



THE MARYLAND-NATIONAL CAPITAL
Park and Planning Commission

COMMISSION MEETING

July 17, 2019

10:00 a.m. – 12:00 p.m.

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

6600 Kenilworth Avenue
Riverdale, Maryland 20737

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**MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MEETING AGENDA
Wednesday, July 17, 2019
PRA (Auditorium)
10:00 a.m. – 12 noon**

| | | <u>ACTION</u> | |
|--|--|---------------|--------|
| | | Motion | Second |
| 1. | Approval of Commission Agenda (10:00 a.m.) | (+*) Page 1 | |
| 2. | Approval of Commission Minutes (10:05 a.m.) | | |
| | a) Open Session – June 19, 2019 | (+*) Page 3 | |
| | b) Special Session – June 6, 2019 | (+*) Page 9 | |
| | c) Closed Session – May 1, 2019** | (++*) | |
| 3. | General Announcements (10:05 a.m.) | | |
| | a) Montgomery County Council Reappointment of Casey Anderson as Planning Board Chair and Partap Verma as Commissioner. Swearing in on July 26. | | |
| | b) Brookside Gardens 50 th Anniversary | | |
| | c) Upcoming Events: | | |
| | • Hispanic Heritage Month – September 15 to October 15 | | |
| | • Language and Literacy Program Ceremony – after September 18 Commission Meeting | | |
| 4. | Committee Minutes/Board Reports (For Information Only) (10:15 a.m.) | | |
| | a) Executive Committee Meeting – Open Session – July 8, 2019 | (+) Page 13 | |
| | b) Executive Committee Meeting – Closed Session – July 8, 2019 | (++) | |
| | c) Employees’ Retirement System Board of Trustees Meeting, June 8, 2019 | (+) Page 17 | |
| 5. | Action and Presentation Items (10:15 a.m.) | | |
| | a) Resolution #19-16 Recognition of Service by Merit System Board Chair Steve Cohen (Bennett/Commissioners) | (+*)Page 23 | |
| | b) FY2018 Personnel Management Review (King/Chapman) | (+) Page 25 | |
| | c) Diversity Council Strategic Plan 2019-2021 (Bennett/Diversity Council) | (+*)Page 107 | |
| | d) Debt Policy Update (Zimmerman) | (+*)Page 139 | |
| | e) Chief Information Officer Report 4 th Quarter FY19 (Chilet) | (+) Page 149 | |
| <i>Pursuant to Maryland General Provisions Article of the Annotated Code of Maryland, Section 3-305(b) (7) & (9), a closed session is proposed to consult with counsel for legal advice, conduct collective bargaining discussions, and consider matters that relate to negotiation.</i> | | | |
| Closed Session | | | |
| | f) Recommendation for Benefit Changes for Calendar Year 2020 (vote taken in open session) | (++) | |
| | g) Cyber Security Update (Chilet) | | |
| Open Session Resumes | | | |
| | h) Recommendation for Benefit Changes for Calendar Year 2020 (vote to be taken after Closed Session discussion of item 6a.) (McDonald) | (*) | |

** vote not taken during June 19 meeting due to quorum issues

6. **Officers' Reports (11:30 a.m.)**

- a) Executive Director's Report (For Information Only)
Late Evaluation Report, June 2019 (+) Page 155
- b) Secretary Treasurer (For Information Only)
Quarterly Investment Report (+) Page 157
- c) General Counsel (For Information Only)
Litigation Report (+) Page 163

(+) Attachment

(++) Commissioners Only

(*) Vote

(H) Handout

(LD) Late Delivery



Commission Meeting
Open Session Minutes
June 19, 2019

The Maryland-National Capital Park and Planning Commission met at the Montgomery Regional Office Auditorium in Silver Spring, Maryland.

PRESENT

Prince George’s County Commissioners
Elizabeth M. Hewlett, Chair
Dorothy Bailey
William Doerner

Montgomery County Commissioners
Casey Anderson, Vice-Chair
Gerald Cichy
Norman Dreyfuss

NOT PRESENT

Manuel Geraldo
A. Shuanise Washington

Natali Fani-Gonzalez
Tina Patterson

Chair Hewlett convened the meeting at 10:17 a.m.

ITEM 1 APPROVAL OF COMMISSION AGENDA
ACTION: Motion of Doerner to approve the Commission agenda
 Seconded by Bailey
 6 approved the motion

ITEM 2 APPROVAL OF COMMISSION MINUTES
Open Session – May 1, 2019
ACTION: Motion of Bailey to approve the Commission minutes
 Seconded by Doerner
 6 approved the motion

Closed Session – May 1, 2019 Requires Re-vote with quorum. Commissioner Dreyfuss was absent for the session and could not approve.

