



THE MARYLAND-NATIONAL CAPITAL
Park and Planning Commission

COMMISSION MEETING

November 20, 2019

10:00 a.m. – 12:00 p.m.

Montgomery Regional Office

Auditorium

8787 Georgia Avenue

Silver Spring, Maryland 20910

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**MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MEETING AGENDA**

Wednesday, November 20, 2019

Montgomery Regional Office

Auditorium

8787 Georgia Avenue

Silver Spring, Maryland 20910

10:00 a.m. – 12 noon

		<u>ACTION</u>	
		Motion	Second
1.	Approval of Commission Agenda (10:00 a.m.)	(+*)	Page 1
2.	Approval of Commission Minutes (10:05 a.m.) Open Session – October 16, 2019	(+*)	Page 3
3.	General Announcements (10:05 a.m.)		
	a) National American Indian Heritage Month (Maryland American Indian Heritage Day Nov 29)		
	b) American Lung Cancer Awareness Month. November 21 is also “The Great American Smoke Out” designated by the American Cancer Society to encourage someone you know to quit smoking.		
	c) November 15 is “America Recycles Day”		
	d) November 23 is the Department of Parks and Recreation’s “Trot for Turkey” Day		
	e) Thanksgiving & Employee Appreciation Holidays (Nov 28-29)		
	f) Prince George’s Department of Parks and Recreation Annual Winter Festival of Lights at Watkins Park (Nov 29-Jan 1). Opening Ceremony and M-NCPPC Employee Reception on Nov 25, 6-8 pm		
	g) Montgomery Parks Department Winter Garden Walk-Through Holiday Light Display at Brookside Gardens (Nov 22 – Dec 31). M-NCPPC Employee Preview Night on Nov 26, 5-8 pm		
	h) Upcoming One-Commission Holiday Event December 6, 2019 at Newton White Mansion		
	i) Membership Positions Open on the 2020-21 Diversity Council – Apply to oed@mncppc.org by Nov 30.		
4.	Committee Minutes/Board Reports (For Information Only) (10:15 a.m.)		
	a) Executive Committee Meeting – Open Session – November 6, 2019	(+)	Page 11
	b) Executive Committee Meeting – Closed Session – November 6, 2019	(++)	
	c) ERS Board of Trustees Regular Meeting – September 3, 2019	(+)	Page 17
5.	Action and Presentation Items (10:15 a.m.)		
	a) Resolution 19-20, Merit System Board Chairman Reappointment – Tanya Upthegrove Coleman (King)	(+*)	Page 21
	b) Resolution 19-22, Actuarial Valuation Presentation with a Recommendation to Approve an Employer Contribution for Pension Plan in the Amount of \$22,312,947 (Rose)	(+*)	Page 25
	c) I-95/I-495 Managed Lanes Update – Revised ARDS Position (MD - State Highway Admin/Rubin/Borden)	(+)	LD
6.	Officers’ Reports (11:45 a.m.)		
	a) Executive Director’s Report (For Information Only) Late Evaluation Report, October 2019	(+)	Page 47
	b) Secretary Treasurer (For Information Only) MFD Report	(+)	Page 49
	Quarterly Investment Report	(+)	Page 85
	c) General Counsel (For Information Only) Litigation Report	(+)	Page 91

Pursuant to Maryland General Provisions Article of the Annotated Code of Maryland, Section 3-305(b) (9), a closed session is proposed to consult with counsel for collective bargaining discussions and consider matters that relate to negotiation.

7. Closed Session (11:50 a.m.)

- a) Collective Bargaining Update (Bennett) (++)

(+) Attachment

(++) Commissioners Only

(*) Vote

(H) Handout

(LD) Late Delivery



Commission Meeting
Open Session Minutes
October 16, 2019

The Maryland-National Capital Park and Planning Commission met at the Newton White Mansion Ballroom in Mitchellville, Maryland.

PRESENT

Prince George’s County Commissioners

Elizabeth M. Hewlett, Chair
Dorothy Bailey
William Doerner
Manuel Geraldo

Montgomery County Commissioners

Casey Anderson, Vice-Chair
Gerald Cichy
Natali Fani-Gonzalez
Tina Patterson (arrived 10:34 am)
Partap Verma

NOT PRESENT

A. Shuanise Washington

Chair Hewlett convened the meeting at 10:11 a.m.

ITEM 1 APPROVAL OF COMMISSION AGENDA

Acting Executive Director Bennett requested to rename and reorder item 5b to “Approval of Resolution 19-19”, and to discuss after item 5c.

ACTION: Motion of Commissioner Geraldo to approve the amended Commission agenda
Seconded by Commissioner Bailey
8 approved the motion (Commissioners Patterson and Washington not present)

ITEM 2 APPROVAL OF COMMISSION MINUTES

Open Session – September 18, 2018

Closed Session – September 18, 2019

ACTION: Motion of Commissioner Geraldo to approve the minutes
Seconded by Commissioner Bailey
8 approved the motion (Commissioners Patterson and Washington not present)

ITEM 3 GENERAL ANNOUNCEMENTS

- Chair Hewlett acknowledged the closing of Hispanic Heritage Month, congratulating all staff who participated in the many activities that were offered during the celebration.
- Chair Hewlett acknowledged the month of October for the following observances:
 - Breast Cancer Awareness Month. She added breast cancer is not limited to women. She said everyone should do a self-examination, and if they feel anything strange, do not hesitate to go to a physician;
 - National AIDS Awareness Month;
 - Hiring Employees with Disabilities Month, praising the agency on their focus and success on this issue;
 - National Domestic Violence Month. She said the M-NPPC is hosting a Shatter the Silence Gala on Friday, October 19 and a Shatter the Silence 5k Run/Walk on Saturday, October 26. Proceeds from both will go to the Domestic Violence and

Sexual Assault Center at the University of Maryland Capital Region Health. She advised anyone who has been subject to domestic violence to seek help, or if anyone knew of others subject to domestic violence to help them find support;

- National Stop Bullying Month. She added LGBTQ kids are particularly vulnerable. Wear purple to show support;
 - Italian American Heritage Month;
 - German American Heritage Month;
 - Polish American Heritage Month;
 - National Pregnancy and Infancy Loss Awareness Month;
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- Chair Hewlett shared the M-NPCPPC's American Indian Festival is scheduled for October 19 at Patuxent River Park; and
 - Congratulated Commissioners Bailey and Doerner, who were unanimously reappointed to the Prince George's County Planning Board by County Executive Alsobrooks and the County Council;
 - Congratulated Commissioner Patterson for being recognized as one of the top 100 Minority Business Enterprises at the 38th annual Leaders and Legends awards ceremony at MGM National Harbor;
 - Shared Acting Prince George's County Parks and Recreation Director Darin Conforti is departing for Howard County and thanked him for his outstanding service to the agency. She added congratulations to new Acting Parks and Recreation Director Debbie Tyner, along with acting Deputies Wanda Ramos and Alvin McNeal, and congratulated Steven Carter to a formal appointment as Deputy Director of Parks and Recreation;
 - Wished Vice-Chair Anderson and Commissioner Fani-Gonzalez happy birthday; and
 - Recognized long-term employees of the agency for their service and announced the Commission Service Awards Ceremony will take place immediately after the Commission meeting.

ITEM 4 COMMITTEE MINUTES/BOARD REPORTS (For Information Only)

- a) Executive Committee – Open Session October 8, 2019
- b) Executive Committee – Closed Session October 8, 2019

ITEM 5 ACTION AND PRESENTATION ITEMS (taken out of order)

- a) Request to rename Maryland Soccerplex from Discovery Communications to Adventist HealthCare (Tobin)

Item approved without discussion.

ACTION: Motion of Commissioner Geraldo to approve the Request

Seconded by Doerner

8 approved the motion (Commissioners Patterson and Washington not present)

- c) Briefing on Purple Line Construction Draft Housing Action Plan (Sartori)

Montgomery Planning Director Wright briefed Commissioners on the draft of the Purple Line Corridor Coalition (PLCC) Housing Action Plan for ideas and input. Director Wright stressed this was an important project that impacts both counties and added the PLCC has done an excellent job collaborating and discussing the impact that the project will have on businesses and residences. She introduced Jason Sartori, Chief of Montgomery Planning's Department's Functional Planning and Policy Division.

Mr. Sartori shared the PLCC is a public and private partnership of organizations and agencies, that includes the M-NCPPC, which is studying the Purple Line Corridor to evaluate

its impacts on housing and small businesses along the Purple Line paying particular focus to ensure housing opportunities to people of all incomes, with a particular focus on low and middle income and transient residences. He introduced the members of the PLCC Steering Committee, including Gerrit Knaap, Director, National Center for Smart Growth, University of Maryland; Jessica Sorrell, Program Director, Enterprise Community Partners; Stephanie Proestel, Deputy Director, Housing Initiative Partnership; and Chris Gillis, Director of Housing and Neighborhood Development, Montgomery Housing Partnership.

Members of the steering committee presented the draft action plan to the Commission. Topics included the PLCC and Community Development Agreement; Shared Community Development Goals; Work of the PLCC Housing Action Team, including Crafting a Housing Action Plan, Stakeholder Outreach, and Draft Recommendations of the Housing Action Plan; and Input and Reactions. The team described the wide range of organizations across both counties which provided crucial input, and shared housing statistics for the area which determined current conditions and provided insight on what to preserve and how to proceed. They concluded with outlining twelve recommendations that will produce more housing through rehabilitation or repair of existing homes; formalize the collaboration and communication between jurisdictions and across sectors; and improve PLCC engagement with members and organizations.

Commissioner Doerner advised that the federal purchasing incentive plan guideline of 30 percent of Average Monthly Income (AMI) should not be used in this area, noting the figure is extremely low for the Washington metropolitan region housing market and suggested aligning with a goal of 35 percent AMI. He noted any mortgages over 30-45 percent is not approved for Federal lending except under special circumstances. He suggested adjusting those limits in their recommendations.

Commissioner Doerner also suggested if the PLCC is looking to get market participation with their statistics, they should see about getting data on actual rent per unit. That data would be extremely valuable to market participants and suggested if PLCC could research and provide it, it would be a huge contribution. It would be extremely helpful to cities and counties to hold PLCC-participating developers to a defined percentage of units at the affordable level. Agencies could then see how many units are actually within the affordable level. Until they record on a unit by unit basis, there is no way to enforce that. He has noticed on the local level, cities do not always know how to offer housing tax abatements. They do not know that they are walking away from a huge value in funding if they give up 5-10 years' worth of real estate taxes. It is also beneficial to the developer, but it is not typically what cities and developers take advantage of when trying to create affordable housing. PLCC should help cities walk through how to ask for affordable housing and tax abatement and examine what goes on in other parts of the country.

Commissioner Doerner asked if the PLCC has any investors lined up to take advantage of the designated Opportunity Zones. That data should be collected. He said knowing who was coming into the Opportunity Zones, and whether they would include affordable or equitable housing was important. Whether they defer capital gains tax or housing tax abatements would be attractive to businesses. Examining it could bring people to the table and would make a good case study to determine what federal policies are effective. Finally, he encouraged the PLCC to examine the housing density around the study area and consider density bonuses to encourage people live within a walking distance to a metro station.

Commissioner Geraldo asked who would directly benefit from the proposed tax abatement. Mr. Gillis replied while the Montgomery County Department of Housing and Community Affairs would still want to preserve their ability to negotiate, but they understand the need to provide a level of certainty to developers. It depends on the level of affordability, but it does seem they have gotten away from full tax abatements. Mr. Gillis said the county has the capacity to do more. There is an upcoming county council briefing in which it could be handled administratively or legislatively. They are in ongoing conversations about the issue.

Commissioner Geraldo suggested allowing homeowners who have distressed property to take a tax abatement for renovating, similar to what is being done in north New Jersey and other cities in the northeast United States. Ms. Sorrell replied the state does offer such a program, but it has a maximum income cap and is geared toward seniors. She also said homeowners can also take advantage of the Homestead Credit. Commissioner Geraldo encouraged the opportunity for individuals to develop a distressed property. Mr. Gillis replied the way it is currently structured in Montgomery County is diluting the housing trust fund, because the funds are being used to cover the taxes. He added the county recognized the issue and said they will address it.

Commissioner Geraldo noted he did not see any financial institutions among the agencies participating in the PLCC. He said a financial institution could play a critical role for a homeowner who wants to get a loan to renovate their property. Ms. Proestel replied the PLCC is assembling a capital advisement group that has not yet been launched but indicated there has been preliminary interest.

Commissioner Geraldo asked what types of affordable housing stock is the PLCC considering, adding 2-3 family homes have been successful in the northeast. They provide a good density and also allows home ownership. Resident owners could rent out two homes and live in one. The model would provide substantial private development by homeowners. Commissioner Doerner noted he saw this Accessory Dwelling Unit (ADU) model was part of the plan in Montgomery County, but not in Prince George's County. He added 3 housing unit ADUs would not be economically feasible but suggested 2 or 4-unit ADUs would be. Mr. Knaap agreed they had collected much information from Montgomery County, including income and rents per unit, and said he would love for PLCC to have that data from Prince George's. Chair Hewlett said the M-NCPPC can help with the Prince George's side. Lisa Govoni, researcher for Montgomery County Planning said the department is working with the Prince George's Planning Department on a unit by unit breakdown, to collect lease and rent data, whether it's subsidized, etc. Mr. Knaap wished to recognize the PLCC's success has been on account of the resources and support they have been getting from the agency.

Commissioner Cichy asked if the objective of the public agency in some recent Transit-Oriented Development (TOD) projects (e.g., Strathmore, West Hyattsville, New Carrollton) was optimizing the return or providing affordable housing. He asked if the land was purchased by the State, is there surplus property that could be used for affordable housing. He also asked whether local jurisdictions get some of the land acquired by the Purple Line project for affordable housing and asked who owns the land acquired for the Purple Line. Deputy Director Figueredo and Director Wright replied land has been acquired which will not be needed when the project is complete. Director Wright added the previous owner also has a right of first refusal, if the owner wishes to reclaim the property. The agency has been informed that some owners have indicated they would like the property back if not used. Commissioner Cichy stated it may serve the joint interest of the community to change the legislation to use the land for affordable housing.

Commissioner Fani-Gonzalez said it is gratifying to see this project under way after so many years and supported the ongoing need for good communication between the counties. She noted she did not see the Office of Councilmember Hucker referenced. Councilmember Hucker's district covers much of the Purple Line's area and he has been very active and interested in the Purple Line development. She advised the PLCC to reach out to him more. Mr. Knaap replied the PLCC is assembling a Purple Line caucus of elected officials. They have had conversations which have included the councilmember, and the PLCC will increase their efforts to include him in the caucus. Commissioner Fani-Gonzalez also suggested the PLCC also make certain their recommendations are given to the Planning Board for Subdivision Staging Policy (SSP).

Commissioner Cichy asked about acquired property that included a bus terminal in Langley Park. He said it was confusing who was going to buy it and said if the PLCC is looking to develop that community, it should look into whether the property can be transferred to an adjacent property. Zoning adjustments could accommodate development potential aimed at affordable housing.

Chair Hewlett said the agency can help facilitate communicating with council members offices by reaching out to the Deputy Chief Administrative Officer of the Department of Housing and Community Development. Enhanced communication would be better. She added the Department of Parks and Recreation and the Prince George's County government have Transforming Neighborhoods Initiative (TNI) areas in which they are working closely with the City of Langley Park and Casa de Maryland as well. She said the Commission will work to ensure greater communication. She added it is a wonderfully diverse area and stressed the importance of the upcoming 2020 census, saying the area cannot be undercounted, since the census data helps fund transportation, schools and other services.

Commissioner Patterson asked the PLCC to contact her regarding which policy they are following. Ms. Sorrell noted they are not currently following a specific policy on a coalition level but noted they would welcome Commissioner Patterson's input. Commissioner Patterson indicated she would provide her contact information.

Commissioner Doerner noted a need for greater racial diversity among the PLCC steering committee and suggested it might be helpful if the committee were more diverse when speaking to other groups.

b) Approval of Resolution 19-19 / Proposed Adjustments to Stipends for Hard-to-Fill Positions (Harvin)

Acting Corporate Policy and Management Operations Director Tracey Harvin asked Commissioners to approve Resolution 19-19, updating recruitment incentives to fill positions designated as "hard to fill". She explained the agency has updated the implementing procedures, and staff are now asking Commissioners to approve the new incentive amounts. The incentive program contains two tools: The first provides an incentive to current employees to who refer candidates successfully hired into designated hard-to-fill positions. A position may be designated as hard-to-fill by Department Heads and the Executive Director if prior attempts to fill the position have not succeeded. In 2006, the Commission voted by Resolution to make the referral incentive \$750. Based on research and management input, the proposed new Resolution increases the incentive to \$1,000.

The second incentive applies to the candidate. Acting Director Harvin said this tool, a signing bonus, may be used in order to attract candidates to hard-to-fill positions. This tool would be used if the agency cannot match a qualified candidate's salary requirements. In 2006, the Commission approved a signing bonus of \$3,000, which management indicated was not sufficient. Other public employers have greater flexibility. The Resolution proposes a tiered bonus of up to \$10,000. The exact figure of the bonus would be based on the salary of the position, and eligible only for positions designated as hard to fill.

Chair Hewlett said to prevent the spurious use of this program, these incentives would require the support of both Department Head and Executive Director, noting Department Heads are familiar with their budgets, and would not give these bonuses indiscriminately. She also said with the tiered guidelines in place, the signing bonus amounts would not be random. Acting Director Harvin added the hired candidate would have to stay with the agency for 2 years or forfeit a pro-rated amount of the signing bonus if they terminated prior to that. Acting Director Harvin added there is a form that the referring employee must complete. Employees who are Division Chiefs or above are not eligible, nor are employees in the Recruitment or Classification and Compensation offices or hiring managers.

Commissioner Bailey asked if the agency has a list of hard to fill positions. Acting Director Harvin replied the agency has not yet developed one but would be building the list in the future. Once the position has been designated as a hard to fill, it will be noted as such next time that it is advertised. Chair Hewlett asked once a position is designated as hard to fill, will it always be designated that way. Acting Director Harvin replied it would not, adding the designation would reflect market conditions. Commissioner Geraldo asked how the agency would go about collecting the signing bonus if a person terminates early. Acting Executive Director Bennett replied the employee would sign a Memorandum of Understanding where he/she agrees to reimburse the agency. She noted the agency has never had to use the reimbursement requirement as individuals have remained with the agency for at least the required two years. Acting Director Harvin added the program is not frequently used, and she noted the figure may not be enough to sway someone to take a new position. She added tree climbers and the more technical positions are currently the most difficult to fill.

Commissioner Patterson said she thought the increased incentives are a great idea. She asked after the tax implications of the signing bonus and suggested the MOU indicate it is up to the individual to seek tax advice. Acting Executive Director Bennett agreed it would be a good idea to include that language in the procedures. The Policy team will add this language.

ACTION: Motion of Commissioner Geraldo to approve the Resolution and Amendments
Seconded by Commissioner Doerner
9 approved the motion

ITEM 6


OFFICERS' REPORTS

- a) Executive Director's Report (For information only)
Employee Evaluations Not Completed by Due Date (August 2019)
- b) Secretary Treasurer (For information only).
115 Trust Annual Report
- c) General Counsel (For information only)
Litigation Report, August 2019

General Counsel Gardner stated that attorney Debra Borden has been promoted to Deputy General Counsel, and congratulated her on the position, adding this is the first time the agency has had a Deputy General Counsel in several decades.

General Counsel Gardner said he will soon be distributing to Commissioners an update memo regarding the I-95/I-495/I-270 Managed Lanes Project and said it is likely the team will return for an update at the next Commission meeting.

There being no further business to discuss, the meeting ended at 11:34 a.m.



James F. Adams, Administrative Specialist II



Anju A. Bennett, Acting Executive Director

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

EXECUTIVE COMMITTEE MEETING MINUTES

November 6, 2019

On November 6, 2019, the Maryland-National Capital Park and Planning Commission’s Executive Committee met in the 4th floor conference room at 6611 Kenilworth Avenue, Riverdale, Maryland. Present were Chair Elizabeth M. Hewlett and Acting Executive Director Anju Bennett. Vice Chair Casey Anderson was absent but sent his input on items to Acting Executive Director, indicated in the minutes. Present were:

Department Heads

- Andree Checkley, Director, Prince George’s County Planning (PGPL)
- Debra Borden, Deputy General Counsel, for General Counsel Adrian Gardner
- Mike Riley, Director, Montgomery County Parks (MCPK)
- Tanya Stern, Deputy Director, for Montgomery County Planning Director Gwen Wright (MCPL)
- Debbie Tyner, Acting Director, Prince George’s County Parks and Recreation (PGPR)
- Joseph Zimmerman, Secretary-Treasurer

Presenters/Staff

- Michael Beckham, Policy Manager, CPMO
- Mazen Chilet, Chief Information Officer
- Tracey Harvin, Acting Chief, Corporate Policy and Management Operations (CPMO)
- John Kroll, Corporate Budget Director
- Robert Kronenberg, Deputy Director, Montgomery Planning
- William Spencer, Human Resources Director

Acting Executive Director Bennett convened the meeting at 10:08 p.m.

ITEM 1a – APPROVAL OF EXECUTIVE COMMITTEE AGENDA

Discussion	Acting Executive Director Bennett added Item 3e, Update on the EOB Feasibility Study for closed session. Chair Hewlett approved the amended agenda.
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ITEM 1b – APPROVAL OF COMMISSION MEETING AGENDA for November 20, 2019

Discussion	<p>Items to modify on the Commission Agenda:</p> <ul style="list-style-type: none"> • Add Festival of Lights Walk-Through & Opening Ceremony for employees on November 25, 6-8 p.m., Watkins Regional Park • Add Trot for a Turkey, November 23, 6 p.m., Watkins Regional Park. • Add the Montgomery Parks, Brookside Garden of Lights employee walkthrough (Director Riley to provide date). • Add Carol Rubin/Debra Borden as lead staff on Item 5c. Managed Lanes Update • Move Item 5d. Current Planning Project Updates item to December. • There may be three bi-county bills to add to the General Counsel’s officer’s report.
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ITEM 1c – ROLLING AGENDA FOR UPCOMING COMMISSION MEETINGS

Discussion	<p>Items to modify on the Rolling Agenda:</p> <ul style="list-style-type: none"> • Move CAFR (Comprehensive Annual Financial Report) from December to January • Move OPEB (Other Post-Employment Benefits) from January to December • Move Diversity Council Annual Report to February • Add CAPRA (Commission for Accreditation of Parks and Recreation Agencies) update in January. Include timeline of deliverables and representative visits. • Add policy items (e.g., budget amendments) to December.
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ITEM 2 – OCTOBER 8, 2019 EXECUTIVE COMMITTEE MEETING MINUTES	
ACTION	October 8, 2019 Open Session. Chair Hewlett moved approval; Acting Executive Director Bennett seconded. Vice-Chair Anderson approved through earlier review. Approved without comment.

ITEM 3 – DISCUSSION/PRESENTATION ITEMS

ITEM 3a – Proposed Amendments to Capital Asset Policy (Practice 3-14) (Harvin/Beckham)

Discussion	<p>Corporate Policy and Management Operations (CPMO) Director Harvin asked for approval for amendments to Practice 3-15, the agency’s Capital Assets Policy. A capital asset is any asset with a value of at least \$10,000 and useful lifespan of at least 1 year. This policy establishes standards for departments to account for, secure, and maintain capital assets. It also includes reporting requirements. She introduced Policy Manager Michael Beckham.</p> <p>Mr. Beckham stated the proposed policy amendments were reviewed with and supported by Department Heads. He explained the amendments to the policy, as outlined in the packet. He reviewed the differences between a controlled asset and capital asset and how those items are addressed in the policy.</p> <p>Mr. Beckham shared Department Heads supported a recommendation made by Inspector General Kenney to prohibit the direct sale of surplus vehicles to employees. He noted Secretary-Treasurer Zimmerman recommended a blanket prohibition for employees, not only against the purchasing of vehicles, but purchasing any surplus items from the agency, to avoid any perceptions of potential conflicts of interest. All surplus items which cannot be utilized by another agency operation, can be considered for sale through third party. The Executive Committee agreed with the recommendation.</p> <p>Acting Director Harvin added employee would be in the same position as a member of the public. The key issue is that the sale happens through a third party, and the employee is not permitted to bypass the process.</p> <p>Acting Executive Director Bennett requested a clarification to the policy on the reporting of losses.</p> <p>More specifically, she requested that the policy team clarify the Employee Responsibilities section and other relevant sections on reporting damaged assets. She stated:</p> <ul style="list-style-type: none"> • Losses of capital and controlled assets must be reported to the Department Head. • Losses of capital assets must be reported to the Secretary-Treasurer/Department of Finance and the Risk Management Office. • If a controlled asset loss requires replacement as an insured loss, it must also be reported to Risk Management. • The OIG should not need to be involved whenever a car or asset is damaged, as this would require every accidental damage to be reported. Any losses involving potential fraud, waste, abuse (including theft) should be reported to the Office of the Inspector General for appropriate action.
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Action/Follow Up	Acting Executive Director Bennett moved to approve the amendments with changes as discussed. Chair Hewlett seconded. The motion was passed. Acting Executive Director asked the team to proceed with the changes and ensure that copy of the amended policy is sent to the Commission for information purposes.
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ITEM 3b – Rescission of Practice 3-40, Preparing Time Cards (Harvin)

Discussion	Acting CPMO Director Harvin recommended this Practice be rescinded as it is outdated and is being replaced by updates to Administrative Procedures 99-04 which provides more detailed policy responsibilities. Thus, any relevant sections of Practice 3-40 are addressed in the Administrative Procedures. CPMO Director Harvin indicated the Executive Director will authorize the Administrative Procedures following rescission of Practice 3-40. Chair Hewlett and Acting Executive Director Bennett agreed combining the policies made sense. Chair Anderson, through earlier input, supported the staff recommendation.
Action/Follow Up	Chair Hewlett moved to rescind Practice 3-40; Acting Executive Director Bennett seconded. The motion was passed.

ITEM 3c – Workforce Turnover (Harvin)

Discussion	<p>Acting Executive Director Bennett provided background on the report which covered the agency’s turnover trends as they compared to other public employers, as well as regional and national trends. She noted that Vice-Chair Anderson had asked for an analysis of turnover rates in the Planning and Parks Departments to understand potential areas of focus. She also shared that employee retention has been a priority of Chair Hewlett in that the agency remains cognizant of shifts in employment demographics, inclusion and retention policies. Acting Executive Director Bennett explained the agency’s turnover has remained fairly stable and is below regional and national averages. However, she felt additional focus was needed on areas such as agency-wide succession planning especially with projected eligibility for retirement and areas where additional outreach is needed in the coming years. She said staff had a productive meeting identifying those needs with Department Heads and the report is being presented to the Executive Committee to ask for recommendation to take the report to the Commission.</p> <p>Acting CPMO Director Harvin presented a summary of the report, which described the agency’s workforce demographics and turnover statistics for the career workforce. The agency’s turnover rate compares favorably to state and national rates. Chair Hewlett asked how the agency compares to Montgomery and Prince George’s Counties. Ms. Harvin replied the agency is comparable to Prince George’s County and Montgomery County’s fire and safety personnel, but noted no statistics were available for other areas in the county. Director Riley said the National Parks and Recreation Association collects benchmarking data and suggested they might have information on Parks and Recreation agencies nationwide. Acting CPMO Director Harvin agreed to investigate that data further.</p> <p>Acting CPMO Director Harvin noted many employees in the administrative and professional series have been with the agency for a long time, indicating that employees tend to want to stay with the agency. Chair Hewlett noted that works in reverse, as well, since younger or shorter-term employees may leave if they sense there is no room for career growth because senior staff do not leave. Acting CPMO Director Harvin said that was clearly reflected in the Millennial demographic, noting</p>
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while they make up only about 30% of the workforce, they account for 49% of the non-retirement separations.

Acting Executive Director Bennett noted there were instances in the report that referred to “employees” and asked for it to be clarified to read “career employees” to delineate that the study is reporting career turnover only.

Acting CPMO Director Harvin concluded the report by saying retirement is the primary driver of career employee separation. Consequently, the agency should take a closer look at succession planning. With so much expected retirement turnover, there will be a great loss of institutional knowledge and the agency should prepare individuals who are ready to take leadership roles. Acting Executive Director Bennett added at the last Department Heads’ meeting, Directors agreed upon the need to bring in a consultant to assist with the process, noting the agency needs to focus on diversity and to examine recruitment from both the outside and across departments.

Acting Executive Director Bennett stated that Department Directors recently had a very good conversation on employee retention, noting that together they recommended a series of policy updates to support recruitment and retention. Directors also support bringing back an agency-wide leadership development program, mentoring and succession planning. Some of these efforts were discontinued due to budget constraints but it is essential the agency restore these programs to prepare for significant retirements expected in the next five years. Chair Hewlett agreed saying this type of training is for everyone’s benefit. Department Directors also noted their support.

