23:16
created 22:9
creation 26:15
current 28:3
currently 20:16 31:4
 36:4
cycle 10:17,20 11:13,20
 11:22 12:5 14:18

D

D 1:18
D.C 3:6 6:10 7:9,14 9:11
 22:8,12,13 26:4 41:1
data 22:5,6,20 31:6
date 10:11 19:6
days 23:6 27:1 28:1
DC 16:1
deadline 14:1,2,3
deadlines 10:4,19
deal 34:5 39:8
December 23:5,10
decennial 22:16
decide 38:4
decision 35:21,22
defense 14:4
delayed 22:5
delivery 23:11
Democrats 14:22
Department 34:20
deposit 12:13
depository 21:8
described 7:22
description 8:3
desk 12:7,10 15:7
developed 27:8
DGS 36:3,9,21 37:8
difficult 33:11
director 1:17,20 26:4
director's 2:12 21:12,13
dirty 34:12
disbursed 11:14
disbursements 12:1
discussed 6:15
distinguished 17:13

distribute 20:6
District 1:2,11 15:14
division 13:22 17:4,5
divisions 17:3
doors 41:22
Dorothy 25:18 26:3
draft 16:9,15,20
drafted 6:19
drafts 27:3
draw 22:13
drives 34:21
drop 28:20 29:12 39:22
 40:17,19 41:7 42:3
due 15:18 16:4 20:21
 21:4 22:5
duty 10:10

E

early 5:18
EDT 1:12
Education 16:2
effect 6:5
elect 16:19
elected 15:14,22 27:9
 27:11
election 10:17,20 11:11
 11:12,17,18,19,20,21
 12:5,16,17,18 13:9,12
 13:14 14:18 16:12
 20:3 23:6,7,9,12 24:2
 24:2,10,11,15 26:14
 29:6 39:9
elections 1:4,11,13,16
 3:6 10:15 11:1,14
 12:6,14 13:1,3,20
 14:17 17:3 19:3,9,17
 20:10 24:6 26:8,13
 28:6 30:8 32:12 34:7
 34:16 36:1 37:7
electronic 38:21,22
electronically 14:7
email 9:22 42:3
emergency 6:7 24:5,7
enacted 6:3
entire 13:18 18:6
entrance 14:20
equipment 28:14 33:16
 37:10 40:16
especially 33:17
ESQ 1:21
established 20:8
estate 36:15
Evans 21:3
evening 13:6
event 23:14
everybody 25:8
exact 42:1
exceptional 38:18

executive 1:17 2:12
 21:11,13 26:4
existed 24:8
expected 36:13
expenditures 12:8 14:4
 19:21
extension 15:19 20:22

F

facility 33:12 36:18
fact 10:14 20:6
fair 10:15 11:1,11,14
 12:6,14 13:1,19 14:17
 17:3 19:3,9,17 20:3
 20:10
fall 37:19 38:1
far 19:4 24:8 34:13
February 15:18 16:3
fed 40:15
field 12:22 15:21 16:8
 21:2
figure 38:19
file 19:13,20
filed 12:9 14:6,7 15:8
filer 14:6
filing 14:1,1,2,6
final 6:1 7:20 8:2,15
 16:18 17:1 21:7
finance 1:20,21 2:8
 9:15,16,19 10:14,16
 11:3 12:20 14:16 15:8
 17:15 18:8 20:8 26:13
 34:7
Financial 7:2
find 35:6 42:2
findings 16:9,16,21
fine 18:5
finances 18:1,3,10
first 3:7,19 9:18 15:11
 15:16 16:14 20:20
 23:13,16 24:2 26:10
 33:14
fiscal 6:22
fix 7:17,19 33:22
focused 37:3
following 10:19 11:7
 17:19
footage 35:14 36:10,22
force 22:15
forces 22:13 23:2
formulations 7:7
forward 29:10 30:10
four 12:10 13:10 14:14
 41:21
frame 7:6
frequently 23:19 33:9
Friday 9:11,12,12
full 12:22

full-field 13:17 15:13
functional 36:4
functioning 33:2,4
fund 11:14 12:3,12,14
 20:20 21:3
funding 28:12 30:15
 31:19
funds 20:10 31:6 34:5
further 12:21
future 29:20 30:11

