



THE MARYLAND-NATIONAL CAPITAL
Park and Planning Commission

COMMISSION MEETING

December 18, 2019

10:00 a.m. – 12:00 p.m.

**Prince George's
Parks and Recreation Administration**
Auditorium

6600 Kenilworth Avenue
Riverdale, Maryland 20737

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

Wednesday, December 18, 2019

**Prince George's Parks and Recreation Administration
Auditorium**

**6600 Kenilworth Avenue
Riverdale, Maryland 20737**

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 – November 20, 2019 Closed Session – November 20, 2019	(LD*) (+*)	
3.	General Announcements (10:05 a.m.) a) National / Universal Human Rights Month b) National Drunk and Drugged Driving Prevention Month c) AIDS Awareness Month d) Prince George's Department of Parks and Recreation Annual Winter Festival of Lights at Watkins Park (through Jan 1) e) Montgomery Parks Department Winter Garden Walk-Through Holiday Light Display at Brookside Gardens (through Dec 31)		
4.	Committee Minutes/Board Reports (For Information Only) (10:20 a.m.) Executive Committee Meeting – No December Meeting a) Employees' Retirement System Board of Trustees Regular	(+)	Page 3
5.	Action and Presentation Items (10:20 a.m.) a) Actuarial Valuation Other Post-Employment Benefits (OPEB) (Zimmerman/Bolton Partners) b) Budget Transfer between Chief Information Officer and Commission-Wide Information Technology Internal Service Funds (Kroll/Zimmerman) c) Resolution 19-23 Approval of the Fiscal Year 2021 Proposed Operating and Capital Budgets of the Maryland-National Capital Park and Planning Commission (Chiang-Smith/Kroll) d) Resolution 19-24 Amendment to the Employees' Retirement System FY2020 Operating Budget (Rose) e) Prince George's County Zoning Rewrite Update (Checkley)	(+*) (+*) (+*) (+*) (H)	Page 7 Page 17 Page 19 Page 35
6.	Officers' Reports (11:35 a.m.) <u>Executive Director's Report</u> (For Information Only) a) Late Evaluation Report, November 2019 <u>Secretary Treasurer</u> No report <u>General Counsel</u> b) Litigation Report c) Legislative Update (returning from November 2019 Meeting)	(+)	Page 39 Page 41 Page 55
7.	Closed Session (11:45 a.m.) a) Litigation Positions (Gardner) (discussion only)	(++)	

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 legal advice.

(+) Attachment (++) Commissioners Only (*) Vote (H) Handout (LD) Late Delivery

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**REGULAR BOARD OF TRUSTEES MEETING
MINUTES
Tuesday, November 5, 2019; 10:00 A.M.
ERS/Merit Board Conference Room**

The Maryland-National Capital Park and Planning Commission Employees' Retirement System Board of Trustees ("Board") met in the ERS/Merit Board Conference Room at its office in Riverdale, Maryland on Tuesday, November 5, 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
Howard Brown, FOP Represented Trustee
Melissa D. Ford, Prince George's County Open Trustee
Pamela F. Gogol, Montgomery County Public Member
Amy Millar, MCGEO Represented Trustee
Sheila Morgan-Johnson, Prince George's County Public Member
Elaine Stookey, Bi-County Open Trustee
Joseph C. Zimmerman, CPA, M-NCPPC Secretary-Treasurer, Ex-Officio

Board Member Not Present

Vacant, Montgomery County Open Trustee

ERS Staff Present

Andrea L. Rose, Administrator
Heather D. Van Wagner, Senior Administrative Specialist
Sheila S. Joynes, ERS Accounting Manager
Ann L. McCosby, Software Manager
Lisa D. Butler, Senior Retirement Benefits Analyst
Antonia L. Lanier, Member Relations Manager

Presentations

Cheiron - Janet H. Cranna, FSA, FCA, EA, MAAA, Principal Consulting Actuary and
Patrick Nelson, FSA, CERA, MAAA, EA, Associate Actuary
Groom Law Group – Alex Ryan (via conference call)
M-NCPPC Legal Department – William C. Dickerson, Principal Counsel

Others Present

M-NCPPC – John Kroll, Budget Manager

Wilshire Associates - Bradley A. Baker, Managing Director (in-person) and
Martell McDuffy, Senior Analyst (via conference call)

ITEM 1

APPROVAL OF THE NOVEMBER 5, 2019 CONSENT AGENDA

- A. Approval of the November 5, 2019 Board of Trustees Meeting Agenda
- B. Minutes of Open Session, September 3, 2019
- C. Minutes of Closed Session, September 3, 2019
- D. Disbursements Granted Reports – August and September 2019

ACTION: MS. MORGAN-JOHNSON made a motion, seconded by VICE CHAIRMAN CICHY to approve the Revised November 5, 2019 Meeting Agenda. The motion PASSED unanimously (9-0). MS. BENNETT was out of the room. (Motion #19-54)

ACTION: VICE CHAIRMAN CICHY made a motion, seconded by MS. MILLAR to approve the November 5, 2019 Consent Agenda. The motion PASSED unanimously (9-0). MS. BENNETT was out of the room. (Motion #19-55)

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.

ITEM 4 CLOSED SESSION

At 10:05 a.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: VICE CHAIRMAN CICHY made a motion, seconded by MS. GOGOL to go into Closed Session. The motion PASSED unanimously (9-0). MS. BENNETT was out of the room. (Motion #19-56)

During Closed Session, the following actions were taken:

1. The Board consented to one amendment to the Limited Partnership Agreements with Oaktree.
2. The Board approved a revised Securities Lending Authorization Agreement with Northern Trust Company.

The Board of Trustees moved back into Open Session at 10:23 a.m.

ACTION: VICE CHAIRMAN CICHY made the motion, seconded by MS. GOGOL to ratify the actions taken in Closed Session. The motion PASSED unanimously (10-0). (Motion #19-60)

ITEM 5 MANAGER REPORTS/PRESENTATIONS

Cheiron

Presentations by Janet H. Cranna, FSA, FCA, EA, MAAA, Principal Consulting Actuary and Patrick Nelson, FSA, CERA, MAAA, EA, Associate Actuary

Janet Cranna and Patrick Nelson conducted an educational session on the actuarial valuation process, historical trends, and the identification and assessment of risk and presented the July 1, 2019 actuarial valuation results.

The July 1, 2019 actuarial valuation indicated a funded ratio (based on the actuarial value of assets) of 92.75%, which is down from 94.94% in 2018.

To meet the funding objectives, the recommended employer contribution of \$22,312,947 (13.93% of payroll) is payable July 1, 2020 for fiscal year 2021 an increase from \$19,244,687 (12.3% of 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) an increase in the liabilities due to the change in the investment return assumption from 6.90% to 6.85%; and 3) experience that varied from assumptions.

ACTION: MS. GOGOL made a motion, seconded by VICE CHAIRMAN CICHY to approve an employer contribution of \$22,312,947 (13.93% of payroll) payable July 1, 2020 for fiscal year 2021. The motion PASSED unanimously (10-0). (Motion #19-61)

Ms. Cranna said new mortality tables specifically for public sector pension plans have been released. Cheiron prefers to update mortality every 5 years along with a full experience study. An experience study is scheduled following the July 1, 2020 actuarial valuation (for the period July 1, 2015-June 30, 2020). Andrea Rose confirmed the auditors, SB & Company are comfortable with this approach proposed by Cheiron. The Board confirmed agreement with this approach.

VICE CHAIRMAN CICHY left the meeting at 11:57 a.m.

ITEM 6 REPORT OF THE ADMINISTRATOR, OCTOBER 25, 2019
No discussion.

ITEM 7 COMMITTEE REPORTS/RECOMENDATIONS

Audit Committee – Report of October 7, 2019 Meeting

SB & Company issued an unmodified (aka “clean”) opinion on the June 30, 2019 financial statements. The Board joined the Audit Committee Chairman, MR. ZIMMERMAN, in expressing appreciation to the ERS’ Accounting Manager, Sheila Joynes, for preparing the ERS’ 2019 Comprehensive Annual Financial Report.

Investment Monitoring Group – Report of September 17, 2019 Meeting
No discussion.

Investment Monitoring Group – Report of October 15, 2019 Meeting
No discussion.

Investment Monitoring Group – Verbal Report of November 5, 2019 Meeting

The new asset allocation approved by the board in July 2019 included a dedicated 5% allocation to Emerging Market Debt (EMD) Fixed Income. Wilshire Associates conducted an EMD manager search and met with the Investment Monitoring Group (IMG) to discuss the process of the search and help the IMG select finalists. The IMG selected three finalists, PGIM, TCW, and Payden & Rygel, to present to the Board at its December 3, 2019 meeting. MS. MORGAN-JOHNSON asked trustees if there were any actual or perceived conflicts of interest with the firms. There were none. The Board agreed to start the December meeting at 9:00 a.m. to allow time for the presentations.

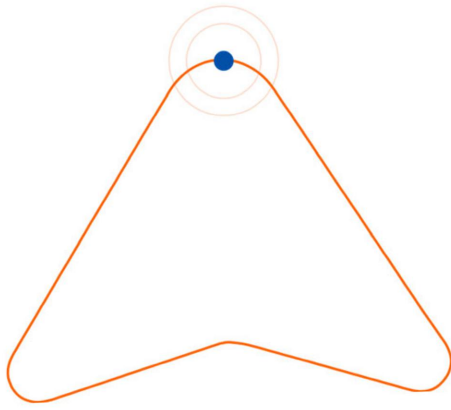
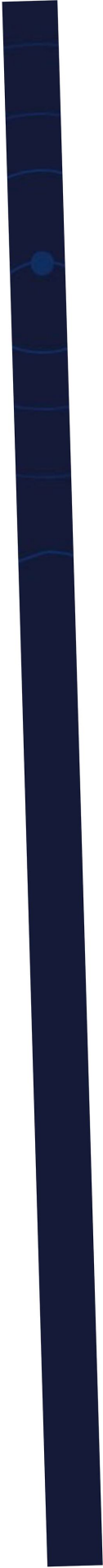
The Board of Trustees meeting of November 5, 2019 adjourned at 12:09 p.m.

Respectfully,


Heather D. Van Wagner
Senior Administrative Specialist


Andrea L. Rose
Administrator

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Maryland-National Capital Park and Planning Commission

Other Post Employment Benefits (OPEB)

Kevin Binder, FSA, MAAA, EA

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Background

- Actuarial Valuation Performed Annually
- Accounting Rules (GASB) no longer address “funding”
- The Report is to provide MNCPPC the FYE 2021 recommended contribution
- Accounting results based on last year’s report. FYE 2020 GASB disclosure will reflect the data, methods, and assumptions reflected in this valuation report.

Assumption Changes

- Trend updated to the long term medical trend selected by Montgomery County
 - **The result was a lower trust contribution**
 - **Montgomery County elected to not include the effects of the Cadillac Tax set to take effect in 2020**
 - **For accounting required to account for Cadillac tax**
- Claims updated
 - **Premium increases of 16% for UHC POS and 18% for UHC EPO Pre-Medicare Plans.**
 - **13% increase in post-65 claims paid**
- Discount Rate updated
 - **Decreased from 6.90% to 6.85%**

Budget Forecast

	07/01/2019	07/01/2020	07/01/2021	07/01/2022	07/01/2023	07/01/2024
	06/30/2020	06/30/2021	06/30/2022	06/30/2023	06/30/2024	06/30/2025
Assumptions:						
Trust Investment Return	6.90%	6.85%	6.85%	6.85%	6.85%	6.85%
Discount Rate	6.90%	6.85%	6.85%	6.85%	6.85%	6.85%
Salary Scale	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%
Normal Cost Increase	6.50%	6.50%	6.50%	6.50%	6.50%	6.50%
ERI Remaining Amortization	6	5	4	3	2	1
# Years to Amortize	27	26	25	24	23	22
Unfunded Accrued Liability:						
APBO BOY	351,538,000	409,199,000	426,768,000	444,773,000	463,352,000	482,528,000
Estimated Assets BOY	85,394,558	95,603,001	110,301,001	125,757,001	142,156,001	159,571,001
Unfunded APBO	266,143,442	313,595,999	316,466,999	319,015,999	321,195,999	322,956,999
Percent Funded	24%	23%	26%	28%	31%	33%
BOY ADC (Actuarially Determined Contribution):						
Normal Cost	7,465,000	8,456,000	9,006,000	9,591,000	10,214,000	10,878,000
Amortization	16,489,000	19,692,000	20,328,000	20,993,000	21,689,000	22,419,000
Total (ADC)	23,954,000	28,148,000	29,334,000	30,584,000	31,903,000	33,297,000
Expected Employer Contributions:						
Implicit Subsidy	2,322,000	5,189,000	5,500,000	5,770,000	6,059,000	6,348,000
Federal Subsidies	2,134,000	1,670,000	1,779,000	1,895,000	2,018,000	2,149,000
Net Explicit Subsidy	12,365,000	13,662,000	14,661,000	15,633,000	16,641,000	17,693,000
Additional Contribution	7,133,000	7,627,000	7,394,000	7,286,000	7,185,000	7,107,000
Total Contribution	23,954,000	28,148,000	29,334,000	30,584,000	31,903,000	33,297,000
Trust Assets:						
Beginning of Year Amount *	82,299,001	95,603,001	110,301,001	125,757,001	142,156,001	159,571,001
Return on Investments	5,679,000	6,549,000	7,556,000	8,614,000	9,738,000	10,931,000
BOY Contributions**	7,133,000	7,627,000	7,394,000	7,286,000	7,185,000	7,107,000
Return on Contributions	492,000	522,000	506,000	499,000	492,000	487,000
End of Year Amount	95,603,001	110,301,001	125,757,001	142,156,001	159,571,001	178,096,001
Benefit Payments	14,687,000	18,851,000	20,161,000	21,403,000	22,700,000	24,041,000
Benefit Payment as percent of expense	61%	67%	69%	70%	71%	72%

* FYE 2020 Beginning of Year amount updated to actual assets.