Deputy General Counsel Borden suggested the consultant might help navigate succession planning efforts with open competition for positions. Acting Executive Director Bennett agreed, stating that that more robust supervisory training and an agency-wide Leadership Program which allows employees from all departments to get experience inside and outside their departments would benefit the agency and its employees.

Deputy General Counsel Borden asked how the former leadership program was funded. Acting Executive Director Bennett replied that prior to budget cuts, a training team existed in bi-county to design and implement the training. Departments also contributed to program costs when external consultants were utilized to deliver specialized training. The current issue is that the Bi-county Departments do not have the staff to implement such a program and must rely on external consultants which may not be as cost effective for continuous training needs. Director Checkley suggested staff from each Department may be able to assist in training efforts. Executive Director Bennett supported this idea, adding the Departments would have valuable input in participation and design of training. Acting Executive Director Bennett asked Acting CPMO Director Havin to form the workgroup once the new Training Manager is hired for the Department of Human Resources and Management.

Deputy Director Stern suggested an inventory on trainings departments are doing, suggesting they consider scaling up successful programs. Acting Executive Director Bennett supported the suggestion stating that an updated inventory would be beneficial. Department Directors participated in a training retreat in recent years, reviewed departmental programs at that time, and identified priorities that should be provided agency-wide by corporate teams, versus those which are better handled at the department level to address position-specific training.

	<p>Acting CPMO Director Harvin a noted some of the agency’s awards for being a preferred workplace and that its programs/policies help keep retention high. Acting CPMO Director Harvin was asked to include these details in the report that goes to the Commission.</p> <p>Chair Hewlett agreed the report should be updated with the suggestions shared by the Executive Committee and then presented to Commission. The report should include county statistics, and information on the agency’s preferred workplace standing.</p>
<p>ITEM 3d – Investment Report (Zimmerman) (information Item only)</p>	
	<p>Handout not provided at the time of the meeting.</p>

Acting Executive Director Bennett moved the meeting to closed session at 10:55 a.m. to discuss item 3e. Open session resumed at 11:01 a.m. There being no further business to discuss, the meeting adjourned at 11:01 a.m.



James F. Adams, Administrative Program Specialist II



Anju A. Bennett, Acting Executive Director

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EMPLOYEES' RETIREMENT SYSTEM
The Maryland-National Capital Park and Planning Commission

**REGULAR BOARD OF TRUSTEES MEETING
MINUTES**

Tuesday, September 3, 2019; 10:00 A.M.

ERS/Merit Board Conference Room

The Maryland-National Capital Park and Planning Commission Employees' Retirement System Board of Trustees met in the ERS/Merit Board Conference Room at its office in Riverdale, Maryland on Tuesday, September 3, 2019 and was called to order at 10:00 a.m. by CHAIRMAN HEWLETT.

Board Members Present

Elizabeth M. Hewlett, Board of Trustees Chairman, Prince George's County Commissioner	
Gerald R. Cichy, Board of Trustees Vice Chairman, Montgomery County Commissioner	
Anju Aggarwal Bennett, M-NCPPC Acting Executive Director, Ex-Officio	In at 10:03 a.m.
Melissa D. Ford, Prince George's County Open Trustee	In at 10:33 a.m.
Pamela F. Gogol, Montgomery County Public Member	
Amy Millar, MCGEO Represented Trustee	In at 10:12 a.m.
Sheila Morgan-Johnson, Prince George's County Public Member	
Daniel Singh, Montgomery County Open Trustee	
Elaine Stookey, Bi-County Open Trustee	
Joseph C. Zimmerman, CPA, M-NCPPC Secretary-Treasurer, Ex-Officio	

Board Member Not Present

Howard Brown, FOP Represented Trustee

ERS Staff Present

Andrea L. Rose, Administrator
Heather D. Van Wagner, Senior Administrative Specialist
Sheila Joynes, ERS Accounting Manager

Presentations

Northern Trust - Ali Guttillo, Relationship Manager Corporate & Institutional Services, Patricia Somerville-Koulouris, Division Manager Corporate & Institutional Services, and Don Anderson, Relationship Manager Global Securities Lending

Wilshire Associates - Bradley A. Baker, Managing Director and Martell McDuffy, Senior Analyst

Others Present

M-NCPPC Legal Department – William C. Dickerson, Principal Counsel

ITEM 1 APPROVAL OF THE SEPTEMBER 3, 2019 CONSENT AGENDA

- A. Approval of the September 3, 2019 Board of Trustees Meeting Agenda
- B. Minutes of Open Session, July 9, 2019
- C. Disbursements Granted Report – June and July 2019

CHAIRMAN HEWLETT revised the September 3, 2019 Board of Trustees Meeting Agenda to include a closed session to consult with legal counsel as Item 6 on the Agenda and asked for a motion to approve.

ACTION: MS. GOGOL made a motion, seconded by VICE CHAIRMAN CICHY to approve the revised September 3, 2019 Board of Trustees Meeting Agenda. The motion PASSED unanimously (7-0). (Motion #19-46)

CHAIRMAN HEWLETT asked for a motion to approve Items B and C on the Consent Agenda.

ACTION: VICE CHAIRMAN CICHY made a motion, seconded by MS. MORGAN-JOHNSON to approve Items B and C on the Consent Agenda. The motion PASSED unanimously (7-0). (Motion #19-47)

ITEM 2 CHAIRMAN'S ITEMS

A. Board of Trustees Conference Summary

CHAIRMAN HEWLETT reminded the board of their fiduciary responsibility to attend training events.

ITEM 3 MISCELLANEOUS

No miscellaneous reported.

MS. BENNETT arrived at 10:03 a.m.

ITEM 4 MANAGER REPORTS/PRESENTATIONS

Northern Trust

Presentations by Ali Guttillo, Relationship Manager Corporate & Institutional Services, Patricia Somerville-Koulouris, Division Manager Corporate & Institutional Services, and Don Anderson, Relationship Manager Global Securities Lending

Northern Trust started as a Trust Company in 1889 and currently offers asset servicing, asset management, and banking to its clients with customizable solutions. Northern has built its public fund relationships to 188 clients with 30% of the top 100 public plans and \$740 billion assets under custody. Since 1984, Northern has been the custodian of the ERS' assets and provides asset management, asset servicing, accounting, regulatory benefit payments, and securities lending services. Northern Trust is well-positioned for continued investment in its core business with a strong capital position, superior credit rating, and high-quality balance sheet. Northern Trust has increased servicing staff over the last 2 years by 27%. There has been no department of justice actions, no pay to play actions/investigations, and no litigation on foreign exchange practices.

MS. MILLAR arrived at 10:12 a.m.

MS. FORD arrived at 10:33 a.m.

Don Anderson presented an overview of Northern's securities lending program which is designed to enhance the return of an overall investment program without interfering with the investment strategy. The ERS has participated in Northern's securities lending program since 1996 with consistent earnings. Mr. Anderson presented a financial crises summary 2008-2010; an investment profile for the CORE STIF Cash Collateral Fund as of June 30, 2019; a historical earnings summary; and, performance scorecards.

Wilshire Associates

Presentations by Bradley A. Baker, Managing Director and Martell McDuffy, Senior Analyst

The Board was provided with an Executive Summary of Investment Performance for the quarter ending June 30, 2019 and Mr. Baker reported on the fund's performance. The ERS' total fund return was 2.91% (net of fees) for the quarter, underperforming the target policy index return of -3.13%. For the three, five, and ten-years ended June 30, 2019 the ERS fund return was 9.82%, 5.84%, and 9.35%, respectively, compared to the target policy return of 8.51%, 5.27%, and 8.59%, respectively. The total market value through June 30, 2019 was \$963.9 million.

The largest contributors to relative performance for the quarter ending June 30, 2019 was domestic equity, public real assets, and international equity which added 15, 14 and 11 bps of outperformance, respectively. Wilshire has no concerns.

ITEM 5 REPORT OF THE ADMINISTRATOR

Andrea Rose presented the Administrator's Report dated August 20, 2019 which included the board and committee work programs and meeting dates for September – November 2019. Ms. Rose reminded the Board the October 1, 2019 Board meeting was cancelled.

Ms. Rose discussed fee reductions with Principal Global Investors, VOYA Investment Management, Eaton Vance Management, and C.S. McKee, L.P. The Principal U.S. Property Account is commingled and fees are not negotiable. VOYA Investment Management offered a revised fee of 0.35% on the first \$100 million. Eaton Vance Management denied a request for a fee reduction indicating fees were revised October 1, 2017 and are appropriately set. C.S. McKee, L.P. offered a revised fee of \$0-\$50 million: 0.23% and \$50-\$100 million: 0.20%.

ERS Staff met in-person with Northern Trust's relationship management team to discuss custody (including domestic, global, transactions, and benefit payments) and securities lending fees and whether rates were comparable to other funds. Northern Trust offered the 70/30 fee split on all asset classes for securities lending, plus an \$30,000 reduction in annual domestic custody fees (\$180,000 to \$150,000). A charge for class action proceeds would be effective with the new fee schedule, if approved. This results in an annual savings of approximately \$48,000.

Staff recommend the Board accept VOYA's offer for a revised fee of 0.35% on the first \$100 million; C.S. McKee's offer for a revised fee of \$0 - \$50 million: 0.23% and \$50-\$100 million: 0.20%; and, Northern Trust's offer for a fee reduction from \$180,000 to \$150,000 in annual domestic custody fees and a 70/30 fee split on all asset classes for securities lending.

ITEM 6 CLOSED SESSION

At 12:26 p.m. CHAIRMAN HEWLETT requested a motion to go into Closed Session under authority of the General Provisions Article of the Annotated Code of Maryland Section 3-305(b)(7) to consult with counsel to obtain legal advice on particular legal matters and to preserve attorney-client privilege.

ACTION: MS. BENNETT made a motion, seconded by VICE CHAIRMAN CICHY to go into Closed Session. The motion PASSED unanimously (10-0). (Motion #19-48)

During Closed Session, the following matters were discussed:

1. Northern Trust's Fee Schedule effective July 1, 2019 (Confidential)

The Board of Trustees moved back into Open Session at 12:39 p.m.

ACTION: MR. ZIMMERMAN made the motion, seconded by MS. FORD to ratify the actions taken in Closed Session. The motion PASSED unanimously (10-0). (Motion #19-51)

The Board of Trustees meeting of September 3, 2019 adjourned at 12:41 p.m.

MS. GOGOL left the meeting at 12:41 p.m.

Andrea Rose noted the motion made in Closed Session to approve the proposed fee reductions and to authorize execution of a fee amendment should have been made in Open Session of the Board. Legal counsel concurred.

ACTION: VICE CHAIRMAN CICHY made the motion, seconded by MS. FORD to reopen the Board of Trustees meeting. The motion PASSED unanimously (9-0). (Motion #19-52)

ACTION: MR. ZIMMERMAN made the motion, seconded by VICE CHAIRMAN CICHY to approve VOYA's offer for a revised fee of 0.35% on the first \$100 million; C.S. McKee's offer for a revised fee of \$0 - \$50 million: 0.23% and \$50-\$100 million: 0.20%; and, Northern Trust's offer for a fee reduction from \$180,000 to \$150,000 in annual domestic custody fees and a 70/30 fee split on all asset classes for securities lending; and, to authorize execution of fee amendments as recommended by legal counsel. The motion PASSED unanimously (9-0). (Motion #19-53)

The Board of Trustees meeting of September 3, 2019 adjourned at 12:46 p.m.

Respectfully,



Heather D. Van Wagner
Senior Administrative Specialist



Andrea L. Rose
Administrator



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

November 20, 2019

TO: The Commission

FROM: Anju A. Bennett, Acting Executive Director

SUBJECT: Re-appointment of Tanya Upthegrove-Coleman as Chair of the Merit System Board December 1, 2019 – December 1, 2023

The Commission first appointed Ms. Upthegrove-Coleman to fill a Merit System Board vacancy on December 1, 2008 as part of the Commission's Resolution 08-17. Her appointment was for a term of three (3) years effective December 1, 2008 through December 1, 2011.

On November 16, 2011, the Commission approved Resolution 11-19, the reappointment was for a term of four years from December 1, 2011 to December 1, 2015.

On October 21, 2015, the Commission approved by Resolution 15-19, the reappointment for a four-year term from December 1, 2015 through December 1, 2019.

On September 18, 2019, the Commission appointed Ms. Upthegrove-Coleman to serve as the Chair of the Merit System Board beginning July 28, 2019 through the end of her current term after the resignation of the former Chair.

In accordance with Chapter 200, Section 222 of the Merit System Rules and Regulations, I am recommending the reappointment of Ms. Upthegrove-Coleman to a four-year term as Chair of the Merit System Board effective December 1, 2019 through December 1, 2023. All other terms and conditions of her contract remain the same.

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

M-NCPPC RESOLUTION No. 19-20

November 20, 2019

MERIT SYSTEM BOARD CHAIRMAN REAPPOINTMENT – TANYA UPTHEGROVE-COLEMAN

WHEREAS, pursuant to Section 16-103 of the Land Use Article of the Annotated Code of Maryland (“Land Use Article”) and the Merit System Rules and Regulations, the Maryland-National Capital Park and Planning Commission (the “Commission”) shall have the authority, obligation and responsibility to appoint a Merit System Board to oversee the Merit System;

WHEREAS, on December 1, 2008 the Commission appointed Ms. Tanya Upthegrove-Coleman, Member of the Merit System Board for a term of three years effective December 1, 2008 through December 1, 2011;

WHEREAS, on December 1, 2011 the Commission re-appointed Ms. Tanya Upthegrove-Coleman, Member of the Merit System Board for a term of four years effective December 1, 2011 through December 1, 2015;

WHEREAS, on December 1, 2015 the Commission re-appointed Ms. Tanya Upthegrove-Coleman, Member of the Merit System Board for a term of four years effective December 1, 2015 through December 1, 2019;

WHEREAS, on July 17, 2019 the Commission appointed Ms. Tanya Upthegrove-Coleman, Chairman of the Merit System Board beginning July 28, 2019 through the end of her current contract which ends December 1, 2019;

WHEREAS, Ms. Upthegrove-Coleman has discharged the duties of Chairman of the Merit System Board faithfully, and continues to meet the requirements in Section 16-103 of the Land Use Article for membership on the Merit System Board, including substantial knowledge and experience in personnel matters; and,

WHEREAS, Section 16-103 of the Land Use Article allows for the reappointment of Merit System Board Members, including the Chairman, at the pleasure of the Commission for a term of four years.

NOW, THEREFORE, BE IT RESOLVED, that the Commission hereby reappoints Ms. Tanya Upthegrove-Coleman as Chairman of the Merit System Board for a four-year term commencing on December 1, 2019 to December 1, 2023; and

BE IT FURTHER RESOLVED, that Ms. Upthegrove-Coleman's appointment to the Merit System Board shall be pursuant to the same terms and conditions as her current contract, and/or as authorized by the Commission budget for each fiscal year.

Tanya Upthegrove-Coleman is a Senior Human Resources professional within the legal industry. Ms. Upthegrove-Coleman provides expertise in key HR capabilities including performance management, employee relations, organization development, recruiting, leadership and professional development. She focuses on supporting the business in coaching, mitigating risks and influencing business outcomes.



Upthegrove-Coleman also serves as Adjunct Faculty at Prince George's Community College and as President of TRU HR Solutions LLC, an HR consulting firm. She is a member of Society of Human Resource Management (SHRM); she was formerly on the Board of Directors of the Association of Legal Administrators Capital Chapter Foundation and is currently the Chair, Merit System Board for the Maryland-National Capital Park and Planning Commission. (M-NCPPC).

Tanya earned a Bachelor of Arts degree from the University of Nebraska and a Master's degree from The Ohio State University. She currently holds two professional human resources certifications, SHRM-CP and PHR and is currently enrolled at Cornell University, earning a certification in Strategic Human Resources Leadership.

To meet the ERS' funding objectives, the recommended employer contribution of \$22,312,947 (13.93% of covered payroll) is payable July 1, 2020 for fiscal year 2021. The recommended employer contribution increased from \$19,244,687 (12.3% of covered payroll) as of July 1, 2018. The increase in the employer contribution from 2018 to 2019 can be primarily attributed to: 1) a loss on the actuarial value of assets; 2) experience that varied from assumptions; and 3) an increase in liabilities due to a change in the investment return assumption from 6.90% to 6.85%.

Cheiron's, Janet H. Cranna, FSA, EA, MAAA, Principal Consulting Actuary and Patrick Nelson, FSA, EA, MAAA, Associate Actuary will present the attached presentation at the Commission's November 20, 2019 meeting.

Thank you in advance for your consideration.

Attachment

1. Pension Actuarial Valuation as of July 1, 2019; November 20, 2019



M-NCPPC RESOLUTION NO. 19-22

RECOMMENDATION TO APPROVE AN EMPLOYER RETIREMENT CONTRIBUTION
IN THE AMOUNT OF \$22,312,947 FOR FISCAL YEAR 2021

WHEREAS, the Maryland-National Capital Park and Planning Commission (the "Commission") as Plan Sponsor entered into a Pension Trust Agreement as of July 26, 1972 and amended on June 13, 1979 ("the Agreement") with the Employees' Retirement System of the Maryland-National Capital Park and Planning Commission ("ERS" or the "Plan"); and

WHEREAS, the "FIRST" section of the Agreement states that the Board of Trustees shall be responsible for the collection of contributions to the Plan; and

WHEREAS, Section 2.3(g) of the ERS Plan Document states that the Board of Trustees shall recommend to the Commission the contributions to be made by the Commission under the provisions of the Retirement System; and

WHEREAS, the Board of Trustees engaged Cheiron ("the Actuary") to prepare an ERS Actuarial Valuation as of July 1, 2019; and

WHEREAS, the ERS Actuarial Valuation as of July 1, 2019 projected a Fiscal Year 2021 Plan Sponsor contribution in the amount of \$22,312,947.

NOW THEREFORE, BE IT RESOLVED, that the Commission as Plan Sponsor approves a \$22,312,947 payment to the ERS Trust Fund; and

BE IT FURTHER RESOLVED, that the Maryland-National Capital Park and Planning Commission does hereby authorize the Executive Director and other officers to take action as may be necessary to implement this resolution.

APPROVED AS TO LEGAL SUFFICIENCY.

M-NCPPC Legal Department

Date 11/5/19

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Maryland-National Capital Park
and Planning Commission
Employees' Retirement System



Classic Values, Innovative Advice

Pension Actuarial Valuation as of July 1, 2019

November 20, 2019

Presented by

Janet Cranna, FSA, EA, MAAA

Patrick Nelson, FSA, EA, MAAA

Agenda

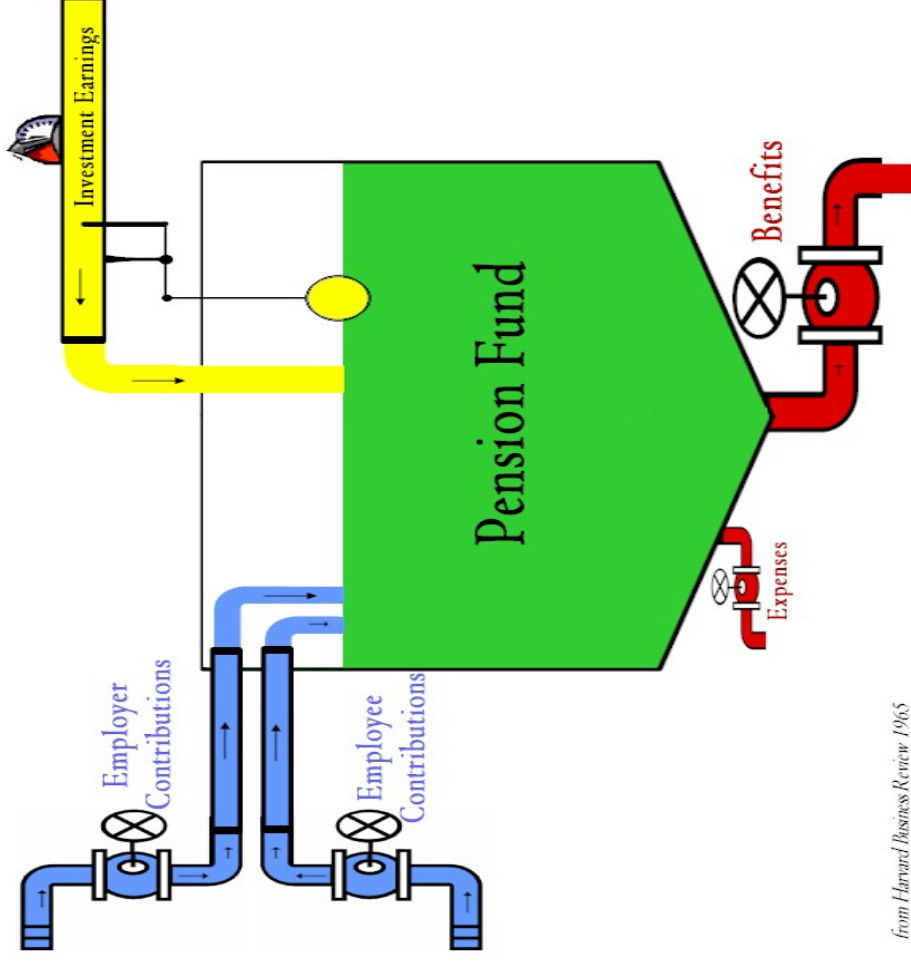
- Identification and Assessment of Risk
- July 1, 2019 Actuarial Valuation Results
- Projections

30

The Actuarial Valuation Process



1. Collect information
 - Member data
 - Plan provisions
 - Asset informations
2. Apply assumptions
 - Demographic
 - Economic
3. Project all future benefit payments
4. Determine a present value of the benefits
5. Compare to assets
6. Calculate employer and employee contributions



From Harvard Business Review 1965

ASOP 51 – Material Risks

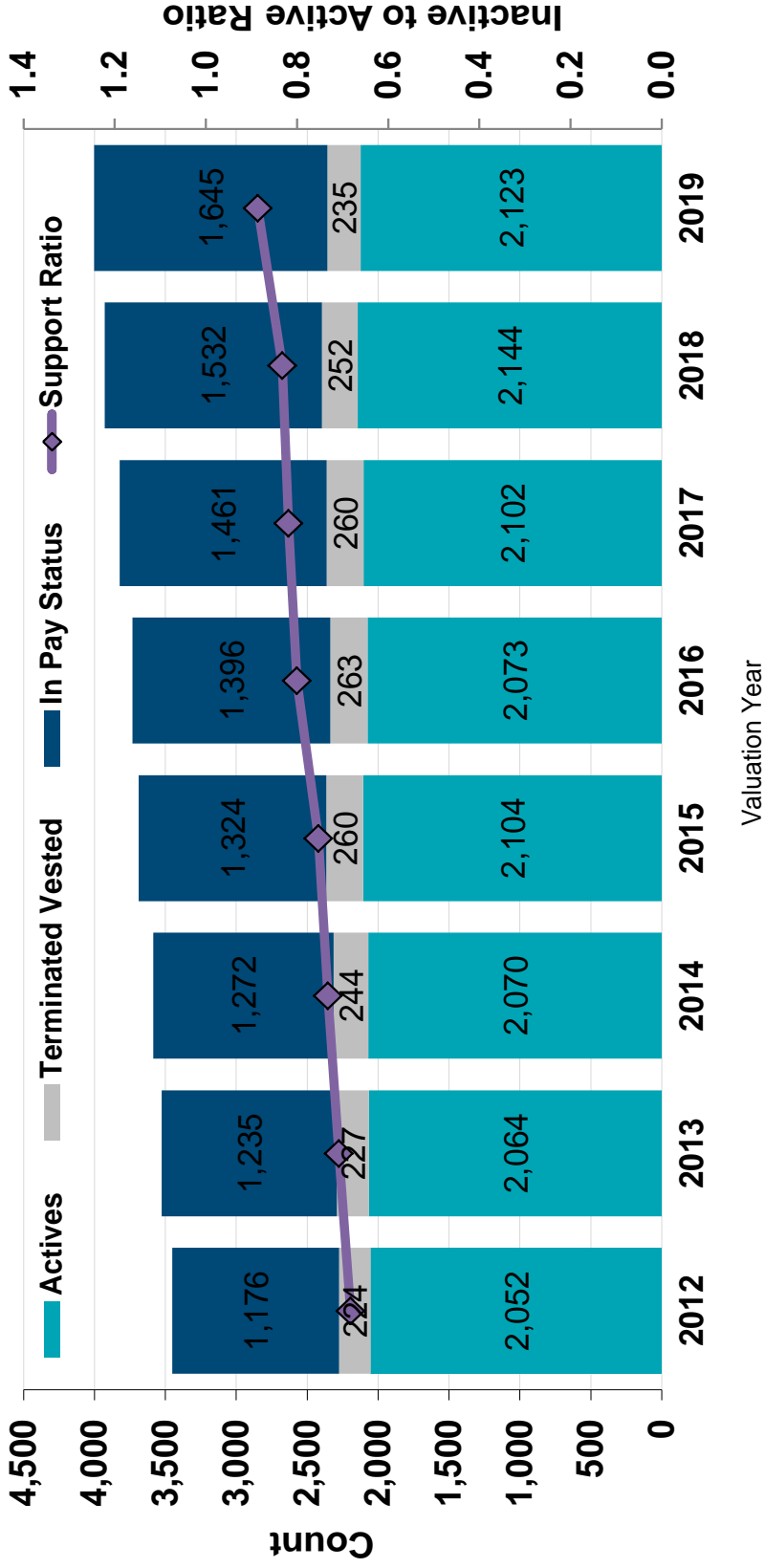


- Material risks identified:
 - **Investment Risk** – the potential for investment returns to be different than expected
 - **Longevity and other Demographic Risk** – the potential for mortality and other demographic experience to be different than expected
 - **Contribution Risk** – the potential that actual contributions will not adequately fund the Plan
 - **Plan Change Risk** – the potential for provisions of the plan to change and impact measurements
 - **Assumption Change Risk** – the potential for the environment to change such that future valuation assumptions are different than the current assumptions

Membership Trends



Historical Membership Counts

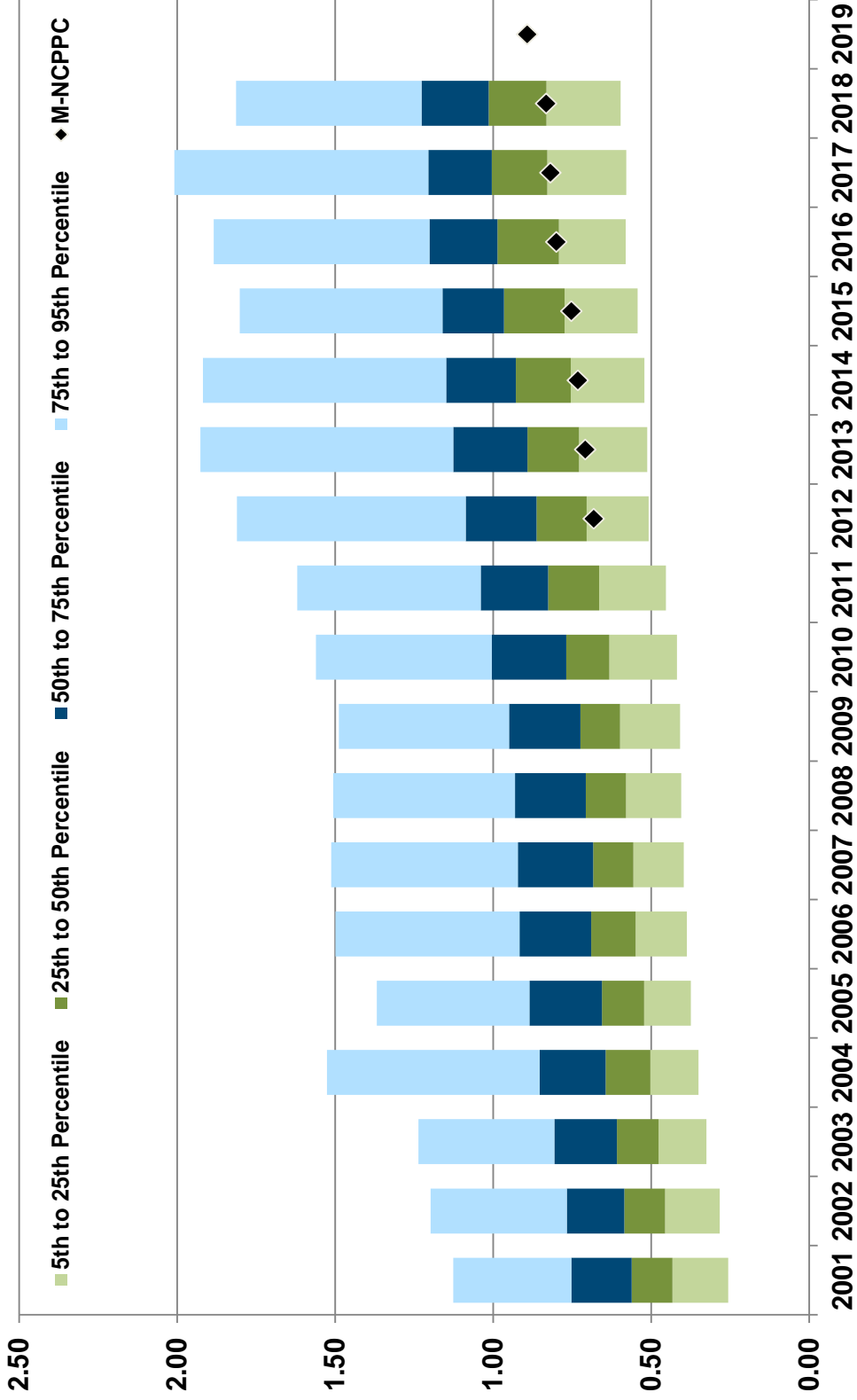


Support ratio above bars is the ratio of the number of inactive (Retirees and Deferred Vested) per active.

