

2024 DCHA RESIDENT COUNCIL ELECTION POLICIES AND PROCEDURES MANUAL



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TABLE OF CONTENTS

CHAPTER 1: INTRODUCTION	2
CHAPTER 2: RESIDENT COUNCIL DUTIES	6
CHAPTER 3: PROCEDURES	8
Informational Meetings and Application Availability	8
Candidate Eligibility Requirements	8
Candidate Ineligibility	8
Candidate Requirements	8
Order of Candidates on the Ballot	9
Campaigning	9
Candidate Forums	10
CHAPTER 4: ELECTION DAY	12
Procedures For Voting	12
Special Accommodations	13
Publicizing the Outcome of the Election	14
CHAPTER 5: ETHICS, CAMPAIGN FUNDING & GRIEVANCES	15
Candidate Ethics, Integrity & Professional Behavior	15
Candidate Disqualification	15
Campaign Funding & Accountability	16
Requesting Recount	17
Grievance Process – Post Election	18
Election Results	18
CHAPTER 6: SCHEDULE OF EVENTS	20
CHAPTER 7: ELECTION DATES FOR EACH PROPERTY	21

CHAPTER 1: INTRODUCTION

INTRODUCTION

The District of Columbia Housing Authority (DCHA) is responsible for managing over 8,000 public housing units throughout the District of Columbia. The residents at each public housing development have the opportunity to organize a Resident Council. The Resident Council membership is made of residents who are interested in improving the quality of life in and around their community. Each Resident Council Executive Board serves as the liaison between the residents and DCHA.

There are several requirements that a Resident Council must adhere to in order to receive recognition and funding from the U.S. Department of Housing and Urban Development (HUD) and DCHA. Below are some of the relevant regulations, which are taken from the Code of Federal Regulations (CFR). Title 24 of the CFR covers HUD and Part 964 of Title 24 details Tenant Participation and Tenant Opportunities in Public Housing.

Subpart B-Tenant Participation

§964.100 Role of Resident Council.

The role of a Resident Council is to improve the quality of life and resident satisfaction and participate in self-help initiatives to enable residents to create a positive living environment for families living in public housing. Resident Councils may actively participate through a working partnership with the Housing Authority (HA) to advise and assist in all aspects of public housing operations.

§964.115 Resident Council requirements.

A resident council shall consist of persons residing in public housing and must meet each of the following requirements in order to receive official recognition from the HA/HUD, and be eligible to receive the funds for resident council activities, and stipends for officers for their relative cost for volunteer work in public housing:

(a) It may represent residents residing:

- In scattered site buildings;
- In areas of contiguous row houses; or
- In one or contiguous buildings;
- In a development; or
- In a combination of these buildings or housing developments;

(b) It must adopt written procedures such as by-laws, or a constitution which provides for the election of the residents to the governing board by the voting membership of the residents residing in public housing, described in paragraph (b) of this section, on a regular basis but at least once every three (3) years. The written procedures must provide for the recall of the resident board by the voting membership. These provisions shall allow for a petition or other expression of the voting membership's desire for a recall election, and set the number or percentage of the voting membership ("threshold") who must be in agreement in order to hold a recall election. This threshold shall not be less than ten percent (10%) of the voting membership.

(c) It must have a democratically elected governing board that is elected by the voting membership. At a minimum, the governing board should consist of five (5) elected board members. The voting membership must consist of heads of households (any age) and other residents at least 18 years of age or older and whose name appears on a lease for the unit in the public housing development that the resident council represents.

§964.130 Election procedures and standards

The resident council shall use an independent third party to oversee election and recall procedures (nomination committee activities, planning meetings, voting, counting ballots, etc.).

(a) Resident councils shall adhere to the following minimum standards regarding election procedures:

- (1) All procedures must assure fair and frequent elections of Resident Council members-at least once every three years for each member.
- (2) Staggered terms for resident council governing board members and term limits shall be discretionary with the resident council.
- (3) Each resident council shall adopt and issue election and recall procedures in their by-laws.
- (4) The election procedures shall include qualifications to run for office, frequency of elections, procedure for recall, and term limits if desired.
- (5) All voting members of the resident community must be given sufficient notice (at least 30 days) for nomination and election. The notice should include a description of election procedures, eligibility requirements, and dates of nominations and elections.

