

ITEM 1

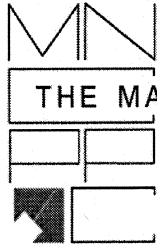
MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION MEETING

Wednesday, March 18, 2015

PRA 9:30 a.m. – 11:30 a.m.

				<u>ACTION</u>	
				Motion	Second
1.	Approval of Commission Agenda	(+*)	Page 1		
2.	Approval of Commission Minutes				
	a) Open Session – February 18, 2015	(+*)	Page 3		
	b) Closed Session – February 18, 2015	(+*)			
3.	General Announcements Women’s History Month				
4.	Committee/Board Reports (For Information Only):				
	a) Minutes – Executive Committee Open Session – March 4, 2015	(+)	Page 11		
	b) Minutes – Executive Committee Closed Session – March 4, 2015	(++)			
	c) Minutes – Regular Board of Trustees Meeting – February 3, 2015	(+)	Page 15		
5.	Action and Presentation Items				
	a) Adoption of Resolution #15-01, Sandy Spring Rural Village Plan (Montgomery County Planning)	(+*)	Page 19		
	b) Program Open Space (POS) Briefing: Status of POS in the Commission’s Capital Improvement Programs (Carl Morgan, Montgomery County Department of Parks and Shuchi Vera, Prince George’s County Department of Parks and Recreation)				
	c) Financial Disclosure Filing Requirement Briefing (Barney)				
6.	Open Session - Officers’ Reports				
	a) Executive Director – (For Information Only)				
	Employee Evaluations Not Completed by Due Date – (February 2015).....(+)		Page 31		
	b) Secretary-Treasurer – (For Information Only)				
	1) Enterprise Resource Planning (ERP) Briefing				
	2) MFD Second Quarter 2015 Report.....(+)		Page 33		
	c) General Counsel – (For Information Only)				
	1) Litigation Report (February 2015).....(+)		Page 47		
	2) Legislative Update.....(H)				
7.	Closed Session				
	Collective Bargaining Update - Pursuant to Section 3-305(b)(7) and (b)(9) of the General Provisions Article of the Annotated Code of Maryland, a closed session is proposed to consult with counsel for the purpose of considering settlement of potential litigation and to conduct collective bargaining negotiations or consider matters that relate to negotiations.				
	a) Collective Bargaining Update and Legal Process (Barney/Spencer/Outside Labor Counsel Ballew)				
	b) Internal Revenue Service Audit Matter (Gardner)				

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



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

Commission Meeting
Open Session Minutes
February 18, 2015

The Maryland-National Capital Park and Planning Commission met on February 18, 2015, at 9:30 a.m. at the Montgomery Regional Office in Silver Spring, Maryland.

PRESENT

Prince George's County Commissioners

Elizabeth M. Hewlett, Chair
Manuel Geraldo
John Shoaff

Montgomery County Commissioners

Casey Anderson, Vice-Chair
Norman Dreyfuss
Natali Fani-Gonzalez

ABSENT

Dorothy Bailey
A. Shuanise Washington

Amy Presley
Marye Wells-Harley

Chair Hewlett convened the meeting at 9:54 a.m.

ITEM 1 APPROVAL OF COMMISSION AGENDA

Chair Hewlett moved Item 3c, Diversity Council Certificates of Appreciation and Photo-Op (Past Members) and Introduction of Diversity Council – 2015. Item 3c moved to precede Item 5a, 2014 Diversity Council Annual Report.

ACTION: Motion of Geraldo to approve the revised agenda
Seconded by Dreyfuss
6 Approved the motion

ITEM 2 APPROVAL OF COMMISSION MINUTES

January 21, 2015 – Open Session
January 21, 2015 – Closed Session

ACTION: Motion of Geraldo to approve the minutes
Seconded by Dreyfuss
6 Approved the motion

ITEM 3 GENERAL ANNOUNCEMENTS

Chair Hewlett made the following announcements:

Black History Month

A number of activities are taking place throughout Prince George's and Montgomery Counties in February to celebrate Black History Month. Chair Hewlett thanked the committees that worked hard to put the events together.

Upcoming Women's History Month

- Commissioner Natali Fani-Gonzalez is being honored by Montgomery Women as their "2015 Rising Star". A ceremony will be held on March 15 at the Mansion at Strathmore in Montgomery County.
- M-NCPPC's One-Commission Women's History Month event will be held on March 16th, at Newton White Mansion. Employees are invited to RSVP for the event.

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

- a) Minutes – Executive Committee Open Session – January 14, 2015
- b) Minutes – Executive Committee Closed Session – January 14, 2015
- c) Minutes – Executive Committee Open Session – February 4, 2015
- d) Minutes – Executive Committee Closed Session – February 4, 2015
- e) Minutes – Regular Board of Trustees Meeting – December 2, 2014
- f) Minutes – Special Board of Trustees Meeting – December 12, 2014
- g) Minutes – Special Board of Trustees Meeting – December 19, 2014

ITEM 5 ACTION AND PRESENTATION ITEMS

- (3c) Diversity Council Certificates of Appreciation and Photo-Op (Past Members) and Introduction of Diversity Council – 2015 (*Please note this topic was moved under Item 5.*)

Executive Director Barney recognized members of the outgoing Diversity Council and introduced current and incoming members. She stated Certificates of Appreciation will be presented to members who have completed their term on the Council. The Certificates were not available in time for the meeting due to weather related delays. However, they will be presented at a future date.

Outgoing Members:

- Mechelle Myers, Co-Chair
- Benjamin Berbert, Co-Chair

Current Members (who will be continuing in 2015):

- Joe DeHuarte, Prince George's County Planning
- Bill Sheehan, Prince George's County Parks & Recreation
- Maritza Barbot, Montgomery County Planning
- Jessica Jones, Prince George's County Planning Board Office
- Melissa Thompkins, Montgomery County Planning Board Office
- Shuchi Vera, Prince George's County Parks and Recreation (new Co-Chair)

New Members

- Taslima Alam, Prince George's County Planning
- Timothy DeLucia, Prince George's County Parks & Recreation
- Mary Beth Dugan, (new Co-Chair), Montgomery County Parks
- Anika Harris, Central Administrative Services
- John Hench, Montgomery County Parks
- Lynn Lewis, Montgomery County Parks
- Lawrence Taylor, Central Administrative Services
- Li Yuanjun, Montgomery County Planning

Executive Director Barney acknowledged the increasing employee diversity that is represented on the Council. She shared the growing interest by employees to join the Diversity Council and their passion for carrying out the mission. Executive Director Barney thanked the members for their efforts. Chair Hewlett also thanked the Diversity Council members and emphasized the importance of the work they are doing in raising awareness.

The Diversity Council was photographed with the Commissioners and the Executive Director.

a) 2014 Diversity Council Annual Report (Myers)

Diversity Council Co-Chair Mechelle Myers presented the 2014 Diversity Council Annual Report. She shared that the 2014 Diversity Council began the year with an agency-wide celebration titled "Embracing Diversity, Embracing the World". The event featured a number of speakers including guest presenter Lon Kieffer who gave a humorous portrayal and caricature of the generations in the workplace.

Ms. Myers shared that the Diversity Council:

- Has begun editing the 2015 – 2017 Strategic Plan, incorporating the results of an employee survey. The amendments reflect the concerns and/or interests of the M-NCPPC staff. The Diversity Council received over 450 responses to the employee survey.
- Met with department leadership about new initiatives. The Diversity Council has received support from the Department Directors to:
 - Recognize appointments to the Diversity Council as a work function;
 - Encourage partnership with the Diversity Council on departmental celebrations; and
 - Allow the Diversity Council to assist in coordination of the departmental training events to meet the Strategic Plan's requirement of four hours of annual diversity training for staff.
- Diversity Council's webpage content was updated and a shared online location was created to which all Diversity Council members have access. This site also allows documents to be stored centrally for future Diversity Councils.

Ms. Myers highlighted components of the Strategic Plan as contained in the meeting packet:

- Mission, Vision & Values;
- Strategic Plan Purpose;
- Policy and Implementation;
- Marketing and Communications Outreach;
- Program Development and Training; and
- Tools for Future Councils

Executive Director Barney noted the strong contributions of the Diversity Council members. She also shared that the one-Commission Diversity event will be held every three years in the future. An annual event is very time consuming and difficult for members to plan while carrying out their other job functions. The Commissioners thanked the Diversity Council for their hard work and contributions.

b) FY 2014 Comprehensive Annual Financial Report (CAFR) (Zimmerman/Walsh/Bussink)

Secretary-Treasurer Zimmerman introduced Accounting Manager Barbara Walsh, and M-NCPPC's auditor, Principal Greg Bussink from CliftonLarsonAllen, LLP. Mr. Zimmerman explained that the CAFR provides information about all of the finances and components of M-NCPPC. He noted that the CAFR will be distributed within the next day or two and will be posted on the agency's website by the end of the week.

Mr. Bussink stated that he met with the M-NCPPC Audit Committee to review the results of the financial statement audit in detail. CliftonLarsonAllen issued an "unmodified opinion" that is also referred to as a "clean opinion". There were no modifications required to the financial statements and there were no significant audit findings this year. Mr. Bussink thanked Mr. Zimmerman and his team for their assistance.

Ms. Walsh provided highlights of the CAFR for Fiscal Year Ending June 30, 2014 in a PowerPoint presentation. She stated that the Land Use Article requires the agency to: (1) produce an annual audited financial report; and (2) publish an annual report that describes the work that M-NCPPC accomplished for the year. She shared that net assets increased by \$16.9 million. As detailed in the PowerPoint, she presented the various departmental funds, noting their respective increase or decrease in fund balances. She also went through the various departmental fund balance policies, noting whether the goals were met or exceeded.

Commissioner Dreyfuss shared he is a member of the Audit Committee and that the Committee was very impressed with the results of the audit. Commissioner Shoaff, who is also a member of the Audit Committee, thanked Mr. Bussink for the clean bill of health.

Commissioner Dreyfuss requested Executive Director Barney and Secretary-Treasurer Zimmerman write a memo to the Planning Boards noting how many different IT systems the agency has and recommending that the Commission consider consolidating the systems. Executive Director Barney responded that there is a need for the departments to have the ability to provide customer service that meets their specific needs, but there are efficiencies to be had with consolidation. She added that consolidation needs to be done in a way that does not harm customer service. She shared a retreat has been scheduled with the IT Council, which has representatives from each department, to examine IT governance.

ITEM 6

OFFICERS' REPORTS

a) Executive Director (Barney)

Employee Evaluations Not Completed by Due Date (January 2015) (For Information Only)

Executive Director Barney stated that the Directors are watching the report closely and evaluations are being submitted.

b) Secretary-Treasurer (Zimmerman) (For Information Only)

Enterprise Resource Planning (ERP) Briefing (Zimmerman)

Secretary-Treasurer Zimmerman stated the ERP team is becoming adept with the software. He complimented the Payroll and Human Resources teams for working together and addressing payroll issues. He stated that the B2 payroll (Prince George's Parks and Recreation seasonal/intermittent employees) has had problems that are being addressed by moving to a different submission of data. Chair Hewlett thanked Mr. Zimmerman for the good news.

c) General Counsel (Gardner)

1) Litigation Report - (December 2014) (For Information Only)

2) Legislative Update

General Counsel Gardner gave a brief update on several legislative items. He shared that Bills that began as local MC/PG Bills now have been assigned House Bill (HB) numbers. General Counsel Gardner provided the corresponding House Bill numbers for the MC/PG Bill numbers:

- MC/PG 105-15, HB652 - Maryland-National Capital Park and Planning Commission – Montgomery County – Commissioner Terms

The Commission supported this Bill to change the structure for the term limits for Commissioners in Montgomery County. As originally drafted, the Bill allowed a Commission who was subsequently appointed to Chair of the Planning Board, to be reappointed for two additional terms. That Bill was met with resistance from some citizen groups. The Bill has moved forward with an amendment which would allow for reappointment for one additional term instead of two. That amendment passed the subcommittee last week and the full Montgomery County Delegation last Friday. The Bill is going before a Prince George's County work session tomorrow. General Counsel Gardner expects the Bill to pass the Prince George's County House Delegation on Friday.

- MC/PG 104-15, HB675 - M-NCPPC Reform Act of 2015
M-NCPPC opposed this Bill. It required the agency to go through the state procurement system and required an unlimited number of audits. In light of opposition from M-NCPPC and others on the agency's behalf, the M-NCPPC and the Bill sponsor Delegate Valentino-Smith negotiated an amendment that would eliminate most provisions of the Bill but call for a performance audit of the capital improvement program in Prince George's County. The General Counsel's office is working with the Office of Legislative Audits on this Bill.
- MC/PG 111-15, HB628 - Municipal Zoning Authority
This Bill would have expanded the areas and categories of site plans and other development approvals that could be delegated by the District Council. M-NCPPC opposed the Bill and it has been withdrawn.
- MC/PG 114-15, HB653 - M-NCPPC - Regulation of Off-Highway Recreational Vehicles in Prince George's County
The Bill was amended to include Montgomery County with permission of the Montgomery County Parks Department.
- MC/PG 113-15, HB1016 - M-NCPPC - Prince George's - Certified County-Based Business Participation Program
M-NCPPC has not taken a position on this Bill as it is unlikely that this Bill has support to move forward. An amendment has been adopted to make this legislation enabling only, and not mandatory.
- MC/PG 109-15, HB585 - Maryland-National Capital Park and Planning Commission - Regulations to Prohibit Smoking
M-NCPPC supported this Bill. It passed the Montgomery County House Delegation. The work session process will begin this week. Once both Delegations sign off, the next step will be to move the Bill to the standing committee, then to the House, and then for a final vote on the floor.

Chair Hewlett stated that M-NCPPC has gone through some very tough legislative sessions and complimented General Counsel Gardner and the legal team on their efforts.

Chair Hewlett and General Counsel Gardner thanked Executive Director Barney for meeting with the sponsor of MC/PG 104-15, HB675 - M-NCPPC Reform Act of 2015, and for helping to craft an amendment that puts M-NCPPC in the right place.

Pursuant to Section 3-305(b)(7) and (b)(9) of the General Provisions Article of the Annotated Code of Maryland, at 10:36 a.m., Chair Hewlett requested a motion to move to closed session for purposes of consultation with counsel and collective bargaining negotiations.

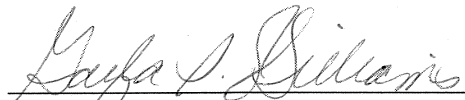
ACTION: Motion of Geraldo
Seconded by Shoaff
6 Approved the motion to move to closed session

The meeting adjourned to closed session at 10:44 a.m.

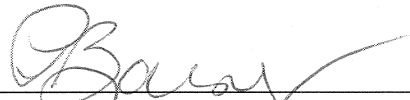
The closed session moved to open session and Chair Hewlett requested a motion to adjourn the meeting.