G

general 1:18,21 2:6,10
 5:19,21 7:3,4,10 8:2
 8:21 9:2 11:19 12:18
 13:13 15:2 17:6,8,9
 17:14,16 18:3,10
 19:11 27:13 34:20
 35:13,21
generally 39:2
Gerard 26:5
Gill 1:15 3:12,14,15,22
 4:3,12,13,14,15 5:10
 5:11 7:19 8:1,12,13
 8:20,22 18:17 24:21
 42:15,17 43:3,4
give 20:3 42:4
gotten 23:20
Government 1:1 41:1
Greenfield 1:15 3:8,10
 3:12 4:6,7,10,11 5:12
 5:14 8:5,6,10,11 9:1,4
 18:18,20 24:20,22
 25:13,14 42:20,21
 43:1,2
guess 25:4

H

hand 25:5
happy 42:4
Harriet 23:14
hate 34:3
head 26:21
health 24:7
hear 5:4 38:13
hearing 26:8 42:6
hearings 17:17,21
heat 33:18
held 26:9
Henderson 21:19
honestly 34:18
hope 26:22
House 23:15

I

idea 32:7 41:10
identified 32:9 37:16
identify 26:1 32:6 33:20

35:3,12
impact 6:22
imposed 18:1,3
Improvement 6:4
in-person 23:13
include 22:18
included 17:19
including 36:10
indicate 35:16 36:13
individuals 23:18 24:13
informal 17:17
information 10:18,19
 10:21 12:11 13:7,21
 17:5 22:4 23:11 36:21
 37:8
infrastructure 28:14
 30:15,21 31:20 41:13
initiated 11:4 13:1,8,11
 13:13 15:20 16:6 24:4
initiative 6:4,20 7:1
initiatives 7:8
input 27:7,9,9
install 28:13
instructions 10:5
intend 30:11 32:5 35:19
 39:12
intention 29:19
interference 36:11,12
interpretive 18:13
introduced 6:8
invest 33:14
investigations 18:12
investment 33:19
issuance 16:8
issue 17:18
issued 12:10 15:12,17
 16:3,16,21 17:20,22
item 8:18 9:14 21:11

J

Jacque 16:1
January 16:13
Jones 15:1 19:10
July 10:12
June 1:9 3:5 10:7 11:17
 11:17,22 12:15,16
 13:9,11 23:7,12 24:16

K

KARYN 1:15
keep 7:16
Kennedy 24:16
known 28:1

L

language 6:20
large 26:15 32:21
late 22:7

law 22:12,13 23:7
learn 26:11
legal 14:4
legislation 6:18 24:5
 41:2
Let's 25:8
letter 15:17 16:2
level 22:9
life 27:17,18
limited 22:19
limits 10:21
line 10:11
lines 27:6
little 5:16 23:19,20
 27:15
loaded 40:12
located 26:5 31:1
location 28:19,22 29:2
 31:1,2,13,17 32:4,4,6
 33:20 38:6 39:16
locations 30:21
long 24:7
looked 37:14
lot 19:13 21:15 27:16

M

ma'am 28:7
machines 31:10
mail 30:2 40:1,3,6,8,17
 40:19
mail-in 30:12 39:20
mailing 26:16
main 32:12,21 34:15
 37:10 39:10,15 40:12
Management 13:22
manager 16:7,22
manager's 16:17
managerial 10:8
managers 11:7
mandated 24:9
mandatory 14:20
manner 29:21
manually 39:4
maps 22:20
March 6:5 15:18,19
 16:4,5 22:4
matching 11:15 12:2
materials 23:1,5
matter 25:20 34:21 43:8
matters 2:4,14 4:21 5:1
 5:8,10,13 9:3 25:3,7
 25:11 26:6 42:8
mattes 5:9
mayor 22:14
mayor's 27:12 31:20
mean 28:15 39:5
means 38:21,22