** The FYE 2020 contribution is based on the previous valuation (report issued November 1, 2018). The FYE 2021 contribution is based on the current valuation (please refer to page 6). All contributions are assumed to be made at the beginning of the fiscal year.

Reconciliation

Comparison of Current and Previous Valuations

Data as of	July 1, 2018	July 1, 2019
Data is used to calculate ADC for FYE	2020	2021
Demographic Data (with Medical Coverage)		
Employees	1,861	1,873
Retirees	1,102	1,180
Reconciliation	ADC	Contribution
FYE 2020 ADC (Previous Valuation)	23,954,000	7,133,000
Increase/(Decrease) due to Passage of Time	1,060,000	(321,000)
Increase/(Decrease) due to Asset Experience	205,000	205,000
Increase/(Decrease) due to Demographic Experience	221,000	364,000
Increase/(Decrease) due to Claims Experience	3,626,000	1,172,000
Increase/(Decrease) due to Updating the Medical Trend	(1,091,000)	(1,099,000)
Increase/(Decrease) due to Updating the Discount Rate	<u>173,000</u>	<u>173,000</u>
FYE 2021 ADC (Current Valuation)	28,148,000	7,627,000

Change to Trend Assumption

- Trend updated to the long term medical trend selected by Montgomery County
 - **The result was a lower trust contribution**
 - **Montgomery County elected to not include the effects of the Cadillac Tax set to take effect in 2020**
 - **For accounting required to account for Cadillac Tax**
- Claims Updated
 - **Premium increases of 16% for UHC POS and 18% for UHC EPO Pre-Medicare Plans.**
 - **13% increase in post-65 claims paid.**

Slide 7

KBFME1 Kevin Binder, FSA, MAAA, EA, 10/30/2019

Required ASOP 41 Disclosure

- This presentation has been prepared for the Maryland-National Capital Park and Planning Commission for the purposes of presenting the results of the actuarial valuation. It is neither intended nor necessarily suitable for other purposes. Bolton Partners is not responsible for the consequences of any other use. The Actuarial Valuation Report dated November 12, 2019, discloses the data we relied upon, the actuarial methods and assumptions, and include other required disclosures under Actuarial Standard of Practice (ASOP) #41.
- Future medical care cost increase rates are unpredictable and could be volatile. They will depend upon the economy, future health care delivery systems and emerging technologies. The trend rate selected is based on an economic model developed by a health care economist for the Society of Actuaries. Future medical trend increases could vary significantly from the model. Model inputs will be updated periodically based on the best estimate of the economy at that time. Small changes in the model inputs can result in actuarial losses or gains of 5 to 15 percent of liabilities.

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

December 18, 2019

To: Commissioners

From: John Kroll, Corporate Budget Director
Joe Zimmerman, Secretary-Treasurer

Subject: Budget Transfer for CIO / CWIT

In response to a Planning Board request, the Secretary-Treasurer responded in early November regarding the fund balances of the CIO and the CWIT internal service funds. In his email, he noted that, in order to rectify a cash error, a transfer of fund balance would be necessary from the CIO Fund to the CWIT Fund.

I quote from his email: "The need for additional cash is due to FY 21 and beyond reductions in contributions from the Departments for the Alliance project, which was originally slated to use outside financing, but cash flows allowed that expense to be avoided. In reconciling the fund as of June 30, 2019, I discovered that the expected cash flows necessary to fully fund CWIT projects included the original departmental contributions for the Alliance Project."

Please approve a budget transfer from the fund balance of the CIO Fund to the CWIT Fund in the amount of \$67,028.

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue Riverdale, Maryland 20730

M-NCPPC No. 19-23
December 18, 2019

To: The Maryland-National Capital Park and Planning Commission
 From: John Kroll, Corporate Budget Director *JK*
 Via: Asuntha Chiang-Smith, Executive Director *ACS*
 Subject: **Approval of the Commission's FY21 Proposed Budget**

Recommendation:

Approve Resolution No. 19-23, "Approval of the 2021 Fiscal Year Proposed Operating and Capital Budget of the Maryland-National Capital Park and Planning Commission."

Summary:

The Proposed Budget Resolution for FY21 reflects the Proposed Budgets approved by each Planning Board, as modified by increases in pension and OPEB costs and other, mostly non-substantial, adjustments. The Proposed Budget totals \$564.6 million in funding excluding reserves, ALARF, Capital Projects and Internal Service Funds. Compared to the FY20 Adopted Budget, the FY21 Proposed Budget is 4.0% greater, for an increase of \$21.9 million. Exhibit 1 provides a comparative summary of the proposed budget for each county.

Exhibit 1:

Summary of FY21 Proposed Operating Budget Expenditures (net reserves, ALARF, Internal Service Funds, and Capital Projects Funds)

	FY20 Adopted	FY21 Proposed	\$ Change	% Change
Prince George's Funds				
Administration (1)	\$ 56,164,239	\$ 57,804,187	\$ 1,639,948	2.9%
Park (2)	182,826,294	185,222,980	2,396,686	1.3%
Recreation (3)	93,683,334	96,295,616	2,612,282	2.8%
ALA Debt	-	-	-	-
Subtotal Tax Supported	332,673,867	339,322,783	6,648,916	2.0%
Enterprise	19,050,792	19,309,224	258,432	1.4%
Special Revenue	8,145,469	8,158,062	12,593	0.2%
Park Debt	15,296,269	15,064,619	(231,650)	-1.5%
Total Prince George's	\$ 375,166,397	\$ 381,854,688	\$ 6,688,291	1.8%
Montgomery Funds				
Administration (4)	\$ 32,619,879	\$ 34,386,602	\$ 1,766,723	5.4%
Park (2)	107,395,961	116,720,143	9,324,182	8.7%
ALA Debt	2,075,264	2,087,700	12,436	0.6%
Subtotal Tax Supported	142,091,104	153,194,445	11,103,341	7.8%
Enterprise (5)	10,197,934	13,184,588	2,986,654	29.3%
Property Management	1,563,320	1,586,500	23,180	1.5%
Special Revenue	7,084,740	7,352,429	267,689	3.8%
Park Debt	6,624,410	7,440,410	816,000	12.3%
Total Montgomery	\$ 167,561,508	\$ 182,758,372	\$ 15,196,864	9.1%
Combined Total	\$ 542,727,905	\$ 564,613,060	\$ 21,885,155	4.0%

(1) Includes transfer to Park and Capital Projects

(2) Includes transfer to Park Debt Service and Capital Projects

(3) Includes transfer to Enterprise Fund and Capital Projects

(4) Includes transfer to Park Fund in FY20 only

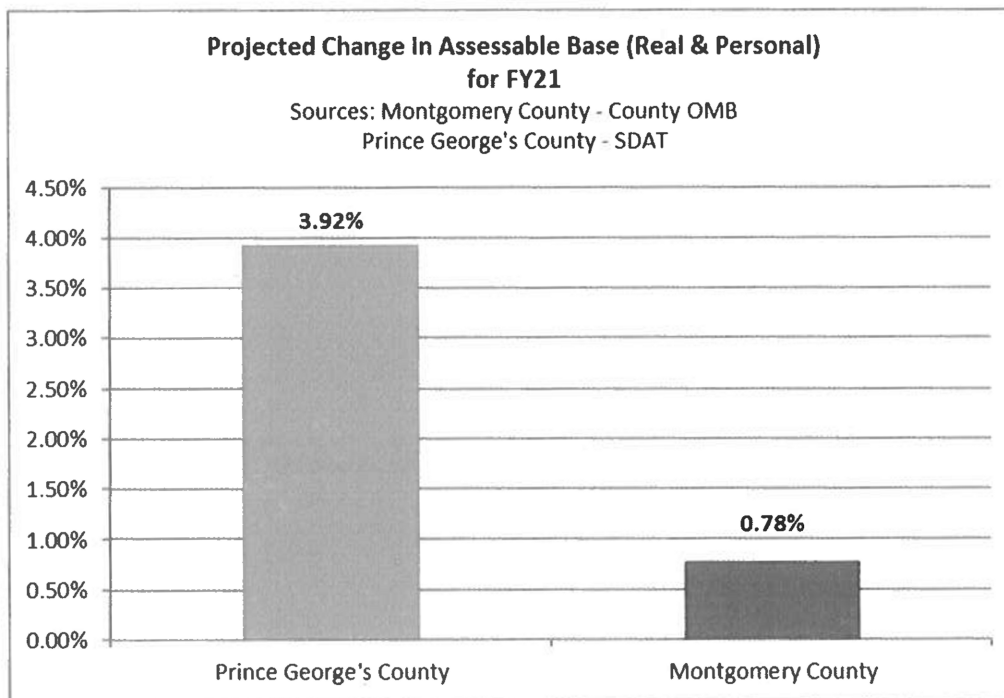
(5) Includes transfer to Capital Projects

Each of the sections below addresses the changes in the major components of the budget.

Assessable Base and Property Tax Revenues

Property tax revenue makes up approximately 87 percent of the Commission’s operating budget revenue. For FY21, growth in real assessable base is estimated at 0.78 percent for Montgomery County and 3.92 percent for Prince George’s County’s County. The chart below shows the growth of both real and personal assessable base. These estimates will continue to be monitored and updated as necessary for the Adopted Budget.

Exhibit 2:



Summary of Major Known Commitments for FY20 Personnel Costs

The Proposed Budget for the General Fund includes the following major known commitments for personnel costs in FY21:

- ✓ Medical insurance and benefit costs are increasing by \$4.5 million;
- ✓ OPEB (PayGo and Prefunding) is increasing by \$1.7 million;
- ✓ Pension funding is increasing by \$2.7 million; and
- ✓ The Commission’s FY21 Proposed Budget includes \$6.8 million for a compensation adjustment marker and a reclassification adjustment marker in the General Fund.

Exhibit 3 summarizes the changes for major personnel costs in the General Fund.

Exhibit 3:

Summary of Changes in Major Employee Benefit Costs FY21 Proposed Budget (General Fund)				
	FY20 Adopted	FY21 Proposed	\$ Change	% Change
OPEB				
OPEB Paygo & Prefunding	16,515,127	18,226,074	1,710,947	10.4%
Pension (ERS)				
Pension (ERS)	18,506,381	21,195,349	2,688,968	14.5%
Health and Benefits(1)				
Employee Health Benefits	33,578,249	38,096,798	4,518,549	13.5%
Employee Compensation				
Marker for Changes to Employee Comp.(2)	4,838,386	5,220,190	381,804	7.9%
Marker for Possible Reclasifications	1,201,313	1,615,407	414,094	34.5%
Total Change in Major Personnel Costs	\$ 74,639,456	\$ 84,353,818	\$ 9,714,362	13.0%

(1) Health and Benefits includes medical insurances (health, dental, vision, prescription), long-term disability, accidental death and dismemberment, and life insurance.

(2) FY20 Adopted comp marker comes from proposed budget so comparison is meaningful

OPEB

OPEB costs for FY21 have been determined by the actuary. Presentation of the actuarial valuation is scheduled to occur at the December Commission meeting. The net change for total OPEB costs is an increase of \$1.7 million or 10.4 percent more than the FY20 Adopted Budget.

Pension (ERS)

As determined by the actuary, pension costs are projected to increase by 14.5 percent in FY21, representing an additional expense of \$2.7 million.

Health Insurance and Benefits

On average, health insurance and benefit costs are projected to increase by 13.5 percent in FY21, representing an additional expense of \$4.5 million.