ACTION: Motion of Geraldo to adjourn the meeting
Seconded by Dreyfuss
6 Approved the motion

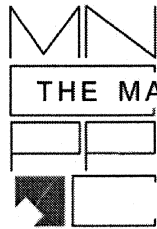
There being no further business to discuss, the meeting adjourned.



Gayla I. Williams, Senior Technical Writer/
Senior Management Analyst



Patricia Colihan Barney, Executive Director



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

EXECUTIVE COMMITTEE MEETING MINUTES
March 4, 2015

The Maryland-National Capital Park and Planning Commission’s Executive Committee met at 9:30 a.m., in the Executive Director’s Conference Room, in Riverdale, Maryland. Present were Chair Elizabeth M. Hewlett, Vice-Chair Casey Anderson, and Executive Director Patricia C. Barney. Also present were:

Department Directors/Deputies/Presenters/Staff

- Joe Zimmerman, Secretary-Treasurer
- Ronnie Gathers, Director, Prince George’s County Parks and Recreation
- Fern Piret, Director, Prince George’s County Planning
- Mike Riley, Director, Montgomery County Parks
- Gwen Wright, Director, Montgomery County Planning
- Anju Bennett, Corporate Policy and Management Operations (CPMO) Division Chief
- William Dickerson, Associate General Counsel
- John Kroll, Corporate Budget Manager
- William Spencer, Human Resources Director
- Janis Thom-Grate, Policy Manager (CPMO)

Executive Director Barney convened the meeting at 9:50 a.m.

ITEM 1a - APPROVAL OF EXECUTIVE COMMITTEE AGENDA (Executive Director Patricia Barney)

Discussion	Three items were added to the agenda: <ul style="list-style-type: none"> • Update on the Literacy Program (3e) • Briefing on the upcoming Women’s History Month event(3f) • Closed Session on the Affordable Care Act
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ITEM 1b - APPROVAL OF COMMISSION MEETING (Executive Director Patricia Barney)

Discussion	Executive Director Barney reviewed the March 18, 2015, Commission meeting agenda. The following amendments were made: <ul style="list-style-type: none"> • Add presentation on Program Open Space (Montgomery County Parks and Prince George’s County Parks and Recreation) • Change the title of Resolution #15-01 to Sandy Spring Rural Village Plan • Add Update on IRS Audit Matter for closed session
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ITEM 1c - ROLLING AGENDA FOR UPCOMING COMMISSION MEETINGS (Executive Director Patricia Barney)

Discussion	Executive Director Barney reviewed the Rolling Commission Agenda for the upcoming four months. The following amendment was made: <ul style="list-style-type: none"> • No Smoking / E-cigarette policy update was added for April 2015 • ERS FY16 Operating Budget was listed twice.
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ITEM 2 – MINUTES

Provided for Information Only	February 4, 2015 Executive Committee Minutes a) Open Session b) Closed Session
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ITEM 3 – DISCUSSION/REPORTS/PRESENTATIONS

Discussion	<p>Farm Road (Item added during discussion) The Executive Committee and Directors discussed the need to state M-NCPPC’s position on the Farm Road, as the agency is being painted in a negative light by the legal community and the media. Vice-Chair Anderson recommended that a one-page document be drafted stating the agency’s position and explaining there is misinformation being circulated about the agency’s role. The document should clarify that it is the County Executive who has the authority to create roads, not M-NCPPC. Montgomery County Planning Director Wright indicated that she would begin the draft and it would be reviewed by the Legal department.</p> <p>a) Enterprise Resource Planning (ERP) Briefing (Zimmerman) Secretary-Treasurer Zimmerman provided an update on Enterprise Resource Planning (ERP). The quality of information in terms of accuracy in pay has improved and leave accrual issues have been corrected.</p> <p>The team is working to correct the issues with the Employee’s Retirement System (ERS) calculation of the retirement withholding for some employees, especially those who are receiving emergency pay for work during weather events. Additional hours of support are being added to resolve the problem.</p> <p>Executive Director Barney noted that on the Human Capital Management (HCM) side, Human Resources Managers D’Andra Pratt and Boni King sent out reports (on Monday) to the Directors’ staff to confirm payroll coding of divisions. Directors’ staffs are asked to provide feedback. The Human Resources staff will follow up with the departments to ensure that any errors are corrected.</p> <p>Secretary-Treasurer Zimmerman stated an enhanced report has been sent to budget managers. Budget managers were asked to review and verify the date to ensure that payroll has accurate information and that it is recorded on the general ledger. This report will be submitted to the budget managers regularly.</p> <p>Secretary-Treasurer Zimmerman stated a meeting was held on streamlining the supply chain management process under the ERP. The meeting was attended by subject matter experts, Department Directors, and deputies to determine approval/routing process for requisitions. The system was successful and the team is moving forward with finalizing the workflow process.</p> <p>b) MFD Second Quarter 2015 Report Secretary-Treasurer Zimmerman indicated that the report was being prepared and should be available at the March Commission meeting.</p>
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c) FY16 Budget – Next Steps (Barney/Kroll)

Executive Director Barney shared that she met with Montgomery departments this morning and she will meet with Prince George’s departments on potential savings after the Executive Committee meeting. A closed session will be held on March 19th to begin discussing target reductions with the Montgomery County Planning Board. Montgomery County Planning Director Wright and Montgomery Parks Director Mike Riley will reach out to their contacts in the County to discuss how their departments handle the reduction and to determine if they are being calculated in a similar fashion.

Executive Director Barney shared that M-NCPPC Prince George’s-funded departments may have to cut the budget in FY16, and in FY17, and/or shift tax rates in order to balance the budget. Prince George’s department directors are meeting after the Executive Committee meeting.

d) Legislative Update

General Counsel Gardner was not present for this item. Associate General Counsel Dickerson indicated he had no new information to report.

e) Update on Literacy Council (Bennett)

At the February Executive Committee meeting, Chair Hewlett requested an update on the agency’s progress on literacy training.

Corporate Policy and Management Operations (CPMO) Chief Anju Bennett briefed the Executive Committee on the research and options that were presented to directors. She shared Directors supported use of the Montgomery County Literacy Council to provide literacy training in both Montgomery and Prince George’s Counties.

Montgomery Parks Department and Prince George’s County Parks and Recreation Department will help implement the program once the contract has been finalized. The training will consist of literacy proficiency for reading skills for English speakers and literacy training for employees for whom English is a second language. The training will be done onsite during work hours. The cost is approximately \$10,000 for each program and will be divided between the departments.

Chair Hewlett reflected on the previous Literacy program and shared the positive attributes of the program.

f) Women’s History Month (Bennett)

CPMO Chief Bennett distributed the draft flyer for the program and highlighted the speaking schedule.


Follow Up/Action Items

Farm Road

- Gwen Wright will develop a one-page document about Farm Road which will be reviewed with General Counsel Gardner and Associate General Counsel Dickerson. The final document will be posted on the agency’s website and will have links to information and the supporting materials about Farm Road. Vice-Chair Anderson requested this occur within the next week.

	<p><u>ERP Briefing</u></p> <ul style="list-style-type: none">• Human Resources staff will follow up with departments to ensure errors in the payroll coding are corrected. <p><u>IRS Matter</u></p> <ul style="list-style-type: none">• Associate General Counsel Dickerson will send correct language for the closed session IRS audit item to Janis Thom-Grate for inclusion in the March Commission agenda.
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The meeting adjourned to closed session at 10:34 a.m.



Gayla Williams, Senior Technical Writer/
Senior Management Analyst



Patricia Colihan Barney
Executive Director



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

REGULAR BOARD OF TRUSTEES MEETING

MINUTES

Tuesday, February 3, 2015; 10:00 A.M.
ERS/Merit Board Conference Room

The regular meeting of the Board of Trustees convened in the ERS/Merit Board Conference Room on Tuesday, February 3, 2015 at 10:00 a.m. Voting members present were: Josh Ardison, Khalid Afzal, Patricia Colihan Barney, CPA, Jenetha Facey, Pamela F. Gogol, Tracy Lieberman, Barbara Walsh, and Joseph C. Zimmerman, CPA. Marye Wells-Harley arrived at 10:02 a.m. Elizabeth M. Hewlett arrived at 10:04 a.m. Richard H. Bucher, Ph.D. was absent.

ERS staff included: Andrea L. Rose, Administrator, Heather D. Brown, Senior Administrative Specialist; and, Sheila S. Joynes, Accounting Manager.

Presentations by M-NCPPC Legal Department - LaTonya Reynolds, Associate General Counsel and the Groom Law Group's Alexander P. Ryan and George M. Gerstein.

MS. BARNEY opened the meeting on CHAIRMAN HEWLETT's behalf.

1. CONSENT AGENDA

The following items are to be approved or accepted by vote on one motion unless a Board member requests separate consideration:

- A. Approval of the February 3, 2015 Board of Trustees Meeting Agenda
- B. Minutes of Regular Meeting, December 2, 2014
- C. Minutes of Special Meeting, December 12, 2014
- D. Minutes of Special Meeting, December 19, 2014

CONFIDENTIAL ITEMS

- E. Closed Session Minutes of Meeting, December 2, 2014
- F. Closed Session Minutes of Special Meeting, December 12, 2014
- G. Closed Session Minutes of Special Meeting, December 19, 2014
- H. Minutes of Closed Session, May 6, 2014 (Handout)
- I. Administration & Personnel Oversight Committee's Confidential Report of February 6, 2014 (Handout)
- J. Disbursements Granted Reports – November and December 2014

Item 1.H. Minutes of Closed Session, May 6, 2014 was removed from the Consent Agenda.

Andrea Rose handed out Item 1.I. Administration & Personnel Oversight Committee's Confidential Report of February 6, 2014 that was prepared by DR. BUCHER.

MS. GOGOL made a motion, seconded by MR. AFZAL to approve the Consent Agenda, as revised. The motion PASSED unanimously (8-0). (Motion #15-1)

VICE CHAIRMAN WELLS-HARLEY arrived at 10:02 a.m.

2. CHAIRMAN'S ITEMS

- A. Board of Trustees Conference Summary
- B. Opal's Public Funds Summit Report by Pam Gogol

MS. GOGOL reported on Opal Financial Group's Public Funds Summit she attended in January 2015.

CHAIRMAN HEWLETT arrived at 10:04 a.m.

3. MISCELLANEOUS

4. CLOSED SESSION

The Board will meet in closed session, pursuant to the General Provisions Article of the Annotated Code of Maryland Section 3-305(b)(5) and 3-305(b)(7) to discuss investment of public funds and consult with legal counsel.

MS. GOGOL made a motion, seconded by VICE CHAIRMAN WELLS-HARLEY to go in to Closed Session under authority of the General Provisions Article of the Annotated Code of Maryland Section 3-305(b)(5) and 3-305(b)(7) to discuss investment of public funds and consult with legal counsel. The motion PASSED unanimously (10-0). (Motion #15-2)

VICE CHAIRMAN WELLS-HARLEY made a motion, seconded by MR. AFZAL to ratify the actions taken in Closed Session. The motion PASSED unanimously (10-0). (Motion #15-7)

VICE CHAIRMAN WELLS-HARLEY left the meeting at 11:37 a.m.

5. COMMITTEE REPORTS/RECOMMENDATIONS

- A. Investment Monitoring Group
 - Presentation by Committee Chairman, Patricia Barney, CPA
 - i. Regular Report of January 20, 2015
 - a. Recommendation to Approve a Small Cap Value Search and Analysis

MS. BARNEY presented the regular report for the Investment Monitoring Group's (IMG) meeting of January 20, 2015.

The IMG met with Principal's Paul Stover, CFA, Senior Relationship Manager, and Darren Kleis, Portfolio Manager for a performance review of Principal's U.S. Property Account and Artisan Partner's Michael D. Petroff, CFA, Institutional Client Service and Daniel L. Kane, CFA, Portfolio Co-Manager, for a performance review of Artisan's Small Cap Value Fund.

Principal has \$54.3 billion in real estate assets under management with \$7 billion in the U.S. Property Account as of December 31, 2014. There have been no changes to the portfolio management team. The U.S. Property Account is a mid-size core real estate fund that includes 126 investments, 137 institutional investors, a 95.5% portfolio occupancy and one year net absorption of 773,354 square feet.

The IMG reviewed Wilshire Associates' Manager Review of the 3Q2014 Principal U.S. Property Account. According to Mike Dudkowski, Principal is doing a decent job for the ERS. The U.S. Property Account is income oriented and well-positioned with high occupancy. Principal is performing as expected and there are no concerns with the portfolio.

Artisan has \$107.9 billion in assets under management with \$2.4 billion in Small Cap Value as of December 31, 2014. There were three separate accounts lost from the period January 1, 2014 – September 30, 2014 and an unidentified number of outflows in the mutual fund. The ERS participates in the mutual fund.

Mr. Kane explained Artisan's style has been out of favor with the 5 ½ year bull market. The small cap market has been up 191% since 2008/2009 and this has been a challenging market for value investors. Artisan would not expect to outperform in this type of market and provided information to show managers that outperformed in the '08-'09 bear market have struggled to keep pace in the subsequent bull market (4/09-12/14). Conversely, the information shows managers that underperformed in the '08-'09 bear market have outperformed since that time. The attribution analysis, portfolio structure and sector positioning were discussed. Mr. Kane indicated Artisan will not abandon its process. The investment team has a significant amount of net worth invested right alongside clients.

The IMG reviewed Wilshire Associates' Manager Review of the Artisan Small Cap Value fund. The Artisan Small Cap Value strategy underperformed the Russell 2000 Value Index in all trailing time periods (1, 3, 5, 10 years) and ranked in the bottom quartile of the small cap value universe. The IMG discussed Artisan's disappointing performance relative to both its benchmark and its peer group. Wilshire's Mr. Dudkowski expressed concerns regarding Artisan's stock selection and in particular the poor stock selection pattern over an extended period.

The IMG recommends a search of active and passive managers in this space with analysis versus Artisan. Funds will remain with Artisan during the search and analysis unless there are grounds for immediate action.

MS. GOGOL made a motion, seconded by MS. BARNEY to approve a small cap value search and analysis. The motion PASSED unanimously (9-0). (Motion #15-8)

MS. BARNEY reported that she would be attending FLAG's Advisory Board Meeting via conference call on June 2, 2015, but is unable to attend the Annual Meeting. MS. BARNEY asked Board Members if they would be interested in attending the Annual Meeting on June 3, 2015 in New York City.

B. Administration & Personnel Oversight Committee

i. Regular Report of January 20, 2015

- a. Recommendation to Adopt a Pension Funding Policy
- b. Recommendation to Approve Revised Rules of Procedure

In Dr. Bucher's absence Ms. Rose presented the regular report for the Administration & Personnel Oversight Committee's ("Personnel Committee") January 20, 2015 meeting.