(b) If a resident council fails to satisfy HUD minimum standards for fair and frequent election, or fails to follow its own election procedures as adopted, HUD shall require the HA to withdraw recognition of the resident council and to withhold resident services funds as well as funds provided in conjunction with service rendered for resident participation in public housing.

(c) HAs shall monitor the resident council election process and shall establish a procedure to appeal any adverse decision relating to failure to satisfy HUD minimum standards. Such appeal shall be submitted to a jointly selected third-party arbitrator at the local level. If costs are incurred by using a third-party arbitrator, then such costs should be paid from the HAs resident service funds pursuant to 964.150.

§964.150 Tenant Participation Funds

HUD currently pays \$25 per unit per year for each unit at a property where residents are represented by duly elected resident council.

- \$15 goes to fund resident participatory activities through the resident council
- \$10 per unit per year goes to the Housing Authority to cover its costs associated with the resident participatory activities (conducting elections, recalls, entity formation, etc.)

Revised DCHA Requirement

In order to ensure that each Resident Council elects officers at least every three years, DCHA procures the services of an Independent Third Party Monitor (ITPM). DCHA in consultation with Resident Councils will ensure that every resident receives a minimum 30-day notice of the upcoming election and candidate procedures. The ITPM is responsible for educating Resident Council leaders about the election process. The ITPM will also explain how it will observe each election with regard to fairness and for compliance with the required HUD and DCHA procedures. DCHA, in collaboration with the Resident Council, will conduct a pre-election information meeting at each property, at which time each community will receive written procedures and instructions about how to run for office, rules and regulations for campaigning and the date and time of the individual elections.

The Independent Third Party Monitor

In order to comply with the federal and local rules and to ensure the fairness and neutrality of the election process, DCHA has procured the services Resident Participation Services, PLLC to act as the ITPM for these Resident Council Elections. The ITPM is responsible for educating residents about the election process. The ITPM will also explain how it will observe the election with regard to fairness and for compliance with the required HUD and DCHA procedures.

CHAPTER 2: RESIDENT COUNCIL DUTIES

Below is a brief description of the duties for each officer on the Resident Council. Actual duties vary depending on the by-laws of the Resident Council. Note that Resident Council positions are voluntary and unpaid.

President

- Call and preside over meetings of the Resident Council and appoint and guide the committees.
- Carry out the objectives of the Resident Council, and develop short and long term goals with the Executive Board for approval by the Resident Council.
- Promote resident participation in the Resident Council.
- Communicate with other Resident Councils to share ideas and plan joint initiatives.
- Inform the Resident Council of all meetings attended and progress made regarding the property and any other issues of concerns.
- Ensure that the policies and procedures of the Resident Council are followed.
- Welcome new residents and encourage them to participate in the Resident Council.
- Sign financial transactions along with the Treasurer.
- Work closely with the Office of Resident Services. Inform them of any problems that occur and request technical assistance when needed.

Vice President

- Assist the President at all times and perform the presidential duties in his/her absence.
- Work closely with all of the committees.
- Communicate regularly with the President and Executive Board and disseminate information.
- Develop and maintain a working relationship with the Office of Resident Services.

Secretary

- Prepare and read the meeting minutes and maintain the attendance roster.
- Assist the President with developing meeting agendas, maintaining records, and drafting Board correspondence.
- Ensure a quorum is present at each Resident Council meeting and a record of voting is maintained.

Treasurer

- Responsible for developing and maintaining a financial management system that tracks all of the financial transactions undertaken by the Resident Council.
- Receive, count, and deposit all funding submitted to the Resident Council.
- Prepare a monthly written financial report showing receipts and total expenditures for that month. This report should be available at each Resident Council meeting and to residents upon request.
- Pay bills and invoices approved by the Resident Council.

Sergeant at Arms

- Strong working knowledge of the process used by the Resident Council to conduct meetings and ensure that the by-laws are being followed.
- Responsible for establishing order to any meeting convened by the Resident Council.

CHAPTER 3: PROCEDURES

Informational Meetings and Application Availability

RPS will distribute the Election Policies and Procedures Manual, Candidate Applications, and Polling Site Monitor Applications at informational meetings held at each property and at one city-wide informational meeting (October 25, 2024 at 6:00pm at the Sibley Plaza community room). The Manual and Applications are available online at: <https://www.ResidentParticipation.com/Downloads>

Candidate Eligibility Requirements

A resident interested in running for a Resident Council position must be:

- Eighteen (18) years old or older;
- Currently on the lease;
- Meet the requirements of the Resident Council's by-laws;
- Residing on the property; and
- A resident in full compliance with the lease and no rental payment delinquency.