ASOP 51 – Support Ratio



Support Ratio

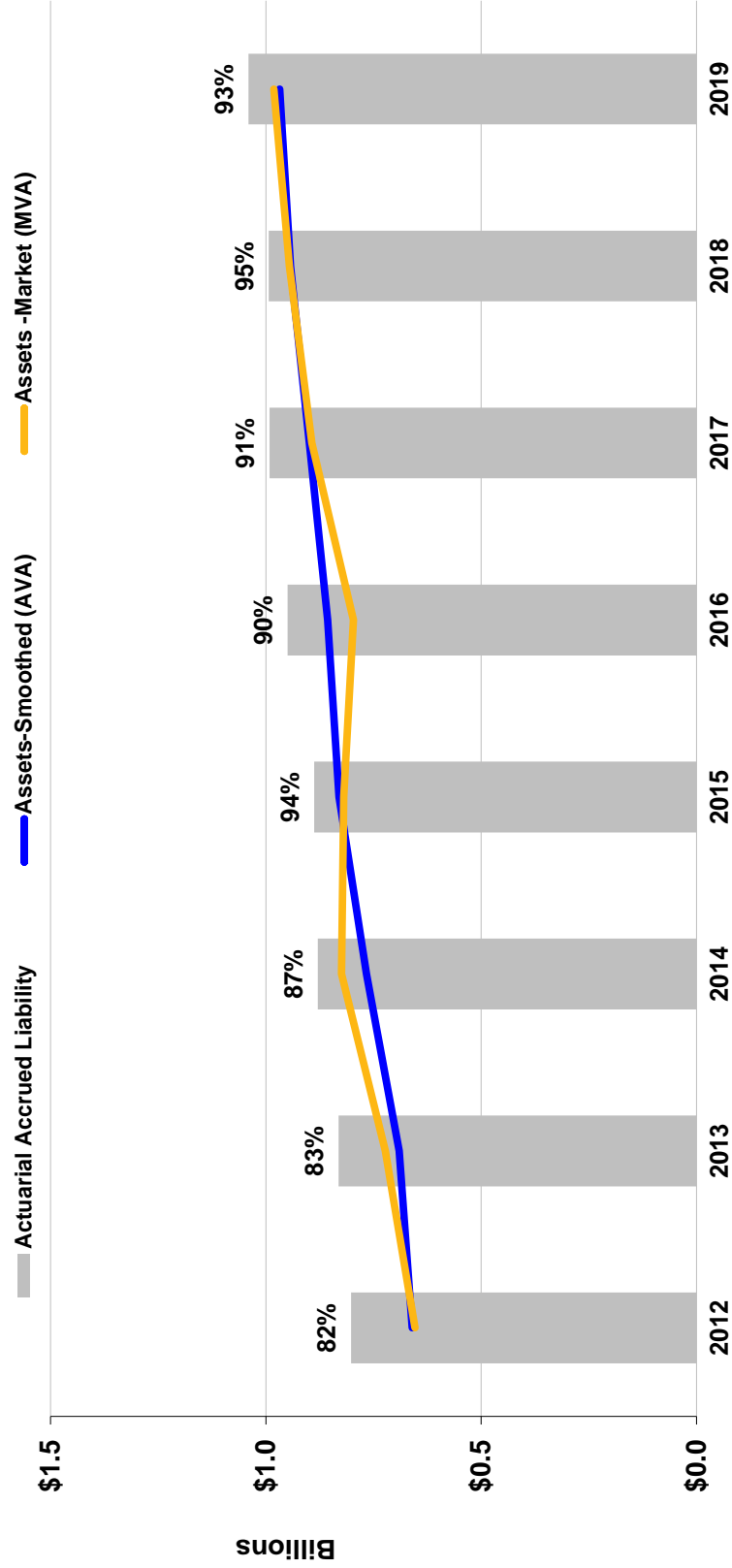


Survey Data from Public Plans Database as of 9/24/2019

Assets and Liabilities

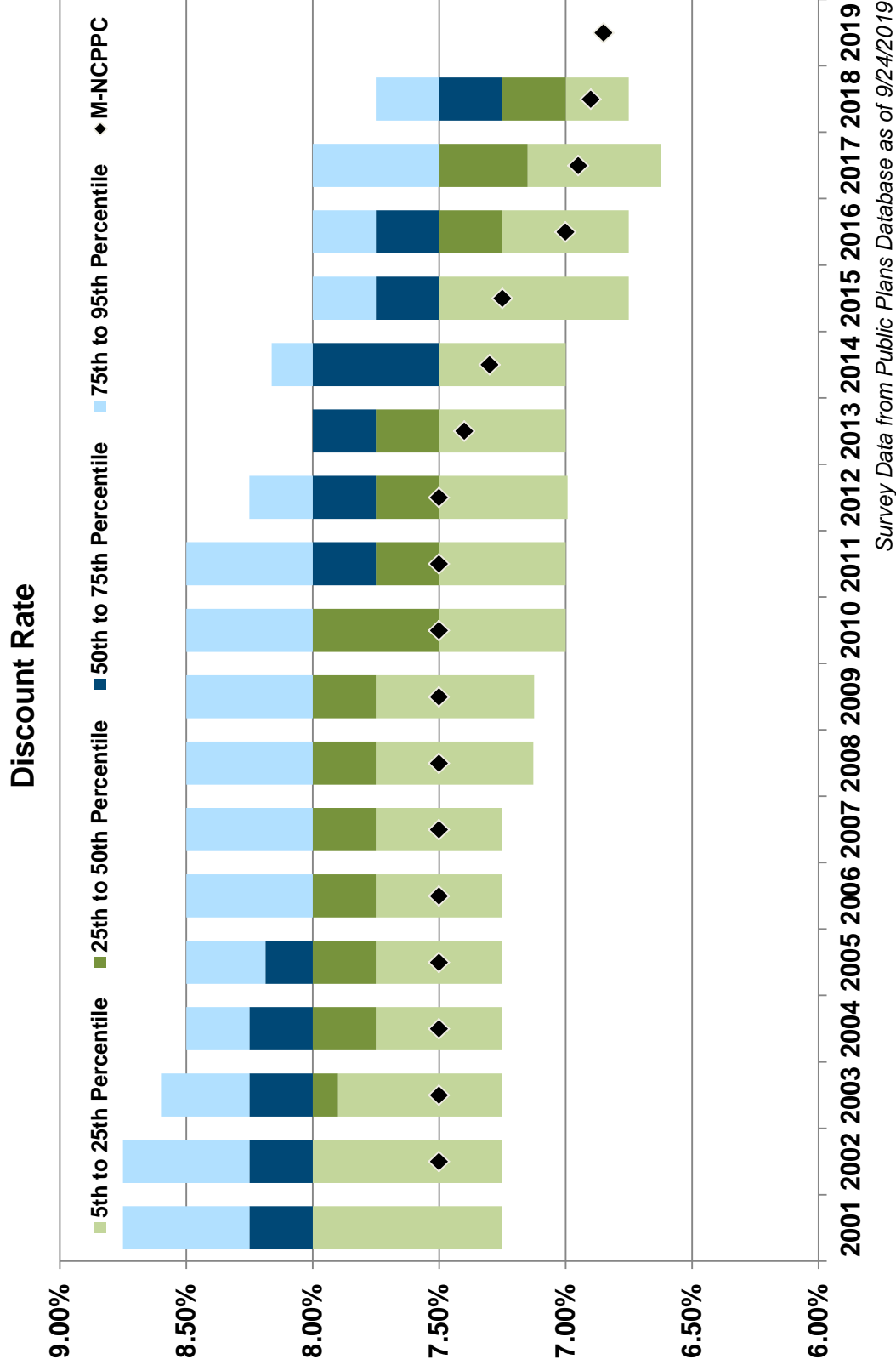


Pension Plan - Assets and Liabilities



Funded status shown above bars is Actuarial Value of Assets divided by Actuarial Liability.

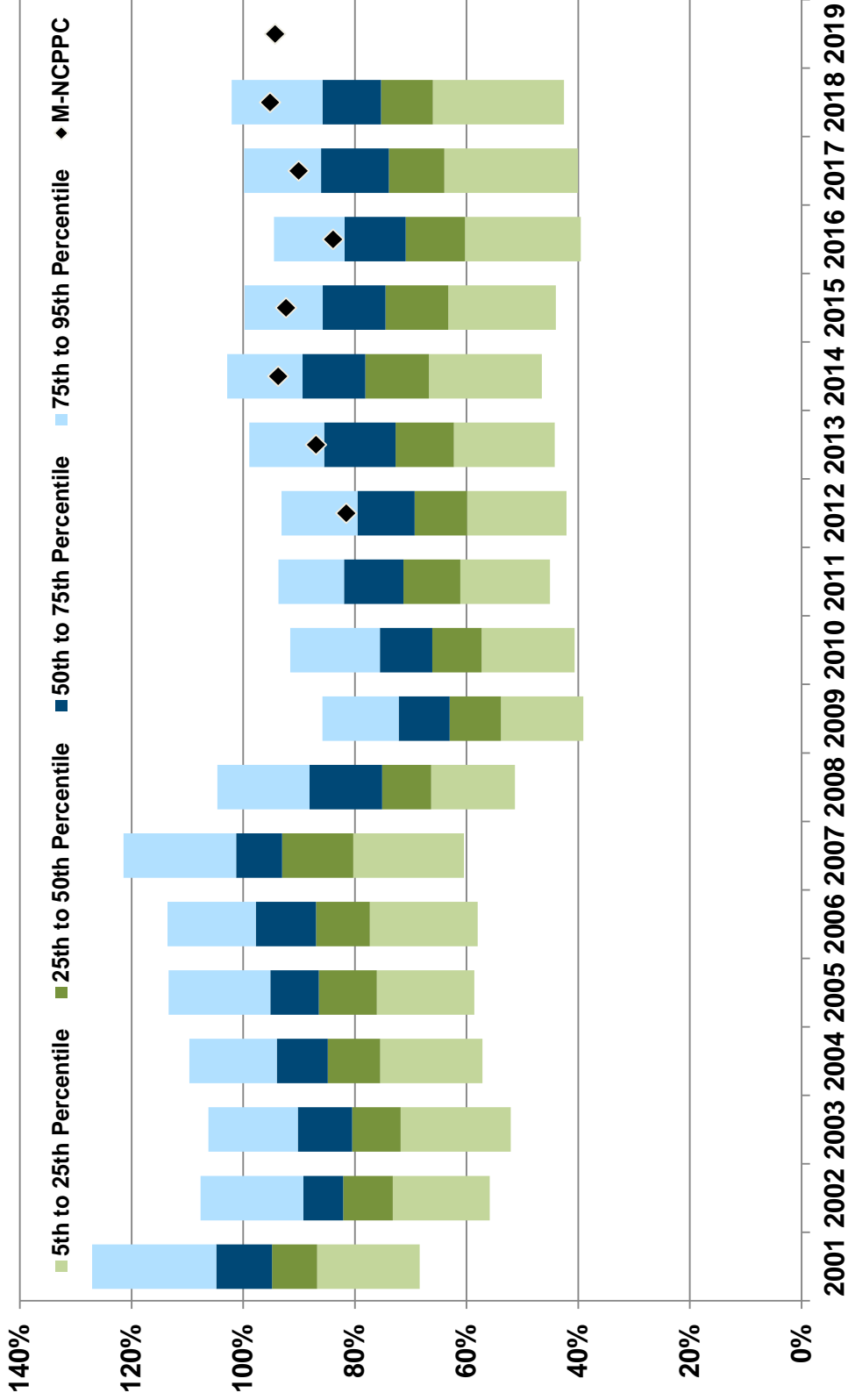
ASOP 51 – Discount Rate



ASOP 51 – MVA Funded Ratio



MVA Funded Ratio



Survey Data from Public Plans Database as of 9/24/2019

Member Counts



Member Status	As of July 1, 2018	As of July 1, 2019	% Change
Active	2,144	2,123	-0.98%
Terminated Vested	252	235	-6.75%
Terminated Non-Vested	397	426	7.30%
Retired, Beneficiaries, and Disabled	<u>1,532</u>	<u>1,645</u>	7.38%
Total	4,325	4,429	2.40%

Assets and Liabilities Comparison



- The Market Value of Assets returned 6.77% and the Actuarial Value of Assets (AVA) returned 5.63% from July 1, 2018 to June 30, 2019, both below the assumed rate of 6.90%. Actuarial loss on investments was \$11.7 million.
- There was an actuarial liability loss of \$9.1 million.
- Change in the discount rate from 6.90% to 6.85% increased liabilities by \$5.9 million.

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Assets and Liabilities	As of July 1, 2018	As of July 1, 2019	% Change
Actuarial Liability (AL)	\$ 993,322,340	\$ 1,043,820,211	5.08%
Actuarial Value of Assets (AVA)	\$ 943,070,635	\$ 968,142,434	2.66%
Unfunded Actuarial Liability (UAL)	\$ 50,251,705	\$ 75,677,777	50.60%
Funded Ratio (AVA / AL)	94.94%	92.75%	-2.19%
Market Value of Assets (MVA)	\$ 945,543,382	\$ 981,261,569	3.78%
Funded Ratio (MVA / AL)	95.19%	94.01%	-1.18%

Change in Liabilities



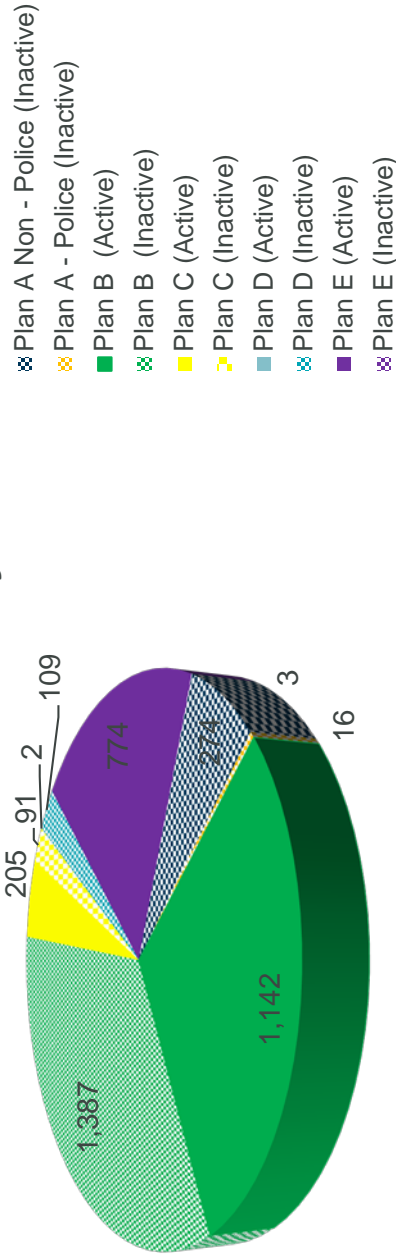
Source	(Gain) / Loss
Liabilities as of July 1, 2018	\$ 993,322,340
Change due to:	
Recalculation of Prior Liability	1,973,241
Actuarial (Gain) / Loss	9,138,464
Assumption Changes	5,899,357
Benefits Accumulated and Other Sources	<u>33,486,809</u>
Total Liability Increase / (Decrease)	<u>50,497,871</u>
Liabilities as of July 1, 2019	\$ 1,043,820,211

Source	(Gain) / Loss	% of Liability
New members entering System	\$ 361,753	0.0%
Salary increases greater than expected	2,585,472	0.3%
Active member decrements	5,034,887	0.5%
Inactive mortality	136,288	0.0%
Retiree COLA greater than expected	4,575,860	0.5%
Benefit payments less than expected	(4,482,821)	-0.5%
Miscellaneous changes	<u>927,025</u>	<u>0.1%</u>
Total Actuarial Liability (Gain) / Loss	\$ 9,138,464	0.9%

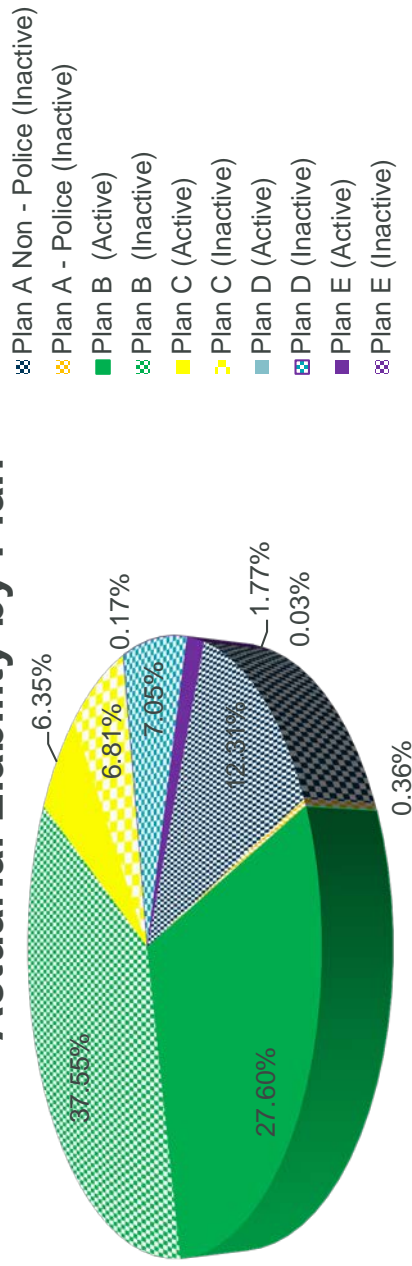
Membership and Liability By Plan



Number of Members by Plan



Actuarial Liability by Plan



Excludes Terminated Non-Vested

Employer Contribution by Plan



	Non-Police		Police		Plan C	Plan D	Plan E	Total
	Plan A	Plan B	Plan A	Plan B				
Active Member Payroll	\$ 0	\$ 0	\$ 0	\$ 92,037,379	\$ 17,162,005	\$ 205,376	\$ 50,816,321	\$ 160,221,081
Normal Costs								
Gross Normal Cost	\$ 0	\$ 0	\$ 0	\$ 9,454,459	\$ 3,352,122	\$ 33,175	\$ 5,516,410	\$ 18,356,166
Estimated Expenses	256,511	7,580	7,580	1,359,965	274,453	150,503	38,629	2,087,641
Reduction due to Expected Employee Contributions	0	0	0	3,703,524	1,459,760	21,895	2,078,955	7,264,134
Net Employer Normal Cost	\$ 256,511	\$ 7,580	\$ 7,580	\$ 7,110,900	\$ 2,166,815	\$ 161,783	\$ 3,476,084	\$ 13,179,673
--As a % of Payroll	0.00%	0.00%	0.00%	7.73%	12.63%	78.77%	6.84%	8.23%
Amortization Payment								
--As a % of Payroll	\$ 0	\$ 0	\$ 0	\$ 5,924,904	\$ 1,362,728	\$ 36,051	\$ 379,139	\$ 7,702,822
	0.00%	0.00%	0.00%	6.44%	7.94%	17.55%	0.75%	4.81%
Actuarially Determined Employer Contribution payable at Beginning of Year								
--As a % of Payroll	\$ 256,511	\$ 7,580	\$ 7,580	\$ 13,035,804	\$ 3,529,543	\$ 197,834	\$ 3,855,223	\$ 20,882,495
	0.00%	0.00%	0.00%	14.16%	20.57%	96.33%	7.59%	13.03%
Actuarially Determined Employer Contribution payable at End of Year								
--As a % of Payroll	\$ 274,082	\$ 8,099	\$ 8,099	\$ 13,928,757	\$ 3,771,317	\$ 211,386	\$ 4,119,306	\$ 22,312,947
	0.00%	0.00%	0.00%	15.13%	21.97%	102.93%	8.11%	13.93%

Contribution Allocation



	Contribution for		Contribution
	FYE June 30, 2021	2019 Payroll	as % of Payroll
Non-Police	\$ 18,322,145	\$ 142,853,700	12.83%
Park Police	<u>3,990,802</u>	<u>17,367,381</u>	22.98%
Total	\$ 22,312,947	\$ 160,221,081	13.93%

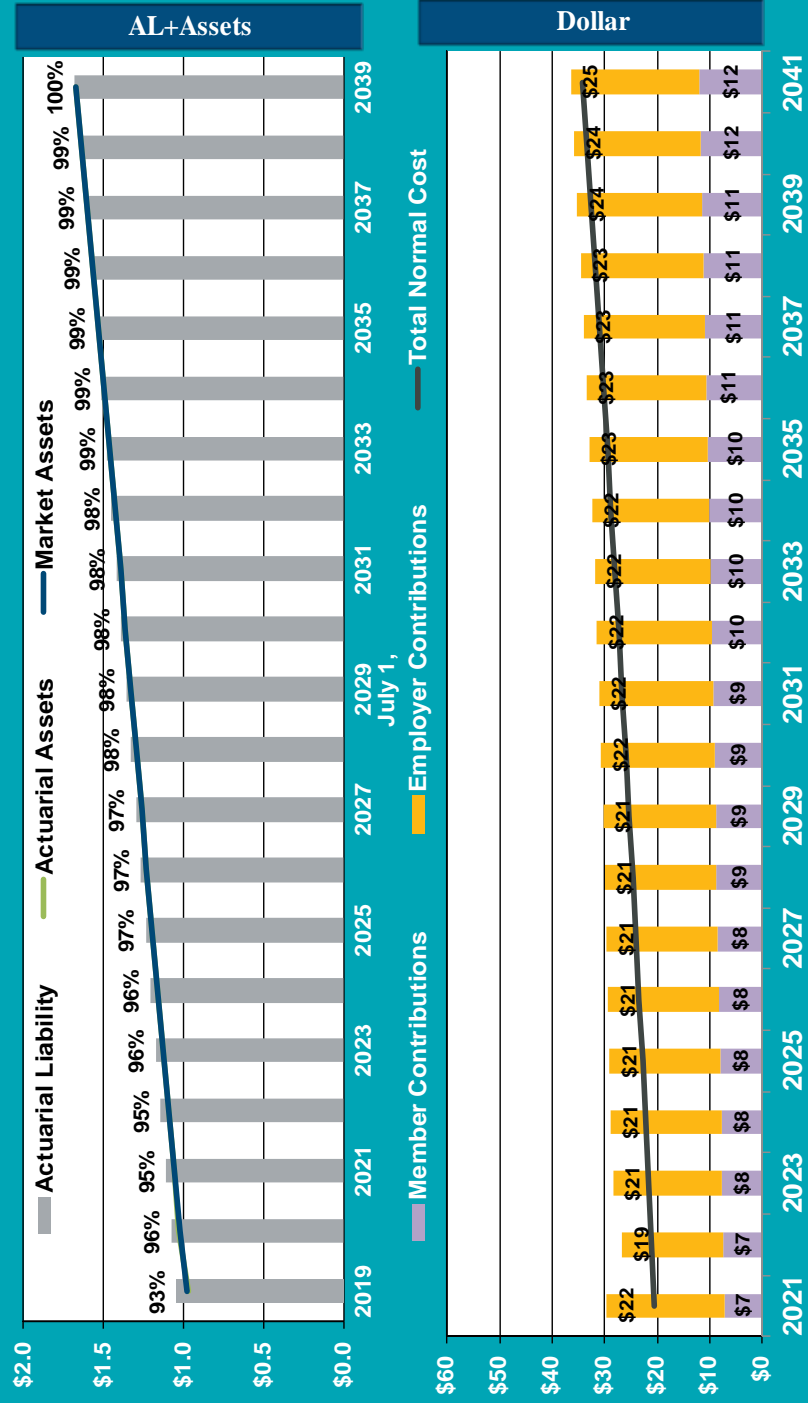
Projections – Baseline



PYE	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	Avg
6.85%	6.85%	6.85%	6.85%	6.85%	6.85%	6.85%	6.85%	6.85%	6.85%	6.85%	6.85%	6.85%	6.85%	6.85%	6.85%	6.85%	6.85%	6.85%	6.85%	6.85%	6.85%

Baseline	Rolling
Historical	15
1937	0.0%

Amort Type	Rolling
Amort Period	15
Salary Increase	0.0%



Projected Cash Flows



10-Year Projection of Employer Costs (dollars in millions)

Fiscal Year Ending June 30,	Normal Cost	Amortization of UAL	Estimated Expenses	Interest to End of Year	Total Employer Contribution	Prior Year Payroll	Employer Contribution as % of Payroll
2021	\$ 11.09	\$ 7.70	\$ 2.09	\$ 1.43	\$ 22.31	\$ 160.22	13.93%
2022	11.41	4.43	2.15	1.23	19.22	164.23	11.70%
2023	11.73	5.48	2.22	1.33	20.76	168.33	12.33%
2024	12.06	5.26	2.28	1.34	20.95	172.54	12.14%
2025	12.40	4.88	2.35	1.34	20.97	176.85	11.86%
2026	12.75	4.53	2.41	1.35	21.04	181.28	11.61%
2027	13.10	4.20	2.47	1.36	21.14	185.81	11.38%
2028	13.47	3.89	2.54	1.36	21.25	190.45	11.16%
2029	13.84	3.58	2.60	1.37	21.39	195.21	10.96%
2030	14.22	3.29	2.66	1.38	21.54	200.09	10.77%
2031	14.60	3.01	2.72	1.39	21.72	205.10	10.59%

Assumptions

- Future investment returns of 6.85%
- Total payroll increases 2.50%
- No liability gains or losses

Required Disclosures

The purpose of this presentation is to present the actuarial valuation results for the Maryland-National Capital Park and Planning Commission Employees' Retirement System (System). This presentation is for the use of the Board, System staff, and the Commission.

In preparing our presentation, we relied on information, some oral and some written, supplied by the System. This information includes, but is not limited to, the plan provisions, employee data, and financial information. We performed an informal examination of the obvious characteristics of the data for reasonableness and consistency in accordance with Actuarial Standard of Practice No. 23.

The actuarial assumptions and methods are outlined in the Actuarial Valuation Report as of July 1, 2019. The census data provided to us by the System was as of July 1, 2019.

The assumptions reflect our understanding of the likely future experience of the System, and the assumptions as a whole represent our best estimate for the future experience of the System. The results of this presentation are dependent upon future experience conforming to these assumptions. To the extent that future experience deviates from the actuarial assumptions, the true cost of the System could vary from our results.

This presentation and its contents have been prepared in accordance with generally recognized and accepted actuarial principles and our understanding of the Code of Professional Conduct and applicable Actuarial Standards of Practice set out by the Actuarial Standards Board as well as other applicable laws and regulations. Furthermore, as credentialed actuaries, we meet the Qualification Standards of the American Academy of Actuaries to render the opinion contained in this presentation. This presentation does not address any contractual or legal issues. We are not attorneys, and our firm does not provide any legal services or advice.

This presentation was prepared exclusively for the Maryland-National Capital Park and Planning Commission Employee's Retirement System for the purpose described herein. Other users of this presentation are not intended users as defined in the Actuarial Standards of Practice, and Cheiron assumes no duty or liability to any other user.