Employee Compensation

The Commission's FY21 budget includes a \$5.2 million compensation adjustment marker in the General Fund (\$5.5 million all funds). We are currently in full contract negotiations with the FOP, and will shortly start a wage and benefits re-opener with MCGEO. Also included is \$1.6 million (\$1.7 million all funds) for possible reclassification adjustments based on the multi-year classification study that is under way.

Summary of the FY21 Proposed Budgets for General Fund Departments

Exhibit 4 provides a comparative summary of the FY21 Proposed Budget and the FY20 Adopted Budget for the General Fund.

Exhibit 4:

M-NCPPC				
Summary of FY21 Proposed Budget General Fund Accounts				
By Fund by Department (excludes reserves)				
	FY20 Adopted	FY21 Proposed	\$ Change	% Change
Prince George's				
Administration Fund				
Commissioners' Office	\$ 2,279,848	\$ 2,288,921	\$ 9,073	0.4%
Planning Department Operating	33,156,247	34,292,525	1,136,278	3.4%
Project Charges	5,935,045	5,045,799	(889,246)	-15.0%
CAS Departments	9,659,749	10,114,191	454,442	4.7%
Transfer to Park	3,000,000	3,000,000	-	0.0%
Transfer to Capital Projects	30,000	30,000	-	0.0%
Non-Departmental (1)	2,103,350	3,032,751	929,401	44.2%
Subtotal Admin Fund	56,164,239	57,804,187	1,639,948	2.9%
Park Fund				
Park Fund Operating	119,239,231	123,097,291	3,858,060	3.2%
Project Charges	451,000	451,000	-	0.0%
Transfer to Capital Projects	42,030,000	38,450,000	(3,580,000)	-8.5%
Transfer to Debt Service	15,296,269	14,839,619	(456,650)	-3.0%
Non-Departmental (1)	5,809,794	8,385,070	2,575,276	44.3%
Subtotal Park Fund	182,826,294	185,222,980	2,396,686	1.3%
Recreation Fund				
Recreation Fund Operating	70,693,139	72,193,163	1,500,024	2.1%
Project Charges	2,485,350	2,485,350	-	0.0%
Transfer to Enterprise	8,157,592	8,311,024	153,432	1.9%
Transfer to Capital Projects	10,000,000	10,000,000	-	0.0%
Non-Departmental (1)	2,347,253	3,306,079	958,826	40.8%
Subtotal Recreation Fund	93,683,334	96,295,616	2,612,282	2.8%
Prince George's Total General Fund	\$ 332,673,867	\$ 339,322,783	\$ 6,648,916	2.0%
Montgomery				
Administration Fund				
Commissioners' Office	\$ 1,299,038	\$ 1,265,196	\$ (33,842)	-2.6%
Planning Department Operating	20,573,790	21,280,031	706,241	3.4%
CAS Departments	8,735,536	9,220,686	485,150	5.6%
Transfer to Park	125,000	-	(125,000)	-100.0%
Grants	150,000	150,000	-	0.0%
Non-Departmental (1)	1,736,515	2,470,689	734,174	42.3%
Subtotal Admin Fund	32,619,879	34,386,602	1,766,723	5.4%
Park Fund				
Park Department Operating	94,487,219	100,678,688	6,191,469	6.6%
Transfer to Debt Service	6,624,410	7,165,410	541,000	8.2%
Transfer to Capital Projects	350,000	450,000	100,000	28.6%
Grants	400,000	400,000	-	0.0%
Non-Departmental (1)	5,534,332	8,026,045	2,491,713	45.0%
Subtotal Park Operating	107,395,961	116,720,143	9,324,182	8.7%
Montgomery Operating Subtotal	140,015,840	151,106,745	11,090,905	7.9%
Property Management	1,563,320	1,586,500	23,180	1.5%
Montgomery General Fund Total	\$ 141,579,160	\$ 152,693,245	\$ 11,114,085	7.9%

(1) Non-Departmental for both years include OPEB prefunding and OPEB paygo, and a budget marker for compensation adjustments.

PRINCE GEORGE'S COUNTY OPERATING BUDGET HIGHLIGHTS

The FY21 Proposed Budget for Prince George's County funded operations is consistent with the Prince George's County Planning Board direction.

With the property tax revenue outlook continuing to be positive, the twin goals of the FY21 Proposed Budget's goal are to continue to "right-size" the Commission's operations – to provide adequate resources both for necessary planning studies, as well as for park and recreation infrastructure and service delivery; and to utilize the use of fund balances to address critical infrastructure improvement needs.

- ✓ The Parks and Recreation Department's budget includes:
 - Three Park Police Officer positions to enhance public safety
 - One career position to support procurement of computer equipment
 - Two career positions to support human resources and recruitment services
 - Five career positions to support help desk operations and web management
 - Two career positions to support financial management and administrative operations
 - Three career positions to support the restructuring of area maintenance
 - Four career positions for trade specialties to specifically address HVAC, plumbing, and critical projects at facilities
 - Two career positions for museum operation and environmental education
 - Three career positions to meet increased demand for outreach, content development and administrative functions
 - Converted thirteen part-time career positions to full-time career for Child Care Program
 - Five career positions to support the continued implementation for Youth Sports
 - Two career positions to meet increased demand for inclusion services throughout the County
 - One career position to specifically address aquatics maintenance and repairs at facilities
 - One career position for community engagement and outreach for the arts
 - One career position for an Assistant Facility Manager at Cosca Tennis Bubble
 - Decreased debt service for capital projects
 - Decreased pay-go transfer to the Capital Projects Fund from the Park Fund, continued pay-go transfer from the Recreation Fund, and continued a transfer from the Administration Fund to the Park Fund to assist in the pay-go funding
 - Increased the subsidy transfer to the Enterprise Funds
- ✓ The Planning Department's budget includes:
 - Funding for 3 new career positions (2 in Information Management and one in Development Review)
 - Funding for costs associated with the move to Largo
 - Funding for the following work programs:
 - Adelphi Road-UMG-UMD Purple Line Station Sector Plan
 - Master Plan of Transportation update
 - Implementation of Cloud-based Development Activity Monitoring System
 - Scheduled decrease of \$889,246 in County project charges
 - Annual 3 percent increase for lease of office space from the County

- ✓ The CAS budget, for both counties, includes:
 - For the Finance Department – one career position in the Secretary-Treasurer’s Office to monitor and administer the legislatively mandated Supplier Diversity Program currently under development
 - For the Legal Department – restoration of the previous year’s operating reduction
 - For the Inspector General – one career position to assist with an increased workload
 - For the Corporate IT Division – additional funding for a new Help Desk system

The FY21 Proposed Budget as referenced above, continues the reduction in project charges paid to the County as part of the Six Year Plan to lower these charges. Payments for project charges are reduced an additional \$889,246 in FY21. The FY21 proposed reduction is the last scheduled reduction in project charges. Staff will continue to work with the County in this area.

Lastly, FY21 budget projections were presented to the Spending Affordability Committee as part of the full Six Year Plan. We believe the FY21 Proposed Budget will fall within the spending guidelines to be established as well as meet the 5 percent reserve requirement.

Assessable Base and Tax Rates

- ✓ The real property assessable base is projected to increase by 3.87 percent in FY21, based upon this November’s SDAT estimates.
- ✓ The total and individual tax rates in the Proposed Budget remain the same as FY20. The total rate is 29.40 cents for real property and 73.50 cents for personal property. The individual rates are as follows:
 - Administration Fund – 5.66 cents real and 14.15 cents personal;
 - Park Fund – 15.94 cents real and 39.85 cents personal; and
 - Recreation Fund – 7.80 cents real and 19.50 cents personal.

MONTGOMERY COUNTY OPERATING BUDGET HIGHLIGHTS

The FY21 Proposed Budget for Montgomery County funded operations is consistent with the Montgomery County Planning Board direction. Budget requests include funding to maintain current service levels, including changes for major known commitments. The request also includes funding for specific new program enhancements. Based on current assessable base estimates, the Proposed Budget will require an increase in the tax rate in the Administration Fund and in the Park Fund for FY21 in order to both fund the requests and meet the 3 percent reserve requirement.

Assessable Base and Tax Rates

- ✓ The real property assessable base is projected to increase about 2.86 percent in FY21 based on the most recent Montgomery County Government staff estimates. These projections will be updated by the County as SDAT’s estimates are released.
- ✓ The total proposed tax rate for property tax supported funds in the FY21 Proposed Budget is 8.08 cents real property and 20.20 cents personal property. The breakdown by fund is:
 - Administration Fund 1.86 cents real and 4.65 cents personal, an increase of .16 and .40, respectively;

- Park Fund 6.12 cents real and 15.30 cents personal, an increase of .52 and 1.30, respectively; and
- Advanced Land Acquisition Fund 0.10 cents real and 0.25 cents personal, unchanged.

Other Revenue and Expenditure Highlights

- ✓ Major known commitments include:
 - Operating budget impact of opening new facilities, including 3 new career positions and the conversion of a part-time career position to full-time – this includes the departmental impact for the new Wheaton Headquarters building;
 - Increased debt service for capital projects
 - An increase of \$100,000 for capital projects paygo
 - Increased capital equipment and IT charges
 - Contractual increases, utilities, and supplies and materials
- ✓ The Department of Parks budget also includes:
 - An additional \$297,309 in NPDES expenses (including 3 new career positions) offset by an expected increase in funding from the County's Water Quality Protection Fund.
- ✓ Funding for new initiatives in the following areas within the Department of Parks is included in the Proposed Budget:
 - Improving Customer Service (1 career position)
 - Improving Quality and Playability of Ballfields (4 career positions)
 - Legislative Mandates (1 career position)
 - Maintaining and Improving What We Have (4 career positions)
 - Park Activation
 - Social Equity (1 career position)
- ✓ The Planning Department's budget includes funding for the following new critical needs:
 - One-Time projects:
 - Takoma Park Minor Master Plan Amendment support
 - Fairland-Briggs Chaney Minor Master Plan Amendment
 - General Plan Update support
 - Mixed-Use Trip Generation Tool
 - I-270 Transit Corridor Functional Master Plan support
 - Silver Spring Master Plan support
 - Equal Opportunity Index
 - Historic Preservation at 40
 - Bikeway Branding Plan
 - Noise Guidelines Update
 - Mixed-Use Development: Current Status and Future Trends
 - Urban Loading and Delivery Management Study
 - On-going:
 - Conversion of a Term Contract maintenance position to Full-Time Career receptionist position for Wheaton Headquarters
 - Strategic Communications Consulting
 - Countywide Historical Markers

- ✓ The Commissioners' Office budget includes additional funding for staff and Planning Board training.
- ✓ The CAS budget, for both counties, includes:
 - For the Finance Department – one career position in the Secretary-Treasurer's Office to monitor and administer the legislatively mandated Supplier Diversity Program currently under development
 - For the Legal Department – restoration of the previous year's operating reduction
 - For the Inspector General – one career position to assist with an increased workload
 - For the Corporate IT Division – additional funding for a new Help Desk system

INTERNAL SERVICE AND COMMISSION-WIDE FUNDS

Risk Management

The Risk Management Fund is responsible for the Commission's liability insurance program, workers' compensation program, and Commission-wide safety programs. It is administered jointly by the Department of Human Resources and Management (DHRM) and the Finance Department. The total proposed budget for FY21 is \$8,695,550, an increase of 18.9% from FY20.

Capital Equipment

The Capital Equipment Fund is responsible for capital equipment purchases that, for budgetary purposes, are funded over a six-year time period. It is administered by the Finance Department. The total proposed budget for FY21 is \$5,566,413, an increase of 20.7% from FY20. This budget varies each year due to the amount of capital equipment the using departments budget to purchase.

CIO/Commission-Wide IT Initiatives

This fund contains the budget for the Office of the Chief Information Officer (CIO) and the Commission-wide IT Initiatives (CWIT). Funding is proposed at \$1,545,507 for the Office of the CIO and at \$3,450,180 for CWIT, reflecting a 20.1 percent combined increase over FY20. A portion of this increase is due to the operational increase in Microsoft and Adobe licenses. New and on-going CWIT projects make up the majority of the increase, with project budgets totaling \$1,130,000.

The three aforementioned funds are split budgetarily between Montgomery and Prince George's operations, and are funded by department user fees.

Group Insurance

The Commission's Group Insurance Fund accounts for the costs associated with providing health insurance benefits to active and retired employees. The fund is treated as a Commission-wide fund because its costs are not specifically generated by either county. Rather, the costs represent the total health insurance pool cost. In addition, OPEB Pay-Go costs are paid through the Group Insurance Fund. It is administered by DHRM and Finance.

The Proposed FY21 expenditure budget is \$71.3 million, which is a 15.0 percent increase from the FY20 Adopted Budget.