ITEM 3 GENERAL ANNOUNCEMENTS
a) June is National Caribbean American Heritage Month
b) June is Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Pride Month. Chair Hewlett added the Commission celebrates diversity and noted the M-NCPPC was a leader in the region for same sex partner rights and welcomes everyone into the agency.
c) National Men’s Health Education Month. Chair Hewlett urged men to take care of themselves and encouraged women to nudge the men in their lives to care for their health.
d) June 19 is “Juneteenth” a celebration commemorating arrival of the news of the signing of the Emancipation Proclamation in Texas in June of 1863, more than two years after the proclamation, resulting in a huge celebration June 19, which continues each year. The
e) M-NCPPC had its big celebration at Watkins Park on Saturday June 15. Chair Hewlett said we cannot forget those important moments of our history.
f) Chair Hewlett announced this is the last Full Commission meeting for Commissioner Dreyfuss and commended his service with the Commission for nearly a decade.

Commissioners added their comments and thanks for Commissioner Dreyfuss's service. Commissioner Dreyfuss responded with thanks, saying he respected his colleagues and enjoyed his service here.

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

- a) Executive Committee – Open Session – June 5, 2019
- b) Executive Committee – Closed Session – June 5, 2019
- c) Employees' Retirement System Board of Trustees Meeting – March 5, 2019
- d) Employees' Retirement System Special Board of Trustees Meeting – April 26, 2019

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

- a) Resolution #19-05 Resolution for Adoption of the Approved Veirs Mill Master Plan (McVary)
Resolution approved without discussion.
ACTION: Motion of Dreyfuss to approve Resolution #19-05
Seconded by Doerner
6 approved the motion
- b) Resolution #19-13 Resolution for Adoption MARC Rail Plan (Weaver)
Resolution approved without discussion.
ACTION: Motion of Dreyfuss to approve Resolution #19-13
Seconded by Doerner
6 approved the motion
- c) Resolution #19-14 Approval Land Exchange Between M-NCCPPC and City of Takoma Park (Sandberg)
Resolution approved without discussion.
ACTION: Motion of Dreyfuss to approve Resolution #19-14
Seconded by Doerner
6 approved the motion
- d) Resolution #19-12 Adoption of the Fiscal Year 2020 Commission Operating Budget and Capital Budget (Kroll)
Corporate Budget Director Kroll presented the item for adoption. Chair Hewlett commended Mr. Kroll on his thorough work.
ACTION: Motion of Bailey to approve Resolution #19-12
Seconded by Dreyfuss
6 approved the motion
- e) Resolution #19-10, FY20 Wage Adjustments for Certain Non-Represented Merit System and Term Contract Employees (Bennett)
Resolution approved without discussion.
ACTION: Motion of Dreyfuss to approve Resolution #19-10
Seconded by Doerner
6 approved the motion

- f) Resolution #19-06, FY20 Wage Reopener Agreement for MCGEO Bargaining Unit Members (Bennett)
Resolution approved without discussion.
ACTION: Motion of Dreyfuss to approve Resolution #19-06
Seconded by Doerner
6 approved the motion
- g) Resolution #19-07, FY20 Wage Reopener Agreement for Fraternal Order of Police Bargaining Unit Members (Bennett)
Resolution approved without discussion.
ACTION: Motion of Dreyfuss to approve Resolution #19-07
Seconded by Doerner
6 approved the motion
- h) Resolution #19-08, FY20 Pay Increment Adjustment for Seasonal/intermittent Employees (Bennett)
Resolution approved without discussion.
ACTION: Motion of Dreyfuss to approve Resolution #19-08
Seconded by Doerner
6 approved the motion
- i) Resolution #19-09, FY20 Cost of Living Adjustment for Park Police Candidates (Bennett)
Resolution approved without discussion.
ACTION: Motion of Dreyfuss to approve Resolution #19-09
Seconded by Doerner
6 approved the motion
- j) Resolution #19-04, Health Insurance Premium Holiday for FY20 (Kroll)
Resolution approved without discussion.
ACTION: Motion of Dreyfuss to approve Resolution #19-04
Seconded by Doerner
6 approved the motion
- k) Budget Transfer for reclassification Marker (Kroll)
Resolution approved without discussion.
ACTION: Motion of Dreyfuss to approve the transfer
Seconded by Doerner
6 approved the motion
- l) Resolution #19-11, Approval of Fiscal Year 2020 115 Trust/OPEB – Employer Contribution for Retiree Group Health Insurance (Zimmerman)
Resolution approved without discussion.
ACTION: Motion of Dreyfuss to approve Resolution #19-11
Seconded by Doerner
6 approved the motion