**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
EMPLOYEE PERFORMANCE EVALUATIONS NOT COMPLETED BY DUE DATE
BY DEPARTMENT AS OF OCTOBER 2019**

	<u>31 - 60 DAYS</u>		<u>61 - 90 DAYS</u>		<u>91 + DAYS</u>		<u>DEPARTMENT TOTALS</u>	
	Sep-19	Oct-19	Sep-19	Oct-19	Sep-19	Oct-19	Sep-19	Oct-19
CHAIRMAN, MONTGOMERY COUNTY	0	0	0	0	0	0	0	0
CHARIMAN, PRINCE GEORGE'S COUNTY	0	0	0	0	0	0	0	0
OFFICE OF CIO	2	0	0	1	0	0	2	1
OFFICE OF INSPECTOR GENERAL	0	0	0	0	0	0	0	0
EXECUTIVE COMMITTEE/CHAIRS	0	0	0	0	0	0	0	0
DEPT. OF HUMAN RESOURCES & MGT.	1	1	0	0	0	0	1	1
LEGAL DEPARTMENT	0	3	0	0	0	0	0	3
FINANCE DEPARTMENT	2	1	0	0	0	0	2	1
PRINCE GEORGE'S PLANNING	3	4	1	1	1	0	5	6
PRINCE GEORGE'S PARKS & RECREATION	26	12	5	0	0	0	31	13
MONTGOMERY COUNTY PARKS	16	12	2	1	2	0	20	14
MONTGOMERY COUNTY PLANNING	7	5	0	0	1	0	9	6
DEPARTMENT TOTAL BY DAYS LATE	57	38	8	3	4	0		
COMMISSION-WIDE TOTAL							70	45

**DEPARTMENTS HAVE BEEN NOTIFIED OF LATE EVALUATIONS.

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The Maryland-National Capital Park & Planning Commission
Department of Finance - Purchasing Division

6611 Kenilworth Avenue, Suite 300 • Riverdale, Maryland 20737 • 301-454-1600 Fax: 301-454-1606

November 5, 2019

TO: Commissioners

VIA: Anju A. Bennett, Acting Executive Director

FROM: Joseph C. Zimmerman, Secretary/Treasurer 

SUBJECT: MFD Purchasing Statistics— Fourth Quarter FY19

The Commission's procurement policy (Practice 4-10, Purchasing) includes an anti-discrimination component which assures that fair and equitable vendor opportunities are made available to minority, female or disabled owned firms (MFDs). This program is administered jointly by the Office of the Executive Director and the Purchasing Division and includes a price preference program and an MFD subcontracting component based on the Commission procurement practices and the available MFD vendors in the marketplace. The price preference program has been suspended until a MFD study is conducted to provide evidence that the price preference is/is not needed. This report is provided for your information and may be found on the Commission's intranet.

Some of the observations of this FY19 report include:

- Attachment A indicates that through the Fourth Quarter of FY19, the Commission procured approximately \$112.0 million in goods, professional services, construction and miscellaneous services. Approximately 18.7% or \$20.9 million was spent with minority, female and disabled (MFD) owned firms.
- Attachment B indicates that in the Fourth Quarter MFD utilization was 14.9%.
- Attachment C represents the MFD participation by type of procurement. The MFD participation for construction through the Fourth Quarter of FY19 was 24.5%. Attachment C also indicates that the largest consumers of goods and services in the Commission are the Prince George's County Department of Parks and Recreation and the Montgomery County Department of Parks. These Departments significantly impact the Commission's utilization of MFD firms. The MFD cumulative utilization numbers for these departments through the Fourth Quarter are 20.1% and 11.0%, respectively.
- Attachment D presents the FY19 activity for the Purchase Card program totaling approximately \$15.5 million of which 1.2% was spent with minority, female and disabled (MFD) firms. The amount of procurement card activity represents approximately 13.8% of the Commission's total procurement dollars. One reason for lower MFD participation on the purchase card is that the cards are used with national retail corporations when a

quick purchase for a maintenance job is needed. The purchase cards are also used for training registration in order to guarantee attendance.

- Attachment E portrays the historic MFD participation rates, and the total procurement from FY 1991 to Fourth Quarter FY19.
- Attachments F & G shows the MFD participation in procurements at various bid levels to determine if MFD vendors are successful in obtaining opportunities in procurements that require informal bidding and formal bidding. Based on the department analysis, MFD vendors do appear to be participating, at an overall rate of 14.1% in informal (under \$30,000) and 21.4% in the formal (over \$30,000) procurements. For transactions under \$10k, MFD participation is 10.8%. MFD vendors are participating at an overall rate of 16.3% in transactions over \$250,000.
- Attachment H presents the total amount of procurements and the number of vendors by location. Of the \$112.0 million in total procurement, approximately \$67.9 million was procured from Maryland vendors. Of the \$20.9 million in procurement from MFD vendors, \$15.8 million was procured from MFD vendors located in Maryland.
- Attachment I measures the utilization of MFD vendors by the Commission with the availability of MFD vendors. The results show under-utilization in the following categories: African American, Hispanic, Asian, Native American and Females. The amount and percentage of procurement from MFD vendors is broken out by categories as defined by the Commission's Anti-Discrimination Policy. The availability percentages are taken from the most recent State of Maryland disparity study dated February 8, 2017.
- Attachments J and K are prepared by the Department of Human Resources and Management and show the amount and number of waivers of the procurement policy by department and by reason for waiver. Total waivers were approximately 1.4% of total procurement.

For further information on the MFD report, please contact the Office of Executive Director at (301) 454-1740.

Attachments

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT STATISTICS
FY 2019
FOR TWELVE MONTHS ENDED JUNE 30, 2019

Attachment A

	<u>Procurement</u>		<u>Waivers</u>		<u>Procurement</u>	
	<u>Total \$</u>		<u>Total \$</u>	<u>Total #</u>	<u>MFD \$</u>	<u>%</u>
<u>Prince George's County</u>						
Commissioners' Office	\$ 113,254	\$	-	-	\$ 31,045	27.4%
Planning Department	3,383,896		109,838	2	853,341	25.2%
Parks and Recreation Department	60,218,037		201,220	4	12,133,640	20.1%
Total	<u>63,715,187</u>		<u>311,058</u>	<u>6</u>	<u>13,018,026</u>	<u>20.4%</u>
<u>Montgomery County</u>						
Commissioners' Office	15,790		-	-	-	0.0%
Planning Department	3,341,738		183,101	1	1,262,402	37.8%
Parks Department	40,026,171		360,457	7	4,421,189	11.0%
Total	<u>43,383,699</u>		<u>543,558</u>	<u>8</u>	<u>5,683,591</u>	<u>13.1%</u>
<u>Central Administrative Services</u>						
Dept. of Human Resources and Mgt.	1,607,058		351,000	3	554,960	34.5%
Finance Department	664,760		-	-	493,879	74.3%
Legal Department	618,828		397,312	4	3,032	0.5%
Merit Board	17,117		-	-	942	5.5%
Office of Chief Information Officer	2,018,439		-	-	1,193,921	59.2%
Office of Inspector General	17,354		-	-	-	0.0%
Total	<u>4,943,556</u>		<u>748,312</u>	<u>7</u>	<u>2,246,734</u>	<u>45.4%</u>
Grand Total	<u>\$ 112,042,442</u>	<u>\$</u>	<u>1,602,928</u>	<u>21</u>	<u>\$ 20,948,351</u>	<u>18.7%</u>

Note: The "Waivers" columns report the amount and number of purchases approved to be exempt from the competitive procurement process, including sole source procurements.

Prepared by Finance Department
September 16, 2019

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MFD PROCUREMENT STATISTICS

FY 2019

MFD STATISTICS - CUMULATIVE AND ACTIVITY BY QUARTER

Attachment B

CUMULATIVE BY QUARTER

	SEPTEMBER	DECEMBER	MARCH	JUNE
<u>Prince George's County</u>				
Commissioners' Office	3.5%	5.0%	14.4%	27.4%
Planning Department	40.6%	29.4%	36.3%	25.2%
Parks and Recreation Department	31.4%	29.5%	25.6%	20.1%
Total	31.4%	29.4%	25.9%	20.4%
<u>Montgomery County</u>				
Commissioners' Office	0.0%	0.0%	0.0%	0.0%
Planning Department	32.8%	49.9%	43.7%	37.8%
Parks Department	9.0%	11.3%	11.0%	11.0%
Total	9.7%	12.6%	12.3%	13.1%
<u>Central Administrative Services</u>				
Dept. of Human Resources and Mgt.	14.1%	21.8%	16.1%	34.5%
Finance Department	5.2%	77.6%	73.1%	74.3%
Legal Department	14.4%	12.6%	4.4%	0.5%
Merit Board	0.0%	0.0%	0.0%	5.5%
Office of Chief Information Officer	14.9%	76.6%	69.5%	59.2%
Office of Inspector General	0.0%	0.0%	0.0%	0.0%
Total	13.1%	66.1%	57.0%	45.4%
Grand Total	22.8%	23.6%	21.0%	18.7%

ACTIVITY BY QUARTER

	FIRST QUARTER	SECOND QUARTER	THIRD QUARTER	FOURTH QUARTER	TOTAL
<u>Prince George's County</u>					
Commissioners' Office	3.5%	7.9%	39.1%	44.2%	27.4%
Planning Department	40.6%	26.5%	54.8%	20.0%	25.2%
Parks and Recreation Department	31.4%	26.6%	16.5%	12.8%	20.1%
Total	31.4%	26.5%	17.6%	13.4%	20.4%
<u>Montgomery County</u>					
Commissioners' Office	0.0%	0.0%	0.0%	0.0%	0.0%
Planning Department	32.8%	59.6%	31.3%	34.6%	37.8%
Parks Department	9.0%	12.9%	10.5%	11.1%	11.0%
Total	9.7%	14.7%	11.4%	15.3%	13.1%
<u>Central Administrative Services</u>					
Dept. of Human Resources and Mgt.	14.1%	25.1%	2.4%	44.4%	34.5%
Finance Department	5.2%	95.2%	20.9%	76.3%	74.3%
Legal Department	14.4%	9.5%	0.0%	0.1%	0.5%
Merit Board	0.0%	0.0%	0.0%	5.5%	5.5%
Office of Chief Information Officer	14.9%	93.1%	14.8%	16.5%	59.2%
Office of Inspector General	0.0%	0.0%	0.0%	0.0%	0.0%
Total	13.1%	81.9%	9.0%	31.9%	45.4%
Grand Total	22.8%	24.3%	14.6%	14.9%	18.7%

Prepared by Finance Department
September 19, 2019

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT STATISTICS
BY MAJOR PROCUREMENT CATEGORY
FY 2019
FOR TWELVE MONTHS ENDED JUNE 30, 2019

ATTACHMENT C

	Grand Total	Montgomery Planning	Montgomery Parks	Pr. Geo. Parks & Recreation	Pr. Geo. Planning	Dept. of Human Resources	Finance Dept.	Legal Dept.	Office of Chief Information
Goods:									
Total \$	\$ 37,761,704	\$ 1,043,500	\$ 13,747,179	\$ 21,368,673	\$ 566,514	\$ 189,700	\$ 572,383	\$ 20,615	\$ 253,140
MFD \$	\$ 3,073,760	\$ 181,890	\$ 336,471	\$ 1,496,871	\$ 319,158	\$ 79,147	\$ 491,513	\$ 1,589	\$ 167,121
Percentage	8.1%	17.4%	2.4%	7.0%	56.3%	41.7%	85.9%	7.7%	66.0%
Miscellaneous Services:									
Total \$	\$ 19,919,822	\$ 1,287,470	\$ 5,430,868	\$ 9,590,202	\$ 1,329,187	\$ 639,251	\$ 64,978	\$ 89,181	\$ 1,488,685
MFD \$	\$ 4,490,522	\$ 419,500	\$ 953,512	\$ 1,954,625	\$ 86,840	\$ 55,389	\$ 2,366	\$ 415	\$ 1,017,875
Percentage	22.5%	32.6%	17.6%	20.4%	6.5%	8.7%	3.6%	0.5%	68.4%
Professional Services:									
Total \$	\$ 8,368,043	\$ 924,522	\$ 1,689,920	\$ 3,252,885	\$ 1,471,094	\$ 245,476	\$ 0	\$ 509,032	\$ 275,114
MFD \$	\$ 2,119,540	\$ 612,570	\$ 289,673	\$ 745,001	\$ 447,343	\$ 16,500	\$ 0	\$ 1,028	\$ 7,425
Percentage	25.3%	66.3%	17.1%	22.9%	30.4%	6.7%	0.0%	0.2%	2.7%
Construction:									
Total \$	\$ 45,829,358	\$ 86,246	\$ 19,158,204	\$ 26,006,277	\$ 17,101	\$ 532,631	\$ 27,399	\$ 0	\$ 1,500
MFD \$	\$ 11,232,542	\$ 48,442	\$ 2,841,533	\$ 7,937,143	\$ 0	\$ 403,924	\$ 0	\$ 0	\$ 1,500
Percentage	24.5%	56.2%	14.8%	30.5%	0.0%	75.8%	0.0%	0.0%	100.0%
SUBTOTAL									
Total \$	\$ 111,878,927	\$ 3,341,738	\$ 40,026,171	\$ 60,218,037	\$ 3,383,896	\$ 1,607,058	\$ 664,760	\$ 618,828	\$ 2,018,439
MFD \$	\$ 20,916,364	\$ 1,262,402	\$ 4,421,189	\$ 12,133,640	\$ 853,341	\$ 554,960	\$ 493,879	\$ 3,032	\$ 1,193,921
Percentage	18.7%	37.8%	11.0%	20.1%	25.2%	34.5%	74.3%	0.5%	59.2%
Pr. Geo. Commissioners' Office									
Total \$	\$ 113,254								
MFD \$	\$ 31,045								
Percentage	27.4%								
Mont. Commissioners' Office									
Total \$	\$ 15,790								
MFD \$	\$ 0								
Percentage	0.0%								
Merit Board									
Total \$	\$ 17,117								
MFD \$	\$ 942								
Percentage	5.5%								
Office of Inspector General									
Total \$	\$ 17,354								
MFD \$	\$ 0								
Percentage	0.0%								
GRAND TOTAL \$	\$ 112,042,442								
MFD\$	\$ 20,948,351								
Percentage	18.7%								

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT STATISTICS
Comparison of MFD % for Total Procurement and Purchase Card Procurement
FY 2019
FOR TWELVE MONTHS ENDED JUNE 30, 2019

Attachment D

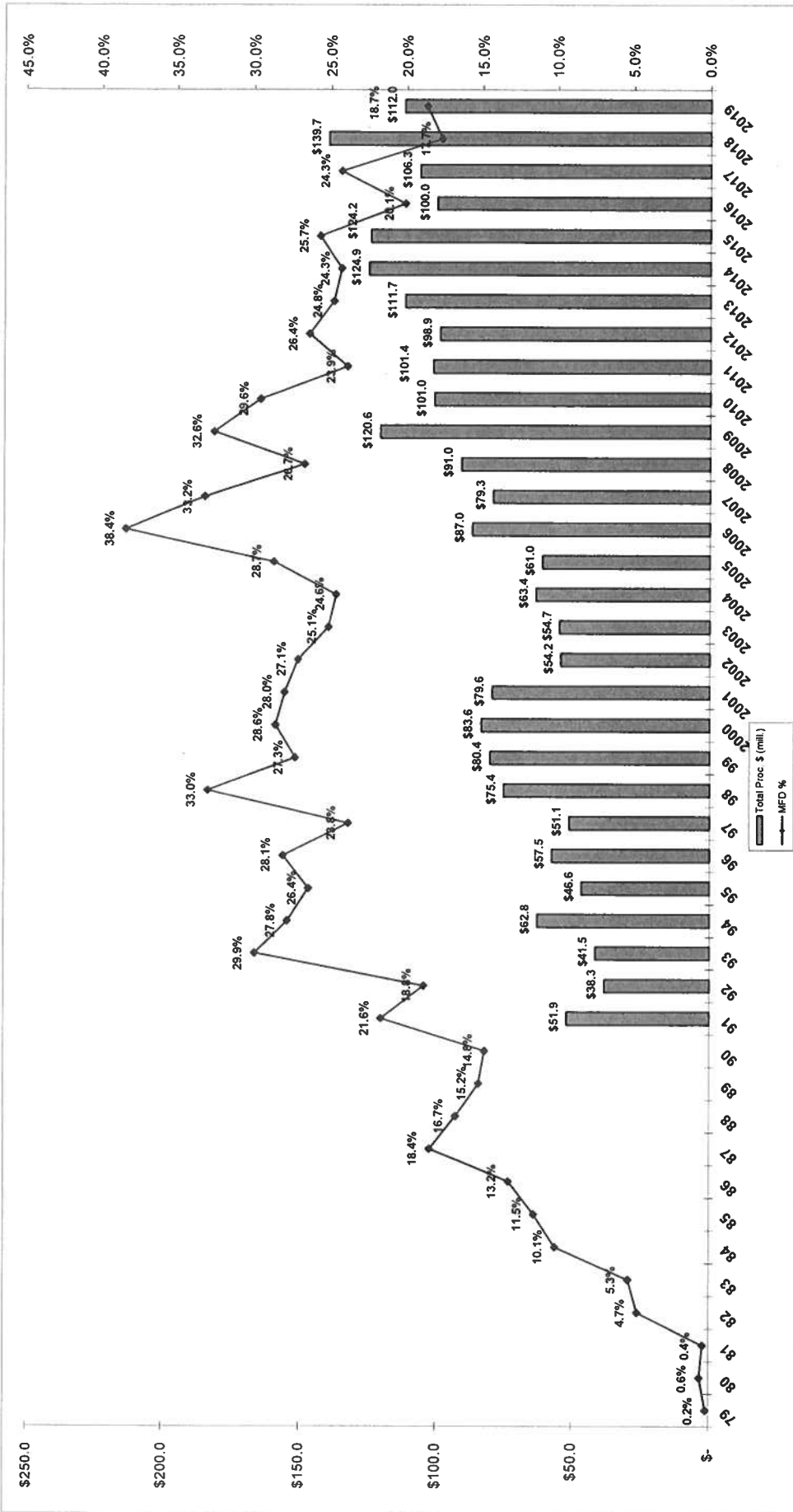
	Total Procurement		Purchase Card Procurement	
	Total \$	MFD %	Total \$	MFD %
<u>Prince George's County</u>				
Commissioners' Office	\$ 113,254	27.4%	\$ 41,848	15.0%
Planning Department	3,383,896	25.2%	167,216	0.0%
Parks and Recreation Department	<u>60,218,037</u>	<u>20.1%</u>	<u>8,262,418</u>	<u>1.2%</u>
Total	<u>63,715,187</u>	<u>20.4%</u>	<u>8,471,482</u>	<u>1.2%</u>
<u>Montgomery County</u>				
Commissioners' Office	15,790	0.0%	10,392	0.0%
Planning Department	3,341,738	37.8%	279,211	0.0%
Parks Department	<u>40,026,171</u>	<u>11.0%</u>	<u>6,452,414</u>	<u>1.2%</u>
Total	<u>43,383,699</u>	<u>13.1%</u>	<u>6,742,017</u>	<u>1.1%</u>
<u>Central Administrative Services</u>				
Dept. of Human Resources and Mgt.	1,607,058	34.5%	83,767	0.0%
Finance Department	664,760	74.3%	60,082	0.0%
Legal Department	618,828	0.5%	40,148	1.0%
Merit Board	117,117	5.5%	-	0.0%
Office of Chief Information Officer	2,018,439	59.2%	43,048	0.0%
Office of Inspector General	<u>17,354</u>	<u>0.0%</u>	<u>17,200</u>	<u>0.0%</u>
Total	<u>5,043,556</u>	<u>45.4%</u>	<u>244,245</u>	<u>0.2%</u>
Grand Total	<u>\$ 112,142,442</u>	<u>18.7%</u>	<u>\$ 15,457,744</u>	<u>1.2%</u>

Percentage of Purchase Card Procurement to Total Procurement **13.8%**

Prepared by Finance Department
September 16, 2019

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT RESULTS and TOTAL PROCUREMENT (millions)

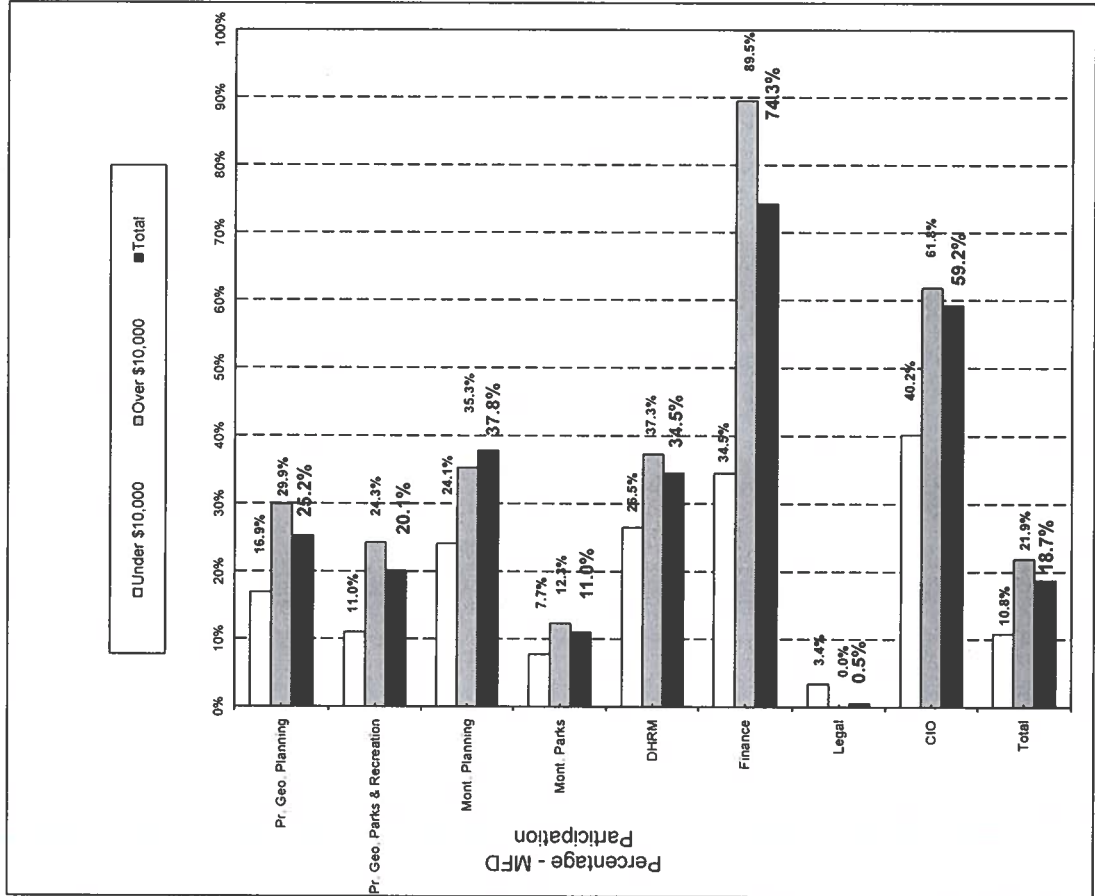
Attachment E



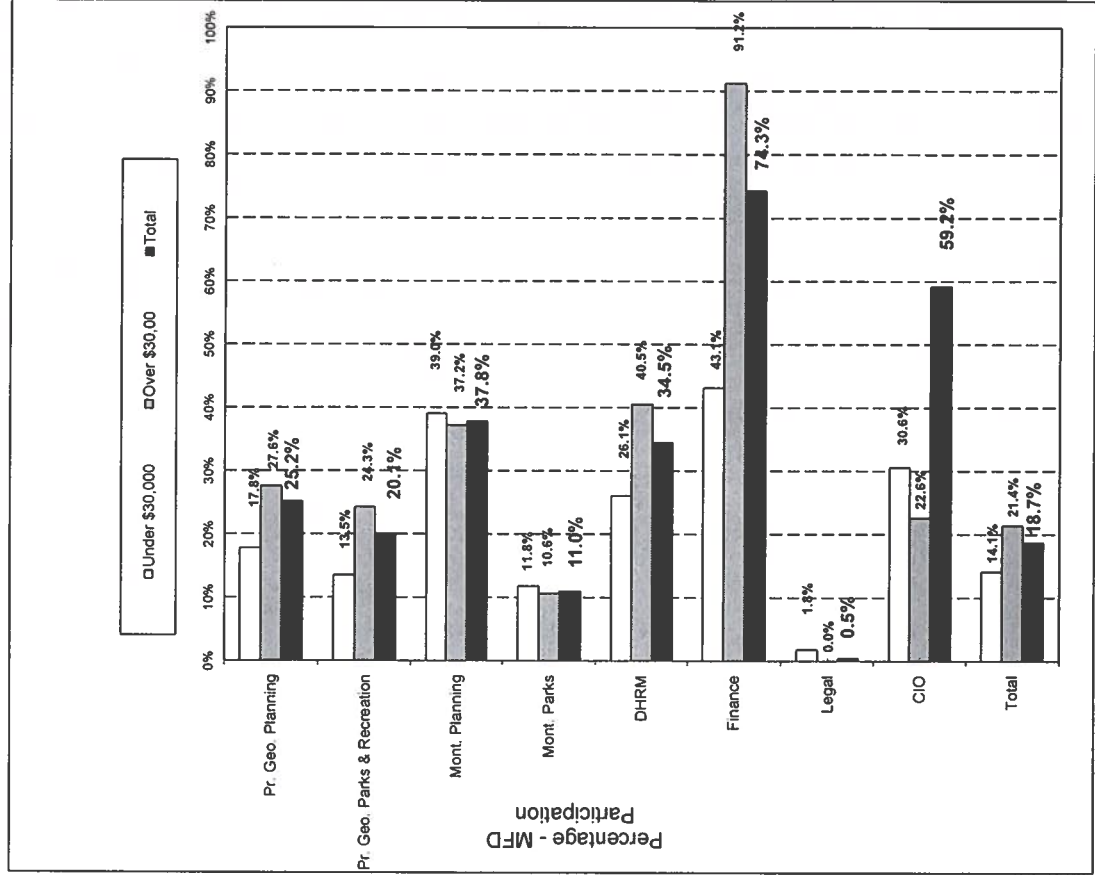
Prepared by Finance Department
 September 16, 2019

The Maryland-National Capital Park and Planning Commission
 MFD Procurement Statistics - Transactions Under/Over \$10,000 & \$30,000 plus Total %
 FY 2019 4Q

Under/Over \$10,000

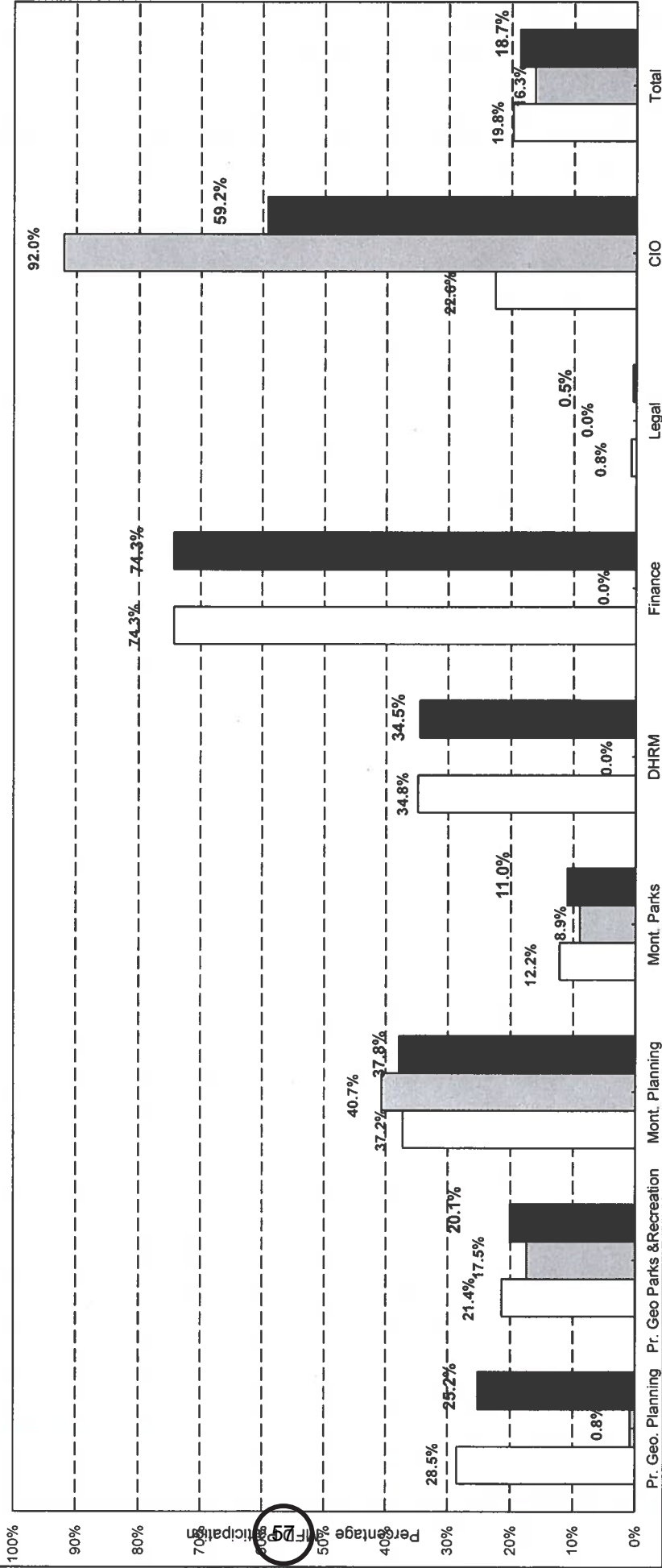


Under/Over \$30,000



Attachment G

The Maryland-National Capital Park and Planning Commission MFD Procurement Statistics - Transactions Under /Over \$250,000 and Total % FY 2019 4Q



Prepared by Finance Department
September 16, 2019

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Amount of Procurement and Number of Vendors by Location
FY 2019
FOR TWELVE MONTHS ENDED JUNE 30, 2019

Attachment H

TOTAL of ALL VENDORS

<u>Location</u>	<u>Procurement</u>		<u>Number of Vendors</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Number</u>	<u>Percentage</u>
Montgomery County	\$ 20,095,676	17.9%	337	16.2%
Prince George's County	23,562,799	21.0%	574	27.6%
Subtotal	43,658,475	38.9%	911	43.8%
Maryland - other locations	24,204,596	21.6%	358	17.2%
Total Maryland	67,863,071	60.5%	1,269	61.0%
District of Columbia	2,170,085	1.9%	123	5.9%
Virginia	5,537,431	4.9%	157	7.6%
Other Locations	36,471,855	32.7%	530	25.5%
Total	\$ 112,042,442	100.0%	2,079	100.0%

TOTAL of Non-MFD Vendors

<u>Location</u>	<u>Procurement</u>		<u>Number of Vendors</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Number</u>	<u>Percentage</u>
Montgomery County	\$ 15,719,939	17.3%	256	15.2%
Prince George's County	17,904,117	19.7%	431	25.6%
Subtotal	33,624,056	37.0%	687	40.8%
Maryland - other locations	18,436,145	20.2%	315	18.7%
Total Maryland	52,060,201	57.2%	1,002	59.5%
District of Columbia	1,770,802	1.9%	81	4.8%
Virginia	5,156,237	5.7%	121	7.2%
Other Locations	32,106,851	35.2%	482	28.5%
Total	\$ 91,094,091	100.0%	1,686	100.0%

TOTAL of MFD Vendors

<u>Location</u>	<u>Procurement</u>		<u>Number of Vendors</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Number</u>	<u>Percentage</u>
Montgomery County	\$ 4,375,737	21.0%	81	20.6%
Prince George's County	5,658,682	27.0%	143	36.4%
Subtotal	10,034,419	48.0%	224	57.0%
Maryland - other locations	5,768,451	27.5%	43	10.9%
Total Maryland	15,802,870	75.5%	267	67.9%
District of Columbia	399,283	1.9%	42	10.7%
Virginia	381,194	1.8%	36	9.2%
Other Locations	4,365,004	20.8%	48	12.2%
Total	\$ 20,948,351	100.0%	393	100.0%

Note: The following shows the amounts and percentages of procurement by the location of the department. The bi-county departments' activity is divided equally between the two Counties.