measurements 37:15
 37:17
measures 7:1
meeting 1:6 3:5,7,20,21
 4:1,2,4,20 6:9,16 7:9
 8:19 25:13,15,22 26:9
 42:18 43:6
meetings 11:8
Member 1:15,15 3:10
 3:14 4:3,7,11,13,15
 5:11,14 8:1,6,11,13
 8:22 9:4 18:20 24:22
 25:14 42:17,21 43:2,4
members 1:13 17:13
Mendelson 14:11,11
 15:3
message 36:3
Michael 1:12,14 3:5,14
MIKE 1:15
Miller 1:17 21:12,14
 24:20 28:17,18 29:6,9
 29:15 30:1,9,12,17,20
 31:18 32:1,3,7,14,17
 32:22 33:7,21 35:2
 36:2 37:13,21 38:14
 39:14,20 40:4,7,19
 41:4,21 42:12
minute 30:4
minutes 2:3 3:17,20 4:1
 4:4,20
modem 38:15
modified 9:20
money 19:16 20:3
Montgomery 9:15 19:1
 21:10
month 11:2,6,12,22
 12:6,19 13:22 14:8,21
 15:6,9 17:15 18:2,9
 18:11
months 33:18
morning 3:4 5:22 9:18
 17:12 21:14
motion 3:21 4:3,18 7:19
 8:1 25:12 42:11,15,17
move 9:8 25:14
moved 4:9 8:9 38:2
 43:1
moving 37:17
muffled 29:16
mute 4:16

N

national 22:9
nationally 22:6
necessary 22:16
need 33:20 36:12 37:1
 37:8 41:10,13,14,14
needed 23:1 35:14,15

35:17 41:7
neglected 20:15
neighborhood 11:5
Neither 9:6
never 33:3 38:16 39:2
new 14:8 36:12,18
 37:17 38:2
newly 6:3 15:14,22
newspaper 7:10
nine 12:7
non-air 34:12
normal 5:16 38:14 39:9
Normally 22:2
Northeast 28:10 34:13
Northwest 26:5
notice 1:12
notices 17:21
notification 15:17 16:2
November 11:18,21
 12:17 13:13
number 19:2 38:16 39:3

O

obviously 19:13
occur 36:8
occurred 36:7
OCF 10:7,11 11:6
odyssey 35:11
office 1:20,21 7:1,3
 9:19 10:5,8,13 11:3
 12:20 13:6 14:5 15:8
 17:7,14,16,18 18:2,7
 18:9 19:11 22:22
 26:13 27:12 34:7
 37:11 39:11 40:12,13
Officer 7:2
offices 34:6,15 36:18
official 16:1 22:19
 27:12
officials 15:14 27:9
offsite 38:6 39:13
old 37:14
once 11:3
ones 24:13
ongoing 12:21 15:13,15
 16:13 37:1
online 10:3
open 18:12
operate 9:20
operation 35:20
operations 12:14 13:18
opinions 7:3,6 18:13
opposed 34:11
options 36:15
order 3:7 20:4 23:8
Order/Ascertainment
 2:2 3:3
orders 17:19,20,22

organization 27:21
outreach 11:2 23:13
Owolewa 14:12,12 15:3
 15:4
Oye 14:12 15:3 16:14

P

P 1:17
P-R-O-C-E-E-D-I-N-G-S
 3:1
pads 31:9
pandemic 27:19
paper 38:16 39:8,11
 40:15
Park 24:16
part 27:16 36:5
participate 11:16 12:4
 14:17 19:8,8
participated 11:7 13:2
 16:12
participating 12:15
particular 41:5
passing 41:1
paths 29:3
payment 11:15
payments 12:2,21
Pedro 16:20
people 19:3,13
percent 10:9
percentage 33:5
period 6:12 33:11
periodic 16:10 20:18
permanent 7:20 32:4,6
person 24:12
Phil 14:10
Phil's 20:20
phones 41:14
pictures 40:15
Pinto 15:16
place 6:2 37:18
places 39:1
plain 6:20
plan 26:12,18 27:8,22
planning 22:22 34:14
plans 28:9
please 25:4
pods 29:12
point 34:22 41:11
policy 28:5
poll 29:3 31:9
polling 39:1,7
posh 34:9
possible 19:14,19
post-election 12:22
 13:8,10,12,16
posted 7:11 13:5
predicated 41:1
preliminary 16:9,15,20