The Personnel Committee discussed adopting a Pension Funding Policy as a "best practice" which is recommended by the new Government Accounting Standards 67 & 68, the Government Finance Officers Association and the bond rating agencies. A Pension Funding Policy records the funding objectives and strategy set by the Board to ensure future benefit payments to members. The ERS' actuary, Boomershine Consulting Group's David Boomershine, prepared a draft Policy and presented it to the Personnel Committee. The Personnel Committee made several revisions and is recommending adoption of the Pension Funding Policy by the Board.

MS. BARNEY made a motion, seconded by MR. AFZAL to adopt the Pension Funding Policy. The motion PASSED unanimously (9-0). (Motion #15-9)

The Personnel Committee reviewed a revised Rules of Procedure in Section 7.2 with LaTonya Reynolds, Associate General Counsel allowing trustees to attend Board and Committee meetings by telephone. The Board agreed trustees should attend Committee meetings in person whenever possible, but agreed attending via telephone should be permitted on a limited basis. The revised Rules of Procedure also included several revisions to clarify language in Sections 6.5.22, 6.6, and 6.10.1.

MS. GOGOL made a motion, seconded by MS. WALSH to approve the Revised Rules of Procedure. The motion PASSED unanimously (9-0). (Motion #15-11)

6. REPORT OF THE ADMINISTRATOR

Presentation by Administrator, Andrea L. Rose

A. Administrator's Report dated January 23, 2015

Ms. Rose presented the Administrator's Report dated January 23, 2015. The ERS received a favorable determination from the Internal Revenue Service and continues to be considered qualified and entitled to be treated as a governmental plan under section 414(d) of the Internal Revenue Code. The ERS may rely on this favorable determination until January 31, 2019. The ERS is required to file a determination letter application every five years.

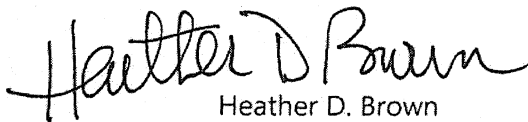
Ms. Rose reported ERS staff continues to participate in the Commission's ERP Project which went live mid-December 2014. Staff is spending the majority of time reviewing results and recommending solutions. The interface and exception process is largely a manual effort for ERS staff at this point. While the ERS interface files are not completely functional, staff is working closely with the Commission staff and vendor consultants to fix the issues. Staff is awaiting access to the Lawson system which will allow retrieval of more up-to-date information. This project is having a major impact on the ERS' work program and will likely affect the timely processing of retirements, withdrawals, rollovers, etc. A required upgrade to the ERS' software with Highline has been delayed due to the significant testing required and limited staff resources.

7. TRAINING

A. J.P. Morgan's 2015 Guide to the Markets – *Webcast Replay* with David Kelly, Chief Global Strategist

The Board of Trustees meeting of February 3, 2015 adjourned at 12:50 p.m.

Respectfully,



Heather D. Brown
Senior Administrative Specialist



Andrea L. Rose
Administrator

Date: 03-18-15

Sandy Spring Rural Village Plan

- KO* Kristin O'Connor, Lead Planner, Kristin.oconnor@montgomeryplanning.org, 301-495-2172
R/D Roberto Duke, Urban Designer, Area 3 roberto.duke@montgomeryplanning.org, 301-495-2168
fvb Frederick Vernon Boyd, Planner Coordinator, Area 3 frederick.boyd@montgomeryplanning.org, 301-495-4654
JAC John Carter, Chief, Area 3, john.carter@montgomeryplanning.org, 301-495-4575

Completed: 03/06/15

Description

Sandy Spring Rural Village Plan

Recommendation: Approve the M-NCPPC Resolution No 15-01 for Adoption of the Sandy Spring Rural Village Plan.

Summary

Attached, for your review and approval, is the M-NCPPC Resolution No. 15-01 to adopt the Sandy Spring Rural Village Plan. Also included is a copy of the approved Council Resolution and the Sandy Spring Rural Village Plan.

Attachments

- Draft Sandy Spring Rural Village Plan, October 2014
- M-NCPPC Resolution No. 15-01
- Approved Council Resolution No. 18-65

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M-NCPPC No. 15-01
MCPB No. 15-24

RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission, by virtue of the Land Use Article of the Annotated Code of Maryland, is authorized and empowered, from time to time, to make and adopt, amend, extend and add to The General Plan for the Physical Development of the Maryland-Washington Regional District in Montgomery and Prince George's Counties; and

WHEREAS, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, pursuant to procedures set forth in the Montgomery County Code, Chapter 33A, held a duly advertised public hearing on September 4, 2014, on the Public Hearing Draft of the Sandy Spring Rural Village Plan, being also a comprehensive amendment to the Approved and Adopted Sandy Spring/Ashton Master Plan, 1998, the Master Plan of Highways, the Countywide Bikeways Functional Master Plan, and the General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery and Prince George's Counties, as amended; and

WHEREAS, the Montgomery County Planning Board, after said public hearing and due deliberation and consideration, on October 23, 2015, approved the Planning Board Draft of the proposed Plan, and recommended that it be approved by the District Council and forwarded it to the County Executive for recommendation and analysis; and

WHEREAS, the Montgomery County Executive reviewed and made recommendations on the Planning Board Draft Sandy Spring Rural Village Plan and forwarded those recommendations with an analysis to the District Council on January 20, 2015; and

WHEREAS, the Montgomery County Council, sitting as the District Council for the portion of the Maryland-Washington Regional District lying within Montgomery County, held a public hearing on January 22, 2015, wherein testimony was received concerning the Planning Board Draft Sandy Spring Rural Village Plan; and

WHEREAS, the District Council, on February 24, 2015, approved the Planning Board Draft Sandy Spring Rural Village Plan subject to the modifications and revisions set forth in Resolution No. 18-65; and

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery County Planning Board hereby adopts said Sandy Spring Rural Village Plan, together with the General Plan for the Physical Development of Maryland-Washington Regional District, as amended; and the Master Plan of Highways within Montgomery County, as amended, and as approved by the District Council in the attached Resolution No. 18-65; and

BE IT FURTHER RESOLVED, that copies of the Sandy Spring Rural Village Plan must be certified by The Maryland-National Capital Park and Planning Commission and filed with the Clerk of the Circuit Court of each of Montgomery and Prince George's Counties, as required by law.

* * * * *



Sandy Spring Rural Village Plan



 M-NCPPC

Montgomery County Planning Department

montgomeryplanning.org

PLANNING BOARD DRAFT

SANDY SPRING RURAL VILLAGE PLAN

Abstract

This Plan contains the text and supporting maps for a comprehensive amendment to the approved and adopted 1998 Sandy Spring/Ashton Master Plan. It also amends the *General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery and Prince George's Counties* as amended, the *Master Plan of Highways within Montgomery County* as amended, and the *Countywide Bikeways Functional Master Plan* as amended. This Plan makes recommendations for land use, zoning, design, historic preservation, transportation, trail connections, parks and open space, environment and community facilities.

Source of Copies

The Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910-3760
Online: montgomeryplanning.org/sandyspring

Notice to Readers

Each area master plan reflects a vision of future development that responds to the unique character of the local community within the context of a Countywide perspective. Area master plans are intended to convey land use policy for defined geographic areas and should be interpreted together with relevant Countywide functional master plans.

Master plans generally look ahead about 20 years from the date of adoption. As communities evolve, the specifics of a master plan may become less relevant over time. Generally, sketches or drawings in an adopted master plan are for illustrative purposes only; they are intended

to convey a general character rather than a specific commitment to a particular detailed design.

Master plans do not specify all development possibilities for a particular property or area. In order to understand the full range of development options, the reader should be aware of additional land uses and development potential available through permitted conditional uses; variances; transferrable development rights (TDRs); moderately priced dwelling units (MPDUs); rezoning by local map amendments; public projects and mandatory referral process; and municipal annexations.

The Maryland-National Capital Park and Planning Commission

The Maryland-National Capital Park and Planning Commission is a bi-county agency created by the General Assembly of Maryland in 1927. The Commission's geographic authority extends to the great majority of Montgomery and Prince George's Counties; the Maryland-Washington Regional District (M-NCPPC planning jurisdiction) comprises 1,001 square miles, while the Metropolitan District (parks) comprises 919 square miles in the two counties.

The Commission is charged with preparing, adopting and amending or extending the General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery and Prince George's Counties.

The Commission operates in each county through a Planning Board appointed by and responsible to the county government. All local plans, recommendations on zoning amendments, administration of subdivision regulations and general administration of parks are responsibilities of the Planning Boards.

PLANNING BOARD DRAFT

SANDY SPRING RURAL VILLAGE PLAN

Prepared by the Montgomery County Planning Department
November 2014

montgomeryplanning.org/sandyspring

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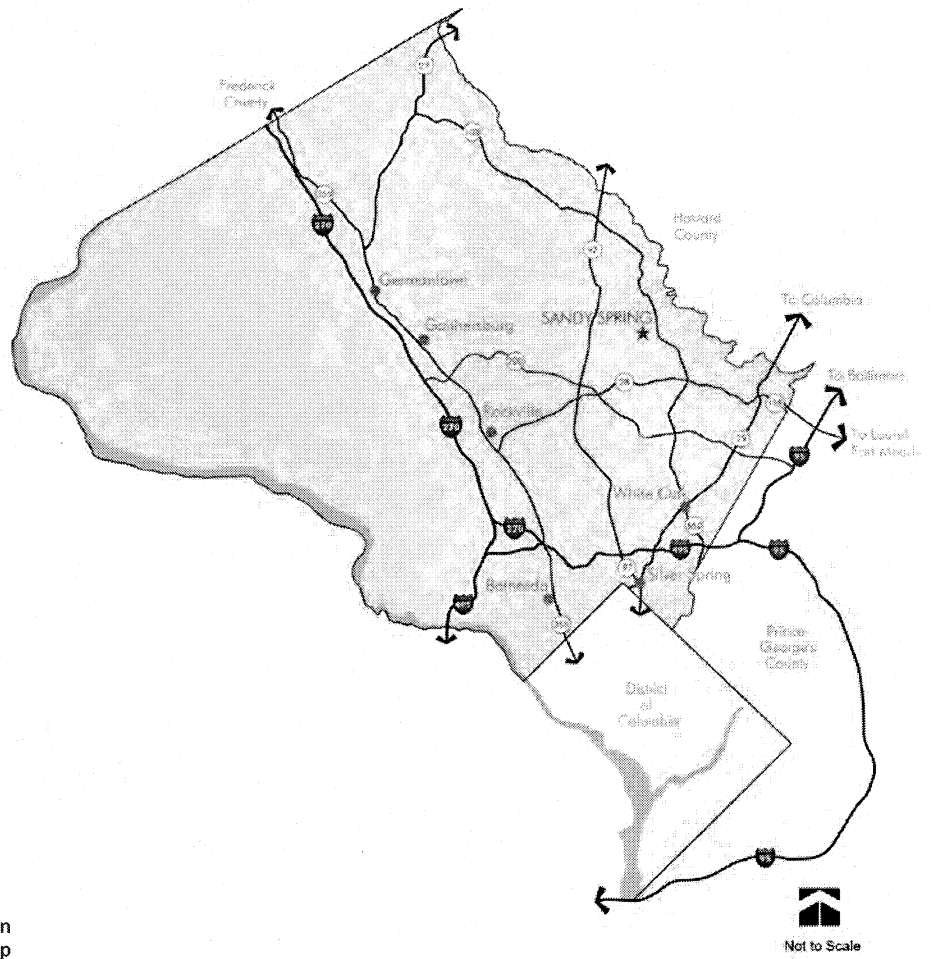
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Sandy Spring within
Montgomery County Map

INTRODUCTION

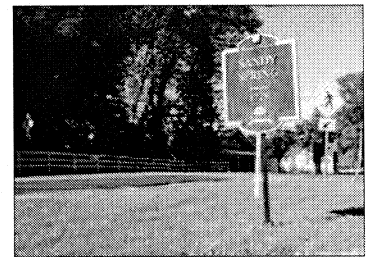
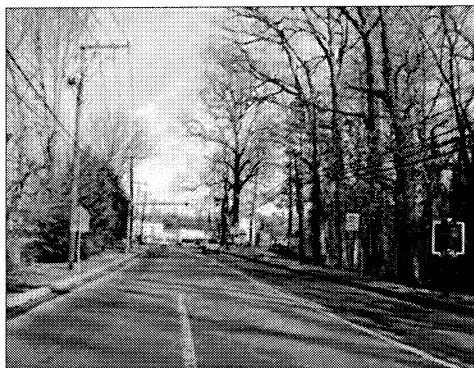
PURPOSE

In Spring 2013, the Montgomery County Council requested that the Planning Department examine a limited amendment to update the 1998 Sandy Spring/Ashton Master Plan. The 1998 Master Plan recognized the Sandy Spring village center as the “heart of the community in terms of local commerce and community gatherings” (page 32). The Plan also acknowledged the well-established character of the village center on the south side of Olney Sandy Spring Road (MD 108) and the need to reinforce the village center on the north side. The 1998 Plan (page 34) required that a more detailed study be conducted to address the following:

- **Rural Village Character:** Establish a scale that provides an appropriate transition to adjacent low density residential neighborhoods and buildings in keeping with historic character of the area,
- **Mix of Land Uses:** Consists of one- to three-story buildings with commercial uses that serve the community,
- **Connections and Street Character:** Provide pedestrian and vehicular improvements and address street character, and
- **Open Space:** Create a quality open space in the village center that provides opportunities for gathering.

Rural Village Character

Sandy Spring is a rural village with low scale buildings. It is clearly distinguished from the surrounding land as one travels along MD 108. Homes of varying eras, historic buildings, offices, and institutions line the road, set off in some cases by wooden fences, picket fences or hedgerows. This cluster of buildings and institutions creates the village and has a clear entrance from the west—the intersection of Norwood Road and MD 108. This Plan seeks to preserve the rural character of Sandy Spring by enhancing the existing gateway and reinforcing the distinctions between the rural village and adjacent residential neighborhoods.



Eastern rural entry to Sandy Spring: Wooden fence defines the edge of a number of properties on the south side of MD 108.



Western rural entry to Sandy Spring: Fencing marks the dressage center at Avalon Farm (above).