	<u>Total Procurement</u>		<u>MFD Procurement</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Amount</u>	<u>Percentage</u>
Prince George's County	\$ 66,186,965	59.1%	\$ 14,141,393	67.5%
Montgomery County	45,855,477	40.9%	6,806,958	32.5%
Total	\$ 112,042,442	100.0%	\$ 20,948,351	100.0%

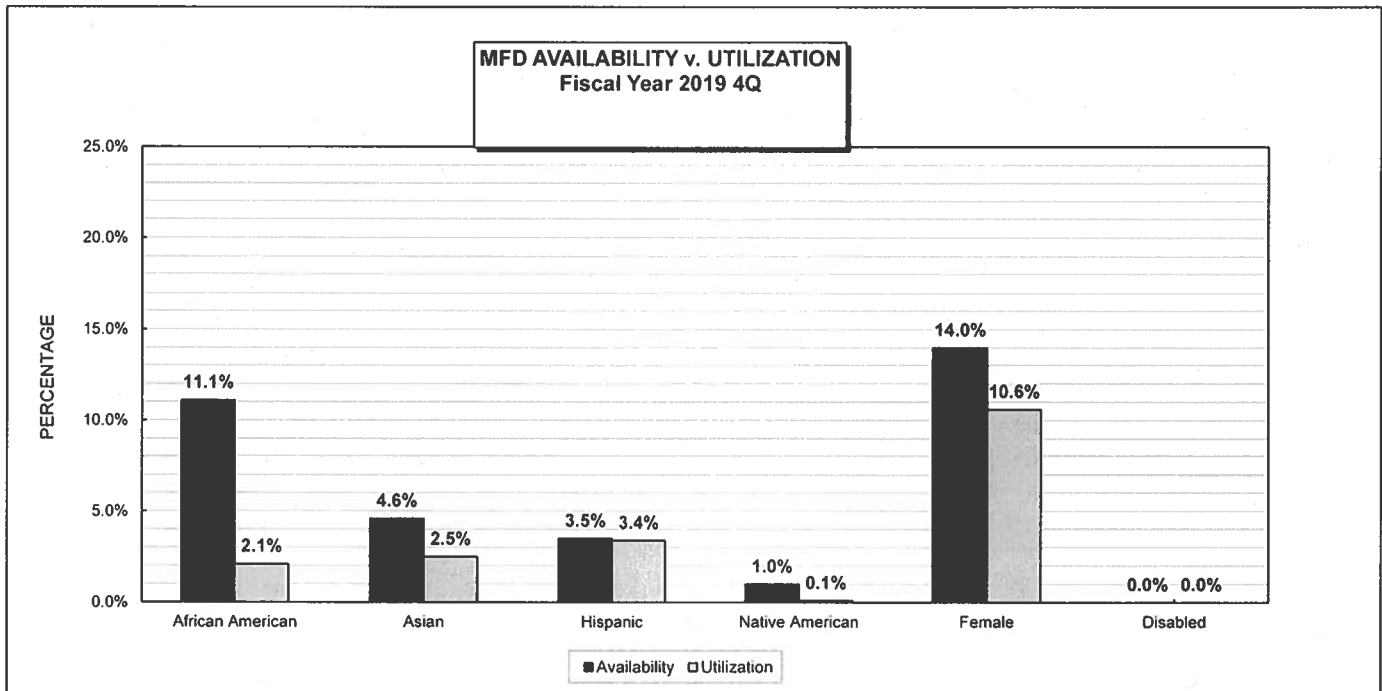
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT RESULTS
FY 2019
FOR TWELVE MONTHS ENDED JUNE 30, 2019

Attachment I

Total Amount of Procurement \$ 112,042,442

**Amount, Percentage of Procurement by Category, and
Percentage of Availability by Category:**

	Procurement		Availability
	Amount	%	%
Minority Owned Firms			
African American	\$ 2,348,295	2.1%	11.1%
Asian	2,816,483	2.5%	4.6%
Hispanic	3,803,252	3.4%	3.5%
Native American	59,940	0.1%	1.0%
Total Minority Owned Firms	9,027,970	8.1%	20.2%
Female Owned Firms	11,886,112	10.6%	14.0%
Disabled Owned Firms	34,269	0.0%	n/a
Total Minority, Female, and Disabled Owned Firms	\$ 20,948,351	18.7%	34.2%



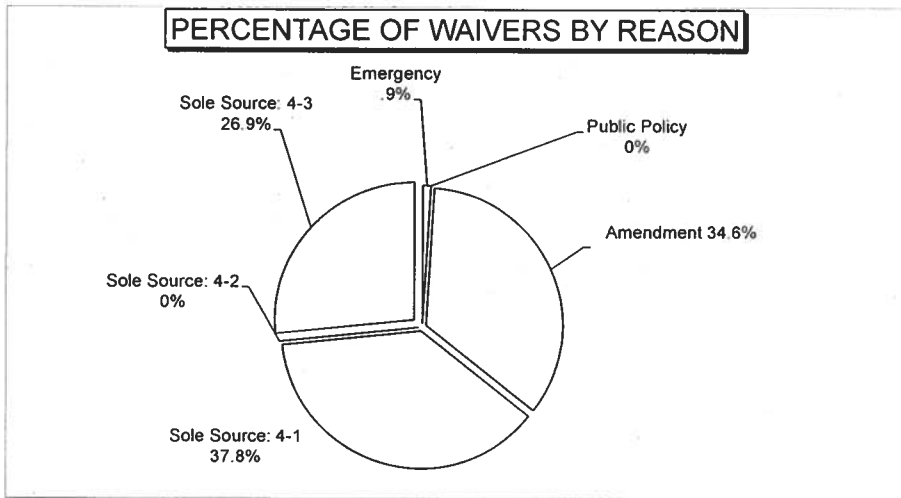
Note: (1) Availability percentages are taken from State of Maryland study titled "Disadvantaged Business Enterprise Disparity Study: Vol. 1", dated June 25, 2018, page 13.
(2) n/a = not available

Prepared by Finance Department
September 16, 2019

**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
REASONS FOR WAIVERS
CUMULATIVE DOLLAR AMOUNT & NUMBER OF WAIVERS
FY 2019
FOR TWELVE MONTHS ENDED JUNE 30, 2019**

Attachment J

	NUMBER	AMOUNT	PERCENTAGE
Emergency	1	\$ 15,000	0.9%
Public Policy	0	\$ 0	0.0%
Amendment	6	\$ 555,052	34.6%
Sole Source: 4-1	10	\$ 606,242	37.9%
Sole Source: 4-2	0	\$ 0	0.0%
Sole Source: 4-3	4	\$ 426,634	26.6%
Total	21	\$ 1,602,928	100.0%



Waiver Reason Definitions:

Emergency:

Sudden and unforeseeable circumstance have arisen which actually or imminently threaten the continuance of an essential operation of the Commission or which threaten public health, welfare or safety such that there is not enough time to conduct the competitive bidding.

Required by Law or Grant:

Public law or the terms of a donation/grant require that the above noted vendor be chosen.

Amendment:

A contract is already in place and it is appropriate for the above noted vendor to provide additional services and/or goods not within the original scope of the contract because the interested service and/or goods are uniquely compatible with the Commission's existing systems and patently superior in quality and/or capability than what can be gained through an open bidding process.

Sole Source 4:

It has been determined that:

- #1: The vendor's knowledge and experience with the Commission's existing equipment and/or systems offer a greater advantage in quality and/or cost to the Commission than the cost savings possible through competitive bidding, or
- #2: The interested services or goods need to remain confidential to protect the Commission's security, court proceedings and/or contractual commitments, or
- #3: The services or goods have no comparable and the above noted vendor is the only distributor for the interested manufacturer or there is otherwise only one source available for the sought after services or goods, e.g. software maintenance, copyrighted materials, or otherwise legally protected goods or services.

**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
TOTAL WAIVERS, MFD WAIVERS, AND SOLE SOURCE WAIVERS BY DEPARTMENT
PROCESSED FY 2019
FOR THE TWELVE MONTHS ENDED JUNE 30, 2019**

Attachment K

	Total Waivers		MFD/Waivers		% of MFD		Sole Source 4-1 Waivers		Sole Source 4-2 Waivers		Sole Source 4-3 Waivers		% Sole Source	
	\$	Number	\$	Number	%	\$	Number	\$	Number	\$	Number	\$	Number	%
Prince George's County														
Commissioners' Office	\$ -	0	\$ -	0	0.0%	\$ -	0	\$ -	0	\$ -	0	\$ -	0	0.0%
Planning Department	109,838	2	-	0	0.0%	-	0	-	0	-	0	-	0	0.0%
Parks and Recreation Department	201,220	4	-	0	0.0%	22,006	2	-	0	-	0	-	0	10.9%
Total	311,058	6	-	0	0.0%	22,006	2	-	0	-	0	-	0	7.1%
Montgomery County														
Commissioners' Office	183,101	1	-	0	0.0%	-	0	-	0	-	0	-	0	0.0%
Planning Department	-	0	-	0	0.0%	183,101	1	-	0	-	0	-	0	0.0%
Parks Department	360,457	7	-	0	0.0%	321,135	6	-	0	-	0	39,322	1	100.0%
Total	543,558	8	-	0	0.0%	504,236	7	-	0	-	0	39,322	1	100.0%
Central Administrative Services														
Dept. of Human Resources and Mgt.	351,000	3	-	0	0.0%	80,000	1	-	0	-	0	105,000	1	52.7%
Finance Department	-	0	-	0	0.0%	-	0	-	0	-	0	-	0	0.0%
Legal Department	397,312	4	-	0	0.0%	-	0	-	0	-	0	282,312	2	71.1%
Information Systems Department	-	0	-	0	0.0%	-	0	-	0	-	0	-	0	0.0%
Merit Board	-	0	-	0	0.0%	-	0	-	0	-	0	-	0	0.0%
Total	748,312	7	-	0	0.0%	80,000	1	-	0	-	0	387,312	3	62.4%
Grand Total	\$ 1,602,928	21	\$ -	0	0.0%	\$606,242	10	\$ -	0	\$ -	0	\$ 426,634	4	64.4%

Purpose of Summary of Waiver Report:

- (1) To monitor the amount, number, reasons for waivers in order to ensure the Commission is encouraging and maintaining good community, public, vendor, and interdepartmental relations;
To ensure fair and equitable treatment of all persons who deal in purchasing matters; to promote economy in Commission purchasing; and to ensure that minority owned firms receive a fair share of Commission awards (source: Practice 4-10); and
- (2) To comply with the Prince George's Planning Board directive of January 29, 1991 to report waiver activity to the Department Heads and the Planning Boards on a quarterly basis.

Sole Source: 4

It has been determined that:

- 4-1: The vendor's knowledge and experience with the Commission's existing equipment and/or systems offer a greater advantage in quality and/or cost to the Commission than the cost savings possible through competitive bidding, or
- 4-2: The interested services or goods need to remain confidential to protect the Commission's security, court proceedings and/or contractual commitments, or
- 4-3: The services or goods have no comparable and the above noted vendor is the only distributor for the interested manufacturer or there is otherwise only one source available for the sought after services or goods, e.g. software maintenance, copyrighted materials, or otherwise legally protected goods or services.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT STATISTICS
FY 2019
FOR TWELVE MONTHS ENDED JUNE 30, 2019

Attachment A

	<u>Procurement</u>		<u>Waivers</u>		<u>Procurement</u>	
	<u>Total \$</u>		<u>Total \$</u>	<u>Total #</u>	<u>MFD \$</u>	<u>%</u>
<u>Prince George's County</u>						
Commissioners' Office	\$ 113,254	\$	-	-	\$ 31,045	27.4%
Planning Department	3,383,896		109,838	2	853,341	25.2%
Parks and Recreation Department	60,218,037		201,220	4	12,133,640	20.1%
Total	<u>63,715,187</u>		<u>311,058</u>	<u>6</u>	<u>13,018,026</u>	<u>20.4%</u>
<u>Montgomery County</u>						
Commissioners' Office	15,790		-	-	-	0.0%
Planning Department	3,341,738		183,101	1	1,262,402	37.8%
Parks Department	40,026,171		360,457	7	4,421,189	11.0%
Total	<u>43,383,699</u>		<u>543,558</u>	<u>8</u>	<u>5,683,591</u>	<u>13.1%</u>
<u>Central Administrative Services</u>						
Dept. of Human Resources and Mgt.	1,607,058		351,000	3	554,960	34.5%
Finance Department	664,760		-	-	493,879	74.3%
Legal Department	618,828		397,312	4	3,032	0.5%
Merit Board	17,117		-	-	942	5.5%
Office of Chief Information Officer	2,018,439		-	-	1,193,921	59.2%
Office of Inspector General	17,354		-	-	-	0.0%
Total	<u>4,943,556</u>		<u>748,312</u>	<u>7</u>	<u>2,246,734</u>	<u>45.4%</u>
Grand Total	<u>\$ 112,042,442</u>	<u>\$</u>	<u>1,602,928</u>	<u>21</u>	<u>\$ 20,948,351</u>	<u>18.7%</u>

Note: The "Waivers" columns report the amount and number of purchases approved to be exempt from the competitive procurement process, including sole source procurements.

Prepared by Finance Department
September 16, 2019

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MFD PROCUREMENT STATISTICS

FY 2019

MFD STATISTICS - CUMULATIVE AND ACTIVITY BY QUARTER

Attachment B

CUMULATIVE BY QUARTER

	SEPTEMBER	DECEMBER	MARCH	JUNE
<u>Prince George's County</u>				
Commissioners' Office	3.5%	5.0%	14.4%	27.4%
Planning Department	40.6%	29.4%	36.3%	25.2%
Parks and Recreation Department	31.4%	29.5%	25.6%	20.1%
Total	31.4%	29.4%	25.9%	20.4%
<u>Montgomery County</u>				
Commissioners' Office	0.0%	0.0%	0.0%	0.0%
Planning Department	32.8%	49.9%	43.7%	37.8%
Parks Department	9.0%	11.3%	11.0%	11.0%
Total	9.7%	12.6%	12.3%	13.1%
<u>Central Administrative Services</u>				
Dept. of Human Resources and Mgt.	14.1%	21.8%	16.1%	34.5%
Finance Department	5.2%	77.6%	73.1%	74.3%
Legal Department	14.4%	12.6%	4.4%	0.5%
Merit Board	0.0%	0.0%	0.0%	5.5%
Office of Chief Information Officer	14.9%	76.6%	69.5%	59.2%
Office of Inspector General	0.0%	0.0%	0.0%	0.0%
Total	13.1%	66.1%	57.0%	45.4%
Grand Total	22.8%	23.6%	21.0%	18.7%

ACTIVITY BY QUARTER

	FIRST QUARTER	SECOND QUARTER	THIRD QUARTER	FOURTH QUARTER	TOTAL
<u>Prince George's County</u>					
Commissioners' Office	3.5%	7.9%	39.1%	44.2%	27.4%
Planning Department	40.6%	26.5%	54.8%	20.0%	25.2%
Parks and Recreation Department	31.4%	26.6%	16.5%	12.8%	20.1%
Total	31.4%	26.5%	17.6%	13.4%	20.4%
<u>Montgomery County</u>					
Commissioners' Office	0.0%	0.0%	0.0%	0.0%	0.0%
Planning Department	32.8%	59.6%	31.3%	34.6%	37.8%
Parks Department	9.0%	12.9%	10.5%	11.1%	11.0%
Total	9.7%	14.7%	11.4%	15.3%	13.1%
<u>Central Administrative Services</u>					
Dept. of Human Resources and Mgt.	14.1%	25.1%	2.4%	44.4%	34.5%
Finance Department	5.2%	95.2%	20.9%	76.3%	74.3%
Legal Department	14.4%	9.5%	0.0%	0.1%	0.5%
Merit Board	0.0%	0.0%	0.0%	5.5%	5.5%
Office of Chief Information Officer	14.9%	93.1%	14.8%	16.5%	59.2%
Office of Inspector General	0.0%	0.0%	0.0%	0.0%	0.0%
Total	13.1%	81.9%	9.0%	31.9%	45.4%
Grand Total	22.8%	24.3%	14.6%	14.9%	18.7%

Prepared by Finance Department
September 19, 2019

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT STATISTICS
BY MAJOR PROCUREMENT CATEGORY
FY 2019
FOR TWELVE MONTHS ENDED JUNE 30, 2019

ATTACHMENT C

	Grand Total	Montgomery Planning	Montgomery Parks	Pr. Geo. Parks & Recreation	Pr. Geo. Planning	Dept. of Human Resources	Finance Dept.	Legal Dept.	Office of Chief Information
Goods:									
Total \$	\$ 37,761,704	\$ 1,043,500	\$ 13,747,179	\$ 21,368,673	\$ 566,514	\$ 189,700	\$ 572,383	\$ 20,615	\$ 253,140
MFD \$	\$ 3,073,760	\$ 181,890	\$ 336,471	\$ 1,496,871	\$ 319,158	\$ 79,147	\$ 491,513	\$ 1,589	\$ 167,121
Percentage	8.1%	17.4%	2.4%	7.0%	56.3%	41.7%	85.9%	7.7%	66.0%
Miscellaneous Services:									
Total \$	\$ 19,919,822	\$ 1,287,470	\$ 5,430,868	\$ 9,590,202	\$ 1,329,187	\$ 639,251	\$ 64,978	\$ 89,181	\$ 1,488,685
MFD \$	\$ 4,490,522	\$ 419,500	\$ 953,512	\$ 1,954,625	\$ 86,840	\$ 55,389	\$ 2,366	\$ 415	\$ 1,017,875
Percentage	22.5%	32.6%	17.6%	20.4%	6.5%	8.7%	3.6%	0.5%	68.4%
Professional Services:									
Total \$	\$ 8,368,043	\$ 924,522	\$ 1,689,920	\$ 3,252,885	\$ 1,471,094	\$ 245,476	\$ 0	\$ 509,032	\$ 275,114
MFD \$	\$ 2,119,540	\$ 612,570	\$ 289,673	\$ 745,001	\$ 447,343	\$ 16,500	\$ 0	\$ 1,028	\$ 7,425
Percentage	25.3%	66.3%	17.1%	22.9%	30.4%	6.7%	0.0%	0.2%	2.7%
Construction:									
Total \$	\$ 45,829,358	\$ 86,246	\$ 19,158,204	\$ 26,006,277	\$ 17,101	\$ 532,631	\$ 27,399	\$ 0	\$ 1,500
MFD \$	\$ 11,232,542	\$ 48,442	\$ 2,841,533	\$ 7,937,143	\$ 0	\$ 403,924	\$ 0	\$ 0	\$ 1,500
Percentage	24.5%	56.2%	14.8%	30.5%	0.0%	75.8%	0.0%	0.0%	100.0%
SUBTOTAL									
Total \$	\$ 111,878,927	\$ 3,341,738	\$ 40,026,171	\$ 60,218,037	\$ 3,383,896	\$ 1,607,058	\$ 664,760	\$ 618,828	\$ 2,018,439
MFD \$	\$ 20,916,364	\$ 1,262,402	\$ 4,421,189	\$ 12,133,640	\$ 853,341	\$ 554,960	\$ 493,879	\$ 3,032	\$ 1,193,921
Percentage	18.7%	37.8%	11.0%	20.1%	25.2%	34.5%	74.3%	0.5%	59.2%
Pr. Geo. Commissioners' Office									
Total \$	\$ 113,254								
MFD \$	\$ 31,045								
Percentage	27.4%								
Mont. Commissioners' Office									
Total \$	\$ 15,790								
MFD \$	\$ 0								
Percentage	0.0%								
Merit Board									
Total \$	\$ 17,117								
MFD \$	\$ 942								
Percentage	5.5%								
Office of Inspector General									
Total \$	\$ 17,354								
MFD \$	\$ 0								
Percentage	0.0%								
GRAND TOTAL \$	\$ 112,042,442								
MFD \$	\$ 20,948,351								
Percentage	18.7%								

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT STATISTICS
Comparison of MFD % for Total Procurement and Purchase Card Procurement
FY 2019
FOR TWELVE MONTHS ENDED JUNE 30, 2019

Attachment D

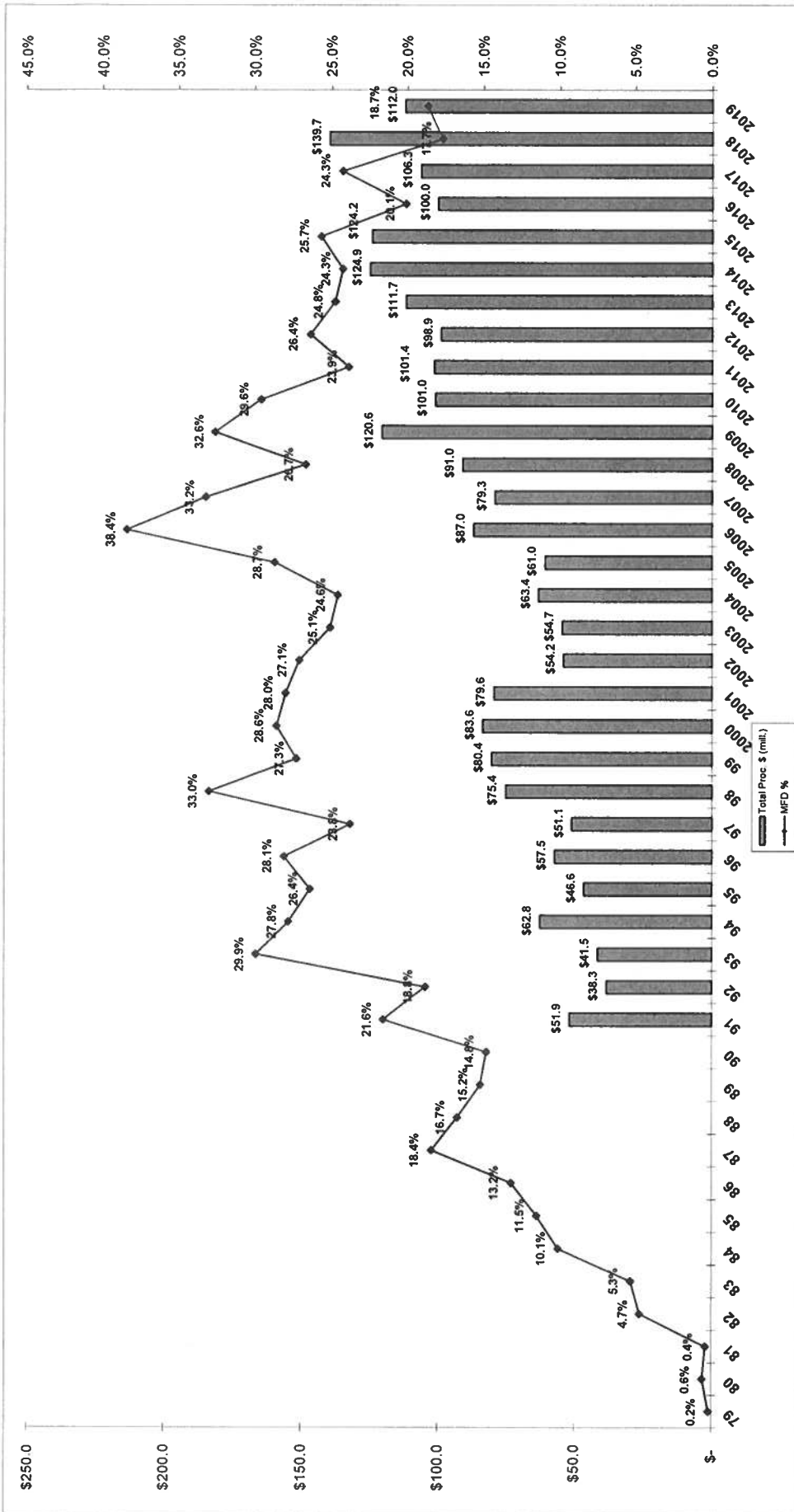
	Total Procurement		Purchase Card Procurement	
	Total \$	MFD %	Total \$	MFD %
<u>Prince George's County</u>				
Commissioners' Office	\$ 113,254	27.4%	\$ 41,848	15.0%
Planning Department	3,383,896	25.2%	167,216	0.0%
Parks and Recreation Department	60,218,037	20.1%	8,262,418	1.2%
Total	63,715,187	20.4%	8,471,482	1.2%
<u>Montgomery County</u>				
Commissioners' Office	15,790	0.0%	10,392	0.0%
Planning Department	3,341,738	37.8%	279,211	0.0%
Parks Department	40,026,171	11.0%	6,452,414	1.2%
Total	43,383,699	13.1%	6,742,017	1.1%
<u>Central Administrative Services</u>				
Dept. of Human Resources and Mgt.	1,607,058	34.5%	83,767	0.0%
Finance Department	664,760	74.3%	60,082	0.0%
Legal Department	618,828	0.5%	40,148	1.0%
Merit Board	117,117	5.5%	-	0.0%
Office of Chief Information Officer	2,018,439	59.2%	43,048	0.0%
Office of Inspector General	17,354	0.0%	17,200	0.0%
Total	5,043,556	45.4%	244,245	0.2%
Grand Total	\$ 112,142,442	18.7%	\$ 15,457,744	1.2%

Percentage of Purchase Card Procurement to Total Procurement 13.8%

Prepared by Finance Department
September 16, 2019

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT RESULTS and TOTAL PROCUREMENT (millions)