preparations 36:16
preparing 16:8
presence 3:13
present 1:13,16,19 3:9
 3:10 5:2,3
presentation 14:21
presiding 1:12
pretty 34:8
primary 11:17 12:17
 13:9
prior 23:9
probably 27:1 28:1
problems 36:7
procedures 26:15
proceedings 18:14
process 6:4 10:6 16:7
 16:17,22 20:7 21:21
 22:2,8,10 23:4,9
 26:21 29:22 30:11
 38:14 39:10
processed 29:7,7 30:7
 30:13
processes 26:14
processing 31:7 39:11
production 22:20
program 10:22 11:1,4
 11:11,16 12:4,6 13:1
 13:20 14:9,16,18 15:5
 15:11 16:11 17:3,4
 19:4,9,15,17,21 20:11
 20:12,17
programs 10:16
progress 15:21 21:2
properly 4:8 8:8 25:17
 42:22
proposed 6:7,11,14
provide 17:7 21:20
 22:15 23:1,10 31:6
 33:8 36:21 37:8 39:10
provided 9:21 22:7 24:5
 28:12 32:8
provision 20:9 34:14
public 2:14 6:12 7:9
 13:21 17:5 24:7 25:3
 25:7,11,19 26:6 27:8
 27:13,20 42:8
publication 7:14
publish 7:7
published 6:9 9:11
 10:14 18:7
purposes 20:11
pursuant 1:12
put 22:21 24:1 27:1,2
 27:10 34:14 35:4
putting 33:14

Q

qualifications 36:11

qualified 24:12
qualifying 20:11
question 21:10 25:4
 26:2,10 28:8 30:3,5,6
 31:11,15 32:11 33:14
 34:3,18 35:9 36:5,9
 36:20 37:5,22 38:7,11
 40:10
questions 8:21,22 9:2,5
 18:18,19,21 24:20,21
quite 29:16 33:8 34:18
quorum 2:2 3:3,8,16

R

raise 25:5,19 26:6
raising 26:7
random 16:10 20:18
reached 10:1
read 18:5
readily 34:13
real 36:15
reality 27:17
reason 30:14 33:13
recap 27:15
receipts 12:8 14:3
 19:20
receive 12:20 17:17
 38:15
received 6:11 10:3 21:1
 36:2
recommend 26:22
recommendations
 27:11,14,22
record 9:10 10:11 13:15
 15:9 18:6 22:11,21
 24:1 43:9
records 13:21 15:18
 16:4 17:5 20:21 21:1
 21:4
redistricting 21:17,21
 22:2,3,10,17
refer 34:8
reference 28:11,16
referenda 7:8
Referendum 6:4
referrals 17:17
referred 30:3 31:21
referring 29:1 30:22
reflect 6:17 28:4
reflects 6:16
regarding 37:8
regards 30:6
register 6:10 7:9,14
 9:11 19:22 23:17
registered 12:3 14:5,10
 14:11,13,15,16 19:7
 19:10 26:17 41:3
registration 10:6

registrations 35:19
 40:3,6,8
REGULAR 1:6
regulations 6:14,17
 7:12
relates 21:21 22:10
relative 26:21 27:21
relatively 5:18
relocate 34:6
reminder 16:5
remission 12:21
remitted 12:13
remotely 9:21
reorganization 26:22
 28:5
reorganize 26:12
repaired 33:9
repeat 37:21
repeated 19:2
replaced 36:3
report 2:6,8,10,12 5:19
 5:21 8:17 9:16,18
 13:6 14:3,7 16:14,18
 17:1,2,7,9 18:6,15
 19:2,20 20:15 21:5,8
 21:12,13,15 24:18
reporter 5:1,3
reports 10:2 12:8 15:7
 15:12 20:19
representative 14:13
 15:4 16:15
request 6:21 7:2 21:7
 35:4
requested 21:6
requesting 7:12
requests 12:11 18:13
 34:20
required 6:21 7:5,7
 10:4 14:6 19:19 24:11
requirements 11:1
requires 6:18 22:12,14
 23:8
respect 6:8,22 7:7 13:9
 15:12 16:10 17:2
 37:17
respondent 18:6
respondents 18:4
response 5:5 16:18
 17:1 42:9
responsibilities 21:22
responsible 24:6
result 12:10
results 38:21
return 10:8,12
review 35:18
reviewing 16:7,17,22
 29:19
reviews 12:7,10 15:7