Candidate Ineligibility

- A resident is not eligible for candidacy if they have a case pending in court/fair hearings as a result of a lease violation.
- A resident can have no pending lease violations, i.e. "fight back issued."

Candidate Requirements

1. Verify Eligibility: Have your property manager fill out the Property Manager Eligibility Verification form. The property manager must verify that the applicant is eligible to be a candidate. If your property manager states that you are not eligible, you cannot run for office.
2. Application: Complete the entire Candidate Application and submit it to RPS. Completed applications must be RECEIVED by RPS no later than 5:00 PM EST Friday, November 8, 2024. Applications can be submitted by mail, fax, or email:

- Mailing: Resident Participation Services PLLC, P.O. Box 6835, Washington, DC 20020
 - Fax: (301) 637-3635
 - Email: info@ResidentParticipation.com
 - Online: <https://www.ResidentParticipation.com/Downloads>
3. Training: Before candidates begin campaigning, they must attend the *Candidate Training on November 12, 2024 at 6pm at Sibley Plaza* in order to be trained on the policies and procedures of the elections. Candidates who campaign before attending the training risk being disqualified for violating election policies and procedures. All candidates will be informed of their eligibility no later than November 11, 2024. The trained candidates may then seek voter support and post campaign information in approved areas.

Order of Candidates on the Ballot

The order of candidates on the ballot will be determined by random selection administered by the ITPM at the Candidate Training. The order of candidates on the ballot is final.

Campaigning

Once a Candidate has attended the Candidate Training, they may begin campaigning subject to the official rules provided to the candidate at the training. Candidates are allowed to form a committee to help get the word out during their candidacy. Candidates should remain cautious at all times of their actions.

Any damage to public or personal property, including the campaign materials of another candidate, is a lease violation and may result in candidate disqualification. Candidates are prohibited from paying, bribing, or engaging in any other similar activity to encourage residents to vote for them.

Any candidate engaging in bribery or unethical conduct will be disqualified at any time prior to, during or after the election.

Candidates should be sensitive to the fact that people from a variety of racial, ethnic, and religious backgrounds reside in public housing and need to ensure that all residents have the opportunity to participate fully in the election process.

Candidate Forums

The Candidate Forum will be held to provide residents the opportunity to meet candidates and learn about candidates' campaigns and hear from those who are running for office. Candidates are encouraged to participate fully in this event as it will provide candidates with the opportunity to distinguish themselves from the other candidates.

The Candidate Forums will be held at properties where more than one candidate is running for the same office. Candidates will answer questions, exchange views, present campaign literature, meet residents, and seek voter support. The ITPM will monitor the Candidate Forum to ensure that each candidate is given equal time to answer questions, and to make opening and closing statements. The ITPM may apply rules and use tools necessary to ensure equity in time for candidate speeches. These forums will take place the week of December 2nd - 6th, 2024.

The ground rules for the Candidate Forums include:

- The ITPM will explain the role of the Resident Council and the offices.
- Candidates will be introduced and given three (3) minutes to speak on why they should be elected.
- When the candidate has one (1) minute remaining, the ITPM shall hold up a sign indicating that the candidate's time is almost up.
- After the candidates give their initial presentations, voters may ask the candidates questions by raising their hand and being called upon by the ITPM.
- Candidates will conduct themselves and treat others in a respectful manner.
- Candidates are advised to respond directly to questions that are asked of them and not speak off topic.
- The ITPM will acknowledge candidates and residents to speak, in turn, during the Forum, so that voters and candidates will respect the floor when candidates are speaking and voters are asking questions.

- If more than one candidate is referenced in a question both candidates may respond with equal time.

Polling Site Monitors (“PSMs”)

RPS will pay PSMs \$17.50 per hour to work on each Election Day. PSM Applications will be provided at informational meetings and can be completed by visiting <https://www.ResidentParticipation.com/Downloads> and clicking on the Polling Site Monitor Application link. Interested individuals wishing to qualify to become PSMs may complete the online application, or submit the completed application by fax, mail, or email to RPS.