Executive Office Building

The Executive Office Building Fund accounts for expenses related to the daily operations and maintenance of the Executive Office Building in Riverdale. It is also considered a Commission-wide fund

as it is funded by occupancy cost charged to the departments occupying the building. It is administered by DHRM.

The FY21 Proposed Budget of \$1.48 million reflects an increase of 2.9 percent from the FY20 Adopted Budget.

Continuity of operations is all that is funded in FY21, while we continue to explore our options for replacement of this building.

Wheaton Headquarters Building

The Wheaton Headquarters Building accounts for the ownership and management of the new building in Wheaton that will house Montgomery Planning, Montgomery Parks, and several County departments.

The FY21 Proposed Budget is \$2,794,400.

CAPITAL PROJECT FUNDS

Montgomery County's capital budget is proposed at \$48,445,000 for FY21. Prince George's County's capital budget is proposed at \$64,230,000. Funding for both is consistent with the six-year fiscal plan projections.

Attachments
M-NCPPC Resolution 19-23

cc:
Joe Zimmerman, Secretary-Treasurer
Adrian Gardner, General Counsel
Department Directors
Budget Coordinators



M-NCPPC 19-23

RESOLUTION

**APPROVAL OF THE FISCAL YEAR 2021
PROPOSED OPERATING AND CAPITAL BUDGETS OF THE
MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**

WHEREAS, Pursuant to the Land Use Article of the Annotated Code of Maryland, at Section 18-102, the Maryland-National Capital Park and Planning Commission (the “Commission”) is required to prepare an annual operating budget and an annual capital budget for the Fiscal Year beginning on July 1, 2020 and ending on June 30, 2021 (together, the “Proposed FY21 Budgets”), and to state its proposed expenditures and estimates of anticipated revenue separately for each county; and,

WHEREAS, The Montgomery County Planning Board and Prince George’s County Planning Board, respectively, have reviewed and approved the estimated revenue and expenditures proposed by each department, office and program of the Commission in such amounts as are enumerated in Exhibit A hereto; and,

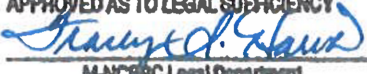
WHEREAS, The Planning Boards have also considered and approved certain revisions to the Commission’s allocation of funds, including such funds allocable jointly to both counties, as incorporated and reflected in the proposed expenditures enumerated in Exhibit A; and,

WHEREAS, The Planning Boards have also considered appropriate operating fund reserves for the Commission, and have thereupon determined to include, recommend, and request funding within the Proposed FY21 Budgets adequate to maintain such reserves within a range of 3 percent and 5 percent, in accordance with Commission policy; and,

WHEREAS, The Commission undertakes and expressly intends by adopting this resolution to ratify, approve and adopt Exhibit A hereto as the Commission’s Proposed FY21 Budgets in full accordance with the determinations made separately by each Planning Board relating to the reallocation of certain funds, and the appropriate level of operating fund reserves, each as described above.

NOW, THEREFORE, BE IT RESOLVED, in accordance with the Land Use Article at Section 18-104, the Commission hereby approves Exhibit A for transmittal to the County Executives of Montgomery and Prince George’s Counties as the Commission’s Proposed FY21 Budgets, and directs appropriate staff to prepare such supporting schedules and narratives for Commission departments, offices and programs as may be necessary or appropriate for explanatory purposes; and,

BE IT FURTHER RESOLVED, that the Montgomery County Planning Board and Prince George's County Planning Board, each and respectively, are authorized to approve adjustments to the FY21 Proposed Budgets adopted as set forth in Exhibit A hereto; provided that either Planning Board seeking such an adjustment shall take formal action and enter notice of the action among the Commission records; and, provided further that any such adjustment made by either Planning Board shall not have any impact on a Commission fund maintained to support a work program within the exclusive administrative control and jurisdiction of the other Planning Board.

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPC Legal Department
Date 12/9/19

MONTGOMERY COUNTY FY21 PROPOSED BUDGET SUMMARY
FUND SUMMARY BY DEPARTMENT AND BY DIVISION

	Administration Fund	Park Fund	Property Management Fund	Park Debt Service Fund	ALA Debt Service Fund	ALA Revolving Fund	Capital Projects Fund	Special Revenue Fund	Enterprise Fund	Risk Management Internal Service Fund	Capital Equipment Internal Service Fund	CIO & Comm-wide IT Initiatives Internal Service Fund	Wheaton Headquarters Building Internal Service Fund	Total
Sources:														
Property Taxes	33,868,400	110,815,500	-	-	2,087,700	-	-	1,902,450	-	-	-	-	-	146,571,600
Intergovernmental	965,600	4,219,782	-	200,000	-	-	34,420,000	43,100	886,500	-	-	-	1,592,808	42,900,640
Sales	1,200	5,000	-	-	-	-	-	3,079,760	7,015,600	3,211,900	1,323,900	1,998,333	1,201,592	935,600
Charges for Services	203,500	2,473,793	1,561,500	-	-	-	-	162,400	3,535,795	-	-	-	-	20,960,378
Rentals and Concessions	-	753,000	25,000	-	-	100,000	25,000	162,400	3,535,795	200,000	10,000	-	-	6,014,695
Interest	100,000	102,000	-	-	-	1,945,100	3,655,000	283,000	771,200	-	-	-	-	10,000,000
Miscellaneous	-	102,000	-	-	-	-	-	-	-	-	-	-	-	3,952,000
Total Revenues	34,538,700	118,471,175	1,586,500	200,000	2,087,700	2,045,100	38,095,000	5,580,710	12,608,136	3,411,900	1,333,900	1,998,333	2,794,400	224,751,554
Transfers In	-	25,000	-	75,000	-	-	3,000,000	-	-	-	562,194	-	-	10,752,604
Total Proceeds	-	-	-	75,000	-	-	7,375,000	-	-	-	3,710,000	-	-	11,600,000
Use of Fund Balance/Net Assets	879,502	1,497,068	-	-	2,087,700	8,421,506	48,470,000	1,771,719	576,452	201,375	5,606,094	1,998,333	2,794,400	13,347,622
Total Available Funds	35,418,202	119,968,243	1,586,500	7,440,410	2,087,700	10,466,606	48,470,000	7,352,429	13,184,588	3,613,275	5,606,094	1,998,333	2,794,400	260,011,750
Uses:														
Commissioners' Office	1,265,196	-	-	-	-	-	-	-	-	-	-	-	-	1,265,196
Planning Department:														
Office of The Planning Director	1,441,992	-	-	-	-	-	-	-	-	-	-	-	-	1,441,992
Management Services	1,270,426	-	-	-	-	-	-	-	-	-	-	-	-	1,270,426
Communications Division	1,575,036	-	-	-	-	-	-	-	-	-	-	-	-	1,575,036
Functional Planning & Policy	3,054,058	-	-	-	-	-	-	-	-	-	-	-	-	3,054,058
Area 1	1,692,059	-	-	-	-	-	-	-	-	-	-	-	-	1,692,059
Area 2	2,250,563	-	-	-	-	-	-	-	-	-	-	-	-	2,250,563
Area 3	1,693,553	-	-	-	-	-	-	-	-	-	-	-	-	1,693,553
Dev. Applications & Regulatory Coordination	919,206	-	-	-	-	-	-	-	-	-	-	-	-	919,206
Center for Research and Information Systems	3,611,371	-	-	-	-	-	-	-	-	-	-	-	-	3,611,371
Information Technology and Innovation	1,139,647	-	-	-	-	-	-	-	-	-	-	-	-	1,139,647
Research and Special Projects	2,632,120	-	-	-	-	-	-	-	-	-	-	-	-	2,632,120
Support Services	150,000	-	-	-	-	-	-	-	-	-	-	-	-	150,000
Grants	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Special Revenue Operations	-	-	-	-	-	-	-	4,385,001	-	-	-	-	-	4,385,001
Planning Operations Total	21,430,031	-	-	-	-	-	-	4,385,001	-	-	-	-	-	25,815,032
Central Administrative Services (CAS):														
Dept. of Human Resources and Mgmt.	2,459,657	-	-	-	-	-	-	-	-	-	-	-	-	2,459,657
Department of Finance	2,254,622	-	-	-	-	-	-	-	-	-	-	-	-	2,254,622
Legal Department	1,639,427	-	-	-	-	-	-	-	-	-	-	-	-	1,639,427
Ment System Board	87,200	-	-	-	-	-	-	-	-	-	-	-	-	87,200
Office of Inspector General	391,353	-	-	-	-	-	-	-	-	-	-	-	-	391,353
Corporate IT	1,735,335	-	-	-	-	-	-	-	-	-	-	-	-	1,735,335
Support Services	653,092	-	-	-	-	-	-	-	-	-	-	-	-	653,092
CAS Total	9,220,686	-	-	-	-	-	-	-	-	-	-	-	-	9,220,686
Park Department Operating Divisions:														
Office of the Director	1,589,025	-	-	-	-	-	-	-	-	-	-	-	-	1,589,025
Public Affairs & Community Partnerships	3,612,639	-	-	-	-	-	-	-	-	-	-	-	-	3,612,639
Management Services	2,844,865	-	-	-	-	-	-	-	-	-	-	-	-	2,844,865
Information Technology & Innovation	2,728,688	-	-	-	-	-	-	-	-	-	-	-	-	2,728,688
Park Planning & Stewardship	6,711,207	-	-	-	-	-	-	-	-	-	-	-	-	6,711,207
Park Development	4,143,841	-	-	-	-	-	-	-	-	-	-	-	-	4,143,841
Park Police	15,018,761	-	-	-	-	-	-	-	-	-	-	-	-	15,018,761
Facilities, Forestry & Environmental Education	10,662,939	-	-	-	-	-	-	-	-	-	-	-	-	10,662,939
Park Management	1,028,996	-	-	-	-	-	-	-	-	-	-	-	-	1,028,996
Recreation Parks	13,885,513	-	-	-	-	-	-	-	-	-	-	-	-	13,885,513
Southern Parks	15,708,914	-	-	-	-	-	-	-	-	-	-	-	-	15,708,914
Support Services	12,745,520	-	-	-	-	-	-	-	-	-	-	-	-	12,745,520
Special Revenue Operations	400,000	-	-	-	-	-	-	2,967,428	-	-	-	-	-	2,967,428
Enterprise Operations	-	-	1,586,500	-	-	-	-	-	-	-	-	-	-	1,586,500
Non-Departmental	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Park Department Operations	101,078,688	-	1,586,500	-	-	-	-	2,967,428	10,634,588	-	-	-	-	116,267,204
Debt Service	8,026,045	-	-	-	-	-	-	-	10,634,588	-	-	-	-	18,660,633
Capital Projects	2,470,689	-	-	7,440,410	142,600	-	-	-	-	-	-	-	-	10,053,699
Transfer to Debt Service	-	-	-	-	-	-	48,445,000	-	-	-	-	-	-	48,445,000
Advanced Land Acquisition	7,165,410	-	-	-	-	-	-	-	-	-	-	-	-	7,165,410
Risk Management Operating	-	-	-	-	1,945,100	10,466,606	-	-	-	3,613,275	-	-	-	12,411,706
Capital Equipment Operating	-	-	-	-	-	-	-	-	-	-	5,566,413	-	-	5,566,413
CIO & Commission-wide IT Operating	-	-	-	-	-	-	-	-	-	-	1,987,970	-	-	1,987,970
Wheaton Headquarters Building	-	-	-	-	-	-	-	-	-	-	-	2,794,400	-	2,794,400
Transfers Out	-	450,000	-	-	-	-	25,000	-	2,550,000	-	-	-	-	2,975,000
Total Uses	34,386,602	116,720,143	1,586,500	7,440,410	2,087,700	10,466,606	48,470,000	7,352,429	13,184,588	3,613,275	5,566,413	1,987,970	2,794,400	255,657,036
Designated Expenditure Reserve @ 3%	1,031,600	3,273,100	-	-	-	-	-	-	-	-	-	-	-	4,304,700
Total Required Funds	35,418,202	119,993,243	1,586,500	7,440,410	2,087,700	10,466,606	48,470,000	7,352,429	13,184,588	3,613,275	5,566,413	1,987,970	2,794,400	259,961,736
Excess of Sources over Uses	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Funded Career/Term Positions	227.25	785.00	4.00	-	-	-	-	38.25	38.00	3.00	-	-	-	1,060.75
Total Funded Workyears	187.89	773.60	5.80	-	-	-	-	121.80	121.80	3.40	-	-	-	1,134.24

**MONTGOMERY COUNTY
 TAX RATES AND ASSESSABLE BASE**

		<u>FY 19 Actual</u>	<u>FY 20 Adopted</u>	<u>FY 21 Proposed</u>	<u>Rate Change</u>
<u>Tax Rates:</u>					
(Cents per \$100 of assessed value)					
Administration					
	Real	1.56	1.70	1.86	0.16
	Personal	3.90	4.25	4.65	0.40
Park					
	Real	5.30	5.60	6.12	0.52
	Personal	13.25	14.00	15.30	1.30
Adv. Land Acquisition					
	Real	0.10	0.10	0.10	-
	Personal	0.25	0.25	0.25	-
Total Tax Rates (Cents)					
	Real	<u>6.96</u>	<u>7.40</u>	<u>8.08</u>	<u>0.68</u>
	Personal	<u>17.40</u>	<u>18.50</u>	<u>20.20</u>	<u>1.70</u>

		<u>FY 19 Actual</u>	<u>FY 20 Adopted</u>	<u>FY 21 Proposed</u>	<u>% Change</u>
<u>Assessable Base):</u>					
(in billions \$)					
Administration Fund*					
	Real	167.323	171.429	173.069	0.96%
	Personal	3.426	3.652	3.494	-4.33%
Park Fund*					
	Real	167.323	171.429	173.069	0.96%
	Personal	3.426	3.652	3.494	-4.33%
Adv. Land Acquisition (Entire County)					
	Real	192.599	197.610	199.406	0.91%
	Personal	4.238	4.452	4.235	-4.87%

* The assessable base for both the Administration Fund and the Park Fund covers all of Montgomery County except the municipalities of Rockville, Gaithersburg, Washington Grove, Barnesville, Brookeville, Poolesville, and Laytonsville.