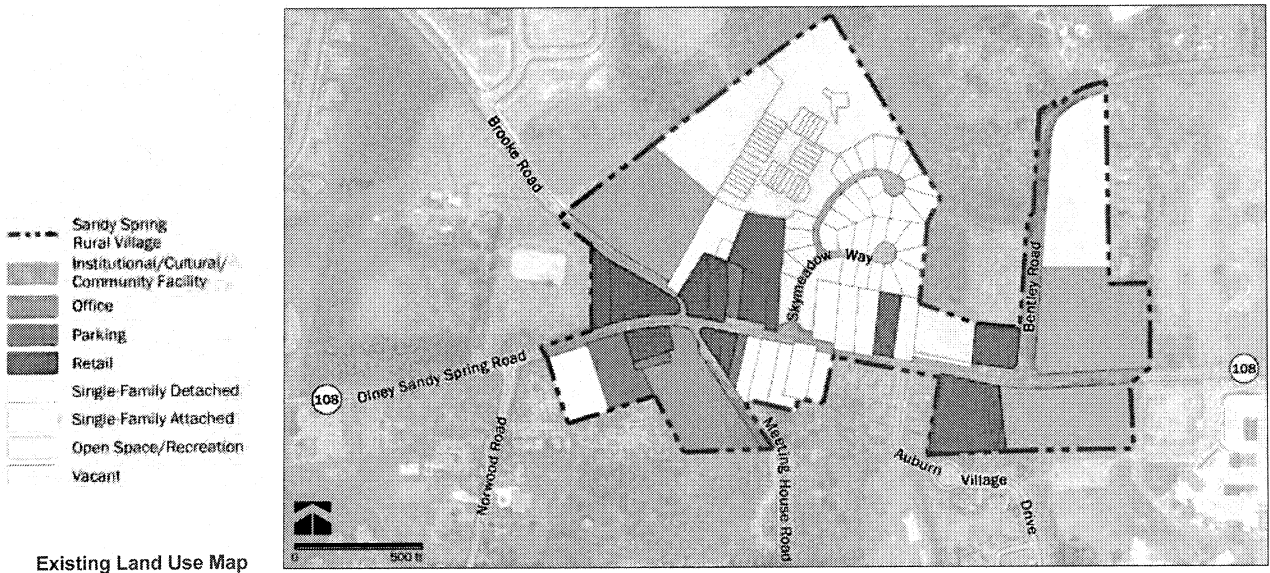
MD 108 has a rural character west of the Norwood Road intersection (left).

Mix of Land Uses

Single-use zoning currently dominates the village. The existing C-1, C-2 and O-M Zones do not allow a flexible response to the growing residential, retail and office markets. In addition, the allowed office and commercial zones do not provide a mix of uses or any public space, nor do they support infill development. The development standards in these existing zones create a significant limitation to the existing local businesses and future commercial development. The Sandy Spring-Ashton Rural

Village (SSA) Overlay Zone provides some use and density protections, but its height limitation constrains development potential in the village.

It should be noted that after October 30, 2014, the nonresidential properties in the village, along with all nonresidential properties in the County, will be governed by the new zoning code. The new zoning code currently calls for the C-1, C-2 and O-M Zones in the village to be converted to CRT (Commercial Residential Town), EOF

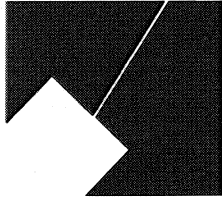


Existing Land Use Map

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 EMPLOYEE PERFORMANCE EVALUATIONS NOT COMPLETED BY DUE DATE
 BY DEPARTMENT AS OF FEBRUARY 2015

	31 - 60 DAYS	61 - 90 DAYS	91 + DAYS	DEPARTMENT TOTALS
	01/15	02/15	01/15	02/15
CHAIRMAN, MONTGOMERY COUNTY	0	0	1	1
CHAIRMAN, PRINCE GEORGE'S COUNTY	0	0	0	0
OFFICE OF CIO	0	0	0	0
INTERNAL AUDIT	0	0	0	0
EXECUTIVE COMMITTEE/CHAIRS	0	0	0	0
DEPT. OF HUMAN RESOURCES & MGT.	1	0	0	1
LEGAL DEPARTMENT	1	1	3	4
FINANCE DEPARTMENT	1	3	0	4
PRINCE GEORGE'S PLANNING	0	2	0	2
PRINCE GEORGE'S PARKS & RECREATION	3	0	0	3
MONTGOMERY COUNTY PARKS	0	0	0	0
MONTGOMERY COUNTY PLANNING	1	3	0	3
DEPARTMENT TOTAL BY DAYS LATE	7	9	4	15
COMMISSION WIDE TOTAL:				11 15

*DEPARTMENTS WITH RATINGS MORE THAN 60 DAYS LATE HAVE BEEN CONTACTED.





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

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

March 9, 2015

TO: Commissioners

VIA: Patricia C. Barney, Executive Director 

FROM: Joseph C. Zimmerman, Secretary/Treasurer 

SUBJECT: MFD Purchasing Statistics— Second Quarter FY15

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

Some of the observations of this FY15 report include:

- Attachment A indicates that through the second quarter of FY15, the Commission procured approximately \$73.6 million in goods, professional services, construction and miscellaneous services. Approximately 28.8% or \$21.2 million was spent with minority, female and disabled (MFD) owned firms.
- Attachment B indicates that in the second quarter MFD utilization was 28.6%.
- Attachment C represents the MFD participation by type of procurement. The MFD participation for construction through the second quarter of FY15 was 38.1%. Attachment C also indicates that the largest consumers of goods and services in the Commission are the Prince George's County Department of Parks and Recreation and the Montgomery County Department of Parks. These programs significantly impact the Commission's utilization of MFD firms. The MFD cumulative utilization numbers for these departments through the second quarter are 16.5% and 43.9%, respectively.
- Attachment D presents the FY15 activity for the Purchase Card program totaling approximately \$6.0 million of which 2.0 % was spent with minority, female and disabled (MFD) firms. The amount of procurement card activity represents approximately 8.2% of the Commission's total procurement dollars. One reason for lower MFD participation on the purchase card is that the cards are used with national retail corporations when a

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

- Attachment E portrays the historic MFD participation rates, and the total procurement from FY 1991 to second quarter FY15.
- Attachments F and G shows the MFD participation in procurements at various bid levels to determine if MFD vendors are successful in obtaining opportunities in procurements that require informal bidding and formal bidding. Based on the department analysis, MFD vendors do appear to be participating, at an overall rate of 18.8% in informal (under \$30,000) and 32.3% in the formal (over \$30,000) procurements. In the newest delegation for transactions under \$10k, MFD participation is 14.4%. MFD vendors are participating at an overall rate of 33.7% in transactions over \$250,000.
- Attachment H presents the total amount of procurements and the number of vendors by location. Of the \$73.6 million in total procurement, approximately \$45.2 million was procured from Maryland vendors. Of the \$21.2 million in procurement from MFD vendors, \$16.5 million was procured from MFD vendors located in Maryland.
- Attachment I compares the utilization of MFD vendors by the Commission with the availability of MFD vendors. The results show under-utilization in the following categories: Asian, Native American and Females. The amount and percentage of procurement from MFD vendors is broken out by categories as defined by the Commission's Anti-Discrimination Policy. The availability percentages are taken from the most recent State of Maryland disparity study dated July 5, 2013.
- Attachments J and K are prepared by the Department of Human Resources and Management and show the amount and number of waivers of the procurement policy by department and by reason for waiver. Total waivers were approximately 1.5% of total procurement.
- In an effort to increase minority participation within the Commission, the Office of the Executive Director and Central Purchasing have participated in the following outreach events during the second quarter of FY15:
 - Prince George's County Business Conference & Expo;
 - First Baptist Church of Glenarden Business Ministry
 - National Institute of Governments Reverse Trade Show

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

Attachments

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT STATISTICS
FY 2015
FOR SIX MONTHS ENDED DECEMBER 31, 2014

Attachment A

	<u>Procurement</u>		<u>Waivers</u>		<u>Procurement</u>	
	<u>Total \$</u>		<u>Total \$</u>	<u>Total #</u>	<u>MFD \$</u>	<u>%</u>
<u>Prince George's County</u>						
Commissioners' Office	\$ 97,150	\$	-	-	\$ 34,490	35.5%
Planning Department	921,721		24,999	1	402,929	43.7%
Parks and Recreation Department	38,863,980		565,074	12	6,416,116	16.5%
Total	<u>39,882,851</u>		<u>590,073</u>	<u>13</u>	<u>6,853,535</u>	<u>17.2%</u>
<u>Montgomery County</u>						
Commissioners' Office	40,301		-	-	21,690	53.8%
Planning Department	705,430		48,000	1	69,046	9.8%
Parks Department	31,915,947		88,746	1	13,999,093	43.9%
Total	<u>32,661,678</u>		<u>136,746</u>	<u>2</u>	<u>14,089,829</u>	<u>43.1%</u>
<u>Central Administrative Services</u>						
Dept. of Human Resources and Mgt.	375,522		267,080	3	111,339	29.6%
Finance Department	611,626		-	-	156,357	25.6%
Legal Department	59,044		130,000	1	5,629	9.5%
Merit Board	1,272		-	-	-	0.0%
Office of Chief Information Officer	14,159		-	-	206	1.5%
Office of Internal Auditor	15,352		-	-	2,923	19.0%
Total	<u>1,076,975</u>		<u>397,080</u>	<u>4</u>	<u>276,454</u>	<u>25.7%</u>
Grand Total	<u>\$ 73,621,504</u>	<u>\$</u>	<u>1,123,899</u>	<u>19</u>	<u>\$ 21,219,818</u>	<u>28.8%</u>

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

Prepared by Finance Department
February 6, 2015

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MFD PROCUREMENT STATISTICS

FY 2015

MFD STATISTICS - CUMULATIVE AND ACTIVITY BY QUARTER

Attachment B

CUMULATIVE BY QUARTER

	SEPTEMBER	DECEMBER	MARCH	JUNE
<u>Prince George's County</u>				
Commissioners' Office	15.2%	35.5%		
Planning Department	51.3%	43.7%		
Parks and Recreation Department	11.7%	16.5%		
Total	12.6%	17.2%		
<u>Montgomery County</u>				
Commissioners' Office	0.0%	53.8%		
Planning Department	11.7%	9.8%		
Parks Department	58.4%	43.9%		
Total	57.1%	43.1%		
<u>Central Administrative Services</u>				
Dept. of Human Resources and Mgt.	38.6%	29.6%		
Finance Department	12.7%	25.6%		
Legal Department	11.0%	9.5%		
Merit Board	0.0%	0.0%		
Office of Chief Information Officer	1.5%	1.5%		
Office of Internal Auditor	0.0%	19.0%		
Total	19.7%	25.7%		
Grand Total	29.0%	28.8%		

ACTIVITY BY QUARTER

	FIRST QUARTER	SECOND QUARTER	THIRD QUARTER	FOURTH QUARTER	TOTAL
<u>Prince George's County</u>					
Commissioners' Office	15.2%	48.4%			35.5%
Planning Department	51.3%	31.2%			43.7%
Parks and Recreation Department	11.7%	25.2%			16.5%
Total	12.6%	25.5%			17.2%
<u>Montgomery County</u>					
Commissioners' Office	0.0%	67.5%			53.8%
Planning Department	11.7%	7.1%			9.8%
Parks Department	58.4%	31.3%			43.9%
Total	57.1%	31.0%			43.1%
<u>Central Administrative Services</u>					
Dept. of Human Resources and Mgt.	38.6%	19.3%			29.6%
Finance Department	12.7%	58.5%			25.6%
Legal Department	11.0%	5.7%			9.5%
Merit Board	0.0%	0.0%			0.0%
Office of Chief Information Officer	1.5%	0.0%			1.5%
Office of Internal Auditor	0.0%	23.9%			19.0%
Total	19.7%	36.8%			25.7%
Grand Total	29.0%	28.6%			28.8%

Prepared by Finance Department
February 6, 2015

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MFD PROCUREMENT STATISTICS
BY MAJOR PROCUREMENT CATEGORY

FY 2015
FOR SIX MONTHS ENDED DECEMBER 31, 2014

ATTACHMENT C

	Grand Total	Montgomery Planning	Montgomery Parks	Pr. Geo. Parks & Recreation	Pr. Geo. Planning	Dept. of Human Res. & Mgt.	Legal Department	Finance Department
Goods:								
Total \$	\$ 16,800,413	\$ 126,074	\$ 5,344,401	\$ 10,827,496	\$ 187,399	\$ 107,705	\$ 5,871	\$ 201,467
MFD\$	\$ 1,777,567	\$ 11,571	\$ 458,668	\$ 1,044,653	\$ 54,235	\$ 61,782	\$ 5,629	\$ 141,029
Percentage	10.6%	9.2%	8.6%	9.6%	28.9%	57.4%	95.9%	70.0%
Miscellaneous Services:								
Total \$	\$ 7,174,089	\$ 423,138	\$ 1,806,137	\$ 3,926,075	\$ 432,993	\$ 167,018	\$ 50,710	\$ 368,018
MFD\$	\$ 1,437,907	\$ 27,895	\$ 472,361	\$ 838,964	\$ 59,645	\$ 38,155	\$ 0	\$ 887
Percentage	20.0%	6.6%	26.2%	21.4%	13.8%	22.8%	0.0%	0.2%
Professional Services:								
Total \$	\$ 3,659,410	\$ 106,229	\$ 1,657,902	\$ 1,467,250	\$ 296,469	\$ 89,397	\$ 2,463	\$ 39,700
MFD\$	\$ 510,612	\$ 29,580	\$ 101,495	\$ 78,488	\$ 289,049	\$ 0	\$ 0	\$ 12,000
Percentage	14.0%	27.8%	6.1%	5.3%	97.5%	0.0%	0.0%	30.2%
Construction:								
Total \$	\$ 45,819,358	\$ 49,989	\$ 23,107,507	\$ 22,643,159	\$ 4,860	\$ 11,402	\$ 0	\$ 2,441
MFD\$	\$ 17,434,423	\$ 0	\$ 12,966,569	\$ 4,454,011	\$ 0	\$ 11,402	\$ 0	\$ 2,441
Percentage	38.1%	0.0%	56.1%	19.7%	0.0%	100.0%	0.0%	100.0%
SUBTOTAL								
Total \$	\$ 73,453,270	\$ 705,430	\$ 31,915,947	\$ 38,863,980	\$ 921,721	\$ 375,522	\$ 59,044	\$ 611,626
MFD\$	\$ 21,160,509	\$ 69,046	\$ 13,999,093	\$ 6,416,116	\$ 402,929	\$ 111,339	\$ 5,629	\$ 156,357
Percentage	28.8%	9.8%	43.9%	16.5%	43.7%	29.6%	9.5%	25.6%
Pr. Geo. Commissioners' Office								
Total \$	\$ 97,150							
MFD\$	\$ 34,490							
Percentage	35.5%							
Mont. Commissioners' Office								
Total \$	\$ 40,301							
MFD\$	\$ 21,690							
Percentage	53.8%							
Merit Board								
Total \$	\$ 1,272							
MFD\$	\$ 0							
Percentage	0.0%							
Office of Chief Information Officer								
Total \$	\$ 14,159							
MFD\$	\$ 206							
Percentage	1.5%							
Office of Internal Auditor								
Total \$	\$ 15,352							
MFD\$	\$ 2,923							
Percentage	19.0%							
GRAND TOTAL \$	\$ 73,621,504							
MFD\$	\$ 21,219,818							
Percentage	28.8%							