- m) Revised Salary Savings Memo for Finance Department (Zimmerman)
Resolution approved without discussion.
ACTION: Motion of Dreyfuss to approve the request.
Seconded by Doerner
6 approved the motion

- n) Approve Daniel Singh for the Montgomery County Open Trustee to the Board of Trustees for the Term Ending June 30, 2022 (Rose)
Resolution approved without discussion.
ACTION: Motion of Dreyfuss to approve the Appointment
Seconded by Doerner
6 approved the motion

- o) Approve the Reappointment of Amy Millar as the Municipal and County Government Employees' Organization Representative for the Term Ending June 30, 2022 (Rose)
Resolution approved without discussion.
ACTION: Motion of Dreyfuss to approve the Reappointment
Seconded by Doerner
6 approved the motion

- p) Approve the Reappointment of Howard Brown as the Fraternal Order of Police Representative for the Term Ending June 30, 2022 (Rose)
Resolution approved without discussion.
ACTION: Motion of Dreyfuss to approve the Reappointment
Seconded by Doerner
6 approved the motion

- q) Approve the Reappointment of Elizabeth M. Hewlett as the Prince George's County Commissioner to the Board of Trustees for the Term Ending June 30, 2022
Resolution approved without discussion.
ACTION: Motion of Dreyfuss to approve the Reappointment
Seconded by Doerner
6 approved the motion

- r) Employees' Retirement System FY20 Operating Budget (Rose)
Resolution approved without discussion.
ACTION: Motion of Dreyfuss to approve the Budget
Seconded by Doerner
6 approved the motion

s) Adjustment to ERS-BOT Public Member Stipend (Bennett/Rose)

Acting Executive Director presented to the Commission, a request to adjust the expense stipend for the two public members on the Employees' Retirement System Board of Trustees. The Board of Trustees serve as fiduciaries for the Employees' Retirement System

Employees' Retirement System (ERS) Board of Trustees consists of 11 appointed and elected members. Trustees serve for three-year terms. Trustees also serve on one of three subcommittees which may meet up to six times per year. Trustees serve without compensation although the reimbursement of expenses is permissible. Only the two public members are eligible for an expense stipend due to the enormous time commitment and leave they must generally take from their primary outside responsibilities.

The public members receive a per diem expense allowance for attendance at regular and special Board meetings that has been periodically adjusted by the Commission. The present per diem is \$125 and last adjusted in 2014. Matters before the Trustees have become significantly more complex and Trustees play an important role in the implementation of regulatory mandates and the oversight of investment managers and decisions that come before them. The Board's subcommittee responsibilities also have become time-intensive and often require the same time commitment as regular Board meetings. It is critical the ERS attract and retain highly skilled public members with investment/market and governance experience.

Chair Hewlett echoed that serving on the Board is an extensive commitment -- for the meetings and also in preparation for them. She also noted each Trustee is required to pay for insurance. Commissioners supported an adjustment stating that it was reasonable considering the extensive time commitment and needed expertise. Commissioners approved that the public member per diem stipend be moved to \$150 for regular, special board meetings, and subcommittee meetings.

ACTION: Motion of Dreyfuss to approve the adjustment
Seconded by Doerner
6 Approved the motion

ITEM 7

OFFICERS' REPORTS

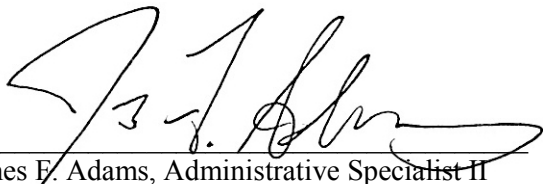
- a) Executive Director's Report (For information only)
Employee Evaluations Not Completed by Due Date (April 2019)
- b) Secretary Treasurer (For information only)
MFD Purchasing Statistics Third Quarter
- c) General Counsel (For information only)
Litigation Report – January 2019 – FY19
Annual Legislative Update.

General Counsel Gardner wished to alert Commissioners that the U.S. Supreme Court is scheduled to issue its final decision on the case with the American Humanist Association regarding the Bladensburg Peace Cross as early as tomorrow or by early next week. The M-NCPPC is looking forward to a favorable result.