PRINCE GEORGE'S COUNTY FY21 PROPOSED BUDGET SUMMARY
FUND SUMMARY BY DEPARTMENT AND BY DIVISION

	Administration Fund	Park Fund	Recreation Fund	Park Debt Service Fund	ALA Debt Service Fund	ALA Revolving Fund	Capital Projects Fund	Special Revenue Fund	Enterprise Fund	Risk Management Internal Service Fund	Capital Equipment Internal Service Fund	CIO & Commission-wide IT Initiatives Internal Service Fund	Total
Sources:													
Property Taxes	\$ 58,888,100	\$ 160,651,400	\$ 83,952,400	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 303,491,900
Intergovernmental	247,517	542,177	265,306	-	-	-	3,000,000	950,000	-	-	-	-	5,005,000
Sales	50,000	-	63,000	-	-	-	-	92,000	2,450,000	-	-	-	2,655,000
Charges for Services	600,000	81,800	9,239,983	-	-	-	-	5,909,712	5,484,500	4,056,100	789,127	3,098,599	29,259,821
Rentals and Concessions	-	2,734,785	1,248,910	-	-	-	-	945,022	2,813,700	-	-	-	7,742,397
Interest	2,000,000	3,000,000	1,500,000	-	-	-	-	50,000	250,000	400,000	-	-	7,700,000
Miscellaneous	61,785,617	167,633,642	96,365,399	-	-	-	2,000,000	182,628	10,998,200	4,456,100	789,127	3,098,599	358,756,046
Total Revenues	\$ 61,785,617	\$ 167,633,642	\$ 96,365,399	\$ -	\$ -	\$ -	\$ 5,000,000	\$ 8,129,362	\$ 10,998,200	\$ 4,456,100	\$ 789,127	\$ 3,098,599	\$ 358,756,046
Transfers In	-	3,500,000	-	14,839,619	-	-	48,480,000	-	8,311,024	-	-	-	75,130,643
Debt Proceeds	-	-	-	225,000	-	-	10,250,000	-	-	-	-	-	10,475,000
Use of Fund Balance/Net Assets	-	20,686,038	4,245,017	-	-	299,279	-	28,700	-	626,175	-	-	25,885,209
Total Available Funds	\$ 61,785,617	\$ 191,819,680	\$ 100,610,416	\$ 15,064,619	\$ -	\$ 299,279	\$ 64,230,000	\$ 8,158,062	\$ 19,309,224	\$ 5,082,275	\$ 789,127	\$ 3,098,599	\$ 470,246,898
Uses:													
Commissioners' Office	\$ 3,426,221	-	-	-	-	-	-	-	-	-	-	-	3,426,221
Planning Department:													
Director's Office	4,839,697	-	-	-	-	-	-	-	-	-	-	-	4,839,697
Development Review	6,611,496	-	-	-	-	-	-	-	-	-	-	-	6,611,496
Community Planning	4,820,047	-	-	-	-	-	-	-	-	-	-	-	4,820,047
Information Management	6,894,925	-	-	-	-	-	-	-	-	-	-	-	6,894,925
Countywide Planning	8,464,755	-	-	-	-	-	-	-	-	-	-	-	8,464,755
Support Services	6,570,104	-	-	-	-	-	-	-	-	-	-	-	6,570,104
Grants	-	-	-	-	-	-	-	-	-	-	-	-	-
Special Revenue Operations	-	-	-	-	-	-	-	20,000	-	-	-	-	20,000
Planning Operations Total	38,201,024	-	-	-	-	-	-	20,000	-	-	-	-	38,221,024
Central Administrative Services (CAS):													
Dept. of Human Resources and Mgmt.	3,234,655	-	-	-	-	-	-	-	-	-	-	-	3,234,655
Department of Finance	2,847,237	-	-	-	-	-	-	-	-	-	-	-	2,847,237
Legal Department	1,365,584	-	-	-	-	-	-	-	-	-	-	-	1,365,584
Merit System Board	87,200	-	-	-	-	-	-	-	-	-	-	-	87,200
Office of Inspector General	493,660	-	-	-	-	-	-	-	-	-	-	-	493,660
Corporate IT	1,269,835	-	-	-	-	-	-	-	-	-	-	-	1,269,835
Support Services	816,020	-	-	-	-	-	-	-	-	-	-	-	816,020
CAS Total	10,114,191	-	-	-	-	-	-	-	-	-	-	-	10,114,191
Parks and Rec. Operating Divisions:													
Office of the Director	-	22,640,774	-	-	-	-	-	-	-	-	-	-	22,640,774
Administration and Development	-	36,708,523	11,650,358	-	-	-	-	-	-	-	-	-	48,358,881
Facility Operations	-	42,427,254	23,662,784	-	-	-	-	-	-	-	-	-	66,090,038
Area Operations	-	21,320,740	36,880,021	-	-	-	-	-	-	-	-	-	58,200,761
Special Revenue Operations	-	-	-	-	-	-	-	8,138,062	-	-	-	-	8,138,062
Enterprise Operations	-	-	-	-	-	-	-	-	19,309,224	-	-	-	19,309,224
Total Park and Rec. Operations	-	123,097,291	72,193,163	-	-	-	-	8,138,062	19,309,224	-	-	-	222,737,740
NonDepartmental	3,032,751	8,836,070	5,791,429	-	-	-	-	-	-	-	-	-	17,660,250
Advanced Land Acquisition	-	-	-	-	-	299,279	-	-	-	-	-	-	299,279
Debt Service	-	-	-	15,064,619	-	-	-	-	-	-	-	-	15,064,619
Capital Projects	-	-	-	-	-	-	63,730,000	-	-	-	-	-	63,730,000
Transfer to Debt Service	-	14,839,619	-	-	-	-	-	-	-	5,082,275	-	-	14,839,619
Risk Management Operating	-	-	-	-	-	-	-	-	-	-	-	-	-
Capital Equipment Operating	-	-	-	-	-	-	-	-	-	-	-	-	-
CIO & Commission-wide Operating	-	-	-	-	-	-	-	-	-	-	3,007,717	-	3,007,717
Transfers Out	3,030,000	38,450,000	18,311,024	-	-	-	500,000	-	-	-	-	-	60,291,024
Total Uses	\$ 57,804,187	\$ 185,222,980	\$ 96,295,616	\$ 15,064,619	\$ -	\$ 299,279	\$ 64,230,000	\$ 8,158,062	\$ 19,309,224	\$ 5,082,275	\$ -	\$ 3,007,717	\$ 454,473,959
Designated Expenditure Reserve @ 5%	2,738,700	6,596,700	4,314,800	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	13,650,200
Total Required Funds	\$ 60,542,887	\$ 191,819,680	\$ 100,610,416	\$ 15,064,619	\$ -	\$ 299,279	\$ 64,230,000	\$ 8,158,062	\$ 19,309,224	\$ 5,082,275	\$ -	\$ 3,007,717	\$ 468,124,159
Excess of Sources over Uses	\$ 1,242,730	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 789,127	\$ 90,882	\$ 2,122,739
Total Funded Career/Term Positions	277.75	832.00	322.00	-	-	-	-	-	69.00	3.00	-	-	1,507.25
Total Funded Workyears	273.30	1,038.79	1,182.17	-	-	-	-	189.10	258.60	3.40	-	-	2,948.86

**PRINCE GEORGE'S COUNTY
 TAX RATES AND ASSESSABLE BASE**

		<u>FY 19 Actual</u>	<u>FY 20 Adopted</u>	<u>FY 21 Proposed</u>	<u>Rate Change</u>
<u>Tax Rates:</u>					
(Cents per \$100 of assessed value)					
Administration					
	Real	5.66	5.66	5.66	-
	Personal	14.15	14.15	14.15	-
Park					
	Real	15.94	15.94	15.94	-
	Personal	39.85	39.85	39.85	-
Recreation					
	Real	7.80	7.80	7.80	-
	Personal	19.50	19.50	19.50	-
Adv. Land Acquisition					
	Real	0.00	0.00	0.00	-
	Personal	0.00	0.00	0.00	-
Total Tax Rates (Cents)					
	Real	<u>29.40</u>	<u>29.40</u>	<u>29.40</u>	-
	Personal	<u>73.50</u>	<u>73.50</u>	<u>73.50</u>	-

		<u>FY 19 Actual</u>	<u>FY 20 Adopted</u>	<u>FY 21 Proposed</u>	<u>% Change</u>
<u>Assessable Base:</u>					
(in billions \$)					
Regional District (Administration Fund)					
	Real	88.181	92.949	96.872	4.22%
	Personal	3.303	3.124	2.968	-4.99%
Metropolitan District (Park Fund)					
	Real	85.399	90.016	93.815	4.22%
	Personal	3.199	3.025	2.874	-4.99%
Entire County (Recreation Fund and ALA Fund)					
	Real	91.238	96.171	100.229	4.22%
	Personal	3.417	3.232	3.071	-4.98%

*The **Regional District** consists of Prince George's County less the area enclosed by the corporate limits of the City of Laurel.*

*The **Metropolitan District** consists of all of Prince George's County, less the area of: The City of Greenbelt, City of District Heights, City of Laurel, most of Election District #10 (West of Laurel), the Aquasco area (Election District #8), and the Nottingham area (Election District #4).*

COMMISSION-WIDE FY20 ADOPTED BUDGET SUMMARY
FUND SUMMARY BY DEPARTMENT

	County Funds		Commission-wide Funds		Total
	Montgomery County Funds	Prince George's County Funds	Executive Office Building Internal Service Fund	Group Insurance Fund	
Sources:					
Property Taxes	\$ 146,571,600	\$ 303,491,900	\$ -	\$ -	\$ 450,063,500
Intergovernmental	42,900,640	5,005,000	-	2,000,000	49,905,640
Sales	935,800	2,655,000	-	-	3,590,800
Charges for Services	20,508,378	29,259,821	1,352,000	58,665,271	109,785,470
Rentals and Concessions	6,014,695	7,742,397	-	-	13,757,092
Interest	1,063,000	7,700,000	25,000	200,000	8,988,000
Miscellaneous	6,757,441	2,901,928	-	-	9,659,369
Total Revenues	224,751,554	358,756,046	1,377,000	60,865,271	645,749,871
Transfers In	10,752,604	75,130,643	-	-	85,883,247
Bond Proceeds	11,160,000	10,475,000	-	-	21,635,000
Use of Fund Balance/Net Assets	13,347,622	25,885,209	60,703	1,147,074	40,440,608
Total Available Funds	\$ 260,011,780	\$ 470,246,898	\$ 1,437,703	\$ 62,012,345	\$ 793,708,726
Uses:					
Commissioners' Office	1,265,196	3,426,221	-	-	4,691,417
Planning Department	25,815,032	38,221,024	-	-	64,036,056
Parks Department	116,267,204	-	-	-	116,267,204
Parks and Recreation Department	-	222,737,740	-	-	222,737,740
Central Administrative Services (CAS)					
Dept. of Human Resources and Mgmt.	2,459,657	3,234,655	-	-	5,694,312
Department of Finance	2,254,622	2,847,237	-	-	5,101,859
Legal Department	1,639,427	1,365,584	-	-	3,005,011
Merit System Board	87,200	87,200	-	-	174,400
Office of Inspector General	391,353	493,660	-	-	885,013
Corporate IT	1,735,335	1,269,835	-	-	3,005,170
Support Services	653,092	816,020	-	-	1,469,112
NonDepartmental	10,496,734	17,660,250	-	-	28,156,984
Debt Service	7,583,010	15,064,619	-	-	22,647,629
Capital Projects	48,445,000	63,730,000	-	-	112,175,000
Advanced Land Acquisition	12,411,706	299,279	-	-	12,710,985
Risk Management	3,613,275	5,082,275	-	-	8,695,550
Capital Equipment	5,566,413	-	-	-	5,566,413
CIO/Commission-wide IT	1,987,970	3,007,717	-	-	4,995,687
Wheaton Headquarters Building	2,794,400	-	-	-	2,794,400
Executive Office Building	-	-	1,437,703	-	1,437,703
Group Insurance	-	-	-	62,012,345	62,012,345
Transfers Out	10,190,410	75,130,643	-	-	85,321,053
Total Uses	\$ 255,657,036	\$ 454,473,959	\$ 1,437,703	\$ 62,012,345	\$ 773,581,043
Designated Expenditure Reserve	4,304,700	13,650,200	<i>not applicable</i>	<i>not applicable</i>	17,954,900
Total Required Funds	\$ 259,961,736	\$ 468,124,159	\$ 1,437,703	\$ 62,012,345	\$ 791,535,943
Excess of Sources over Uses	\$ 50,044	\$ 2,122,739	\$ -	\$ -	\$ 2,172,783
Total Funded Career/Term Positions	1,060.75	1,507.25	2.00	6.00	2,576.00
Total Funded Workyears	1,134.24	2,948.86	2.00	6.20	4,091.30