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT STATISTICS
Comparison of MFD % for Total Procurement and Purchase Card Procurement
FY 2015
FOR SIX MONTHS ENDED DECEMBER 31, 2014

Attachment D

	Total Procurement		Purchase Card Procurement	
	Total \$	MFD %	Total \$	MFD %
<u>Prince George's County</u>				
Commissioners' Office	\$ 97,150	35.5%	\$ 25,188	21.5%
Planning Department	921,721	43.7%	71,228	0.0%
Parks and Recreation Department	38,863,980	16.5%	3,199,657	1.8%
Total	39,882,851	17.2%	3,296,073	1.9%
<u>Montgomery County</u>				
Commissioners' Office	40,301	53.8%	9,561	0.0%
Planning Department	705,430	9.8%	83,433	1.9%
Parks Department	31,915,947	43.9%	2,550,905	2.2%
Total	32,661,678	43.1%	2,643,899	2.1%
<u>Central Administrative Services</u>				
Dept. of Human Resources and Mgt.	375,522	29.6%	17,260	0.0%
Finance Department	611,626	25.6%	51,647	3.7%
Legal Department	59,044	9.5%	835	0.0%
Merit Board	1,272	0.0%	0	0.0%
Office of Chief Information Officer	14,159	1.5%	607	33.9%
Office of Internal Auditor	15,352	19.0%	3,682	0.0%
Total	1,076,975	25.7%	74,031	2.8%
Grand Total	\$ 73,621,504	28.8%	\$ 6,014,003	2.0%

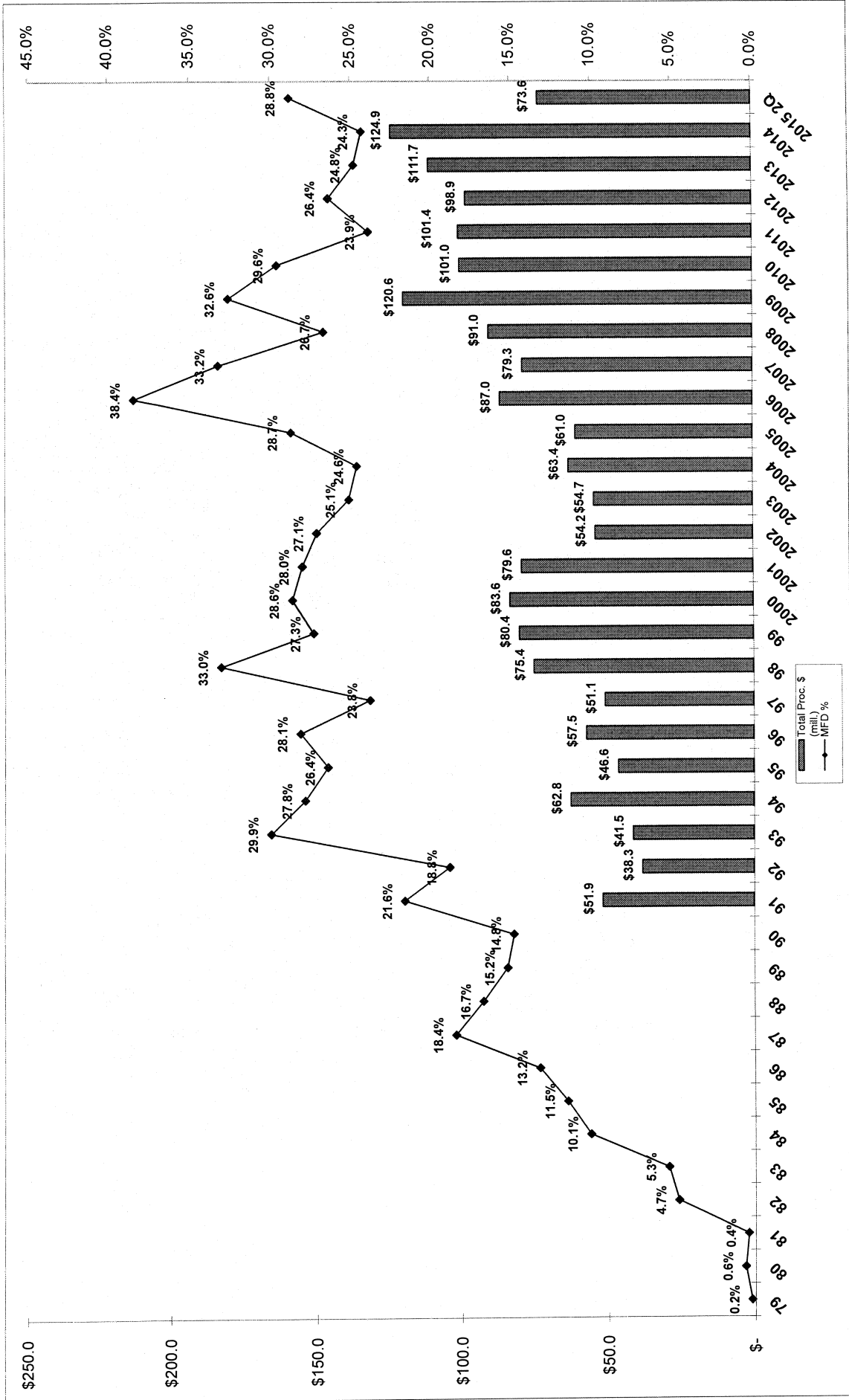
Percentage of Purchase Card Procurement to Total Procurement 8.2%

Prepared by Finance Department
February 6, 2015

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MFD PROCUREMENT RESULTS and TOTAL PROCUREMENT (millions)

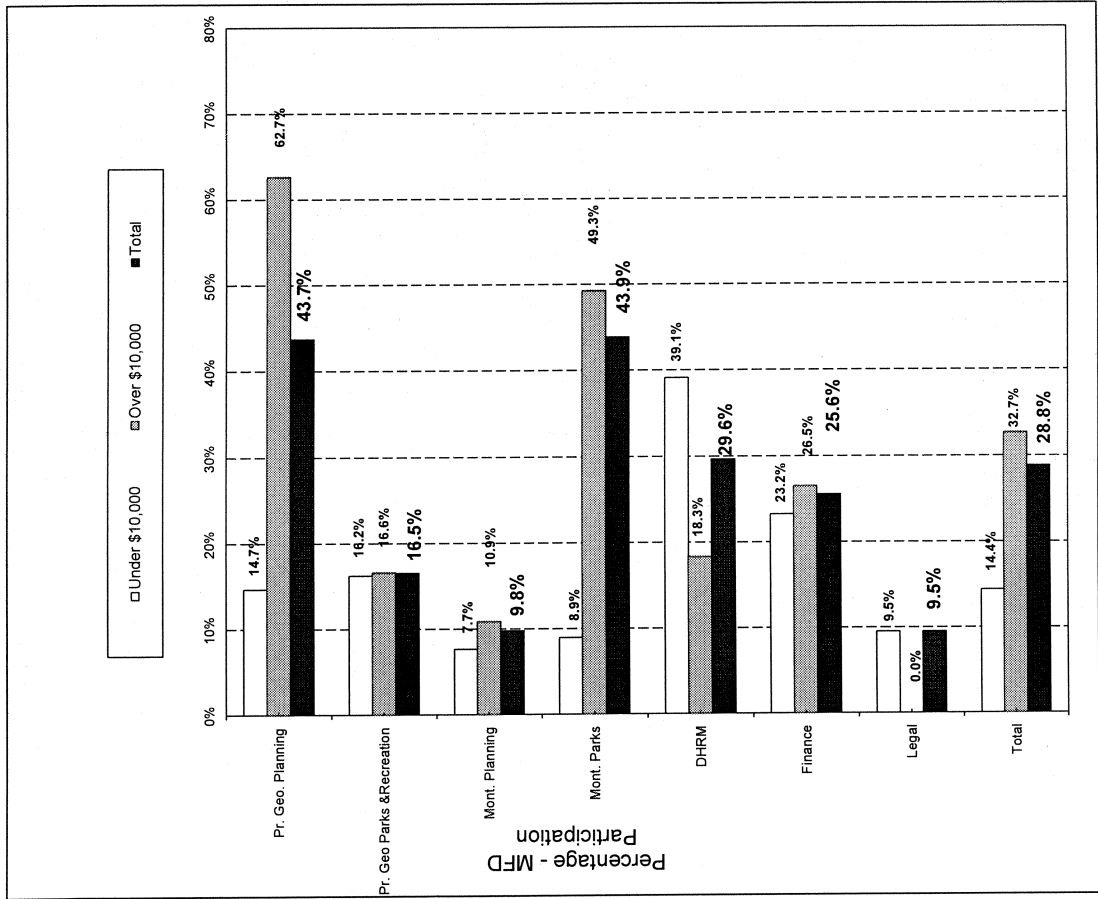
Attachment E



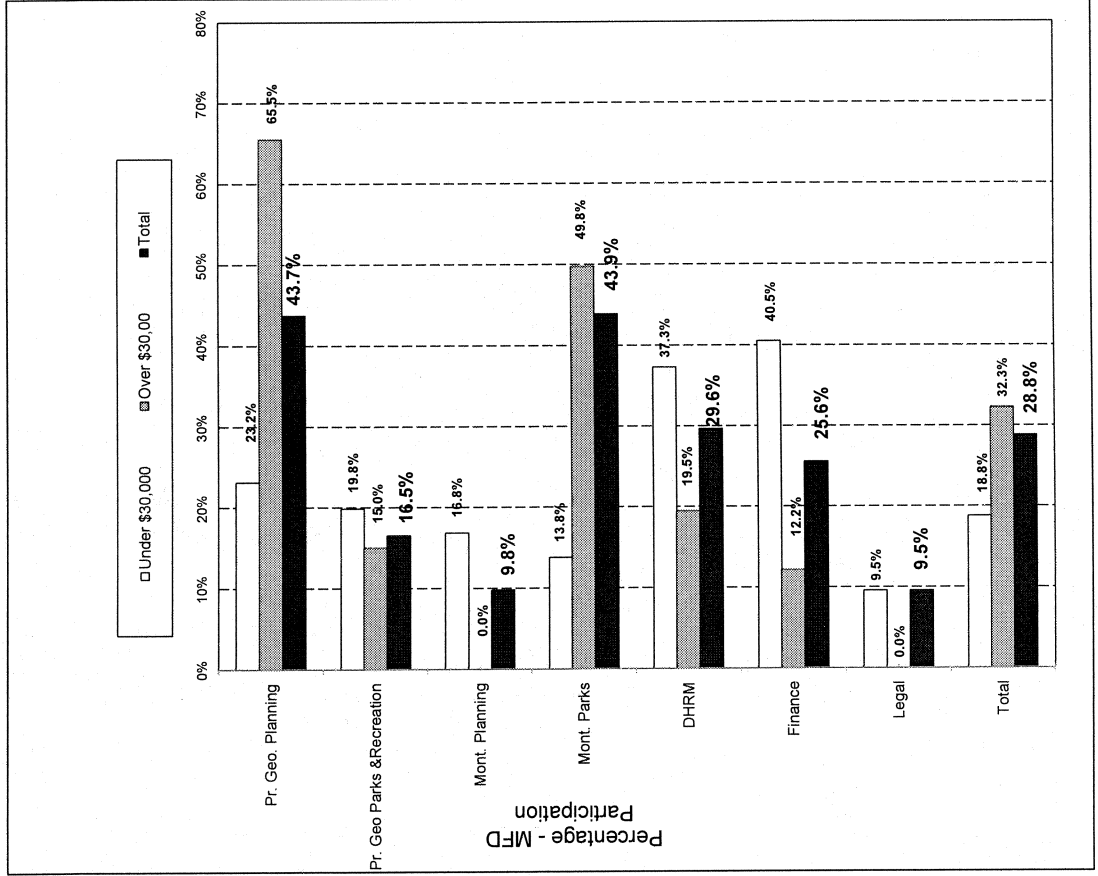
Prepared by Finance Department
February 6, 2015

The Maryland-National Capital Park and Planning Commission
 MFD Procurement Statistics - Transactions Under/Over \$10,000 & \$30,000 plus Total %
 FY 2015 2Q

Under/Over \$10,000

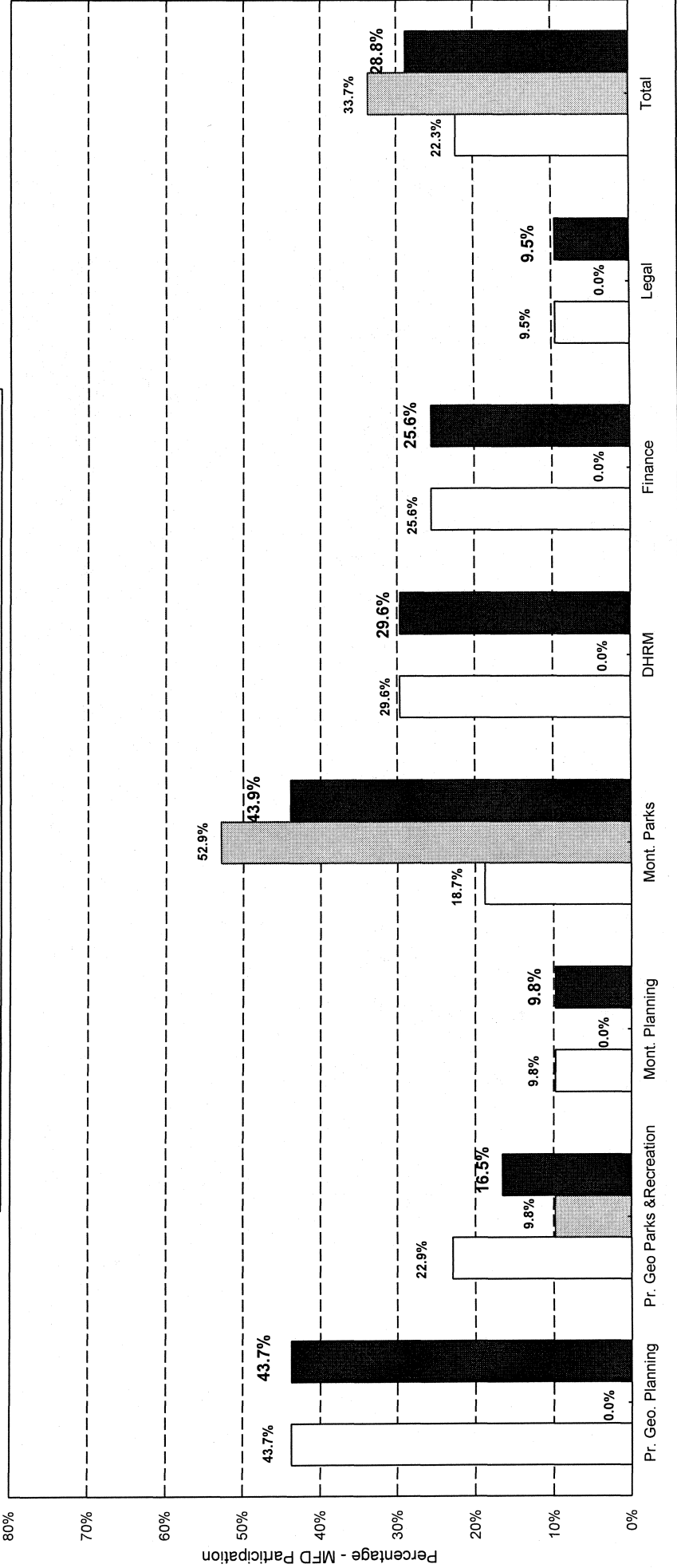


Under/Over \$30,000



The Maryland-National Capital Park and Planning Commission
 MFD Procurement Statistics - Transactions Under /Over \$250,000 and Total %
 FY 2015 2Q