General Counsel Gardner also wished to call attention to 3 items in the Legislative Update:

1. Bill labeled MC/PG 103. The Municipal Zoning Bill in Montgomery County did not pass. It would have enabled every municipality in Montgomery County to have additional supermajority requirements for decisions of the Planning Board. He wished to acknowledge the efforts of Vice-Chair Anderson, who made a big difference on prevailing against the bill.
2. HB 1279, M-NCPPC Procurement Source Selection passed. The bill reauthorizes the agency to have a procurement preference program for Minority Businesses consistent with the State. It required the M-NCPPC to implement a process through new regulations. The agency is working to identify a consultant to help with the necessary study.
3. General Counsel Gardner noted a successful year for Program Open Space. The M-NCPPC achieved an additional \$16.1M in additional Program Open Space funding.

There being no further business to discuss, Chair Hewlett called for a motion to conclude the meeting. Commissioner Dreyfuss motioned, Commissioner Bailey seconded, 6 approved. The meeting adjourned at 10:41 a.m.



James F. Adams, Administrative Specialist II



Anju A. Bennett, Acting Executive Director



Special Commission Meeting
Open Session Minutes
June 6, 2019

The Maryland-National Capital Park and Planning Commission met via teleconference from the County Administration Building (CAB) Auditorium in Upper Marlboro, Maryland and the Montgomery Regional Office (MRO) Auditorium in Silver Spring.

PRESENT

Prince George's County Commissioners

Elizabeth M. Hewlett, Vice-Chair (CAB)
Dorothy Bailey (CAB)
William Doerner (CAB)
Manuel Geraldo (CAB)
A. Shuanise Washington (CAB)

Montgomery County Commissioners

Casey Anderson, Chair (MRO)
Gerald Cichy (MRO)
Norman Dreyfuss (MRO)
Natali Fani-Gonzalez (MRO)
Tina Patterson (MRO)

NOT PRESENT

Chair Hewlett convened the meeting at 11:09 a.m. Chair Hewlett verified everyone who was participating on the call could hear each other. Commissioners at both locations agreed they could.

ITEM 1 APPROVAL OF COMMISSION AGENDA
 No action taken

ITEM 2 ACTION AND PRESENTATION ITEMS
a) I-495 and I-270 Managed Lanes Study Briefing (Maryland Department of Transportation / State Highway Administration) (MDOT/SHA). Discussion of Approval of Commission Staff Recommendation on the Alternatives Retained for Detailed Study (Rubin/Hancock)

General Counsel Adrian Gardner provided background on the topic including an overview of prior briefings and a variety of concerns M-NCPPC staff had regarding the MDOT/SHA Managed Lanes Study proposal to widen I-270 and I-495 in Montgomery and Prince George's Counties and introduced Project Manager Carol Rubin (Montgomery County) and co-presenter Acting Planning Supervisor Crystal Hancock (Prince George's County). The M-NCPPC was tasked with issuing a concurrence or non-concurrence with the project and its Alternatives Retained for Detailed Study (ARDS). Staff recommended the Commission issue a statement of non-concurrence, based on 4 of those concerns.

M-NCPPC staff feel the State cannot reach adequate conclusions on the required NEPA EIS unless 4 specific concerns are addressed:

- 1) Segmentation and Phasing** - Identifying the need and scope of improvements to I-495 is dependent on addressing whether by-pass or through traffic can be diverted to I-270 and drawn off of the constrained area of I-495 between I-270 and I-95. The phasing

is an important factor because diverting traffic to use the Intercounty Connector (ICC) requires the I-270 phase to be completed first.

2) Termini - The Study Area in Montgomery County omits I-270 north of I-370 (from Rockville to Frederick), and in Prince George's County omits I-495 from MD 5 to the Woodrow Wilson Bridge. The impacts from those omitted areas will result in incomplete conclusions for environmental impact.

3) Transit - Meaningful, local serving transit and transportation demand management must be integral components of the project for any of the alternatives to be studied.

4) Parkland Management - The public value in parkland extends to passive and active impacts – recreation, stormwater management, water quality, etc. It is imperative for the study alternatives to attend and account for the Commission's parkland acquired either under the Capper-Cramton Act or the agency's other statutory responsibilities.

Ms. Rubin, Ms. Hancock and General Counsel Gardner discussed each issue with Commissioners in more detail. In summary, while these issues remain unresolved, staff recommends the Commission should not concur. Commissioners discussed several aspects of the staff recommendations.

Commissioner Cichy said he supported the staff recommendation in light of plans, to meet with MDOT and SHA. Commissioner Dreyfus stated he was voting against the proposed action, because he disagreed this was the role of our agency. Vice Chair Anderson said the agency needs to get on the record its concerns to preserve the ability to work toward resolution. Chair Hewlett concurred, and said this action is not intended to stop or delay, but flag concerns. Commissioner Washington strongly recommended that the M-NCPPC's response should emphasize collaboration with the State.