MEMORANDUM



EMPLOYEES' RETIREMENT SYSTEM
 The Maryland-National Capital Park and Planning Commission
 6611 Kenilworth Avenue, Suite 100
 Riverdale, Maryland 20737

(301) 454-1415 - Telephone
 (301) 454-1413 - Facsimile
<http://ers.mncppc.org>
ERSBoard@mncppc.org

BOARD OF TRUSTEES

Chairman Elizabeth M. Hewlett
 Vice Chairman Gerald R. Cichy

Andrea L. Rose
 Administrator

Howard Brown
 Melissa D. Ford
 Amy Millar
 Elaine Stookey

Asuntha Chiang-Smith
 Pamela F. Gogol
 Sheila Morgan-Johnson
 Joseph C. Zimmerman, CPA

To: The Commission Date: December 3, 2019

Via: Elizabeth M. Hewlett
 Chairman, Board of Trustees

From: Andrea L. Rose
 Administrator

Subject: Resolution #19-24 - Recommendation to Approve an Amendment to the Employees' Retirement System's FY2020 Operating Budget in the Amount of \$266,532

RECOMMENDATION:

At its December 3, 2019 meeting, the Employees' Retirement System (ERS) Board of Trustees ("Board") approved an amendment to the FY2020 Operating Budget. The Board recommends the Commission approve Resolution #19-24 which adopts an amendment to the ERS' FY2020 Operating Budget in the amount of \$266,532. The amendment will permit the ERS to fund the initial costs for a comprehensive pension administration system.

BACKGROUND:

At its November 6, 2018 meeting, the Board selected Levi, Ray, and Shoup (LRS) to provide a comprehensive pension administration solution; document imaging solution; and member web portal for the ERS. At the Commission's November 21, 2018 meeting, the ERS received the Commission's support for a supplemental expenditure request to move ahead with contract negotiations with LRS and to return with a budget amendment. At its December 3, 2019 meeting, the Board approved a contract with LRS and amendment to the FY2020 Operating Budget to fund the initial costs for a pension administration system.

LRS is a privately held corporation in business over 35 years, headquartered in Springfield, Illinois. LRS' Retirement Solutions business unit has 89 employees based in the U.S. with separate teams for implementation and on-going support. LRS' focus for the last 10 years has primarily been in the public sector. LRS' PensionGold software is used locally by Prince George's County

and Fairfax County and nationally by Santa Barbara County Employees' Retirement System, City of Austin Employees' Retirement System, City of San Jose Office of Retirement Systems and San Luis Obispo County Pension Trust.

A hosted (versus on-premise) solution is recommended since the Commission is moving toward hosted solutions and this allows the ERS to focus staff resources on the business of pension and less on the business of IT. The seven-year total cost of ownership is \$2,480,774. This will be a multi-year project with both one-time and recurring costs. The project kick-off is expected in January 2020; therefore, a budget amendment is required for FY2020 to fund costs through June 30, 2020. Additional costs for the pension administration system will be included in the FY2021 Operating Budget submitted in the spring of 2020 for approval.

The FY2020 Operating Budget of \$2,059,688 does not include any costs for a comprehensive pension administration system which were not known when the FY2020 Operating Budget was approved. The Amended FY2020 Operating Budget proposes overall spending at \$2,326,220, an increase of \$266,532, 12.9%. The funding source is the ERS Trust Fund so no additional funds are required from the Commission. The market value of the ERS Trust Fund was \$980 million as of September 30, 2019. A breakdown of costs through June 30, 2020 is shown below.

Increased Costs Due to Pension Administration System	
• Software License Fees	\$49,478
• Hosting	\$40,512
• Professional Services	\$176,542
Total	\$266,532

Software license fees are paid one-third on or before the project kick-off meeting, one-third no later than 30 days after go-live, and one-third no later than 30 days after the one-year anniversary of go-live. Hosting fees for the first year are lower and include only a single test environment. A test and production environment will be brought up as the project approaches go-live. Professional services include initial implementation services, conversion services, training and travel costs. There is a 10% holdback on implementation costs. This is a safety net and the holdback is due at the conclusion of the project.

The Board requests the Commission approve the amendment to the ERS' FY2020 Operating Budget.



M-NCPPC NO. 19-24

RESOLUTION

**RECOMMENDATION TO APPROVE AN AMENDMENT
TO THE EMPLOYEES' RETIREMENT SYSTEM FY2020 OPERATING BUDGET
IN THE AMOUNT OF \$266,532**

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 a Memorandum of Understanding dated February 11, 1982, between those same entities ("Agreement"); and

WHEREAS, Section 2 of the Agreement states that the Board of Trustees "will annually prepare and present to the Commission for its review and approval, an operating budget setting forth projected expenditures for the operation of the ERS..." and further provides that the "Board will present any supplemental expenditure requests to the Commission for consideration"; and

WHEREAS, the Commission approved the FY2020 Operating Budget submitted by the Board of Trustees on June 19, 2019 in the amount of \$2,059,688; and

WHEREAS, the ERS needs a supplemental expenditure in the amount of \$266,532 for FY2020 to fund the initial costs for a comprehensive pension administration system; and

NOW THEREFORE, BE IT RESOLVED, that the Commission as Plan Sponsor approves the supplemental expenditure of \$266,532 for an amended FY2020 Operating Budget of \$2,326,220; 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

Francis D. Glavin

M-NCPPC Legal Department

Date 12/9/19

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

	<u>31 - 60 DAYS</u>		<u>61 - 90 DAYS</u>		<u>91 + DAYS</u>		<u>DEPARTMENT TOTALS</u>	
	Oct-19	Nov-19	Oct-19	Nov-19	Oct-19	Nov-19	Oct-19	Nov-19
CHAIRMAN, MONTGOMERY COUNTY	0	1	0	0	0	0	0	1
CHARIMAN, PRINCE GEORGE'S COUNTY	0	0	0	0	0	0	0	0
OFFICE OF CIO	0	0	1	0	0	0	1	0
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	2	0	0	0	0	1	2
LEGAL DEPARTMENT	3	5	0	0	0	0	3	5
FINANCE DEPARTMENT	1	5	0	0	0	0	1	5
PRINCE GEORGE'S PLANNING	4	6	1	2	1	0	6	8
PRINCE GEORGE'S PARKS & RECREATION	12	17	0	0	1	0	13	17
MONTGOMERY COUNTY PARKS	12	13	1	2	1	0	14	15
MONTGOMERY COUNTY PLANNING	5	13	0	3	1	0	6	16
DEPARTMENT TOTAL BY DAYS LATE	38	62	3	7	4	0		
COMMISSION-WIDE TOTAL							45	69

**DEPARTMENTS HAVE BEEN NOTIFIED OF LATE EVALUATIONS.

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

Reply To

December 5, 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 November 2019 – FY 2020

Please find the attached litigation report we have prepared for your meeting scheduled on Wednesday, December 18, 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.

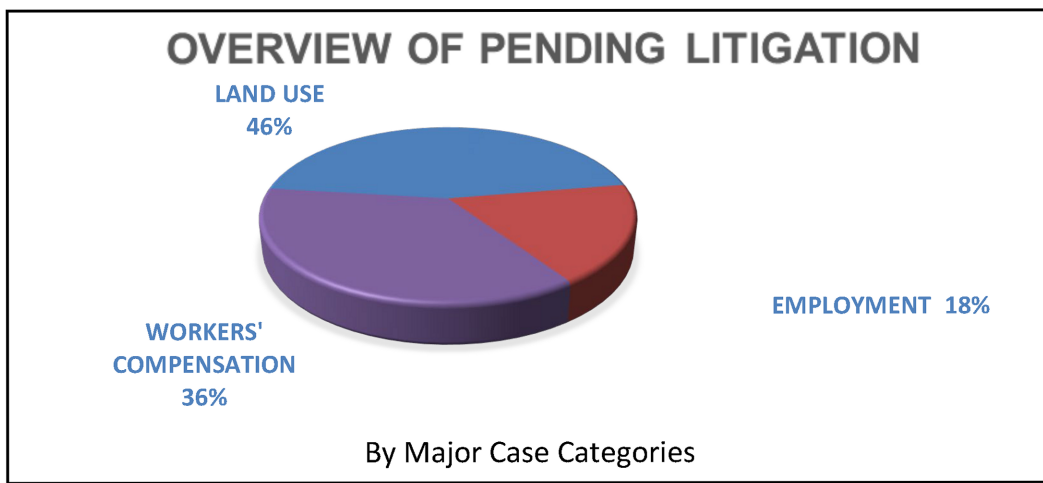
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November 2019 Composition of Pending Litigation

(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	3	1					4
Debt Collection							
Bankruptcy							
Miscellaneous							
Per Forum Totals	6	3	1	1			11



November 2019 Litigation Activity Summary

	COUNT FOR MONTH			COUNT FOR FISCAL YEAR 2019			
	Pending In Oct. 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)	2				2		2
Contract Disputes (CD)							
Property Disputes (PD)							
Civil Enforcement (CE)							
Workers' Compensation (WC)	6		2	5	3	5	4
Debt Collection (D)							
Bankruptcy (B)							
Miscellaneous (M)				2		2	
Totals	13		2	14	8	12	11

**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>
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**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
Commission v. Sommer	PG	WC	Oct 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
Ross v. Commission	PG	WC	Oct 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 VMAL 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 Commission v. Sommer	Claimant and Commission filed Joint Petitions for Judicial Review appealing the several denials of a proposed settlement agreement by the WCC.	10/30/19 – Court remanded back to WCC in line with settlement agreement between the parties. Commission to pay a lump sum payment of \$50,000, less attorney's fees of \$7,516.15.
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

Ross v. Commission	Defense of appeal from order granting a credit for overpayment of temporary total disability from June 26, 2013 to March 23, 2016.	10/22/19 – Appeal dismissed by Ross.
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:

03/25/19	Complaint filed
07/19/19	Commission served
07/31/19	Notice of Intent to Defend filed by Commission
10/23/19	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. Commission Demand for Jury trial
11/13/19	Case Dismissed. Awaiting receipt of payment per agreement.

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 Realty, LLC's Response to Petition for Judicial Review filed
11/21/19	Administrative record 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: The Commission filed for Judicial Review on the record of WCC order regarding surgical authorization for leg causally related to accidental injury.

Status: Awaiting ruling on Motion to Bifurcate.

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.
11/21/19	Motion to Bifurcate filed by Commission in an attempt to litigate the dispositive legal issue preliminarily before any de novo trial.
11/25/19	Opposition to Motion to Bifurcate filed by Claimant.

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 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
10/07/19	Petition for Judicial Review filed by Patricia McCourt
01/08/20	Oral Argument

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
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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.
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.

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: Certiorari denied.

Docket:

09/25/19	Petition for Writ of Certiorari filed
11/20/19	Certiorari denied

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: Awaiting Court action on Status Report.

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 Intent to file Motion for More Definite Statement filed by J. Creed on behalf of Defendant Murphy
10/28/19	Notice of Intent to File a Motion for More Definite Statement filed by attorney C. Bruce on behalf of Defendant Uhrig
11/19/19	Case Management Conference held
11/20/19	Order directing Plaintiff's Counsel to file Status Report by November 26, 2019
11/26/19	Status Report filed by Plaintiff agreeing to file Amended Complaint specifying against whom each claim is asserted and dates of alleged events.