Attachment E

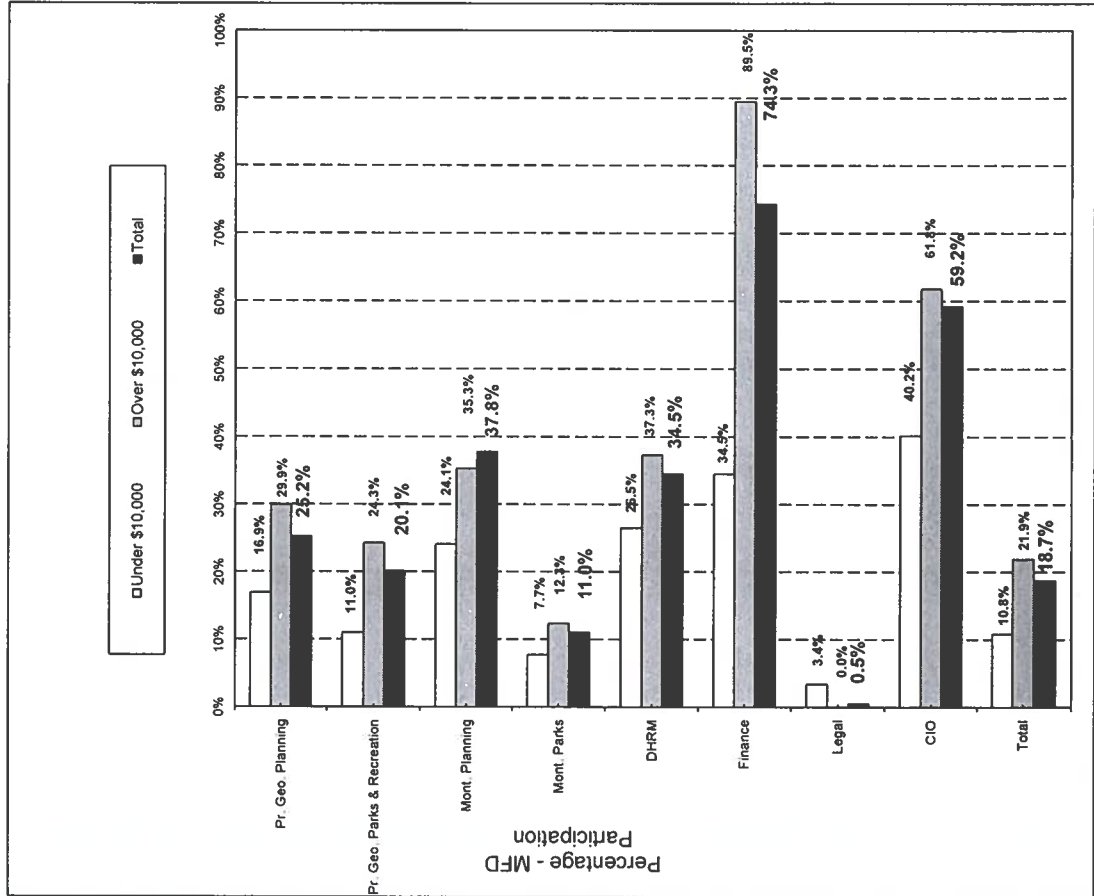


Prepared by Finance Department
 September 16, 2019

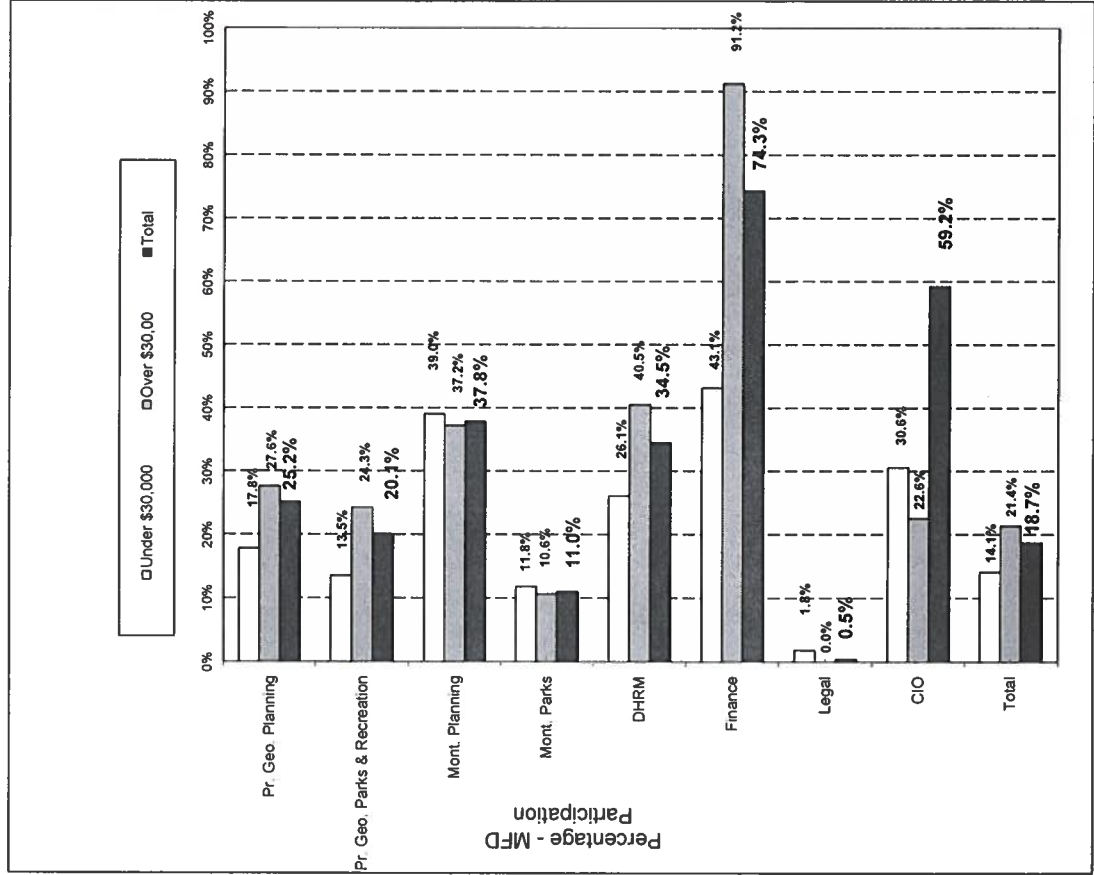
Attachment F

The Maryland-National Capital Park and Planning Commission
 MFD Procurement Statistics - Transactions Under/Over \$10,000 & \$30,000 plus Total %
 FY 2019 4Q

Under/Over \$10,000

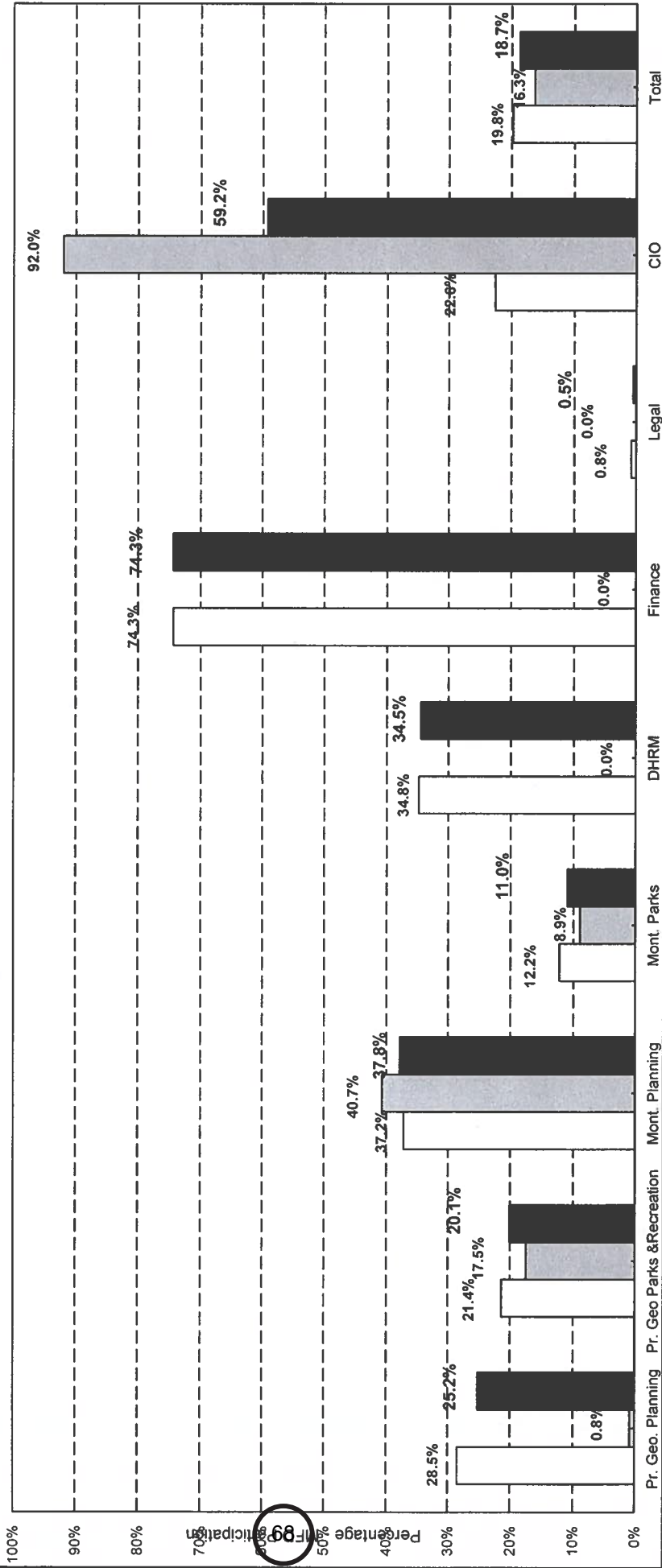


Under/Over \$30,000



Attachment G

The Maryland-National Capital Park and Planning Commission MFD Procurement Statistics - Transactions Under /Over \$250,000 and Total % FY 2019 4Q



Prepared by Finance Department
September 16, 2019

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Amount of Procurement and Number of Vendors by Location
FY 2019
FOR TWELVE MONTHS ENDED JUNE 30, 2019

Attachment H

TOTAL of ALL VENDORS

Location	Procurement		Number of Vendors	
	Amount	Percentage	Number	Percentage
Montgomery County	\$ 20,095,676	17.9%	337	16.2%
Prince George's County	23,562,799	21.0%	574	27.6%
Subtotal	43,658,475	38.9%	911	43.8%
Maryland - other locations	24,204,596	21.6%	358	17.2%
Total Maryland	67,863,071	60.5%	1,269	61.0%
District of Columbia	2,170,085	1.9%	123	5.9%
Virginia	5,537,431	4.9%	157	7.6%
Other Locations	36,471,855	32.7%	530	25.5%
Total	\$ 112,042,442	100.0%	2,079	100.0%

TOTAL of Non-MFD Vendors

Location	Procurement		Number of Vendors	
	Amount	Percentage	Number	Percentage
Montgomery County	\$ 15,719,939	17.3%	256	15.2%
Prince George's County	17,904,117	19.7%	431	25.6%
Subtotal	33,624,056	37.0%	687	40.8%
Maryland - other locations	18,436,145	20.2%	315	18.7%
Total Maryland	52,060,201	57.2%	1,002	59.5%
District of Columbia	1,770,802	1.9%	81	4.8%
Virginia	5,156,237	5.7%	121	7.2%
Other Locations	32,106,851	35.2%	482	28.5%
Total	\$ 91,094,091	100.0%	1,686	100.0%

TOTAL of MFD Vendors

Location	Procurement		Number of Vendors	
	Amount	Percentage	Number	Percentage
Montgomery County	\$ 4,375,737	21.0%	81	20.6%
Prince George's County	5,658,682	27.0%	143	36.4%
Subtotal	10,034,419	48.0%	224	57.0%
Maryland - other locations	5,768,451	27.5%	43	10.9%
Total Maryland	15,802,870	75.5%	267	67.9%
District of Columbia	399,283	1.9%	42	10.7%
Virginia	381,194	1.8%	36	9.2%
Other Locations	4,365,004	20.8%	48	12.2%
Total	\$ 20,948,351	100.0%	393	100.0%

Note: The following shows the amounts and percentages of procurement by the location of the department. The bi-county departments' activity is divided equally between the two Counties.

	Total Procurement		MFD Procurement	
	Amount	Percentage	Amount	Percentage
Prince George's County	\$ 66,186,965	59.1%	\$ 14,141,393	67.5%
Montgomery County	45,855,477	40.9%	6,806,958	32.5%
Total	\$ 112,042,442	100.0%	\$ 20,948,351	100.0%

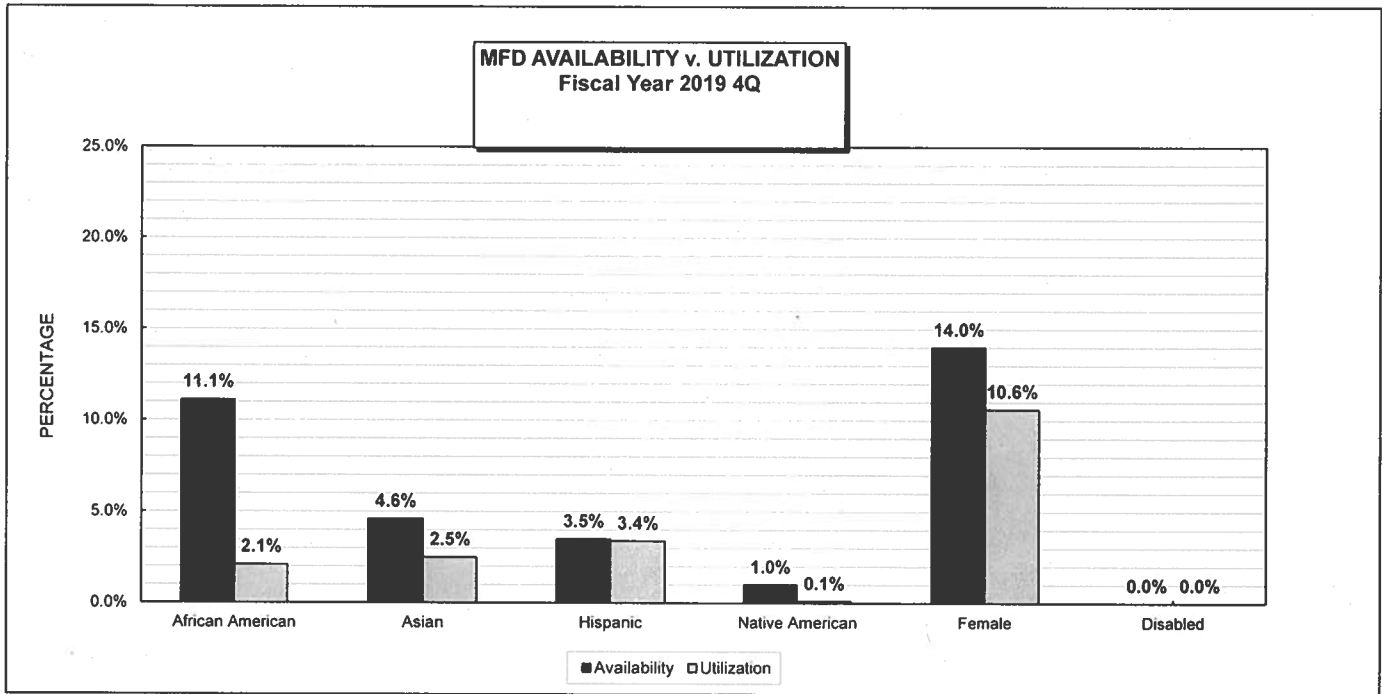
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT RESULTS
FY 2019
FOR TWELVE MONTHS ENDED JUNE 30, 2019

Attachment I

Total Amount of Procurement \$ 112,042,442

**Amount, Percentage of Procurement by Category, and
Percentage of Availability by Category:**

	Procurement		Availability
	Amount	%	%
Minority Owned Firms			
African American	\$ 2,348,295	2.1%	11.1%
Asian	2,816,483	2.5%	4.6%
Hispanic	3,803,252	3.4%	3.5%
Native American	59,940	0.1%	1.0%
Total Minority Owned Firms	9,027,970	8.1%	20.2%
Female Owned Firms	11,886,112	10.6%	14.0%
Disabled Owned Firms	34,269	0.0%	n/a
Total Minority, Female, and Disabled Owned Firms	\$ 20,948,351	18.7%	34.2%



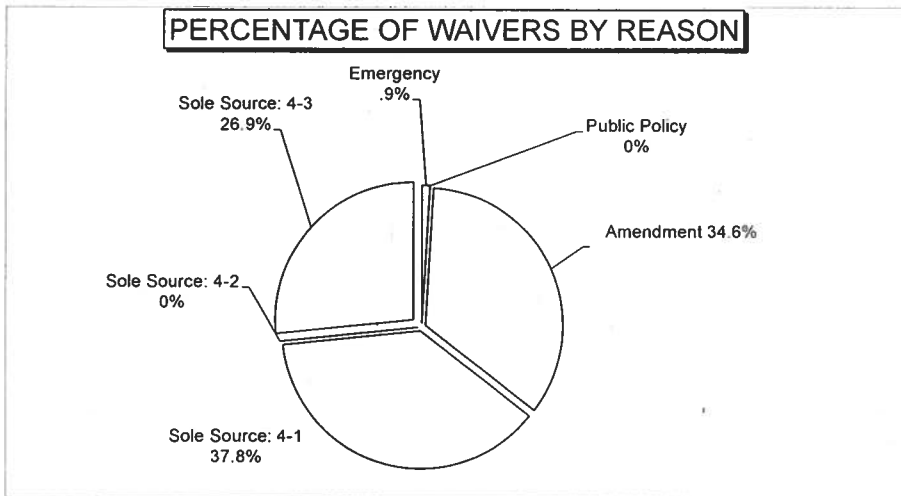
Note: (1) Availability percentages are taken from State of Maryland study titled "Disadvantaged Business Enterprise Disparity Study: Vol. 1", dated June 25, 2018, page 13.
(2) n/a = not available

Prepared by Finance Department
September 16, 2019

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
REASONS FOR WAIVERS
CUMULATIVE DOLLAR AMOUNT & NUMBER OF WAIVERS
FY 2019
FOR TWELVE MONTHS ENDED JUNE 30, 2019

Attachment J

	NUMBER	AMOUNT	PERCENTAGE
Emergency	1	\$ 15,000	0.9%
Public Policy	0	\$ 0	0.0%
Amendment	6	\$ 555,052	34.6%
Sole Source: 4-1	10	\$ 606,242	37.9%
Sole Source: 4-2	0	\$ 0	0.0%
Sole Source: 4-3	4	\$ 426,634	26.6%
Total	21	\$ 1,602,928	100.0%



Waiver Reason Definitions:

Emergency:

Sudden and unforeseeable circumstance have arisen which actually or imminently threaten the continuance of an essential operation of the Commission or which threaten public health, welfare or safety such that there is not enough time to conduct the competitive bidding.

Required by Law or Grant:

Public law or the terms of a donation/grant require that the above noted vendor be chosen.

Amendment:

A contract is already in place and it is appropriate for the above noted vendor to provide additional services and/or goods not within the original scope of the contract because the interested service and/or goods are uniquely compatible with the Commission's existing systems and patently superior in quality and/or capability than what can be gained through an open bidding process.

Sole Source 4:

It has been determined that:

- #1: The vendor's knowledge and experience with the Commission's existing equipment and/or systems offer a greater advantage in quality and/or cost to the Commission than the cost savings possible through competitive bidding, or
- #2: The interested services or goods need to remain confidential to protect the Commission's security, court proceedings and/or contractual commitments, or
- #3: The services or goods have no comparable and the above noted vendor is the only distributor for the interested manufacturer or there is otherwise only one source available for the sought after services or goods, e.g. software maintenance, copyrighted materials, or otherwise legally protected goods or services.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
TOTAL WAIVERS, MFD WAIVERS, AND SOLE SOURCE WAIVERS BY DEPARTMENT
PROCESSED FY 2019
FOR THE TWELVE MONTHS ENDED JUNE 30, 2019

Attachment K

	Total Waivers		MFD/Waivers		% of MFD		Sole Source 4-1		Sole Source 4-2		Sole Source 4-3		% Sole Source	
	\$	Number	\$	Number	%	Number	\$	Number	\$	Number	\$	Number	%	
Prince George's County														
Commissioners' Office	\$ -	0	\$ -	0	0.0%	\$ -	0	\$ -	0	\$ -	0	0.0%	0	0.0%
Planning Department	109,838	2	-	0	0.0%	-	0	-	0	-	0	0.0%	0	0.0%
Parks and Recreation Department	201,220	4	-	0	0.0%	22,006	2	-	0	-	0	10.9%	0	7.1%
Total	311,058	6	-	0	0.0%	22,006	2	-	0	-	0		0	
Montgomery County														
Commissioners' Office	183,101	1	-	0	0.0%	-	0	-	0	-	0	0.0%	0	0.0%
Planning Department	-	0	-	0	0.0%	183,101	1	-	0	-	0	0.0%	0	0.0%
Parks Department	360,457	7	-	0	0.0%	321,135	6	-	0	-	0	100.0%	1	100.0%
Total	543,558	8	-	0	0.0%	504,236	7	-	0	-	0		1	100.0%
Central Administrative Services														
Dept. of Human Resources and Mgt.	351,000	3	-	0	0.0%	80,000	1	-	0	-	0	105,000	1	52.7%
Finance Department	-	0	-	0	0.0%	-	0	-	0	-	0	-	0	0.0%
Legal Department	397,312	4	-	0	0.0%	-	0	-	0	-	0	282,312	2	71.1%
SCIO	-	0	-	0	0.0%	-	0	-	0	-	0	-	0	0.0%
Merit Board	-	0	-	0	0.0%	-	0	-	0	-	0	-	0	0.0%
Total	748,312	7	-	0	0.0%	80,000	1	-	0	-	0	387,312	3	62.4%
Grand Total	\$ 1,602,928	21	\$ -	0	0.0%	\$606,242	10	\$ -	0	\$ 426,634	4		4	64.4%

Purpose of Summary of Waiver Report:

- (1) To monitor the amount, number, reasons for waivers in order to ensure the Commission is encouraging and maintaining good community, public, vendor, and interdepartmental relations:
 To ensure fair and equitable treatment of all persons who deal in purchasing matters; to promote economy in Commission purchasing; and to ensure that minority owned firms receive a fair share of Commission awards (source: Practice 4-10); and
- (2) To comply with the Prince George's Planning Board directive of January 29, 1991 to report waiver activity to the Department Heads and the Planning Boards on a quarterly basis.

Sole Source: 4

It has been determined that:

- 4-1: The vendor's knowledge and experience with the Commission's existing equipment and/or systems offer a greater advantage in quality and/or cost to the Commission than the cost savings possible through competitive bidding, or
- 4-2: The interested services or goods need to remain confidential to protect the Commission's security, court proceedings and/or contractual commitments, or
- 4-3: The services or goods have no comparable and the above noted vendor is the only distributor for the interested manufacturer or there is otherwise only one source available for the sought after services or goods, e.g. software maintenance, copyrighted materials, or otherwise legally protected goods or services.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT STATISTICS
FY 2019
FOR TWELVE MONTHS ENDED JUNE 30, 2019

Attachment A

	<u>Procurement</u>		<u>Waivers</u>		<u>Procurement</u>	
	<u>Total \$</u>		<u>Total \$</u>	<u>Total #</u>	<u>MFD \$</u>	<u>%</u>
<u>Prince George's County</u>						
Commissioners' Office	\$ 113,254	\$	-	-	\$ 31,045	27.4%
Planning Department	3,383,896		109,838	2	853,341	25.2%
Parks and Recreation Department	60,218,037		201,220	4	12,133,640	20.1%
Total	<u>63,715,187</u>		<u>311,058</u>	<u>6</u>	<u>13,018,026</u>	<u>20.4%</u>
<u>Montgomery County</u>						
Commissioners' Office	15,790		-	-	-	0.0%
Planning Department	3,341,738		183,101	1	1,262,402	37.8%
Parks Department	40,026,171		360,457	7	4,421,189	11.0%
Total	<u>43,383,699</u>		<u>543,558</u>	<u>8</u>	<u>5,683,591</u>	<u>13.1%</u>
<u>Central Administrative Services</u>						
Dept. of Human Resources and Mgt.	1,607,058		351,000	3	554,960	34.5%
Finance Department	664,760		-	-	493,879	74.3%
Legal Department	618,828		397,312	4	3,032	0.5%
Merit Board	17,117		-	-	942	5.5%
Office of Chief Information Officer	2,018,439		-	-	1,193,921	59.2%
Office of Inspector General	17,354		-	-	-	0.0%
Total	<u>4,943,556</u>		<u>748,312</u>	<u>7</u>	<u>2,246,734</u>	<u>45.4%</u>
Grand Total	<u>\$ 112,042,442</u>	<u>\$</u>	<u>1,602,928</u>	<u>21</u>	<u>\$ 20,948,351</u>	<u>18.7%</u>

Note: The "Waivers" columns report the amount and number of purchases approved to be exempt from the competitive procurement process, including sole source procurements.

Prepared by Finance Department
September 16, 2019

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MFD PROCUREMENT STATISTICS

FY 2019

MFD STATISTICS - CUMULATIVE AND ACTIVITY BY QUARTER

Attachment B

CUMULATIVE BY QUARTER

	SEPTEMBER	DECEMBER	MARCH	JUNE
<u>Prince George's County</u>				
Commissioners' Office	3.5%	5.0%	14.4%	27.4%
Planning Department	40.6%	29.4%	36.3%	25.2%
Parks and Recreation Department	31.4%	29.5%	25.6%	20.1%
Total	31.4%	29.4%	25.9%	20.4%
<u>Montgomery County</u>				
Commissioners' Office	0.0%	0.0%	0.0%	0.0%
Planning Department	32.8%	49.9%	43.7%	37.8%
Parks Department	9.0%	11.3%	11.0%	11.0%
Total	9.7%	12.6%	12.3%	13.1%
<u>Central Administrative Services</u>				
Dept. of Human Resources and Mgt.	14.1%	21.8%	16.1%	34.5%
Finance Department	5.2%	77.6%	73.1%	74.3%
Legal Department	14.4%	12.6%	4.4%	0.5%
Merit Board	0.0%	0.0%	0.0%	5.5%
Office of Chief Information Officer	14.9%	76.6%	69.5%	59.2%
Office of Inspector General	0.0%	0.0%	0.0%	0.0%
Total	13.1%	66.1%	57.0%	45.4%
Grand Total	22.8%	23.6%	21.0%	18.7%

ACTIVITY BY QUARTER

	FIRST QUARTER	SECOND QUARTER	THIRD QUARTER	FOURTH QUARTER	TOTAL
<u>Prince George's County</u>					
Commissioners' Office	3.5%	7.9%	39.1%	44.2%	27.4%
Planning Department	40.6%	26.5%	54.8%	20.0%	25.2%
Parks and Recreation Department	31.4%	26.6%	16.5%	12.8%	20.1%
Total	31.4%	26.5%	17.6%	13.4%	20.4%
<u>Montgomery County</u>					
Commissioners' Office	0.0%	0.0%	0.0%	0.0%	0.0%
Planning Department	32.8%	59.6%	31.3%	34.6%	37.8%
Parks Department	9.0%	12.9%	10.5%	11.1%	11.0%
Total	9.7%	14.7%	11.4%	15.3%	13.1%
<u>Central Administrative Services</u>					
Dept. of Human Resources and Mgt.	14.1%	25.1%	2.4%	44.4%	34.5%
Finance Department	5.2%	95.2%	20.9%	76.3%	74.3%
Legal Department	14.4%	9.5%	0.0%	0.1%	0.5%
Merit Board	0.0%	0.0%	0.0%	5.5%	5.5%
Office of Chief Information Officer	14.9%	93.1%	14.8%	16.5%	59.2%
Office of Inspector General	0.0%	0.0%	0.0%	0.0%	0.0%
Total	13.1%	81.9%	9.0%	31.9%	45.4%
Grand Total	22.8%	24.3%	14.6%	14.9%	18.7%