room 38:3
rulemaking 6:1,2,7,8,16
 7:13,20,21 8:2,15
rules 6:11
Ryan 15:1 19:10

S

Sanford 1:21 17:6,11
 17:12,14 18:17
saw 37:15
saying 29:17 37:7
scheduled 10:9,12
 23:21 24:15
scheduling 23:18
Scott 14:22
season 26:7
second 4:6,7 8:5,6
 15:22 16:5,19 21:3
 25:16 30:22 31:13,21
 40:21 41:17,20 42:19
 42:21
seconded 4:9 8:9 43:1
section 12:5
secure 27:8
seeking 12:4 14:17
 19:8
send 41:3
sensitive 33:16
sent 7:14 16:5 40:3,6,8
sentence 28:12
separate 35:20
separately 38:4
serves 21:19
service 20:17,21 21:3
services 9:21 22:16,18
 34:20 35:13,22
setting 29:4
Seven 17:19
sheets 10:15
shelter 23:15,22
shifted 5:16
show 18:14 40:15
Silverman 21:18
Simultaneous 19:22
 27:5 32:19
site 29:13
sites 39:8
size 35:11
SMD 22:13
sorry 7:21 25:21 29:15
 37:21 40:4
Southeast 24:17
space 28:13 32:21
 33:15,17,22 34:9,10
 34:12,19,21 35:3,4,5
 35:6,11,15,17 37:4,9
 37:14,18 38:2,8,8
 39:10 41:11

speaking 19:22 27:5
 32:19
special 11:18,21 12:16
 13:11 35:14 39:7,15
specific 28:11,22
specifications 35:15
 36:10,22
speculate 30:6
spent 34:6
square 35:14 36:10,22
staff 1:16 10:8,11 20:22
 21:4,6 29:1,2 36:14
 37:9
start 3:18 5:19 19:14
 23:18
state 9:9 15:10 16:1
 30:5
statement 6:19,22 16:9
 16:15,20 21:7
statements 17:20
statistical 22:19
status 9:20 13:3 15:10
 26:11,18
sticks 39:1,2
stop 4:22
storage 41:7,11
stored 28:20
storing 29:11
street 24:17 26:5 31:2,2
 31:18 32:13 41:22
 42:1,13
Stroud 1:18 5:20,22
 7:21 8:16,18 9:7,9
structure 27:21
struggling 38:13
subcommittee 21:16
submit 7:5 9:10
substantive 6:13
successfully 23:8
sum 11:13
summary 6:19 7:12
summer 33:10,18
surplus 20:7
switch 19:15
system 29:4 31:7
systems 28:15

T

tabulate 31:16 37:10
 38:5,6,8 39:14,18
 40:2,5,7
tabulated 38:17 39:20
 40:1
tabulation 29:13 34:11
 35:18 39:13
talking 32:20
task 22:12,15 23:2
taught 27:16

technical 22:15
telephone 9:22 31:7
tell 19:1 26:17 27:7 29:5
 33:1
temporary 28:13,19
 31:22 32:2,3,9
ten 13:8,12 15:7 22:1
termination 12:7 19:20
 21:5
terms 14:8 27:14 29:18
 35:10 36:9,12,14
Terri 1:18 5:20
thank 3:11,15 5:20 8:16
 9:7,13 17:10 18:16
 21:9,14 25:2 43:7
thanks 21:10 24:19
 42:7
they'd 20:3
things 5:18 6:18 23:19
 27:14 29:3 31:9,10
 37:4,19 38:1 41:12
thoughts 25:4 27:19
three 13:2 41:21
threshold 10:22
thumb's 5:6
Thursday 23:14
tied 30:22
timely 14:6 23:11
times 33:4
today 3:19,22 4:19 5:10
 5:13 18:8 25:11
today's 8:19
told 32:10 35:5
total 11:13 12:12 13:5
 17:18 35:13
totaled 18:1
tour 10:9
traditional 10:15,22
 14:9,15 15:5,11 16:11
 17:4 19:15,21
transfer 20:10
treasurer 14:22 15:1,2
treasurers 14:19
try 7:17,18
trying 25:19 37:3 38:13
Tubman 23:15
Tuesday 11:8
Twenty-eight 17:22
two 14:9 15:13 26:6
 30:20