PSM Training will take place on Friday, December 6th at Sibley at 6:00 pm. PSMs will be required to fill out tax paperwork in order to be paid. Taxes will be withheld from PSM paychecks. Payments will be mailed to PSMs no later than 14 days after the last Election Day.

CHAPTER 4: ELECTION DAY

Procedures For Voting

- On Election Day, one voting area with a ballot box will be set up at each polling location, where eligible residents may vote.
- Voting hours will be from 1:00 p.m. to 7:00 p.m. on either December 12 or December 13, 2024, depending on their property's scheduled date, which is found in *Chapter 7*.
- PSMs will be at each polling site to oversee and monitor the election process, certify the preliminary count and secure the ballot box until ITPM staff pick up the boxes at the end of election day.
- In order to be eligible to vote residents must meet the following criteria:
 - Must be at least 18 years old;
 - Must be on the lease; and
 - Must present a valid ID.
- Residents who are disabled or need translation assistance will receive special accommodations, upon advance request as detailed below.
- While not required, masks and hand sanitizer will be provided for all PSMs and voters.
- A resident may submit only one ballot.
- Write-in votes will not be counted.
- Absentee ballots will not be permitted.
- Voters will be verified as eligible resident voters and cross referenced at the polling sites to ensure that there are no resident votes more than once.
- The PSM may issue a Provisional Ballot in the event that a resident at a designated polling place is not on the DCHA eligible voter tenant roster. All Provisional Ballots shall be verified and then counted within forty-eight (48) hours from the closing of the polls.
- Voting shall be by official ballots designed by the ITPM.
- Candidates and their staff/volunteers shall not engage in any campaign related activities in or within twenty (20) feet from the polling site.
- Non-voters MAY NOT be inside the voting area or within twenty (20) feet of the entrance of the voting area.

- Candidates and their supporters must not harass, threaten, coerce, prevent or otherwise interfere with a voter's right to vote for the candidate of their choice.
- Voting procedures and ballot count will be supervised continuously during the election hours by the ITPM staff.
- The candidate receiving the highest number of votes for each office shall be declared the winner and shall be elected to their Resident Council.

Special Accommodations

Any resident who is eligible to vote but needs translation, ASL assistance, or is unable to get to the polling site on their Election Day due to any documented health/disability reason will be given a special accommodation upon advance request to the ITPM. Notice may be given to the ITPM by email, voicemail, or completing the Special Accommodation Request Form (which lists the name and unit number of residents who qualify for a special accommodation).

Notice of a resident's need for special accommodations must be RECEIVED by the ITPM no later than 5:00pm on December 5, 2024 so RPS staff and/or translators may schedule this special procedure on Election Day. This form may be submitted to the ITPM by:

- Email: Info@ResidentParticipation.com,
- Fax: 301-637-3635, or
- Mail to: Resident Participation Services PLLC, P.O. Box 6835, Washington, DC 20020. If you are mailing your request, it must **ARRIVE** at the ITPM office by the deadline.
- Call: Residents seeking such a request may call (202) 596-2675 and leave a voicemail of their name, property address, unit, and accommodation needed.

ITPM staff will visit residents who have properly requested for special accommodations before the polls open on Election Day and allow them to vote in their presence. These ballots will be counted on Election Day with all other ballots.

Publicizing the Outcome of the Election

- Upon completion of the election each day, the ballots will be tabulated on site by the ITPM and PSMs and documented on a Preliminary Voting Results Report. The Report along with ballot box contents will be sealed by the PSMs and submitted to the Chief ITPM for quality assurance and certification off-site. ITPM staff or DCHA Security will transport the sealed ballot boxes to an ITPM location for the quality assurance review.
- Notices of the preliminary results will be posted at each property at the end of the Election Day and final results will be posted at each property as detailed in the Schedule of Events found in *Chapter 6* of this Manual.
- The newly-elected officers will be contacted by DCHA to schedule a swearing-in ceremony.