□ Under \$250K □ Over \$250K ■ Total



Prepared by Finance Department
 February 11, 2015

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Amount of Procurement and Number of Vendors by Location
FY 2015
FOR SIX MONTHS ENDED DECEMBER 31, 2014

Attachment H

TOTAL of ALL VENDORS

<u>Location</u>	<u>Procurement</u>		<u>Number of Vendors</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Number</u>	<u>Percentage</u>
Montgomery County	\$ 9,988,044	13.6%	197	13.5%
Prince George's County	14,602,722	19.8%	481	33.0%
Subtotal	24,590,766	33.4%	678	46.5%
Maryland - other locations	20,566,104	27.9%	254	17.5%
Total Maryland	45,156,870	61.3%	932	64.0%
District of Columbia	1,379,349	1.9%	73	5.0%
Virginia	12,272,722	16.7%	100	6.9%
Other Locations	14,812,563	20.1%	350	24.1%
Total	\$ 73,621,504	100.0%	1,455	100.0%

TOTAL of Non-MFD Vendors

<u>Location</u>	<u>Procurement</u>		<u>Number of Vendors</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Number</u>	<u>Percentage</u>
Montgomery County	\$ 5,970,142	11.4%	137	12.7%
Prince George's County	3,668,643	7.0%	310	28.8%
Subtotal	9,638,785	18.4%	447	41.5%
Maryland - other locations	19,057,842	36.4%	204	18.9%
Total Maryland	28,696,627	54.8%	651	60.4%
District of Columbia	465,458	0.9%	42	3.9%
Virginia	9,076,086	17.3%	74	6.9%
Other Locations	14,163,515	27.0%	311	28.8%
Total	\$ 52,401,686	100.0%	1,078	100.0%

TOTAL of MFD Vendors

<u>Location</u>	<u>Procurement</u>		<u>Number of Vendors</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Number</u>	<u>Percentage</u>
Montgomery County	\$ 4,017,902	18.9%	60	15.9%
Prince George's County	10,934,079	51.5%	171	45.4%
Subtotal	14,951,981	70.4%	231	61.3%
Maryland - other locations	1,508,262	7.1%	50	13.3%
Total Maryland	16,460,243	77.5%	281	74.6%
District of Columbia	913,891	4.3%	31	8.2%
Virginia	3,196,636	15.1%	26	6.9%
Other Locations	649,048	3.1%	39	10.3%
Total	\$ 21,219,818	100.0%	377	100.0%

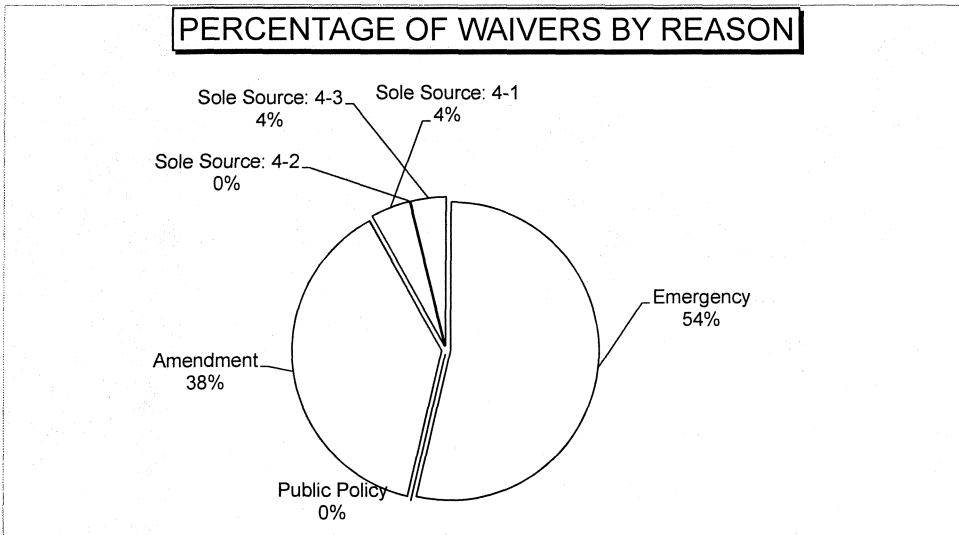
Note: The following shows the amounts and percentages of procurement by the location of the department. The bi-county departments' activity is divided equally between the two Counties.

	<u>Total Procurement</u>		<u>MFD Procurement</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Amount</u>	<u>Percentage</u>
Prince George's County	\$ 40,421,338	54.9%	\$ 6,991,762	32.9%
Montgomery County	33,200,166	45.1%	14,228,056	67.1%
Total	\$ 73,621,504	100.0%	\$ 21,219,818	100.0%

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
REASONS FOR WAIVERS
CUMULATIVE DOLLAR AMOUNT & NUMBER OF WAIVERS
FY 2015
FOR SIX MONTHS ENDED DECEMBER 31, 2014

Attachment J

	NUMBER	AMOUNT	PERCENTAGE
Emergency	10	\$ 603,191	54%
Public Policy	0	\$ -	0%
Amendment	6	\$ 429,567	38%
Sole Source: 4-1	1	\$ 48,000	4%
Sole Source: 4-2	0	\$ -	0%
Sole Source: 4-3	2	\$ 43,141	4%
Total	19	\$ 1,123,899	100%



Waiver Reason Definitions:

Emergency:

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

Required by Law or Grant:

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

Amendment:

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

Sole Source 4:

It has been determined that:

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

**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
TOTAL WAIVERS, MFD WAIVERS, AND SOLE SOURCE WAIVERS BY DEPARTMENT
PROCESSED FY 2015
FOR THE SIX MONTHS ENDED DECEMBER 31, 2014**

Attachment K

	Total Waivers		MFD/Waivers		% of MFD	Sole Source 4-1 Waivers		Sole Source 4-2 Waivers		Sole Source 4-3 Waivers		% Sole Source
	\$	Number	\$	Number		\$	Number	\$	Number	\$	Number	
Prince George's County												
Commissioners' Office	\$ 0	0	\$ -	0	0.0%	\$ -	0	\$ -	0	\$ -	0	0.0%
Planning Department	24,999	1	-	0	0.0%	-	0	-	0	-	0	0.0%
Parks and Recreation Department	565,074	12	24,588	2	4.4%	-	0	-	0	43,141	2	7.6%
Total	590,073	13	24,588	2	4.2%	-	0	-	0	43,141	2	7.3%
Montgomery County												
Commissioners' Office	-	0	-	0	0.0%	-	0	-	0	-	0	0.0%
Planning Department	48,000	1	-	0	0.0%	48,000	1	-	0	-	0	100.0%
Parks Department	88,746	1	-	0	0.0%	-	0	-	0	-	0	0.0%
Total	136,746	2	-	0	0.0%	48,000	1	-	0	-	0	35.1%
Central Administrative Services												
Dept. of Human Resources and Mgt.	267,080	3	-	0	0.0%	-	0	-	0	-	0	0.0%
Finance Department	0	0	-	0	0.0%	-	0	-	0	-	0	0.0%
Legal Department	130,000	1	-	0	0.0%	-	0	-	0	-	0	0.0%
Merit Board	0	0	-	0	0.0%	-	0	-	0	-	0	0.0%
Total	397,080	4	-	0	0.0%	-	0	-	0	-	0	0.0%
Grand Total	\$ 1,123,899	19	\$ 24,588	2	2.2%	\$ 48,000	1	\$ -	0	\$ 43,141	2	8.1%

Purpose of Summary of Waiver Report:

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

Sole Source: 4

It has been determined that:

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

Prepared by Department of Human Resources and Management
February 5, 2015



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

Reply To

March 9, 2015

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 the Month of February, 2015

Please find the attached litigation report we have prepared for your meeting scheduled on Wednesday, March 18, 2015. 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.

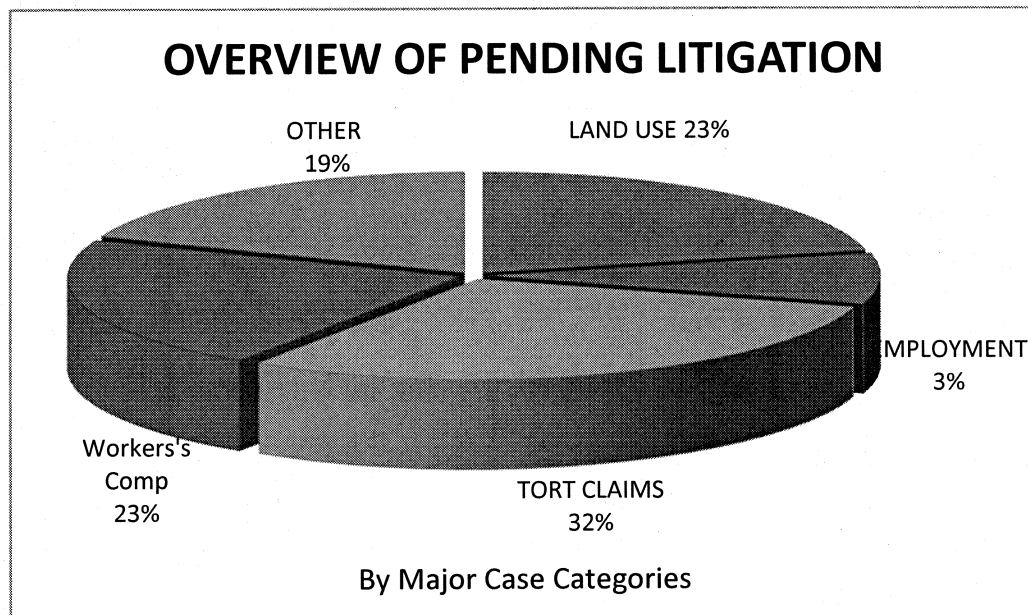
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February 2015 Composition of Pending Litigation

(Sorted By Subject Matter and Forum)

	State Trial Court	Federal Trial Court	Maryland COSA	Maryland Court of Appeals	Federal Appeals Court	U.S. Supreme Court	Subject Matter Totals
Admin Appeal: Land Use			3	1			4
Admin Appeal: Other							0
Land Use Dispute				1			1
Tort Claims	11						11
Employment Dispute	2			1			3
Contract Dispute	3	1					4
Property Dispute	2			1			3
Civil Enforcement	2						2
Workers' Compensation	8						8
Debt Collection							0
Bankruptcy							0
Miscellaneous		1					1
Per Forum Totals	28	2	3	4	0	0	37



February 2014 Litigation Activity Summary

	COUNT FOR MONTH			COUNT FOR FISCAL YEAR 2015			
	Pending Last Month	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		1	9	2	7	4
Admin Appeal: Other (AAO)	0			-			0
Land Use Disputes (LD)	1			1	2	2	1
Tort Claims (T)	12		1	10	10	8	11
Employment Disputes (ED)	1	2		1	2		3
Contract Disputes (CD)	5			4	4	4	5
Property Disputes (PD)	2			4		1	2
Civil Enforcement (CE)	2			1	1		2
Workers' Compensation (WC)	5	5	2	10	5	8	8
Debt Collection (D)	0			-			0
Bankruptcy (B)	0			-			0
Miscellaneous (M)	1			1			1
Totals	34	7	4	41	26	30	37

**INDEX OF YTD NEW CASES
(7/1/2014 TO 6/30/15)**

A. New Trial Court Cases.

	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Glessner v. Commission	PGParks	Tort	July 2014
Jones v. Commission	PGParks	Tort	July 2014
Hawkins v. Commission	PGParks	Tort	July 2014
Howard Entertainment v. Commission	PGParks	CD	July 2014
Commission v. Paniagua	MC	CD	Aug 2014
Commission v. Pirtle	MC	CE	Aug 2014
Prince George's County v. Darnell	PG	Tort	Aug 2014
Moore v. Perry, et al	PG	Tort	Sep 2014
Commission v. Kernan, et al	MC	CD	Oct 2014
Jackson v. Commission (D.Ct)	MCParks	Tort	Oct 2014
Tuckman-Barbee v. Commission	PG	CD	Nov 2014
Pulte v. Montgomery County, et al (Cir Ct)	MCPB	LD	Nov 2014
Jackson v. Commission (C.Ct)	MCParks	Tort	Nov 2014
Quick v. Commission	PGPR	Tort	Nov 2014
Jones v. Kellogg, et al	MC	Tort	Dec 2014
Quick v. Gathers	PGPR	Tort	Dec 2014
Pulte, et al v. Montgomery Cty, et al (Fed Ct)	MCPB	LD	Dec 2014
Nicholson v. Commission	PG	ED	Jan 2015
Corsetti-Barczy v. Commission		WC	Feb 2015
L. Jackson v. Commission	MC	WC	Feb 2015
L. Jackson v. Commission	MC	WC	Feb 2015
Pollard v. Commission	PG	WC	Feb 2015
Armstrong v. Commission	PG	ED	Feb 2015
Burnette v. Commission	PG	WC	Feb 2015

B. New Appellate Court Cases.

	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Rock Creek Hills Citizens Assoc. v. Commission	MCPB	AALU	July 2014
Kaviani v. Montgomery County Planning Board	MCPB	AALU	Oct 2014