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

Reply To

November 15, 2019

Office of the 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: Pending Bi-County Legislation

Please find the attached bi-county legislation that has been introduced so far. Staff will be available during the Commission meeting next week to make recommendations regarding agency support or opposition to some of these bills. Please feel free to call me if you have any questions or comments in the meantime.

Bill No.	Title Description
PG/MC 104-20	Montgomery County – Land Use Documents – Certification
PG/MC 101-20	Maryland–National Capital Park and Planning Commission – Mandatory Referral Review
PG/MC 102-20	Bicounty Commissions – Annual Reports – Conflicts of Interest and Lobbying
PG/MC 105-20	Income Tax – Subtraction Modification – Maryland–National Capital Park Police and Washington Suburban Sanitary Commission Police Force
PG/MC 108-20	Maryland–National Capital Park and Planning Commission – Summer Math, Reading, and Science Pilot Program
PG/MC 107-20	Maryland–National Capital Park and Planning Commission – Application of Neonicotinoid Pesticides or Glyphosate – Prohibition

Bill No.: _____

Requested: _____

Committee: _____

Drafted by: Selle

Typed by: Fran

Stored – 10/28/19

Proofread by _____

Checked by _____

By: **Prince George’s County Delegation and Montgomery County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Land Use Documents – Certification**

3 **PG/MC 104–20**

4 FOR the purpose of requiring certain land use regulations applicable in Montgomery
5 County to require that certain persons sign a certain certification under penalty of
6 perjury for certain documents submitted to a certain planning board; establishing
7 the content of the certification; and generally relating to the certification under
8 penalty of perjury of certain land use documents in Montgomery County.

9 BY repealing and reenacting, without amendments,
10 Article – Land Use
11 Section 23–102(a) and (c), 23–103(a), and 23–104(a)(1)
12 Annotated Code of Maryland
13 (2012 Volume and 2019 Supplement)

14 BY adding to
15 Article – Land Use
16 Section 23–109
17 Annotated Code of Maryland
18 (2012 Volume and 2019 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
2 That the Laws of Maryland read as follows:

3 **Article – Land Use**

4 23–102.

5 (a) (1) Except as provided in subsection (c) of this section, a subdivision plat of
6 land in the regional district may not be admitted to the land records of Montgomery County
7 or Prince George’s County, or received or recorded by the clerks of the courts of the
8 respective county, unless:

9 (i) the plat has been submitted to and approved by the applicable
10 county planning board; and

11 (ii) the chair of the county planning board and the
12 secretary–treasurer of the Commission endorse an approval in writing on the plat.

13 (2) The recordation of a subdivision plat without the approval of the county
14 planning board is void.

15 (c) A subdivision in a municipal corporation with subdivision authority under
16 Division II of the Local Government Article that is in the regional district may be recorded
17 in the land records of Montgomery County or Prince George’s County if:

18 (1) the subdivision plat has been submitted to and approved by the
19 municipal corporation; and

20 (2) the appropriate official of the municipal corporation endorses an
21 approval in writing on the plat.

22 23–103.

23 (a) Except as provided in subsection (b) of this section, in connection with the
24 approval of a subdivision plat, the appropriate county planning board may require a
25 dedication of land for:

26 (1) an interior subdivision road;

1 (2) a road that abuts the subdivision for the purpose of creating a new road
2 as part of the plan of subdivision to provide for traffic access to another subdivision road;
3 and

4 (3) the widening of an existing or public road that abuts the subdivision for
5 the purpose of providing additional right-of-way adequate to serve additional traffic that
6 will be generated by the subdivision.

7 23-104.

8 (a) (1) In exercising the subdivision powers under §§ 23-102 and 23-103 of
9 this subtitle, the Commission or the governing body of Montgomery County or Prince
10 George’s County may adopt subdivision regulations and amendments governing a
11 subdivision in:

12 (i) the regional district; or

13 (ii) the respective portion of the regional district in the county.

14 23-109.

15 (A) THIS SECTION APPLIES ONLY IN MONTGOMERY COUNTY.

16 (B) THE SUBDIVISION REGULATIONS SHALL REQUIRE AN APPLICANT TO
17 SIGN A CERTIFICATION UNDER THE PENALTY OF PERJURY FOR:

18 (1) A FOREST CONSERVATION PLAN EXEMPTION APPLICATION;

19 (2) A NATURAL RESOURCES INVENTORY/FOREST STAND
20 DELINEATION, INCLUDING ANY REQUIRED MAPS OR DRAWINGS;

21 (3) A FOREST MITIGATION BANK APPLICATION; AND

22 (4) A CONCEPT PLAN OR ANY OTHER LOCAL DEVELOPMENT PLAN
23 THAT DOES NOT REQUIRE EITHER A NATURAL RESOURCES INVENTORY/FOREST
24 STAND DELINEATION OR A FOREST CONSERVATION PLAN EXEMPTION.

1 **(C) A CERTIFICATION REQUIRED UNDER THIS SECTION SHALL BE IN THE**
2 **FOLLOWING FORM:**

3 **“I (WE) CERTIFY, UNDER THE PENALTY OF PERJURY, THAT THIS DOCUMENT,**
4 **INCLUDING ANY ACCOMPANYING FORMS, STATEMENTS, MAPS, OR DRAWINGS, HAS**
5 **BEEN EXAMINED BY ME (US) AND THE INFORMATION CONTAINED HEREIN, TO THE**
6 **BEST OF MY (OUR) KNOWLEDGE, INFORMATION, AND REASONABLE BELIEF, IS TRUE,**
7 **CORRECT, AND COMPLETE.”.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2020.

DRAFT

Bill No.: _____
Requested: _____
Committee: _____

Drafted by: McCarthy
Typed by: Elise
Stored – 08/28/19
Proofread by _____
Checked by _____

By: **Prince George’s County Delegation and Montgomery County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland–National Capital Park and Planning Commission – Mandatory**
3 **Referral Review**

4 **PG/MC 101–20**

5 FOR the purpose of establishing that a certain referral to the Maryland–National Capital
6 Park and Planning Commission is deemed approved under certain circumstances
7 only if there is a complete submission that can be adequately reviewed by the
8 Commission; requiring the Commission to notify a certain submitting entity within
9 a certain period of time regarding whether a certain submission or amendment to a
10 submission is complete and accepted or rejected as incomplete; requiring the
11 Commission to provide certain information to a submitting entity under certain
12 circumstances; requiring the Commission to act on a certain amended submission
13 within a certain period of time; authorizing a submitting entity to give certain notice
14 to the Commission that the entity is unable to provide certain additional information
15 on a certain submission through reasonable means under certain circumstances;
16 requiring the Commission to consider a certain submission as complete and take
17 certain action within a certain period of time; defining a certain term; and generally
18 relating to the Maryland–National Capital Park and Planning Commission and
19 mandatory referral review.

20 BY repealing and reenacting, without amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Land Use
2 Section 20–301
3 Annotated Code of Maryland
4 (2012 Volume and 2019 Supplement)

5 BY repealing and reenacting, with amendments,
6 Article – Land Use
7 Section 20–304
8 Annotated Code of Maryland
9 (2012 Volume and 2019 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
11 That the Laws of Maryland read as follows:

12 **Article – Land Use**

13 20–301.

14 Subject to §§ 20–303 and 20–304 of this subtitle, a public board, public body, or public
15 official may not conduct any of the following activities in the regional district unless the
16 proposed location, character, grade, and extent of the activity is referred to and approved
17 by the Commission:

- 18 (1) acquiring or selling land;
- 19 (2) locating, constructing, or authorizing:
 - 20 (i) a road;
 - 21 (ii) a park;
 - 22 (iii) any other public way or ground;
 - 23 (iv) a public building or structure, including a federal building or
24 structure; or
 - 25 (v) a publicly owned or privately owned public utility; or

1 (3) changing the use of or widening, narrowing, extending, relocating,
2 vacating, or abandoning any facility listed in item (2) of this section.

3 20–304.

4 (A) IN THIS SECTION, “COMPLETE SUBMISSION” MEANS ENGINEERING OR
5 ARCHITECTURAL DRAWINGS THAT DEPICT THE PROPOSED LOCATION, CHARACTER,
6 GRADE, AND EXTENT OF THE ACTIVITY SUBJECT TO A MANDATORY REFERRAL.

7 (B) Unless a longer period is granted by the submitting entity, an official referral
8 to the Commission under this part is deemed approved if the Commission fails to act within
9 60 days after the date of A COMPLETE submission ACCEPTED BY THE COMMISSION TO
10 ADEQUATELY REVIEW THE PROPOSED LOCATION, CHARACTER, GRADE, AND EXTENT
11 OF THE ACTIVITY.

12 (C) (1) WITHIN 3 BUSINESS DAYS AFTER RECEIVING A SUBMISSION OR AN
13 AMENDMENT TO A SUBMISSION, THE COMMISSION SHALL NOTIFY THE SUBMITTING
14 ENTITY THAT THE SUBMISSION IS:

15 (I) COMPLETE AND ACCEPTED BY THE COMMISSION; OR

16 (II) REJECTED AS INCOMPLETE BY THE COMMISSION.

17 (2) AT THE SAME TIME THAT THE COMMISSION PROVIDES NOTICE
18 THAT A SUBMISSION HAS BEEN REJECTED AS INCOMPLETE UNDER PARAGRAPH
19 (1)(II) OF THIS SUBSECTION, THE COMMISSION SHALL PROVIDE TO THE
20 SUBMITTING ENTITY AN ITEMIZED LIST OF THE INFORMATION REQUIRED FOR THE
21 SUBMISSION TO BE CONSIDERED COMPLETE.

22 (D) IF A SUBMITTING ENTITY SUBMITS AN AMENDMENT TO A SUBMISSION
23 THAT WAS REJECTED AS INCOMPLETE, THE COMMISSION:

24 (1) SHALL ACT ON THE AMENDED SUBMISSION WITHIN 60 DAYS AFTER
25 RECEIPT OF THE AMENDMENT; AND

26 (2) WITHIN 3 BUSINESS DAYS AFTER RECEIPT OF THE AMENDMENT,
27 SHALL NOTIFY THE SUBMITTING ENTITY OF THE COMPLETENESS OF THE
28 SUBMISSION IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION.

1 **(E) (1) IF A SUBMISSION IS REJECTED AS INCOMPLETE AFTER THE**
2 **SUBMITTING ENTITY HAS SUBMITTED AMENDMENTS AT LEAST THREE TIMES, THE**
3 **ENTITY MAY NOTIFY THE COMMISSION THAT IT IS UNABLE TO PROVIDE ADDITIONAL**
4 **INFORMATION ON THE SUBMISSION THROUGH REASONABLE MEANS.**

5 **(2) ON RECEIPT OF THE NOTICE FROM A SUBMITTING ENTITY**
6 **PROVIDED IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION, THE**
7 **COMMISSION SHALL:**

8 **(I) ACCEPT THE SUBMISSION AS COMPLETE; AND**

9 **(II) ACT ON THE SUBMISSION WITHIN 60 DAYS.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2020.

Bill No.: _____

Requested: _____

Committee: _____

Drafted by: Johnston

Typed by: Fran

Stored – 10/04/19

Proofread by _____

Checked by _____

By: **Prince George’s County Delegation and Montgomery County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Bicounty Commissions – Annual Reports – Conflicts of Interest and Lobbying**

3 **PG/MC 102–20**

4 FOR the purpose of requiring certain bicounty commissions to submit a certain report on
5 certain conflict of interest issues and regulations on or before a certain date each
6 year; requiring certain bicounty commissions to submit a certain report on certain
7 lobbying and lobbying regulation on or before a certain date each year; requiring
8 certain bicounty commissions to publish certain reports on the website of the
9 bicounty commission; and generally relating to annual reports on conflicts of interest
10 and lobbying by bicounty commissions.

11 BY repealing and reenacting, without amendments,

12 Article – General Provisions

13 Section 5–101(c)

14 Annotated Code of Maryland

15 (2019 Replacement Volume)

16 BY repealing and reenacting, with amendments,

17 Article – General Provisions

18 Section 5–823 and 5–830

19 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2019 Replacement Volume)

2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
3 That the Laws of Maryland read as follows:

4 **Article – General Provisions**

5 5–101.

6 (c) “Bicounty commission” means:

- 7 (1) the Maryland–National Capital Park and Planning Commission;
- 8 (2) the Washington Suburban Sanitary Commission; or
- 9 (3) the Washington Suburban Transit Commission.

10 5–823.

11 (a) Each bicounty commission shall adopt regulations relating to conflicts of
12 interest of its employees.

13 (b) At a minimum, the conflict of interest standards applicable to public officials
14 under Subtitle 5 of this title shall apply to the employees of each bicounty commission.

15 (c) Each bicounty commission shall file with the Ethics Commission a copy of its
16 regulations relating to conflicts of interest.