CHAPTER 5: ETHICS, CAMPAIGN FUNDING & GRIEVANCES

Candidate Ethics, Integrity & Professional Behavior

- Campaigning Commencement: Once a candidate is informed of their eligibility and has attended the Mandatory Candidate Training, they can begin campaigning. No campaigning is allowed prior to attending the Mandatory Candidate Training.
- Committees: Candidates are allowed to form a committee to help get the word out during their candidacy. Candidates should remain cautious at all times of their actions and those of their supporters. Any damage to public or personal property, including other candidates' campaign materials, is a violation of election rules and will result in candidate disqualification by the ITPM at any time prior to or after the election.
- Respect: Candidates should be sensitive to the fact that people from a variety of racial, ethnic and religious backgrounds reside in public housing and that all residents have the opportunity to participate fully in the election process.
- Participation. The Candidate Forums will be held to provide residents the opportunity to meet and hear from those who are running for office. While not mandatory, candidates should participate fully in this forum as it will provide candidates with the opportunity to distinguish themselves.

Candidate Disqualification

Any candidate who is found to violate any election procedure, including, but not limited to, the following activities or omissions will be disqualified from the election. Disqualification can occur at any time, including after the election, on the basis of:

- Submitting false statements during the application process;
- Bribery;
- Cheating;
- Stuffing the ballot box;
- Encouraging ineligible persons vote;
- Threatening or interfering with potential voters or candidates;
- Defacing or destroying posters or campaign literature of other candidates;

- Using resident council restricted funds for campaign purposes;
- Impeding voters access to polling places; and/or
- Failing to timely file the proper materials and reports.

Any act of electoral fraud by a candidate or their agents may result in a candidate's disqualification. Electoral fraud is an improper interference with the process of an election that intends to bring about an election result, whether by increasing the vote share of the favored candidate, depressing the vote share of the rival candidates or both. Some examples of electoral fraud include voter intimidation, vote buying and intentionally misinforming voters by distributing false or misleading information. Even the perception of fraud can be damaging as it makes all parties involved less inclined to accept election results. Any candidates found to have engaged in electoral fraud may be subject to disqualification at any time prior to or after the Election.

To ensure that candidates do not engage in such behavior, the ITPM offers to review all candidate campaign materials prior to dissemination by the candidates to ensure that the materials comply with Election Policies and Procedures. This includes posters, flyers and social media posts. Social media plays an important role in a candidate's campaign and all social media posts must be overseen by the ITPM. Upon request by the ITPM, candidates must inform the ITPM of all social media outlets they will be using. This includes, but is not limited to, Facebook Pages, Facebook Groups, Twitter ("X"), TikTok, Instagram and MySpace, Snapchat and Telegram. The ITPM reserves the right to request information related to social media posts, in the event a grievance is submitted and an investigation is required. Failure to provide this information, upon request from the ITPM, may result in a candidate's disqualification.

Campaign Funding & Accountability

- Restricted Funds: The use of restricted funds for campaign purposes is strictly prohibited. Restricted funds include, but are not limited to, already budgeted resident participation money awarded by DCHA to a Resident Council.

- Commingling: Money used for campaign purposes must be separately maintained from personal and from organizational funds. There can be no commingling of campaign funds or cash advance/reimbursements with or from non-campaign amounts.
- Fundraising: Each candidate for Resident Council may raise or spend up to five hundred (\$500.00) to cover proper campaign expenses (including but not limited to posters, flyers, t-shirts, hats, providing food or drink to campaign staff) in nominal amounts (i.e. less than \$25 payment or item of value total per person) for "campaign staff) without filing a financial report.
- Financial Reports: All candidates for Resident Council who raise or spend more than five hundred (\$500.00) to cover proper campaign expenses must file a written financial report with the ITPM. The report must itemize the sources and amount(s) per source of the funds, each use and amount used of these funds, and the balance remaining of unspent campaign funds. All written financial reports are due within ten (10) days following the release of the Resident Council Election results.
- Resident Council Support: A Resident Council, by majority board vote, can support one or more candidates, but the Resident Council may not use DCHA funds or Resident Council funds to support candidates.

Requesting Recount

In the event that the margin of victory for a winning candidate is less than 1% of the total ballots cast in that race, or for good cause shown, any candidate whose name appeared on the ballot may request a recount of those ballots no later than three business days following the election. A request for a recount based on a margin of victory of 1% or less shall be granted and the recount shall be completed within two business days from the date of request. Following a request for a recount based on good cause when the margin of victory is greater than 1%, the ITPM has the sole discretion to determine whether good cause exists and shall render a decision within one business day. A recount that is based upon good cause shall be completed within one business day from the date of the decision by the ITPM.