U

U.S 14:12 15:4 16:14
unanimous 4:19 8:15
 43:6
undergoes 22:2
understand 7:17 29:16
 30:18 39:18

<p>unit 36:3,4 unmute 25:5,8,10,19 upgrades 30:22 use 29:2,20 usually 22:4</p>	<p>X</p>	<p>23rd 23:5,10 24th 21:16 25 2:14 26th 23:14 28 18:3 2nd 13:9</p>	
<p>V</p> <p>V 31:2,18 32:13 41:22 42:1,12 vacancies 24:10 vacated 17:21 video-teleconference 1:11 violation 19:17 violations 17:21 virtual 11:8 voice 4:9 8:9 43:1 vote 4:9 5:17 8:9 26:15 36:17 39:2 43:1 voter 35:19 40:3,6,8 41:3 voters 26:17 votes 29:13,22 34:11 37:10 38:5,6,15 39:13 voting 28:14 31:10</p>	<p>Y</p> <p>year 13:3 27:16 29:7 33:18 36:7 38:17,18 41:8 years 22:1 35:12 Young 15:2</p>	<p>3</p> <p>3 2:2,3 11:18,21 12:17 13:13 14:2 21:5 3:30 24:16 30 15:20 27:1 28:1 31 12:12 14:14 16:13 34 13:4 35 17:18 3535 31:2,18 32:12 41:22 3559 42:12 36 11:15 3rd 20:22</p>	
<p>W</p> <p>Wait 30:4 wanted 38:5 ward 14:22 15:16 22:15 23:1 ward's 21:21 warehouse 28:9,10,11 28:13 29:2,8,11,20 30:8,13,16 31:21,22 32:12,21 34:12 35:21 39:19,21 40:1,21 41:6 41:17,20 wasn't 34:10,14 Watch 26:5 website 7:11 10:4,14 13:5 18:8 Wednesday 1:8 11:9,9 11:10 weekly 10:9 went 35:12 43:9 whatsoever 31:5 William 1:21 17:6,14 winners 24:14 wise 33:19 wish 36:19 women's 23:15,22 work 15:21 16:8 21:2 22:21 27:20 36:20 workers 33:16 working 26:20 27:4 written 6:10,20</p>	<p>Z</p> <p>0</p> <p>1</p> <p>1:00 23:22 10 6:2 10:00 1:12 10:08 3:2 10:53 43:9 11 14:13 11:00 23:21 12 10:12 11:9,9 12th 16:5 132,148.07 12:13 1327 26:5 14 16:16 21:1 15 15:19 15th 24:16 16 11:18,22 12:16 13:11 16th 6:6,10 14:3 17 2:10 180 23:6 18th 21:1 19 11:10 1901 24:17 1C 11:9</p>	<p>4</p> <p>4 11:8 15:20 4,016,797.64 11:13 4A 11:8</p>	
	<p>2</p> <p>2 1:9 11:17 12:16 15:16 20 13:14 23:17 202-671-0547 10:1 2020 6:5 10:16 11:12,17 11:18,19,20,21,21,22 12:12,16,16,17 13:3 13:11,13 16:12 29:21 30:7 31:17 2021 1:9 10:7,12,13 12:1,19 14:2,12,13,14 15:6,18,20,21 16:6,13 16:16,21 17:16 18:2,9 18:11 20:18 21:2,5 2022 10:20 12:5 14:18 15:3,4 21 2:12 10:13 15:19 16:3 21st 23:7,12 22 14:13</p>	<p>5</p> <p>5 2:4,6 14:12 16:6 50 10:9 52,600 18:1 5A 11:10 5th 3:20 4:1</p>	<p>6</p> <p>6 9:14 6C 11:10</p>
	<p>7</p> <p>7 10:7 14:22 7:30 24:16 7F-07 24:2,15 7th 6:9</p>	<p>8</p> <p>8 15:18,21 16:3 8th 16:4</p>	
	<p>9</p> <p>9 2:8</p>		

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This is to certify that the foregoing transcript

In the matter of: Board Meeting

Before: DC BOE

Date: 06-02-21

Place: teleconference

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