**INDEX OF YTD RESOLVED CASES
(7/1/2014 TO 6/30/15)**

C. Trial Court Cases Resolved.

<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>	
Commission v. Sweeney	PG	WC	July 2014
Commission v. Ferman	MC	WC	July 2014
Beatty v. Montgomery County, et al	MC	Tort	July 2014
Commission v. Rivera	PG	WC	July 2014
Bundi v. Soresi	PG	Tort	Aug 2014
Letke Security Contract v. Commission	MC	CD	Sept/Oct 2014
Commission v. Paniagua	MC	CD	Sept/Oct 2014
Reijerson v. Commission	PG	WC	Sept/Oct 2014
White v. Commission	PG	WC	Sept/Oct 2014
Kaviani v. Montgomery County Planning Board	MCPB	AALU	Oct 2014
Butler v. Commission	PGPR	Tort	Oct 2014
Jackson v. Commission (D. Ct.)	MCParks	Tort	Nov 2014
Bell v. Commission	PGPR	Tort	Nov 2014
Litrenta v. Commission	PGPR	Tort	Nov 2014
Duvall v. Commission	PGPB	LD	Nov 2014
Commission v. Kernan, et al	MC	CD	Dec 2014
Geico v. Ness, et al	PG	Tort	Dec 2014
Phoenix v. Commission	PG	Tort	Dec 2014
Pulte Home Corp, et al v. Mont. Cty, et al	MCPB	Tort	Jan 2015
Prince George's County, Md. vs Darnell	PG	Tort	Jan 2015
Munoz-Saucedo v. Commission	MC	WC	Feb 2015
Munoz-Saucedo v. Commission	MC	WC	Feb 2015

D. Appellate Court Cases Resolved.

Slover et al. v. Montgomery County Planning Board	MCPB	AALU	July 2014
Rock Creek Hills Citizens Assoc. v. Commission	MCPB	AALU	July 2014
Arking, et al v. MCPB	MCPB	AALU	July 2014
Kelly Canavan, et al v. Commission	PGPB	AALU	Oct 2014
Fort Myers Construction Corp v. Commission	MCPB	CD	Nov 2014
Bernando Rene Flores v. Commission	PGPB	PD	Dec 2014
McClure v. Montgomery County Planning Board	MCPB	AALU	Dec 2014
Hall, et al v. Commission	PGPB	AALU	Feb 2015

Disposition of FY15 Closed Cases Sorted By Department

CLIENT	PRINCIPAL CAUSE OF ACTION IN DISPUTE	DISPOSITION
Employees Retirement System		
Finance Department		
Department of Human Resources and Management		
Montgomery County Department of Planning		
Commission v. Paniagua	Claim for breach of rental contract	Dismissed on 09/10/14.
Kaviani v. Montgomery County Planning Board	Petition for judicial review of Montgomery County Planning Board's enforcement order in MCPB No. 13-118, regarding Citation number EPD000007.	Order of Court affirming Planning Board Decision on 8/25/14.
Letke Security Contract v. Commission	Defense of claim for breach of contract	Complaint dismissed on 09/03/14.
Slover et al. v. Montgomery County Planning Board	Petition for Judicial review of the Planning Board decision to approve two-lot subdivision located at 9490 River Road in Potomac filed by project opponents.	Order of Court of Special Appeals affirming Judgment on 06/20/14.
Rock Creek Hills Citizens Association, et al v. Commission	Declaratory Judgment in Montgomery County Circuit Court attempting to stop transfer & development of Commission owned property as Association lacks standing to pursue the Federal Land and Water Conservation Fund claims.	Opinion from Court of Special Appeals affirming Montgomery County judgment on 05/27/14.
Montgomery County Department of Parks		
Beatty v. Montgomery County, et al.	Claimant is suing for tort arising from slip and fall.	Order by Court of Special Appeals affirming Judgment on 06/4/14.
Commission v. Fermin	WCC awarded 15% permanent partial disability under "other cases" and Commission appealed.	Case Settled and Dismissed on 04/11/14.
Commission v. Kernan, et al	Claim for breach of rental contract, seeking possession of property	Case dismissed on 11/03/14, tenant vacated property

Fort Myer Construction Corp v. Commission	Third party defendant noted appeal from Court's ruling in Commission's favor that URS owed the Commission duty to defend litigation.	Court of Special Appeals dismissed appeal on 09/25/14 with leave to file notice of appeal from a final judgment.
Jackson v. Commission	Defense of tort claim for claimed slip and fall alleged broken sidewalk at Jessup Blair Park in Silver Spring, Maryland.	Jury trial prayed; case forwarded to Circuit Court on 11/06/14.
Munoz-Saucedo v. Commission	WCC found claimant sustained 5% permanent partial disability under "other cases" and claimant appealed. (388096 -V)	Case dismissed by Court on 02/03/15.
Munoz-Saucedo v. Commission	WCC found claimant sustained 5% permanent partial disability to first (index) finger on left hand and claimant appealed.	Case dismissed by Court on 02/03/15.
Montgomery County Park Police		
Montgomery County Planning Board		
Arking, et al. v. MCPB	Petition for writ of certiorari seeking review of Court of Special Appeals order affirming Planning Board re-subdivision approval.	Petition for Writ of Certiorari denied on 04/21/14.
McClure v. Montgomery County Planning Board	Appeal filed from the Circuit Court ruling in the case of 21611 Ripplemead Drive; rejecting property owner's claim that lot not covered by conservation easement.	Judgment of the Circuit Court for Montgomery County affirmed on 12/02/14.
Pulte Home Corporation, et al v. Montgomery County, et al	Plaintiff filed complaint for alleged delays and damages associated with the construction of a residential development in Clarksburg, Maryland (Case No. 397601V)	Notice of Removal to U. S. Federal District Court filed; case closed in State Court on 12/18/14.
Prince George's County Department of Parks and Recreation		
Bell v. Commission	Defense of claims seeking damages for injuries sustained at the Sports & Learning Complex.	Case settled and dismissed on 10/02/14.
Bundi v. Soresi	Defense of claim for injuries sustained in a motor vehicle accident in a vehicle allegedly operated by Commission employee.	Trial. Judgment for Plaintiff in amount of \$7,510.10 on 08/13/14.
Commission v. Rivera	Commission is appealing the WCC's decision regarding permanency award	Case dismissed on 06/25/14.

Commission v. Sweeney	WCC ordered temporary total disability and Commission appealed. CAL13-35118	Case settled and dismissed on 3/24/14.
GEICO v. Ness, et al	Defense of claim for property damage to a motor vehicle involving a vehicle allegedly operated by Commission employee	Complaint dismissed under Rule 3-506 on 11/25/14.
Litrenta v. Commission	Defense of tort claim for personal injuries allegedly sustained when the plaintiff was the passenger on a Commission golf cart and fell out while his acquaintance was driving. The driver is also named as a defendant.	Case settled and dismissed on 10/08/14.
Phoenix v. Commission	Defense of claim seeking damages for injuries sustained during a baseball game at Fletcher's Field. Commission filed a third party complaint against game officials.	Case settled without any payment from the Commission on 11/25/14.
Prince George's County v. Darnell	Defense of claim for personal injury and property damages to motor vehicle involving a vehicle operated by Commission employee.	Judgment entered in favor of Commission employee on 01/14/15.
Reijerson v. Commission	WCC found claimant sustained 10% permanent partial disability under "other cases" and claimant appealed	Case remanded to WCC on 09/25/14.
White v. Commission	WCC ordered certain surgery not causally related to accident injury and claimant appealed	Case remanded to WCC on 09/24/14.
Prince George's County Planning Department		
Prince George's County Planning Board		
Kelly Canavan, et al v. Commission	Petition for writ of certiorari seeking review of Court of Special Appeals order affirming Prince George's County Circuit Court decision on 02/19/13 to uphold the Planning Board's approval of Saddle Creek's preliminary Plan of Subdivision.	Petition for Writ of Certiorari denied on 07/21/14.
Duvall v. Commission	Defense of Claim for land dispute.	Commission's Motion to Dismiss granted by Court.; case dismissed on 10/17/14.

Bernardo Rene Flores v. Commission	Defense against Petition for Declaratory Judgment to invalidate Owner's Dedication of Green Space despite tax sale.	Judgment of the Circuit Court for Prince George's County affirmed on 12/02/14.
Hall, et al v. Commission	Defense against Petition for Judicial Review of Planning Board's decision to approve Bundy's Subdivision of Birdlawn Preliminary Plan 4-06158.	Court of Special Appeals affirmed Planning Board's subdivision approval on 9/23/14
Prince George's Park Police		
Butler v. Commission	Defense of claim seeking damages for injuries sustained in an accident with a vehicle driven by a Park Police officer	Case settled and dismissed on 08/22/14.

INDEX OF CASES

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DISTRICT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Quick v. Commission

Case No. 0502-0023986-2014 (Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for alleged violations of the Americans with Disabilities Act.

Status: Pending Trial

Docket:

11/06/14	Complaint filed.
11/14/14	Service via certified mail
11/25/14	Notice of Intention to Defend filed by Commission
03/19/15	Hearing

Quick v. Gathers

No. 0502-0026963-2014 (Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for alleged violations of the Americans with Disabilities Act.

Status: Pending Trial

Docket:

11/10/14	Complaint filed.
11/14/14	Service via Sheriff
03/19/15	Hearing

DISTRICT COURT FOR MONTGOMERY COUNTY, MARYLAND

Jones v. Kellogg, et al

Case No. 060100171232014 (Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for personal injury and property damages to motor vehicle involving a vehicle allegedly operated by Commission employee.

Status: Pending trial.

Docket:

10/14/14	Complaint filed
12/05/14	Notice of Intention to Defend filed by Commission
04/01/15	Trial

CIRCUIT COURT FOR CHARLES COUNTY, MARYLAND

Burnette v. Commission

08-C-15-000434 AA (WC)
(W050308)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the WCC's decision regarding permanent partial disability benefits.

Status: Petition filed.

Docket:

02/24/15	Petition filed
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CIRCUIT COURT FOR HOWARD COUNTY, MARYLAND

Corsetti-Barczy v. Commission

13-C-15-102403 (WC)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the WCC's permanency award.

Status: Petition filed.

Docket:

02/11/15	Petition filed
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CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Anderson v. Commission

Case No. CAL14-07980 (T)

Lead Counsel: Harvin
Other Counsel: Dickerson

Abstract: Defense of claim seeking damages for injuries to a minor sustained in an altercation while attending Rollingcrest/Chillum Community Center Park.

Status: In discovery.

Docket:

04/07/14	Complaint filed
05/30/14	Motion to Dismiss filed by Commission
08/06/14	Motion to Dismiss denied.
01/27/15	Pretrial conference
07/21/15	Trial Date

Armstrong v. Commission

Case No. CAL14-22103 (ED)

Lead Counsel: Aleman
Other Counsel: Dickerson

Abstract: Defense of claim seeking damages for alleged workplace discrimination and termination.

Status: In discovery.

Docket:

08/08/14	Complaint filed
02/25/15	Service on Commission
04/10/15	Status Hearing

Commission v. 6509 Rhode Island Realty Corp.

Case No. CAL 13-20939 (PD)

Lead Counsel: Mills
Other Counsel: Johnson, Borden

Abstract: Condemnation initiated by the Commission.

Status: Complaint filed.

Docket:

07/19/13	Complaint for condemnation filed
10/06/14	Summons reissued for service on Defendant

Commission v. Fleming
CAL 14-15514 (Tort)

Lead Counsel: Aleman
Other Counsel: Dickerson

Abstract: Commission filed a lawsuit seeking subrogation recovery for amount due for personal injuries sustained by Commission employee.

Status: In discovery.

Docket:

06/20/14	Complaint filed
07/31/14	Defendant served via certified mail
08/29/14	Defendant filed answer
09/16/14	Court accepts Defendant's letter as answer to complaint
02/02/15	Pretrial conference
10/05/15	Trial Date

Commission v. MARCOPOLO GF Co.
Case No. CAL 13-20940 (PD)

Lead Counsel: Mills
Other Counsel: Johnson, Borden

Abstract: Condemnation initiated by the Commission.

Status: Pending settlement.

Docket:

07/19/13	Complaint for condemnation filed.
07/16/14	Motion for Order of Default filed.
08/29/14	Order of Default entered
09/23/14	Order of Default granted against MARCOPOLO GF Co.
11/14/14	Ex Parte Hearing on Damages, settlement reached
11/17/14	Continued 60 days pending settlement
03/13/15	Disposition Hearing

Glessner v. Surratt House
CAL 14-17158 (T)

Lead Counsel: Harvin
Other Counsel: Dickerson

Abstract: Defense of tort claim against a Commission employee and facility based on the alleged slander of authenticity regarding a photograph the plaintiff purports to be of Abraham Lincoln.

Status: Complaint filed-never served.

Docket:

07/02/14	Complaint filed; no summons issued for service on Commission.
08/06/14	Motion to Enter Judgment filed by Plaintiff, despite lack of service
10/21/14	Complaint filed; Court orders Request for Waiver of fees granted
11/14/14	Complaint filed.
05/08/15	Status hearing

Hawkins v. Commission

CAL14-17950 (T)

Lead Counsel: Harvin
Other Counsel: Dickerson

Abstract: Defense of tort claim for claimed near drowning while taking swimming lessons at Prince George's Sports and Learning Center in Landover, Maryland.

Status: In discovery.

Docket:

05/30/14	Complaint filed.
09/05/14	Answer filed.
12/15/14	Plaintiff's counsel files Motion to Strike Appearance
01/22/15	Court grants Motion to Strike Appearance of Plaintiff's Counsel.
04/07/15	Pre-trial Conference

Jones v. Commission

CAL14-17154 (T)

Lead Counsel: Aleman
Other Counsel: Dickerson

Abstract: Defense of claim for trip and fall on alleged broken concrete and loose gravel at Tucker Road Community Center.

Status: In discovery.

Docket:

07/15/14	Complaint filed.
08/22/14	Answer filed by Commission.
01/20/15	Pretrial conference scheduled.
08/03/15	ADR Conference
10/19/15	Trial Date

Kelly v. Commission
CAL 14-13688 (T)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for injuries sustained in alleged slip and fall at Newton White Mansion.

Status: In discovery.

Docket:

06/12/14	Complaint filed; transferred from District Court, jury trial prayed
08/04/14	Answer filed.
10/23/14	Pre-trial conference
05/11/15	Trial

Moore v. Perry, et al
CAL14-22308(Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for personal injury involving vehicle allegedly operated by Commission employee.

Status: In discovery.

Docket:

08/18/14	Complaint filed.
03/24/15	Pretrial conference

Nicholson v. Commission
CAL14-36539 (ED)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the DLLR's decision regarding unemployment insurance benefits.

Status: Pending Oral Argument.

Docket:

12/22/14	Petition for Judicial Review filed
01/09/15	Response to Petition filed
04/30/15	Oral Argument

Pollard v. Commission
CAL15-00392 (WC-B629257)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the WCC's decision denying the left hip surgery as causally related to his workers' compensation claim.

Status: Petition filed.

Docket:

12/19/13	Petition filed
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Rivera v. Commission
CAL13-37715 (WC)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the WCC's decision regarding permanency award.