Prepared by Finance Department
September 19, 2019

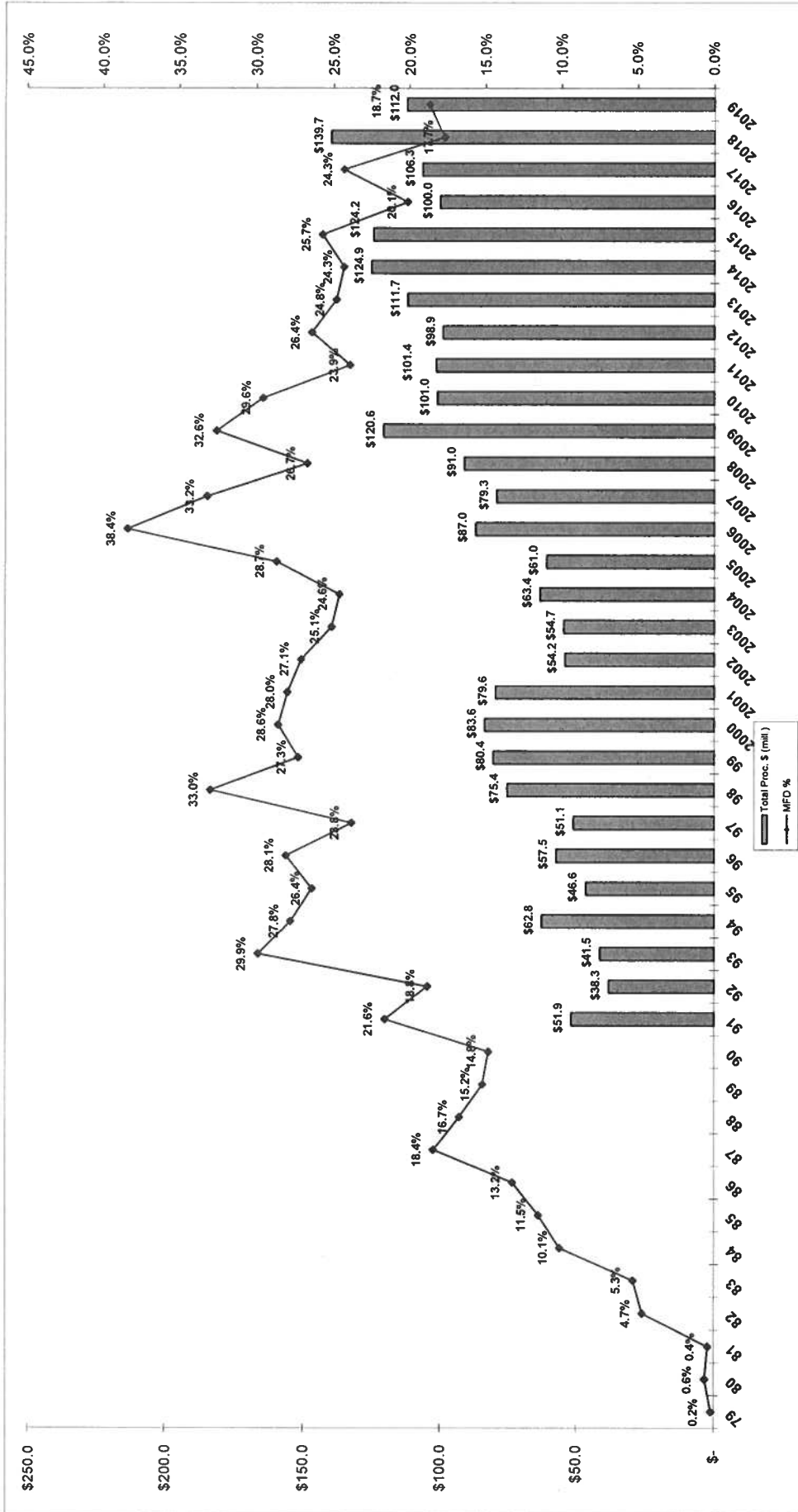
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT STATISTICS
BY MAJOR PROCUREMENT CATEGORY
FY 2019
FOR TWELVE MONTHS ENDED JUNE 30, 2019

ATTACHMENT C

	Grand Total	Montgomery Planning	Montgomery Parks	Pr. Geo. Parks & Recreation	Pr. Geo. Planning	Dept. of Human Resources	Finance Dept.	Legal Dept.	Office of Chief Information			
Goods:												
Total \$	\$ 37,761,704	\$ 1,043,500	\$ 13,747,179	\$ 21,368,673	\$ 566,514	\$ 189,700	\$ 572,383	\$ 20,615	\$ 253,140			
MFD \$	\$ 3,073,760	\$ 181,890	\$ 336,471	\$ 1,496,871	\$ 319,158	\$ 79,147	\$ 491,513	\$ 1,589	\$ 167,121			
Percentage	8.1%	17.4%	2.4%	7.0%	56.3%	41.7%	85.9%	7.7%	66.0%			
Miscellaneous Services:												
Total \$	\$ 19,919,822	\$ 1,287,470	\$ 5,430,868	\$ 9,590,202	\$ 1,329,187	\$ 639,251	\$ 64,978	\$ 89,181	\$ 1,488,685			
MFD \$	\$ 4,490,522	\$ 419,500	\$ 953,512	\$ 1,954,625	\$ 86,840	\$ 55,389	\$ 2,366	\$ 415	\$ 1,017,875			
Percentage	22.5%	32.6%	17.6%	20.4%	6.5%	8.7%	3.6%	0.5%	68.4%			
Professional Services:												
Total \$	\$ 8,368,043	\$ 924,522	\$ 1,689,920	\$ 3,252,885	\$ 1,471,094	\$ 245,476	\$ 0	\$ 509,032	\$ 275,114			
MFD \$	\$ 2,119,540	\$ 612,570	\$ 289,673	\$ 745,001	\$ 447,343	\$ 16,500	\$ 0	\$ 1,028	\$ 7,425			
Percentage	25.3%	66.3%	17.1%	22.9%	30.4%	6.7%	0.0%	0.2%	2.7%			
Construction:												
Total \$	\$ 45,829,358	\$ 86,246	\$ 19,158,204	\$ 26,006,277	\$ 17,101	\$ 532,631	\$ 27,399	\$ 0	\$ 1,500			
MFD \$	\$ 11,232,542	\$ 48,442	\$ 2,841,533	\$ 7,937,143	\$ 0	\$ 403,924	\$ 0	\$ 0	\$ 1,500			
Percentage	24.5%	56.2%	14.8%	30.5%	0.0%	75.8%	0.0%	0.0%	100.0%			
SUBTOTAL												
Total \$	\$ 111,878,927	\$ 3,341,738	\$ 40,026,171	\$ 60,218,037	\$ 3,383,896	\$ 1,607,058	\$ 664,760	\$ 618,828	\$ 2,018,439			
MFD \$	\$ 20,916,364	\$ 1,262,402	\$ 4,421,189	\$ 12,133,640	\$ 853,341	\$ 554,960	\$ 493,879	\$ 3,032	\$ 1,193,921			
Percentage	18.7%	37.8%	11.0%	20.1%	25.2%	34.5%	74.3%	0.5%	59.2%			
Pr. Geo. Commissioners' Office												
Total \$	\$ 113,254											
MFD \$	\$ 31,045											
Percentage	27.4%											
Mont. Commissioners' Office												
Total \$	\$ 15,790											
MFD \$	\$ 0											
Percentage	0.0%											
Merit Board												
Total \$	\$ 17,117											
MFD \$	\$ 942											
Percentage	5.5%											
Office of Inspector General												
Total \$	\$ 17,354											
MFD \$	\$ 0											
Percentage	0.0%											
GRAND TOTAL \$	\$ 112,042,442											
MFD \$	\$ 20,948,351											
Percentage	18.7%											

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT RESULTS and TOTAL PROCUREMENT (millions)

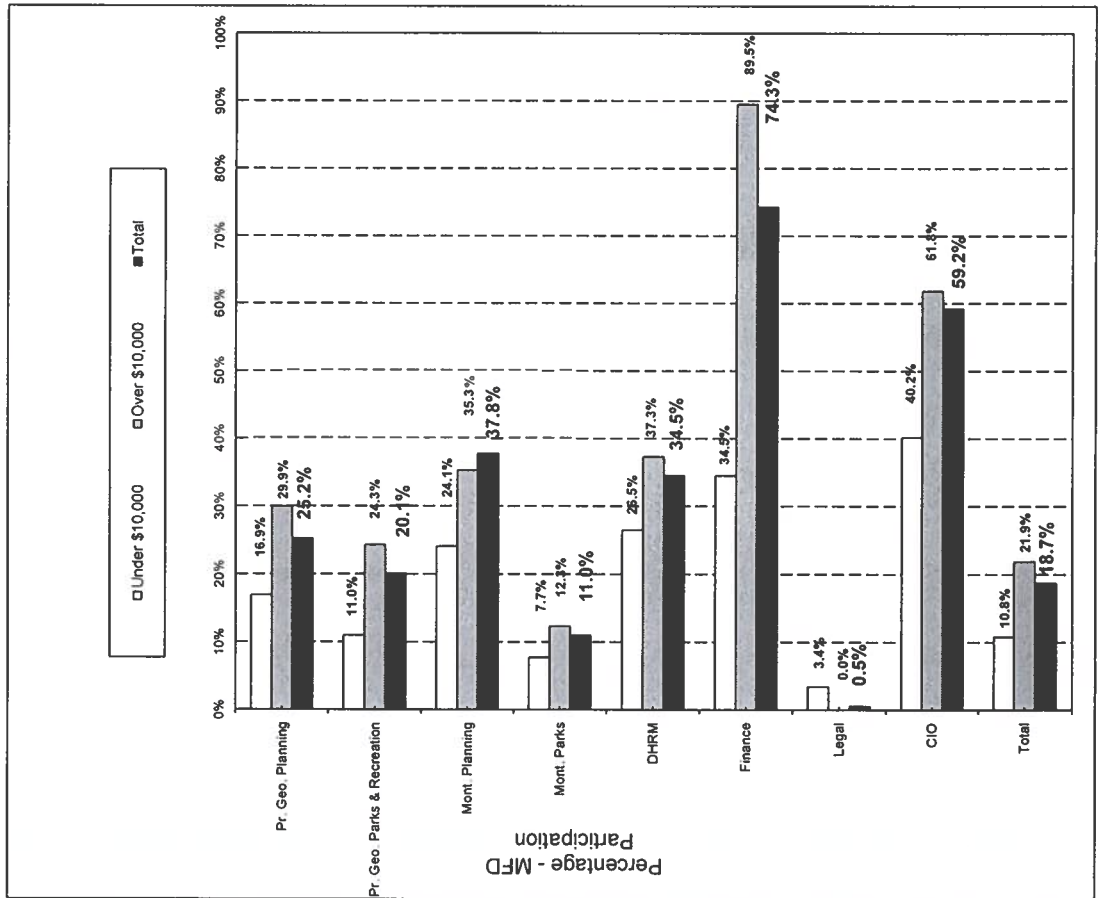
Attachment E



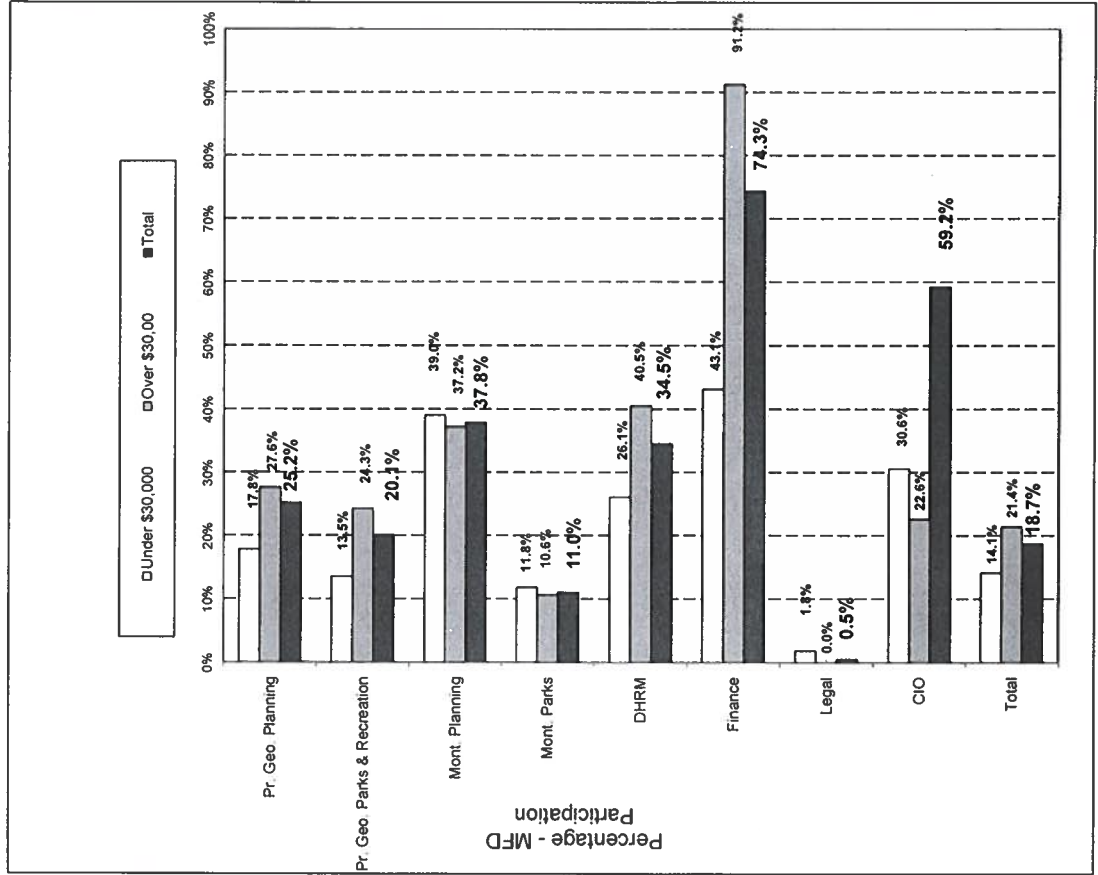
Prepared by Finance Department
 September 16, 2019

The Maryland-National Capital Park and Planning Commission
 MFD Procurement Statistics - Transactions Under/Over \$10,000 & \$30,000 plus Total %
 FY 2019 4Q

Under/Over \$10,000

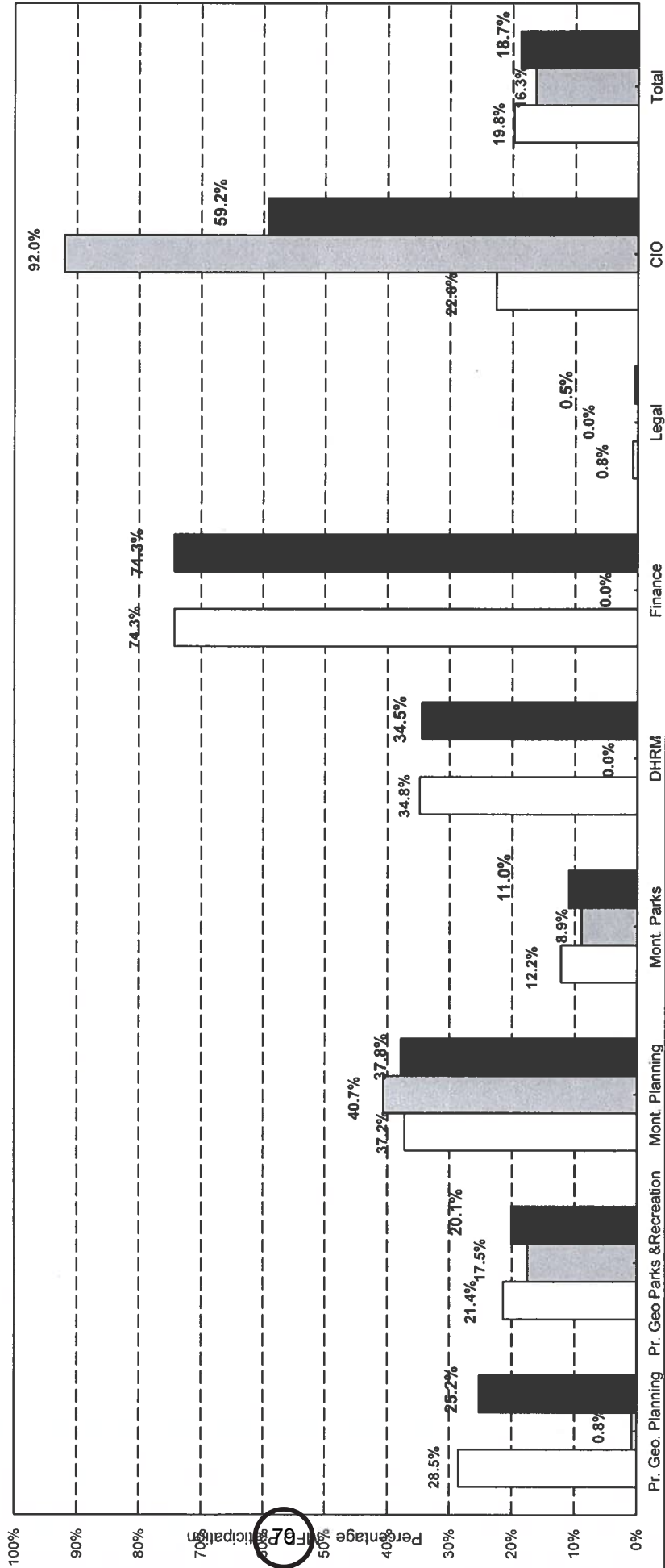


Under/Over \$30,000



Attachment G

The Maryland-National Capital Park and Planning Commission MFD Procurement Statistics - Transactions Under /Over \$250,000 and Total % FY 2019 4Q



Prepared by Finance Department
September 16, 2019

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Amount of Procurement and Number of Vendors by Location
FY 2019
FOR TWELVE MONTHS ENDED JUNE 30, 2019

Attachment H

TOTAL of ALL VENDORS

<u>Location</u>	<u>Procurement</u>		<u>Number of Vendors</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Number</u>	<u>Percentage</u>
Montgomery County	\$ 20,095,676	17.9%	337	16.2%
Prince George's County	23,562,799	21.0%	574	27.6%
Subtotal	43,658,475	38.9%	911	43.8%
Maryland - other locations	24,204,596	21.6%	358	17.2%
Total Maryland	67,863,071	60.5%	1,269	61.0%
District of Columbia	2,170,085	1.9%	123	5.9%
Virginia	5,537,431	4.9%	157	7.6%
Other Locations	36,471,855	32.7%	530	25.5%
Total	<u>\$ 112,042,442</u>	<u>100.0%</u>	<u>2,079</u>	<u>100.0%</u>

TOTAL of Non-MFD Vendors

<u>Location</u>	<u>Procurement</u>		<u>Number of Vendors</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Number</u>	<u>Percentage</u>
Montgomery County	\$ 15,719,939	17.3%	256	15.2%
Prince George's County	17,904,117	19.7%	431	25.6%
Subtotal	33,624,056	37.0%	687	40.8%
Maryland - other locations	18,436,145	20.2%	315	18.7%
Total Maryland	52,060,201	57.2%	1,002	59.5%
District of Columbia	1,770,802	1.9%	81	4.8%
Virginia	5,156,237	5.7%	121	7.2%
Other Locations	32,106,851	35.2%	482	28.5%
Total	<u>\$ 91,094,091</u>	<u>100.0%</u>	<u>1,686</u>	<u>100.0%</u>

TOTAL of MFD Vendors

<u>Location</u>	<u>Procurement</u>		<u>Number of Vendors</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Number</u>	<u>Percentage</u>
Montgomery County	\$ 4,375,737	21.0%	81	20.6%
Prince George's County	5,658,682	27.0%	143	36.4%
Subtotal	10,034,419	48.0%	224	57.0%
Maryland - other locations	5,768,451	27.5%	43	10.9%
Total Maryland	15,802,870	75.5%	267	67.9%
District of Columbia	399,283	1.9%	42	10.7%
Virginia	381,194	1.8%	36	9.2%
Other Locations	4,365,004	20.8%	48	12.2%
Total	<u>\$ 20,948,351</u>	<u>100.0%</u>	<u>393</u>	<u>100.0%</u>

Note: The following shows the amounts and percentages of procurement by the location of the department. The bi-county departments' activity is divided equally between the two Counties.

	<u>Total Procurement</u>		<u>MFD Procurement</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Amount</u>	<u>Percentage</u>
Prince George's County	\$ 66,186,965	59.1%	\$ 14,141,393	67.5%
Montgomery County	45,855,477	40.9%	6,806,958	32.5%
Total	<u>\$ 112,042,442</u>	<u>100.0%</u>	<u>\$ 20,948,351</u>	<u>100.0%</u>

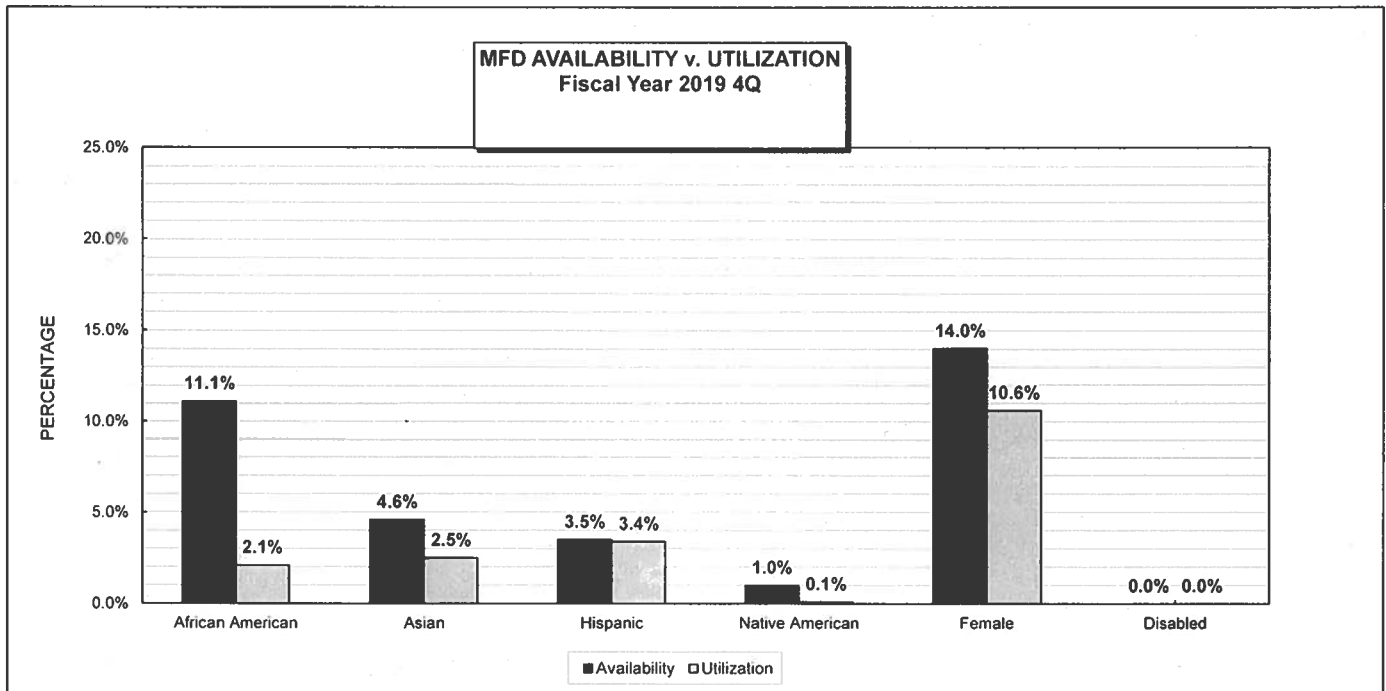
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT RESULTS
FY 2019
FOR TWELVE MONTHS ENDED JUNE 30, 2019

Attachment I

Total Amount of Procurement \$ 112,042,442

**Amount, Percentage of Procurement by Category, and
Percentage of Availability by Category:**

	Procurement		Availability
	Amount	%	%
Minority Owned Firms			
African American	\$ 2,348,295	2.1%	11.1%
Asian	2,816,483	2.5%	4.6%
Hispanic	3,803,252	3.4%	3.5%
Native American	59,940	0.1%	1.0%
Total Minority Owned Firms	9,027,970	8.1%	20.2%
Female Owned Firms	11,886,112	10.6%	14.0%
Disabled Owned Firms	34,269	0.0%	n/a
Total Minority, Female, and Disabled Owned Firms	\$ 20,948,351	18.7%	34.2%



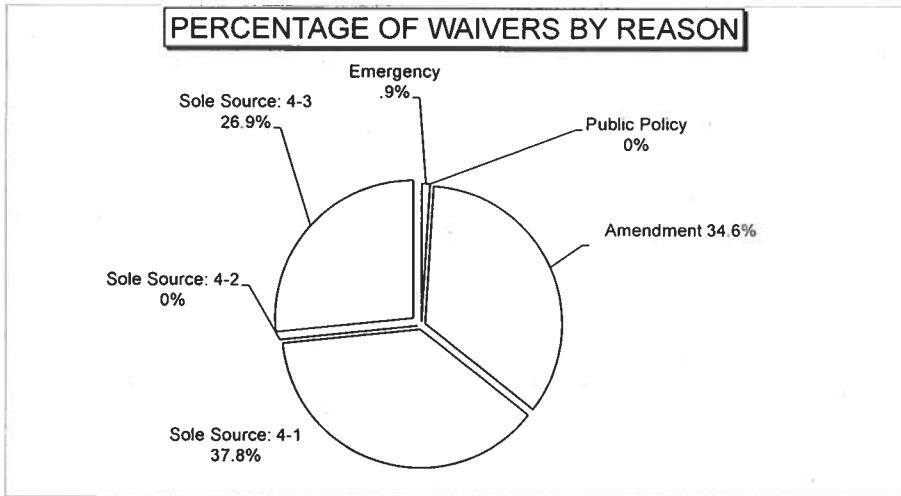
Note: (1) Availability percentages are taken from State of Maryland study titled "Disadvantaged Business Enterprise Disparity Study: Vol. 1", dated June 25, 2018, page 13.
(2) n/a = not available

Prepared by Finance Department
September 16, 2019

**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
REASONS FOR WAIVERS
CUMULATIVE DOLLAR AMOUNT & NUMBER OF WAIVERS
FY 2019
FOR TWELVE MONTHS ENDED JUNE 30, 2019**

Attachment J

	NUMBER	AMOUNT	PERCENTAGE
Emergency	1	\$ 15,000	0.9%
Public Policy	0	\$ 0	0.0%
Amendment	6	\$ 555,052	34.6%
Sole Source: 4-1	10	\$ 606,242	37.9%
Sole Source: 4-2	0	\$ 0	0.0%
Sole Source: 4-3	4	\$ 426,634	26.6%
Total	21	\$ 1,602,928	100.0%



Waiver Reason Definitions:

Emergency:

Sudden and unforeseeable circumstance have arisen which actually or imminently threaten the continuance of an essential operation of the Commission or which threaten public health, welfare or safety such that there is not enough time to conduct the competitive bidding.

Required by Law or Grant:

Public law or the terms of a donation/grant require that the above noted vendor be chosen.

Amendment:

A contract is already in place and it is appropriate for the above noted vendor to provide additional services and/or goods not within the original scope of the contract because the interested service and/or goods are uniquely compatible with the Commission's existing systems and patently superior in quality and/or capability than what can be gained through an open bidding process.

Sole Source 4:

It has been determined that:

- #1: The vendor's knowledge and experience with the Commission's existing equipment and/or systems offer a greater advantage in quality and/or cost to the Commission than the cost savings possible through competitive bidding, or
- #2: The interested services or goods need to remain confidential to protect the Commission's security, court proceedings and/or contractual commitments, or
- #3: The services or goods have no comparable and the above noted vendor is the only distributor for the interested manufacturer or there is otherwise only one source available for the sought after services or goods, e.g. software maintenance, copyrighted materials, or otherwise legally protected goods or services.

**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
TOTAL WAIVERS, MFD WAIVERS, AND SOLE SOURCE WAIVERS BY DEPARTMENT
PROCESSED FY 2019
FOR THE TWELVE MONTHS ENDED JUNE 30, 2019**

Attachment K

	Total Waivers		MFD/Waivers		% of MFD	Sole Source 4-1 Waivers		Sole Source 4-2 Waivers		Sole Source 4-3 Waivers		% Sole Source
	\$	Number	\$	Number		\$	Number	\$	Number	\$	Number	
Prince George's County												
Commissioners' Office	\$ -	0	\$ -	0	0.0%	\$ -	0	\$ -	0	\$ -	0	0.0%
Planning Department	109,838	2	-	0	0.0%	-	0	-	0	-	0	0.0%
Parks and Recreation Department	201,220	4	-	0	0.0%	22,006	2	-	0	-	0	10.9%
Total	311,058	6	-	0	0.0%	22,006	2	-	0	-	0	7.1%
Montgomery County												
Commissioners' Office	183,101	1	-	0	0.0%	-	0	-	0	-	0	0.0%
Planning Department	-	0	-	0	0.0%	183,101	1	-	0	-	0	0.0%
Parks Department	360,457	7	-	0	0.0%	321,135	6	-	0	39,322	1	100.0%
Total	543,558	8	-	0	0.0%	504,236	7	-	0	39,322	1	100.0%
Central Administrative Services												
Dept. of Human Resources and Mgt.	351,000	3	-	0	0.0%	80,000	1	-	0	105,000	1	52.7%
Finance Department	-	0	-	0	0.0%	-	0	-	0	-	0	0.0%
Leasing Department	397,312	4	-	0	0.0%	-	0	-	0	282,312	2	71.1%
SCIO	-	0	-	0	0.0%	-	0	-	0	-	0	0.0%
Merit Board	-	0	-	0	0.0%	-	0	-	0	-	0	0.0%
Total	748,312	7	-	0	0.0%	80,000	1	-	0	387,312	3	62.4%
Grand Total	\$ 1,602,928	21	\$ -	0	0.0%	\$606,242	10	\$ -	0	\$ 426,634	4	64.4%

Purpose of Summary of Waiver Report:

- (1) To monitor the amount, number, reasons for waivers in order to ensure the Commission is encouraging and maintaining good community, public, vendor, and interdepartmental relations;
To ensure fair and equitable treatment of all persons who deal in purchasing matters; to promote economy in Commission purchasing; and to ensure that minority owned firms receive a fair share of Commission awards (source: Practice 4-10); and
- (2) To comply with the Prince George's Planning Board directive of January 29, 1991 to report waiver activity to the Department Heads and the Planning Boards on a quarterly basis.