Grievance Process – Post Election¹

1. If a resident protests the election process they must fax, mail, or email a formal letter of protest to be received by the ITPM no later than 5:00pm on the third (3) business day after the election.
2. Content. In order to be actionable, the letter must be based on a violation of election rules, procedures as established by the ITPM for this election. A grievance must contain evidence that election rules or procedures were violated in a manner that affects or could affect the outcome of the election. An exchange of words or a heated debate about the election is not grounds for a grievance unless a violation of election rules and procedures also occurs.
3. Deadline. The ITPM will issue a written response to a grievance within three (3) business days from the date the grievance was received by the ITPM. If a grievance requires additional time to investigate and respond, the ITPM may extend its response time.
4. Reconsideration Request. If the grievant is dissatisfied with the ITPM's response and has additional evidence to support their grievance, the grievant may submit a request for reconsideration to the ITPM. The request for reconsideration must be received by the ITPM within three (3) business days of the date of the ITPM's response to the original grievance.
5. Final Decision. The ITPM will review the original grievance and response to make a final decision within the next three (3) business days. The ITPM's decision on a request for reconsideration is final.
6. In the event that the protest results in the decision to nullify the election, the Office of Resident Services shall, in consultation with the ITPM, issue instructions for re-administering the election.

Election Results

- The ITPM will tabulate and submit preliminary results of the election to DCHA within 24 hours of the election date and provide the certified official results to DCHA on or about December 31, 2024, subject to whether grievances and reconsiderations are submitted.

¹ For all dates that fall on a holiday, the deadline shall be the following business day.

- The ITPM will submit a Final Report by December 31, 2024 that includes election information i.e. notices, conference call report, sample ballot copies, flyers and certified voting-turnout to the DCHA.

CHAPTER 6: SCHEDULE OF EVENTS

November 12 at 6pm	Candidate Training at Sibley Plaza
December 2 - 6	Candidate forums at properties with contested offices
December 5	Special Accommodations requests should be submitted
December 6 at 6pm	PSM Training and Assignments at Sibley Plaza
December 12	“Phase 1” Elections. See <i>Chapter 7</i> for list.
December 13	“Phase 2” Elections. See <i>Chapter 7</i> for list.
December 14	Preliminary Results posted no later than this date
December 17 at 5pm	Grievances due for Phase 1 properties
December 18 at 5pm	Grievances due for Phase 2 properties
December 20 at 5pm	ITPM response to Phase 1 grievances due
December 23 at 5pm	ITPM response to Phase 2 grievances due
December 26 at 5pm	Appeal for Phase 1 is due
December 26 at 5pm	Appeal for Phase 2 is due
December 30 at 5pm	Final Response by ITPM to appeal from Phase 1
December 31 at 5pm	Final Response by ITPM to appeal from Phase 2
December 31*	Final Report Deadline
December 31*	Phase 1 election results certified or de-certified
December 31*	Phase 2 election results certified or de-certified
December 31*	Final Election Results Posted

*Dates are subject to change if grievance procedures and appeals are invoked or investigations are requested.

CHAPTER 7: ELECTION DATES FOR EACH PROPERTY

PHASE 1 DECEMBER 12	PHASE 2 DECEMBER 13
Benning Terrace	Arthur Capper Sr - community room
Carroll Apartments	Columbia Road
Claridge Towers	Garfield Terrace (Senior)
Colorado Apartments	Greenleaf Gardens Extension
Elvans Road	Greenleaf Midrise
Fort Dupont / Stoddert Terrace	Greenleaf Senior
Fort Lincoln	Harvard Towers
Highland Additions	James Apartments
Highland Dwellings	James Creek
Hopkins Apartments	Judiciary House
Horizon House	Langston Terrace & Additions
Kelly Miller	Ledroit Apartments
Kenilworth Courts	Lincoln Road
Kentucky Courts	Ontario Road
Knox Hill	Park Morton
Lincoln Heights	Potomac Gardens Family
Montana Terrace	Potomac Gardens Senior
Richardson Dwellings	Regency House
The Villager	Sibley Plaza
Woodland Terrace	Syphax Gardens

Additional information, including Candidate Applications and Polling Site Monitor Applications will be posted at <https://www.ResidentParticipation.com/Downloads>