17 (d) **[Each] ON OR BEFORE APRIL 15 EACH YEAR, EACH** bicounty commission
18 shall:

19 (1) prepare an annual report on its conflict of interest issues and
20 regulations during the year covered; **[and]**

21 (2) submit the report to the governing body of each county in which the
22 bicounty commission operates; **AND**

23 **(3) PUBLISH THE REPORT ON THE WEBSITE OF THE BICOUNTY**

1 COMMISSION.

2 5-830.

3 (a) Each bicounty commission shall adopt regulations relating to lobbying of that
4 bicounty commission.

5 (b) At a minimum, the regulations adopted by a bicounty commission shall be
6 similar to the provisions of Subtitle 7 of this title.

7 (c) Each bicounty commission shall submit to the Ethics Commission a copy of its
8 regulations relating to lobbying.

9 (d) **[Each] ON OR BEFORE APRIL 15 EACH YEAR, EACH** bicounty commission
10 shall:

11 (1) prepare an annual report on the lobbying before the bicounty
12 commission and regulation of that lobbying by the bicounty commission; **[and]**

13 (2) submit the report to the governing body of each county in which the
14 bicounty commission operates; **AND**

15 **(3) PUBLISH THE REPORT ON THE WEBSITE OF THE BICOUNTY**
16 **COMMISSION.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2020.

Bill No.: _____
Requested: _____
Committee: _____

Drafted by: Butler
Typed by: Elise
Stored – 09/23/19
Proofread by _____
Checked by _____

By: **Prince George’s County Delegation and Montgomery County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Income Tax – Subtraction Modification – Maryland–National Capital Park**
3 **Police and Washington Suburban Sanitary Commission Police Force**

4 **PG/MC 105–20**

5 FOR the purpose of altering a subtraction modification under the Maryland income tax for
6 certain law enforcement officers to include law enforcement officers who are
7 members of the Maryland–National Capital Park Police or the Washington
8 Suburban Sanitary Commission Police Force and reside in a certain political
9 subdivision with a certain crime rate; providing for the application of this Act; and
10 generally relating to a subtraction modification under the Maryland income tax for
11 members of the Maryland–National Capital Park Police or the Washington
12 Suburban Sanitary Commission Police Force.

13 BY repealing and reenacting, without amendments,
14 Article – Tax – General
15 Section 10–207(a)
16 Annotated Code of Maryland
17 (2016 Replacement Volume and 2019 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Tax – General

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 Section 10–207(cc)
2 Annotated Code of Maryland
3 (2016 Replacement Volume and 2019 Supplement)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
5 That the Laws of Maryland read as follows:

6 **Article – Tax – General**

7 10–207.

8 (a) To the extent included in federal adjusted gross income, the amounts under
9 this section are subtracted from the federal adjusted gross income of a resident to determine
10 Maryland adjusted gross income.

11 (cc) (1) (i) In this subsection the following words have the meanings
12 indicated.

13 (ii) “Law enforcement agency” has the meaning stated in § 3–201 of
14 the Public Safety Article.

15 (iii) “Law enforcement officer” means an individual who:

16 1. in an official capacity is authorized by law to make arrests;
17 and

18 2. is a member of **THE MARYLAND–NATIONAL CAPITAL**
19 **PARK POLICE, THE WASHINGTON SUBURBAN SANITARY COMMISSION POLICE**
20 **FORCE, OR** a law enforcement agency, including a law enforcement officer who serves in a
21 probationary status or at the pleasure of the appointing authority of a county or municipal
22 corporation.

23 (iv) “Maryland Police Training and Standards Commission” means
24 the unit established under § 3–202 of the Public Safety Article.

25 (2) The subtraction under subsection (a) of this section includes the first
26 \$5,000 of income earned by a law enforcement officer if:

1 (i) 1. the law enforcement officer resides in the political
2 subdivision in which the law enforcement officer is employed; and

3 2. the crime rate in the political subdivision exceeds the
4 State’s crime rate; [or]

5 (ii) 1. the law enforcement officer is a member of the Maryland
6 Transportation Authority Police; and

7 2. the law enforcement officer resides in a political
8 subdivision in which the crime rate exceeds the State’s crime rate;

9 (iii) 1. THE LAW ENFORCEMENT OFFICER IS A MEMBER OF
10 THE MARYLAND–NATIONAL CAPITAL PARK POLICE;

11 2. THE LAW ENFORCEMENT OFFICER RESIDES IN A
12 POLITICAL SUBDIVISION THAT LIES WHOLLY OR PARTIALLY WITHIN THE
13 MARYLAND–WASHINGTON REGIONAL DISTRICT ESTABLISHED UNDER § 20–101 OF
14 THE LAND USE ARTICLE; AND

15 3. THE CRIME RATE IN THE POLITICAL SUBDIVISION
16 EXCEEDS THE STATE’S CRIME RATE; OR

17 (iv) 1. THE LAW ENFORCEMENT OFFICER IS A MEMBER OF
18 THE WASHINGTON SUBURBAN SANITARY COMMISSION POLICE FORCE;

19 2. THE LAW ENFORCEMENT OFFICER RESIDES IN A
20 POLITICAL SUBDIVISION THAT LIES WHOLLY OR PARTIALLY WITHIN THE
21 WASHINGTON SUBURBAN SANITARY DISTRICT; AND

22 3. THE CRIME RATE IN THE POLITICAL SUBDIVISION
23 EXCEEDS THE STATE’S CRIME RATE.

24 (3) On or before September 1, 2016, and every 3 years thereafter, the
25 Maryland Police Training and Standards Commission shall certify to the Comptroller the
26 political subdivisions in which the crime rate exceeds the State’s crime rate.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2020, and shall be applicable to all taxable years beginning after December 31, 2019.

DRAFT

Bill No.: _____
Requested: _____
Committee: _____

Drafted by: Lemieux
Typed by: Elise
Stored – 10/30/19
Proofread by _____
Checked by _____

By: **Prince George’s County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland–National Capital Park and Planning Commission – Summer Math,**
3 **Reading, and Science Pilot Program**

4 **PG/MC 108–20**

5 FOR the purpose of establishing the Summer Math, Reading, and Science Pilot Program;
6 providing for the purpose of the Pilot Program; requiring the Maryland–National
7 Capital Park and Planning Commission to coordinate with the Prince George’s
8 County public school system to integrate certain academic content into summer
9 parks and recreation programs offered in Prince George’s County; requiring the
10 Commission to develop methods for measuring the effectiveness of the Pilot Program;
11 requiring the Commission to implement the Pilot Program on or before a certain date
12 in certain areas of Prince George’s County; requiring the Commission to report to
13 the Prince George’s County House Delegation on or before a certain date; defining a
14 certain term; providing for the termination of this Act; and generally relating to the
15 Summer Math, Reading, and Science Pilot Program.

16 BY adding to
17 Article – Land Use
18 Section 25–901 to be under the new subtitle “Subtitle 9. Summer Math, Reading,
19 and Science Pilot Program”
20 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (2012 Volume and 2019 Supplement)

2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
3 That the Laws of Maryland read as follows:

4 **Article – Land Use**

5 **SUBTITLE 9. SUMMER MATH, READING, AND SCIENCE PILOT PROGRAM.**

6 **25–901.**

7 **(A) IN THIS SECTION, “PILOT PROGRAM” MEANS THE SUMMER MATH,**
8 **READING, AND SCIENCE PILOT PROGRAM.**

9 **(B) THE COMMISSION SHALL DEVELOP AND IMPLEMENT A SUMMER MATH,**
10 **READING, AND SCIENCE PILOT PROGRAM.**

11 **(C) THE PURPOSE OF THE PILOT PROGRAM IS TO INTEGRATE MATH,**
12 **READING, SCIENCE, TECHNOLOGY, AND SOCIAL SCIENCES CONTENT INTO THE**
13 **COMMISSION’S SUMMER PARKS AND RECREATION PROGRAMS OFFERED IN PRINCE**
14 **GEORGE’S COUNTY.**

15 **(D) THE COMMISSION SHALL:**

16 **(1) COORDINATE WITH THE PRINCE GEORGE’S COUNTY PUBLIC**
17 **SCHOOL SYSTEM TO INTEGRATE MATH, READING, SCIENCE, TECHNOLOGY, AND**
18 **SOCIAL SCIENCES CONTENT INTO THE COMMISSION’S SUMMER PARKS AND**
19 **RECREATION PROGRAMS;**

20 **(2) DEVELOP METHODS FOR MEASURING THE EFFECTIVENESS OF**
21 **THE PILOT PROGRAM, INCLUDING:**

22 **(I) ASSESSMENTS THAT MEASURE STUDENT PERFORMANCE AT**
23 **THE BEGINNING AND END OF A SUMMER PARKS AND RECREATION PROGRAM THAT**
24 **INCLUDES MATH, READING, SCIENCE, TECHNOLOGY, OR SOCIAL SCIENCES**
25 **CONTENT;**

26 **(II) PROJECT ASSIGNMENTS FOR STUDENTS PARTICIPATING IN**

1 A SUMMER PARKS AND RECREATION PROGRAM THAT INCLUDES MATH, READING,
2 SCIENCE, TECHNOLOGY, OR SOCIAL SCIENCES CONTENT; AND

3 (III) COORDINATING WITH THE PRINCE GEORGE’S COUNTY
4 PUBLIC SCHOOL SYSTEM TO DEVELOP DATA COLLECTION METHODS TO EVALUATE
5 THE EFFECTIVENESS OF THE PILOT PROGRAM; AND

6 (3) IMPLEMENT THE PILOT PROGRAM ON OR BEFORE JUNE 1, 2021,
7 IN AT LEAST FOUR DIFFERENT AREAS IN PRINCE GEORGE’S COUNTY THAT REFLECT
8 THE GEOGRAPHIC DIVERSITY OF THE COUNTY.

9 (E) ON OR BEFORE DECEMBER 1, 2022, THE COMMISSION SHALL REPORT
10 TO THE PRINCE GEORGE’S COUNTY HOUSE DELEGATION, IN ACCORDANCE WITH §
11 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE IMPLEMENTATION OF THE
12 PILOT PROGRAM.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
14 1, 2020. It shall remain effective for a period of 3 years and, at the end of June 30, 2023,
15 this Act, with no further action required by the General Assembly, shall be abrogated and
16 of no further force and effect.

Bill No.: _____

Requested: _____

Committee: _____

Drafted by: Flynn

Typed by: Fran

Stored – 10/22/19

Proofread by _____

Checked by _____

By: **Prince George’s County Delegation and Montgomery County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland–National Capital Park and Planning Commission – Application of**
3 **Neonicotinoid Pesticides or Glyphosate – Prohibition**

4 **PG/MC 107–20**

5 FOR the purpose of prohibiting the Maryland–National Capital Park and Planning
6 Commission from applying or entering into a contract for the application of a product
7 containing a neonicotinoid pesticide or glyphosate on certain land; defining a certain
8 term; and generally relating to the Maryland–National Capital Park and Planning
9 Commission.

10 BY repealing and reenacting, without amendments,
11 Article – Agriculture
12 Section 5–2A–01
13 Annotated Code of Maryland
14 (2016 Replacement Volume and 2019 Supplement)

15 BY repealing and reenacting, without amendments,
16 Article – Land Use
17 Section 14–101(a)
18 Annotated Code of Maryland
19 (2012 Volume and 2019 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to
2 Article – Land Use
3 Section 14–101(i–1) and 17–215
4 Annotated Code of Maryland
5 (2012 Volume and 2019 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
7 That the Laws of Maryland read as follows:

8 **Article – Agriculture**

9 5–2A–01.

10 In this subtitle, “neonicotinoid pesticide” means any pesticide containing a chemical
11 belonging to the neonicotinoid class of chemicals, including:

- 12 (1) Imidacloprid;
- 13 (2) Nithiazine;
- 14 (3) Acetamiprid;
- 15 (4) Clothianidin;
- 16 (5) Dinotefuran;
- 17 (6) Thiacloprid;
- 18 (7) Thiamethoxam; and
- 19 (8) Any other chemical designated by the Department as belonging to the
20 neonicotinoid class of chemicals.

21 **Article – Land Use**

22 14–101.

1 (a) In this division the following words have the meanings indicated.

2 (I-1) “NEONICOTINOID PESTICIDE” HAS THE MEANING STATED IN § 5-2A-01
3 OF THE AGRICULTURE ARTICLE.

4 17-215.

5 THE COMMISSION MAY NOT APPLY OR ENTER INTO A CONTRACT FOR THE
6 APPLICATION OF A PRODUCT CONTAINING A NEONICOTINOID PESTICIDE OR
7 GLYPHOSATE ON LAND OWNED BY, OPERATED BY, OR LEASED BY THE COMMISSION.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2020.