Sole Source: 4

It has been determined that:

- 4-1: The vendor's knowledge and experience with the Commission's existing equipment and/or systems offer a greater advantage in quality and/or cost to the Commission than the cost savings possible through competitive bidding, or
- 4-2: The interested services or goods need to remain confidential to protect the Commission's security, court proceedings and/or contractual commitments, or
- 4-3: The services or goods have no comparable and the above noted vendor is the only distributor for the interested manufacturer or there is otherwise only one source available for the sought after services or goods, e.g. software maintenance, copyrighted materials, or otherwise legally protected goods or services.

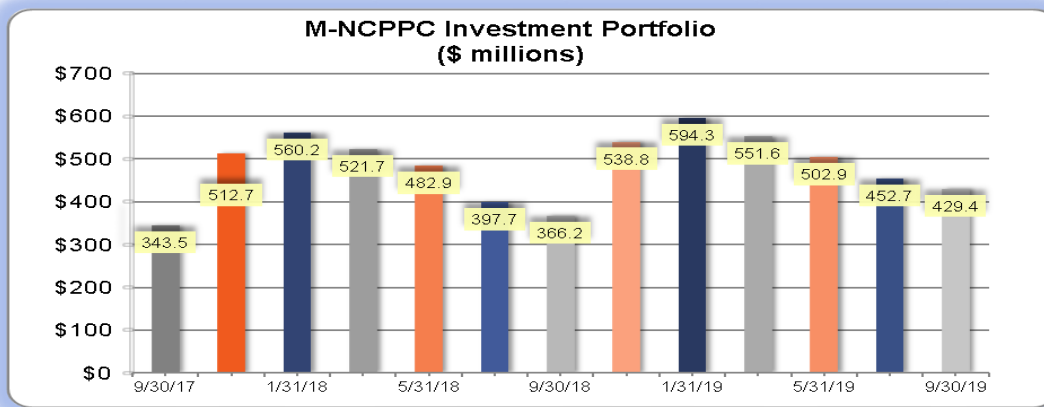
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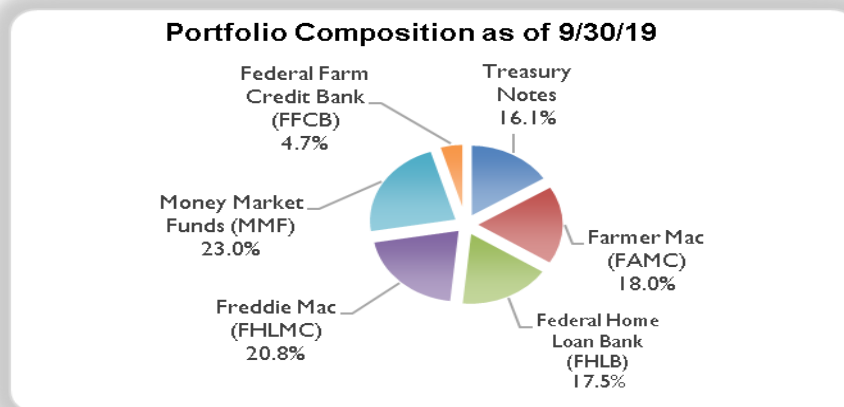
MEMO

TO: Commissioners
VIA: Joseph Zimmerman, Secretary-Treasurer
FROM: Tanya Hankton, Investment & Treasury Operations Manager *T.H.*
DATE: 11/10/2019
SUBJECT: Investment Report – September 2019

The Commission’s pooled cash investment portfolio totaled \$429.4 million as of September 30, 2019, with a 7.8% increase from August 31, 2019. Details are as follows:



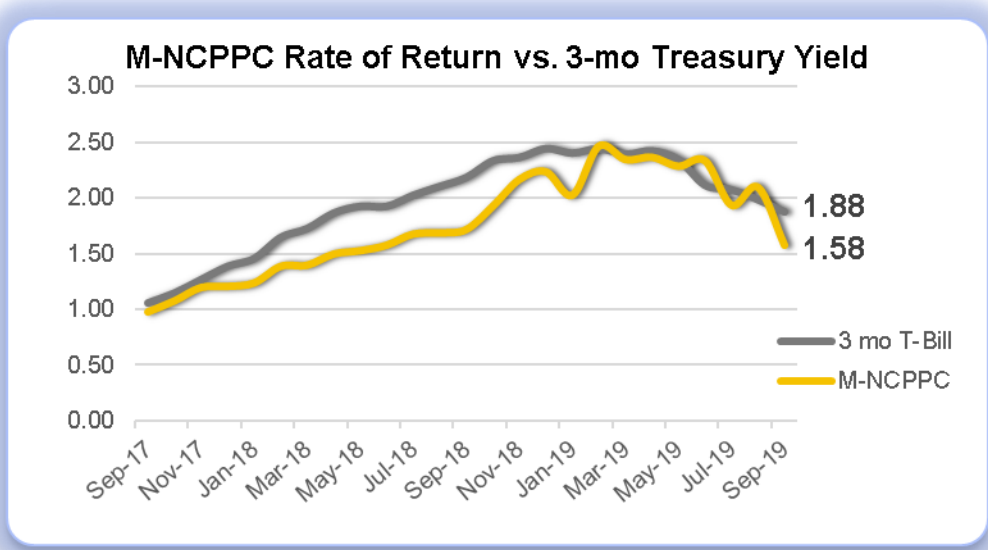
The composition of the pooled cash portfolio as of September 30, 2019 is summarized below:



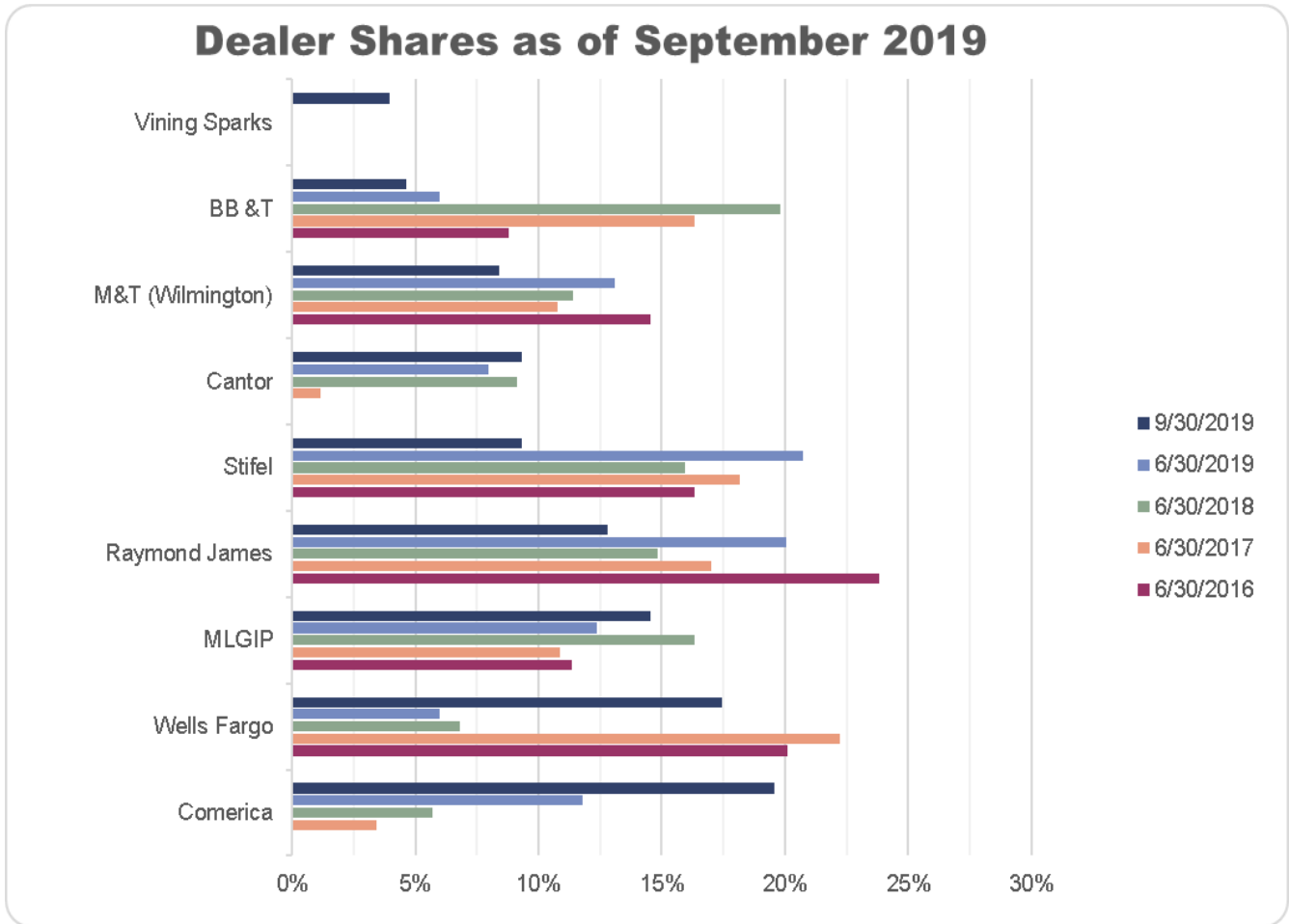
Current Investment Portfolio - September 2019						
Instrument		Limit	Actual	Par Value		Return (B/E)
Money Funds	*	25%	23.0%	\$ 98,445,651		2.01%
Freddie Mac		20%	20.8%	89,000,000		2.00%
Federal Home Loan Banks		20%	17.5%	75,000,000		1.73%
Farmer Mac		20%	18.0%	77,000,000		2.34%
Treasury Notes		100%	16.1%	70,000,000		2.06%
Federal Farm Credit Bank		20%	4.7%	20,000,000		2.62%
Commercial Paper		10%	0.0%	-		0.00%
Fannie Mae		20%	0.0%	-		0.00%
Certificates of Deposit		50%	0.0%	-		0.00%
Bankers Acceptances		50%	0.0%	-		0.00%
Repurchase Agreements		60%	0.0%	-		0.00%
			100%	\$ 429,445,651		2.08%

*As of 9/30/2019

The pooled cash portfolio complied with all policy limits with regards to product types and proportions throughout the month.



In addition to the product limits, portfolio purchases also adhered to the 30% limit per dealer. Dealer participation is shown below:



The market values of unspent debt balances (invested by T. Rowe Price) were as follows:

Market Value - September 2019	
Prince George's County (PGC-2018A)	\$ 20,673,492
Montgomery County (MC-2018A)	8,153,862
	<u>\$ 28,827,354</u>

The Commission had no debt service payments during the month.

Details by issue of debt outstanding as of September 30, 2019 appear below:

Debt Balances - September 2019					
	Initial Par	Amount Outstanding	% Outstanding	Issue Date	Maturity Date
Bi-County					
Total Bi-County	\$ -	\$ -	0%		
Prince George's County					
NN-2 (Refunded Z-2)	14,080,000	2,690,000	19%	Mar-10	May-21
PGC-2012A (Refunded P-2, M-2, EE-2)	11,420,000	4,340,000	38%	Jun-12	Jan-24
PGC-2014A	26,565,000	21,385,000	81%	May-14	Jan-34
PGC-2015A (Refunded JJ-2)*	24,820,000	21,915,000	88%	Oct-15	Jan-36
PGC-2017A	33,000,000	29,700,000	90%	Jul-17	Jan-37
PGC-2018A	31,000,000	31,000,000	100%	Nov-19	Nov-38
Total Prince George's County	\$ 140,885,000	\$ 111,030,000	79%		
Montgomery County					
LL-2	8,405,000	810,000	10%	May-09	Nov-20
MM-2	5,250,000	315,000	6%	May-09	Nov-19
MC-2012A (Refunded CC-2, FF-2)	12,505,000	8,265,000	66%	Apr-12	Dec-32
MC-2012B	3,000,000	2,245,000	75%	Apr-12	Dec-32
MC-2014A	14,000,000	11,425,000	82%	Jun-14	Jun-34
MC-2016A	12,000,000	10,680,000	89%	Apr-16	Nov-35
MC-2016B (Refunded FF-2, II-2, MM-2)	6,120,000	5,650,000	92%	Apr-16	Nov-28
MC-2016C (Refunded FF-2 ALA of 2004)	1,075,000	750,000	70%	Apr-16	Nov-24
MC-2017A	8,000,000	7,200,000	90%	Apr-17	Nov-36
MC-2018A	12,000,000	12,000,000	100%	Oct-18	Nov-38
MC-2018B	3,000,000	3,000,000	100%	Oct-18	Nov-23
Total Montgomery County	\$ 85,355,000	\$ 62,340,000	73%		
Total	\$ 226,240,000	\$ 173,370,000	77%		

ATTACHMENT A

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

REPORT ON COMPLIANCE TO INVESTMENT POLICY Approved March 21, 2012

FISCAL YEAR 2020 – September 30, 2019

OBJECTIVES	Met Objective	Within Limits	Comments
Protection of principal	Yes		
Limiting types and amounts of securities	Limit	Yes	
US Government	100%		All securities purchases were within the limits established by the Investment Policy at the time of purchase of the investments. This monthly report is prepared for the Secretary-Treasurer to demonstrate compliance with investment policy objectives and limitations.
US Federal Agencies - combined	60%		
US Federal Agencies - each	20%		
Repurchase Agreements	60%		
CD's and Time Deposits	50%		
Commercial Paper	10%		
Money Market Mutual Funds	25%		
MD Local Gov't Investment Pool	25%		
Investing Bond Proceeds:			
State and local agency securities	100%		
Money Market Mutual Funds	10%		
Bond Proceeds:		Yes	T. Rowe Price managed all funds within limits
Highly-rated state / local agency securities			
Highly-rated money market mutual funds (Max. 10% in lower-rated funds)			
Pre-qualify financial institutions, broker/dealers, intermediaries and advisers		Yes	All firms must meet defined capital levels and be approved by the Secretary-Treasurer
Ensure competition among participants	30%	Yes	No dealer share exceeded 30%
Competitive Bidding		Yes	All purchases awarded competitively.
Diversification of Maturities		Yes	All maturities within limits
Majority of investments shall be a maximum maturity of one (1) year. A portion may be as long as two years.			
Require third-party collateral and safekeeping, and delivery-versus-payment settlement		Yes	M&T Investments serves as custodian, monitoring compliance daily
Maintain sufficient liquidity	Yes		Sufficient funds available for all cash requirements during period
Attain a market rate of return	No		Less than market by 30 basis points
The pro-rated rates of return for T-bills and the portfolio were 1.88% and 1.58% , respectively.			

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Office of the General Counsel
Maryland-National Capital Park and Planning Commission

Reply To

November 8, 2019

Adrian R. Gardner
General Counsel
6611 Kenilworth Avenue, Suite 200
Riverdale, Maryland 20737
(301) 454-1670 • (301) 454-1674 fax

MEMORANDUM

TO: The Maryland-National Capital Park and Planning Commission
FROM: Adrian R. Gardner
General Counsel
RE: Litigation Report for October 2019 – FY 2020

Please find the attached litigation report we have prepared for your meeting scheduled on Wednesday, November 20, 2019. As always, please do not hesitate to call me in advance if you would like me to provide a substantive briefing on any of the cases reported.

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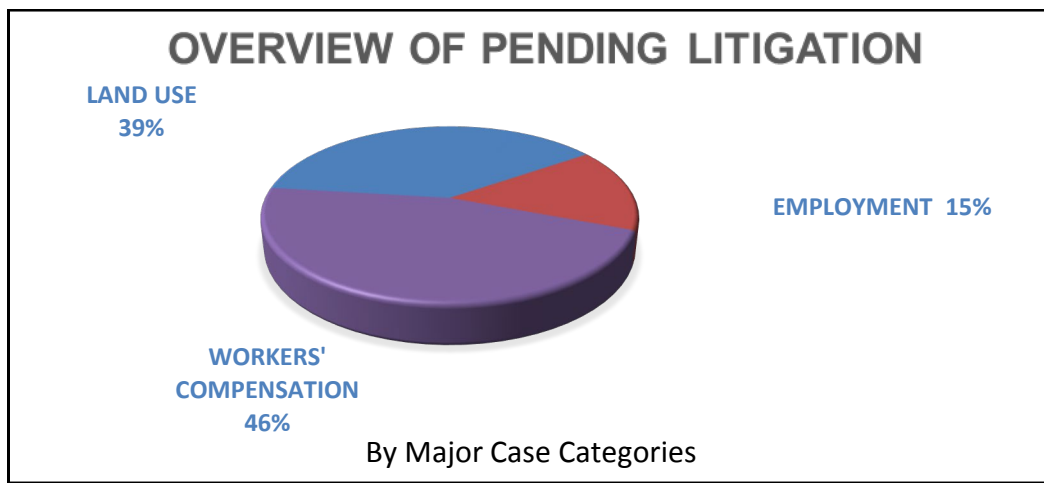
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October 2019 Composition of Pending Litigation

(Sorted By Subject Matter and Forum)

	State Trial Court	Maryland COSA	Maryland Court of Appeals	Federal Trial Court	Federal Appeals Court	U.S. Supreme Court	Subject Matter Totals
Admin Appeal: Land Use	2	2	1				5
Admin Appeal: Other							
Land Use Dispute							
Tort Claim							
Employment Dispute	1			1			2
Contract Dispute							
Property Dispute							
Civil Enforcement							
Workers' Compensation	4	2					6
Debt Collection							
Bankruptcy							
Miscellaneous							
Per Forum Totals	7	4	1	1			13



October 2019 Litigation Activity Summary

	COUNT FOR MONTH			COUNT FOR FISCAL YEAR 2019			
	Pending In Sept. 2019	New Cases	Resolved Cases	Pending Prior F/Y	New Cases F/YTD**	Resolved Cases F/YTD**	Pending Current Month
Admin Appeal: Land Use (AALU)	5			6	3	4	5
Admin Appeal: Other (AAO)							
Land Use Disputes (LD)							
Tort Claims (T)				1		1	
Employment Disputes (ED)	1	1			2		2
Contract Disputes (CD)							
Property Disputes (PD)							
Civil Enforcement (CE)							
Workers' Compensation (WC)	6			5	3	3	6
Debt Collection (D)							
Bankruptcy (B)							
Miscellaneous (M)	1		1	2		2	
Totals	13	1	1	14	8	10	13

**INDEX OF YTD NEW CASES
(7/1/2019 TO 6/30/20)**

A. <u>New Trial Court Cases.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Milbourne v. Commission	PG	WC	July 19
Commission v. Batson	PG	WC	July 19
Commission v. Sommer	PG	WC	Aug 19
McCourt v. Commission	PG	ED	Aug 19
Neighbors for an Improved Kensington, et al. v. Montgomery County Planning Board	MC	AALU	Aug 19
King v. Commission	PG	WC	Sept 19
Estreicher v. Montgomery County Planning Board	MC	AALU	Sept 19
Evans v. Commission	MC	ED	Sept 19
B. <u>New Appellate Court Cases.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Pletsch, et al v. Commission	MC	AALU	
C. <u>New Supreme Court of the U.S. Cases.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>

**INDEX OF YTD RESOLVED CASES
(7/1/2019 TO 6/30/20)**

A. <u>Trial Court Cases Resolved.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Commission v. Ferrante	PG	WC	July 19
Commission v. Ferrante	PG	WC	July 19
Bradley Boulevard Citizens Association Inc. v. Montgomery County Planning Board	MC	AALU	July 19
Critical Area Commission v. MNCPPC	PG	AALU	Aug 19
B. <u>Appellate Court Cases Resolved.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
The Town of Forest Heights v. Commission	PG	Misc.	June 19
Pletsch, et al. v. Commission	PG	AALU	July 19

Disposition of FY20 Closed Cases Sorted by Department

CLIENT	PRINCIPAL CAUSE OF ACTION IN DISPUTE	DISPOSITION
Employees Retirement System		
Finance Department		
Department of Human Resources & Management		
Montgomery County Department of Planning		
Bradley Boulevard Citizens Association, Inc. v. Montgomery County Planning Board	Appeal of Planning Board approval of WMAL Site Plan 820170170.	07/17/19 – Joint Motion to Dismiss granted.
Montgomery County Department of Parks		
Montgomery County Park Police		
Montgomery County Planning Board		
Prince George's County Department of Parks and Recreation		
Ferrante v. Commission (two separate cases)	Appeal from WCC Order requiring Commission to pay indemnity benefits corresponding to medical treatment.	07/25/19- Court affirmed the decision of the orders dated April 11, 2018 and October 19, 2018 issued by the Workers' Compensation Commission

Prince George's County Planning Department	Pletsch, et al. v. Commission	Two separate appeals filed. Citizens filed an appeal of order affirming the underlying decision and resolution. The developer filed an appeal of the denial of the motion to dismiss for lack of standing. The Commission did not join in the appeal of the denial of the motion to dismiss.	07/22/19 – Court vacated the judgment of the Circuit Court and remanded with direction to dismiss the Petition for Judicial Review.
Critical Area Commission v. MNCPPC	Petition for Judicial Review regarding the Prince George's County Planning Board's approval of the Indian Queen Overlook Conservation Plan CP-16002.	08/19/19 - matter voluntarily dismissed.	
Prince George's County Planning Board			
Prince George's Park Police			
Office of Internal Audit			

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DISTRICT COURT FOR MONTGOMERY COUNTY, MARYLAND

No Pending Cases

DISTRICT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Milbourne v. Commission
Case No. 050200086602019 (WC)

Lead Counsel: Dickerson
Other Counsel: Foster

Abstract: Milbourne alleges Commission owes him for amounts withheld from annual leave pay out in the amount of \$27,721.67 upon leaving employment.

Status: Complaint filed.
Docket:

Complaint filed
Commission served
Notice of Intent to Defend filed by Commission
Commission Demand for Jury trial
Settlement reached in principle for payment to the Commission by Milbourne for overpayment of wages, in light of the Commission's contemplated counter-claim for said overpayment of wages.

CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

Estreicher v. Montgomery County Planning Board
Case No. 472672-V (AALU)

Lead Counsel: Mills
Other Counsel:

Abstract: Judicial Review of Montgomery County Planning Board's approval of Sketch Plan 320190100 8015 Old Georgetown Road.

Status: Awaiting Scheduling Order.

Docket:

09/24/19	Petition for Judicial Review filed
10/08/19	Commission's Response filed
10/10/19	JLB Realy, LLC's Response to Petition for Judicial Review filed

Neighbors for an Improved Kensington, et al. v. Montgomery County Planning Board

Case No. 472049-V (AALU)

Lead Counsel: Coleman
Other Counsel: Mills

Abstract: Judicial Review of Montgomery County Planning Board's approval of Knowles Manor Site Plan 820190080.

Status: Petition for Judicial Review filed.

Docket:

08/29/19	Petition for Judicial Review filed
09/09/19	Commission's response filed
10/04/19	Kensington Manor Senior Housing, LLC's Response to Petition for Judicial Review filed.

CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Commission v. Batson

Case No. CAL19-24204 (WC)

Lead Counsel: Foster
Other Counsel:

Abstract: Judicial Review of WCC Order regarding surgical authorization for leg causally related to accidental injury

Status: Petition for Judicial Review filed.

Docket:

07/26/19	Petition for Judicial Review filed
08/08/19	Order of Court Permitting Omission of Record
08/19/19	Batson's Notice of Intent to Participate, Jury Demand
08/22/19	Commission's Motion to Strike Request for De Novo Review and Request for Jury Demand
09/03/19	Opposition to Motion to Strike filed
09/06/19	Memo in Support of on the record Judicial Review filed
09/19/19	Memo in Support of Opposition filed
10/02/19	Order of Court- Commission's Motion to Strike Request for De Novo Review and Request for Jury Trial denied. Case to proceed De Novo before a jury.

Commission v. Sommer
Case No. CAL 19-28143 (WC)

Lead Counsel: Foster
Other Counsel:

Abstract: Claimant and the Commission have filed a Joint Petition for Judicial Review appealing the several denials of a proposed settlement agreement by the WCC.

Status: Joint Petition for Judicial Review filed.

Docket:

08/26/19	Joint Petition for Judicial Review filed
08/29/19	Order of Court Permitting Omission of Record
10/30/19	Order of Court. Remanding matter back to WCC in line with settlement agreement between the parties. Commission to pay, a lump sum payment of \$50,000, less an attorney's fee of \$7,516.15.

King v. Commission
Case No. CAL 19-30096 (WC)

Lead Counsel: Foster
Other Counsel:

Abstract: Claimant seeks judicial review of an order from the Workers' Compensation Commission denying authorization for neck surgery.

Status: In discovery.

Docket:

09/23/19	Petition for Judicial Review filed
09/26/19	Order of Court Permitting Omission of Record
10/03/19	Response of Commission filed.
06/30/20	Trial

McCourt v. Commission
Case No. CAL 19-27903 (ED)

Lead Counsel: Dickerson
Other Counsel: Foster

Abstract: Petition for Judicial Review of Merit Board decision on a classification matter filed.

Status: Petition for Judicial Review filed.

Docket:

08/23/19	Petition for Judicial Review filed
09/04/19	Commission notified of filing of Petition
09/24/19	Response to Petition for Judicial Review

MARYLAND COURT OF SPECIAL APPEALS

Bradley Boulevard Citizens Assn, Inc. v. Montgomery County Planning Board

September Term 2018, No. 1034 (AALU)
(Originally filed under 436463-V in Montgomery County)

Lead Counsel: Sorrento
Other Counsel:

Abstract: Petitioner appealed Montgomery County Circuit Court June 4, 2018 Order affirming the Planning Board's approval of WMAL Preliminary Plan 120160290.

Status: Awaiting decision.

Docket:

07/03/18	Civil Information Report filed
10/26/18	Order that Appeal proceed without a prehearing conference or ADR
10/09/19	Oral Argument held.

Gaspard v. Montgomery County Planning Board

September Term 2019 Case No. 0579 (AALU)

Lead Counsel: Mills
Other Counsel:

Abstract: Appeal of decision affirming Planning Board's approval of Preliminary Plan 120160180 Glen Mill – Parcel 833

Status: Appeal filed.

Docket:

05/23/19	Appeal filed
08/21/19	Order Appeal to proceed without a prehearing conference or ADR
10/17/19	Briefing Notice and Scheduling Order. Oral argument set for June 2020 session.

Green v. Commission

September Term 2019 Case No.0709 (WC)

Lead Counsel: Foster
Other Counsel:

Abstract: Appeal from Circuit Court's dismissal of Petition for Judicial Review. Underlying decision required Appellant to use Corvel's mail-in services for her prescription needs, effective December 1, 2018. The Commission filed a Motion to Dismiss arguing that the Claimant/Plaintiff was not aggrieved by the decision of the WCC because there was no change to her medications, only the delivery apparatus, and thus she had no standing to appeal. Claimant/Plaintiff appealed.

Status: Appeal filed.

Docket:

06/13/19	Appeal filed.
07/23/19	Order Appeal to proceed without a prehearing conference or ADR
10/21/19	Show Cause Order to Green as to why appeal should not be dismissed for failure to transmit the record within the time required
10/28/19	Record on Appeal received by Court.
10/28/19	Scheduling Order issued.

Ross v. Commission

September Term 2019, No. 280 (WC)

Lead Counsel: Foster
Other Counsel:

Abstract: Defense of appeal from order granting a credit for overpayment of temporary total disability from June 26, 2013 to March 23, 2016

Status: Case settled.
Docket:

04/17/19	Petition for Judicial Review filed
08/27/19	Appeal pending before the Court of Special Appeals on the issue of the credit in Commissions' favor to be dismissed.
09/10/19	Case settled with regard to the indemnity portion of Ross' workers' compensation claim. Claim remains open for lifetime medical care.
10/21/19	Line of Dismissal of appeal filed by Appellant Ross.
10/22/19	Mandate. Appeal dismissed.

MARYLAND COURT OF APPEALS

Pletsch, et al v. Commission

September Term 2019, No. 0293 (AALU)

Lead Counsel: Mills
Other Counsel: Borden

Abstract: Petition for Writ of Cert filed regarding Court of Special Appeals remand to Circuit Court to Dismiss Petition for Judicial Review for lack of standing.

Status: Awaiting court decision on certiorari.

Docket:

09/25/19	Petition for Writ of Certiorari filed
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U.S. DISTRICT COURT OF MARYLAND

Evans v. Commission, et al.
8:19-cv-02651 TDC (ED)

Lead Counsel: Dickerson
Other Counsel: Foster

Abstract: Plaintiff, police lieutenant, filed a complaint against the Commission and four individual defendants, alleging discrimination, retaliation and assorted negligence and constitutional violations.

Status: Complaint filed.

Docket:

09/11/19	Complaint filed
10/23/19	Notice of Intent to file Motion for More Definite Statement filed by Defendants Commission, McSwain, and Riley
10/24/19	Notice of Appearance filed by attorney J. Creed on behalf of Defendant Murphy
10/28/2019	Notice of Intent to File a Motion filed by attorney C. Bruce on behalf of Defendant Uhrig

U.S. COURT OF APPEALS FOR THE FOURTH CIRCUIT

No Pending Cases

SUPREME COURT OF THE UNITED STATES

No Pending Cases