Status: Pending Trial

Docket:

12/19/13	Petition filed
01/14/14	Response to Petition filed
05/15/14	Pre-trial conference
03/24/15	Jury Trial

Savoy, D. v. Commission
Case No. CAL14-09608 (WC)

Lead Counsel: Chagrin
Other Counsel:

Abstract: WCC found claimant sustained 9% permanent partial disability under "other cases" and claimant appealed.

Status: Pending Trial

Docket:

04/29/14	Petition for Judicial Review filed
05/08/14	Response to Petition filed
09/04/14	Pretrial statement and Expert Designation filed
09/09/14	Pre-trial conference.
06/03/15	Trial

Savoy, G. v. Commission
Case No. CAL14-09719 (WC)

Lead Counsel: Chagrin
Other Counsel:

Abstract: WCC found claimant sustained 2% permanent partial disability of right hand and claimant appealed.

Status: Pending Trial

Docket:

05/02/14	Petition for Judicial Review filed
05/14/14	Response to Petition filed
10/15/14	Expert Witness and Pretrial statement filed by Commission
11/03/14	Pretrial Conference
05/12/15	Jury Trial

Tuckman-Barbee Construction Co., Inc. v. Commission
Case No. CAL14-28635 (CD)

Lead Counsel: Dickerson
Other Counsel: Chagrin

Abstract: Alleged breach of contract involving Southern Regional Technology and Recreation Complex in Fort Washington, Maryland.

Status: Motion to Dismiss Pending

Docket:

10/15/14	Complaint filed
11/04/14	Service on Commission
12/04/14	Motion to Dismiss or in the alternative, Motion for Summary Judgment filed by Commission
12/23/14	Plaintiff's Opposition to Commission's Motion to Dismiss
01/22/15	Commission's Reply in Support of Motion to Dismiss or in alternative, Motion for Summary Judgment
03/13/15	Hearing on Motion to Dismiss.

CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

Commission v. Johnson

Case No. 366677-V (CE)

Lead Counsel: Aleman
Other Counsel: Dickerson

Abstract: Commission requesting finding of contempt in case in which the Court already granted the Commission's Petition for Judicial enforcement of Administrative Decision by the Planning Board Concerning Forest Conservation Easement violation.

Status: Further collection action and attempts to seek compliance by foreclosing.

Docket:

11/22/13	Petition for Issuance of Show Cause Order Filed
01/16/14	Contempt Hearing held and Judicial Order issued
01/22/14	Order-Defendant must respond to Plaintiff's Interrogatories by 2/17/14

Commission v. Pirtle

Case No. 394157-V (CE)

Lead Counsel: Aleman
Other Counsel: Dickerson

Abstract: Commission filed Petition for Judicial enforcement of Administrative Decision by the Planning Board Concerning Forest Conservation Easement violation.

Status: Pending Motions hearing.

Docket:

08/12/14	Petition filed.
09/02/14	Affidavit of Service on Defendant filed.
10/07/14	Motion to Dismiss or in the alternative for Summary Judgment filed by Defendant
10/27/14	Commission's Motion in Opposition to Defendant's Motion to Dismiss filed; and Commission's Motion to Dismiss Counterclaim filed.
01/05/15	Motions Hearing
05/20/15	Hearing on Motion to Dismiss or in the alternative for Summary Judgment

Fort Myer Construction Corporation v. Commission
Commission v. URS Corporation (Third-party claim by Commission)

Case No. 369478-V (CD)

Lead Counsel: Saul Ewing (Garry Boehlert)
Other Counsel: Dickerson; MarcusBonsib, LLC (Bruce L. Marcus)

Abstract: Plaintiff filed complaint for alleged delays and damages associated with the

erection of a steel girder pedestrian bridge in Montgomery County. Commission filed third party complaint for alleged breach of contract seeking contribution and indemnity, and defense from URS Corporation.

Status:
Docket:

Awaiting decision.

10/12/12	Complaint filed
01/10/13	Motion to Dismiss for Failure to Exhaust Administrative Remedies
01/10/13	Motion to Dismiss for Insufficient Service
01/11/13	Scheduling Hearing
01/11/13	Plaintiff's Designation of Experts
01/28/13	Commission's Notice of Service of Discovery
01/28/13	Plaintiff's Opposition to Motions to Dismiss
01/30/13	Plaintiff's First Amended Response to Motions to Dismiss
02/04/13	Commission's Reply in Further Support of Motion to Dismiss
02/04/13	Commission's Reply to Plaintiff's Response to Motion to Dismiss
02/11/13	Orders Denying Commission's Motion to Dismiss
02/26/13	Commission's Answer
03/12/13	Commission's Designation of Experts
03/27/13	Commission's Third Party Complaint
05/09/13	Third Party's Answer to Third Party Complaint
11/19/13	Commission's Motion for Discovery Sanctions Against Ft. Myer filed
12/20/13	Hearing on pending discovery motions held and court refers case to Special Discovery Master for recommendations on appropriate sanctions against Ft. Myer and other pending discovery issues.
02/27/14	URS Motion to Dismiss Ft. Myer's Complaint against Commission, or alternatively Motion for Summary Judgment
03/31/14	Motions hearing held
03/31/14	Fort Myer's case dismissed without prejudice
03/31/14	Motions of URS and Commission regarding third party claim taken under advisement
04/11/14	Commission's Motion for Sanctions for Lack of Substantial Justification of Attorney's Fees and Costs against Fort Myers Construction
04/11/14	URS's Motion for Sanctions
04/28/14	Court granted Motion for Sanctions and awarded Commission's Attorney's Fees and Costs against Fort Myer Construction in the amount of \$376,597.68.
04/28/14	Court granted Motion for Sanctions by URS and awarded Attorney's Fees and Costs against Fort Myer Construction in the amount of \$248,638.31.
05/05/14	Court enters Judgment in amount of \$103,420 in favor of URS on Counterclaim against Commission.
05/05/14	Court rules in favor of Commission on Third Party Complaint against URS holding that URS owed Commission a duty to defend.
05/15/14	Commission files Motion to Set Hearing on damages associated with failure of URS to defend issue.

05/15/14	URS files notice of appeal on duty to defend issue
05/23/14	Appearance of new counsel entered for Fort Myer
05/30/14	URS files opposition to Commission's Motion to Set Hearing on Damages
06/02/14	Court enters judgment in favor of Commission and URS for sanctions Court awarded against Fort Myer.
06/02/14	Court denied Motion for Sanctions filed by Fort Myer.
06/04/14	Notice of Appeal filed with COSA by Plaintiff
06/12/14	Motion of Stay of Execution of Judgment filed by Plaintiffs.
06/16/14	Commission's reply to URS's Opposition to Commission's Motion to Set Hearing on Damages
07/14/14	Order of Court granting Stay of Execution of Judgment and acceptance of supersedeas bonds pending appeal.
08/27/14	Order of Court granting Commission's request for hearing on damages and denying Motion of URS to exclude evidence.
09/05/14	Motion for Appropriate Relief to determine liability issues filed by URS
09/23/14	Motion in Opposition filed by Commission
10/07/14	Court grants Motion for Appropriate Relief to determine liability issues
11/10/14	Motion for Reconsideration filed by Fort Myer
11/13/14	Evidentiary hearing to determine quantum of Commission's damages against URS, Court takes matter under advisement
12/02/14	Plaintiff's Amended Motion to Reconsider, Revise or Strike Judgment on Motion for Sanctions previously entered.
12/12/14	Commission and URS files Motion in Opposition to Plaintiff's Amended Motion to Reconsider, Revise or Strike
12/18/14	Hearing on Motion for Reconsideration filed by Fort Myers; Court enters judgment in favor of Commission against the URS for \$352,355.68. Court takes Motion to Reconsider/Revise/Strike Judgment on Motion for Sanctions filed by Fort Myers under advisement.
02/13/15	Court denies Plaintiff's Amended Motion to Reconsider/Revise/Strike Judgment on Motion for Sanctions

Howard Entertainment, Inc. v. Commission

Case No. 393333-V (CD)

(Originally filed in District Court under Case #0602-0009462-2014)

Lead Counsel: Harvin
Other Counsel: Dickerson

Abstract: Plaintiff filed complaint for breach of contract of payment for services for Southern Area Operations Festival of Nations

Status: In discovery.

Docket:

06/06/14	Complaint filed in District Court
07/14/14	Commission filed Intent to Defend and Request for Jury Trial

07/23/14	Bill of Complaint transferred to Circuit Court
04/16/15	Pretrial conference

Jackson v. Commission
Case No. 397287-V (Tort)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Defense of tort claim for claimed slip and fall alleged broken sidewalk at Jessup Blair Park in Silver Spring, Maryland.

Status: Complaint filed

Docket:

11/06/14	Complaint filed
12/10/14	Commission files Interrogatories/ Request for Production of Documents
04/17/15	Status/Pre-trial conference.

L. Jackson v. Commission
Case No. 401201-V (WC)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the WCC's decision regarding low back exclusion from claim arising from 5/27/14 accidental injury.

Status: Petition filed.

Docket:

02/18/15	Petition filed.
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L. Jackson v. Commission
Case No. 401202-V (WC)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the WCC's decision regarding low back not causally related to the accidental injury and denial of medical treatment and other benefits.

Status: Petition filed.

Docket:

02/18/15	Petition filed
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MARYLAND COURT OF SPECIAL APPEALS

Kaviani v. Montgomery County Planning Board

September Term 2014, No. 01554 (AALU)

Lead Counsel: Dumais
Other Counsel: Lieb

Abstract: Appeal filed from the Circuit Court rule in the case of Montgomery County Planning Board's enforcement order in MCPB No. 13-118, regarding Citation number EPD000007.

Status: Appeal filed.

Docket:

09/23/14	Notice of Appeal
06/2015	Oral Argument

Sahady v. Montgomery County Planning Board

September Term 2013, No. 01032 (AALU)

Lead Counsel: Lieb
Other Counsel:

Abstract: Appeal filed in the Circuit Court ruling in the case of 21611 Ripplemead Drive wherein Court rejected property owner's claim that his lot is not covered by a valid conservation easement

Status: Judgment affirmed.

Docket:

08/01/13	Notice of Appeal
06/04/14	Oral Argument held
02/09/15	Judgment affirmed, unreported opinion.

Smith v. Montgomery County Planning Board

September Term 2013, No. 00774 (AALU)

Lead Counsel: Lieb
Other Counsel:

Abstract: Commission appealed Circuit Court ruling for forest conservation violations at 21627 Ripplemead Drive.

Status: Awaiting decision.

Docket:

06/21/13	Notice of Appeal filed
03/07/14	Commission's Brief filed
05/15/14	Reply Brief filed
06/11/14	Oral Argument held.

MARYLAND COURT OF APPEALS

Rock Creek Hills Citizens Association, et al v. Commission

September Term 2014, Petition Docket No. 213 (AALU)

Lead Counsel: Mills
Other Counsel:

Abstract: Declaratory Judgment attempting to stop transfer & development of Commission owned property

Status: Awaiting decision on Petition.

Docket:

06/09/14	Petition for Writ of Certiorari filed.
07/28/14	Commission's Response filed to Petition for Writ of Certiorari

Rounds v. Commission

September Term 2014, No. 00019 (PD)

Lead Counsel: Gardner
Other Counsel: Dickerson

Abstract: Defense of claim for violations of the Maryland Constitution and declaratory relief concerning alleged Farm Road easement.

Status: Judgment affirmed in most aspects with remand and Motion for Reconsideration.

Docket:

11/01/13	Petition for Writ of Certiorari
11/12/13	Answer in Opposition to Petition for Writ of Certiorari
12/20/13	Cert Granted
06/30/14	Order re-scheduling case to November, 2014 session
11/12/14	Oral Argument
01/29/15	Circuit Court decision affirmed in most aspects and remanded for a limited purpose.
02/24/15	Defendant Brown files Motion for Reconsideration.

U.S. DISTRICT COURT OF MARYLAND

American Humanist Association, et al v. Commission

Case #8:14-CV550-DKC (M)

Lead Counsel: Dickerson
Other Counsel: Gardner
Harvin

Abstract: Defense of claim alleging violation of establishment clause of Constitution.

Status: In discovery.

Docket:

02/25/14	Complaint filed in U. S. District Court for the District of MD
04/28/14	Answer filed
04/25/14	Motion for Leave to submit Amicus filed by interested Marylanders
05/01/14	Motion to Intervene filed by American Legion entities
09/18/14	Court grants Motion of Eleven Marylanders for Leave to Appear Jointly as Amicus Curiae in Support of Defendants and grants Motion to Intervene by The American Legion, The American Legion Department of Maryland and The American Legion Colmar Manor Post 131

Hartford Casualty Insurance Company v. Commission

Case No. 8:13-cv-01765 (CD)

Lead Counsel: Ober, Kaler, Grimes & Shriver (Michael A. Schollaert)
Other Counsel: Dickerson, Chagrin

Abstract: Plaintiff bonding company filed complaint seeking alleged damages associated with surety work after taking over Fort Washington Forest Park and the North Forestville Projects in Prince George's County.

Status: Case stayed for mediation.

Docket:

06/18/13	Complaint filed
05/27/14	Plaintiff filed Consent Motion to Stay
05/28/14	Court stays case
09/25/14	Joint Status Report filed.
09/26/14	Court extends stay through 01/23/15.
01/26/15	Court extends stay for 120 days

Pulte Home Corporation, et al v. Montgomery County, et al

Case No. 8:14-cv-03955 (LD)

(Originally filed under Case No. 397601V-Mont. Cty)

Lead Counsel: Gardner/Dickerson
Other Counsel:

Abstract: Plaintiff filed complaint for alleged delays and damages associated with the construction of a residential development in Clarksburg, Maryland.

Status: Awaiting decision on pending motions.

Docket:

12/18/14	Notice of Removal and Complaint filed
01/02/15	Commission files Motion to Dismiss or in the Alternative for Summary Judgment and Supporting Memorandum
01/09/15	Plaintiffs file Motion to Remand.
02/05/15	Defendant Montgomery County's Opposition to Motion to Remand
02/06/15	Commission's Opposition to Plaintiff's Motion to Remand
02/06/15	Plaintiff's Opposition to Defendant M-NCPPC's Motion to Dismiss
02/23/15	Plaintiff's Reply in Support of Motion to Remand
02/23/15	Commission's Reply to Opposition to Motion to Dismiss

Streeter v. Commission

Case No. 12-CV-0976 RWT(ED)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim alleging discrimination and retaliatory termination.

Status: Awaiting Court Order.

Docket:

01/17/12	Complaint filed in Circuit Court for Prince George's County
04/03/12	Case removed to U.S. District Court
04/10/12	Commission's Preliminary Motion to Dismiss filed
01/07/13	Motion granted with conditions
03/27/14	Commission's Motion to Dismiss Complaint w/prejudice filed

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