Ms. Rubin confirmed under the NEPA process, there are a schedule of steps to reach the final EIS, to select a preferred alternative. General Counsel Gardner said the agency is focusing on these four issues that are fundamentally problematic across all alternatives, because they do not produce a viable analysis of the environmental impact.

Commissioner Washington reiterated her desire to take a collaborative and cooperative posture. Vice Chair Anderson assured Commissioners he and Chair Hewlett have spoken with Maryland Transportation Secretary Rahn and State Highway Administrator Slater and they understand our non-concurrence is to preserve our rights. Chair Hewlett agreed, adding our staff have met with the County Councils, they have met with Commissioners, and we are expected to put forth those areas of non-concurrence.

Commission Doerner noted his appreciation for the staff's analysis but concurs with the need to communicate carefully. General Counsel Gardner indicated Legal Department staff would prepare the letter and would include language to indicate this is a technical non-concurrence but would clarify it is not expressing a fundamental objection to the project.

Commissioner Geraldo expressed concern whether the State was taking our issues seriously. Commissioner Fani-Gonzalez made it clear our position would not be tantamount to support or opposition to the project itself. Commissioner Patterson wanted to confirm that the letter would provide an opportunity to have further clarification about the project termini. Ms. Rubin agreed it would.


Ms. Rubin confirmed the message will not be about agreeing or disagreeing with the project. The message is about the M-NCPPC's role and responsibility and seeing the EIS through completion. General Counsel Gardner said the staff recommendation is to authorize the chair and vice chair to send the letter of non-concurrence to the State Highway Administration for the reasons expressed in the memo, modified by the explanation that the agency is committed to continuing to work with MDOT and SHA.


Chair Hewlett called for a motion to authorize the Chair and Vice-Chair to transmit a letter of non-concurrence to MDOT, for reasons expressed in the attachment, stressing the M-NCPPC will continue to collaborate with MDOT/SHA as the NEPA process moves forward.

ACTION: Commissioner Fani-Gonzalez moved to authorize the action
Commissioner Geraldo second
9 votes in favor
1 vote opposed (Dreyfuss)

There being no further business to discuss, Chair Hewlett called for a motion to adjourn. Commissioner Fani-Gonzalez moved, Commissioner Geraldo seconded. Ten approved.

The meeting ended at 12:07 p.m.


James F. Adams, Administrative Specialist II


Anju A. Bennett, Acting Executive Director

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

EXECUTIVE COMMITTEE MEETING MINUTES

July 8, 2019

On July 8, 2019, the Maryland-National Capital Park and Planning Commission’s Executive Committee met in the 4th floor conference room at 6611 Kenilworth Avenue, Riverdale, Maryland and via teleconference. Present were Chair Elizabeth M. Hewlett and Acting Executive Director Anju Bennett. Departed 10:35 a.m.). Also present were:

Department Heads

- Derick Berlage, Deputy Director, Prince George’s County Planning (for Director Andree Checkley Green)
- Adrian Gardner, General Counsel
- Shuchi Vera, Acting Deputy Director, Montgomery County Parks (for Director Mike Riley)
- Debbie Tyner, Deputy Director, Prince George’s County Parks and Recreation (for Acting Director Darin Conforti)
- Gwen Wright, Deputy Director, Montgomery County Planning
- Joseph Zimmerman, Secretary-Treasurer

Presenters/Staff

- Michael Beckham, Policy Manager, Corporate Policy and Management Operations Division
- Calista Black, Vice-Chair, Diversity Council
- Jonathan Bush, Vice-Chair, Diversity Council
- Tracey Harvin, Acting Corporate Policy and Management Operations Director (CPMO)
- Cynthia Henderson, Health and Benefits Specialist
- Jennifer McDonald, Health and Benefits Manager
- William Spencer, Human Resources Director

Acting Executive Director Bennett convened the meeting at 10:07 a.m.

ITEM 1a – APPROVAL OF EXECUTIVE COMMITTEE AGENDA

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| Discussion | Approved without modification. |
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ITEM 1b – APPROVAL OF COMMISSION MEETING AGENDA for June 19, 2019

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| Discussion | Items to be modify in the Commission Agenda: <ul style="list-style-type: none"> • July swearing in date for Vice Chair Anderson and newly appointed Commissioner Verma • Acknowledge retiring Merit Board Chair Cohen for service. • Benefit Changes vote to be taken (discussion to remain in closed) • Add EOB Feasibility Study Update (pending availability of consultant) • Add Security Update by Chief Information Officer Chilet to closed session • Peace Cross decision will be incorporated into General Counsel’s regular report |
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ITEM 1c – ROLLING AGENDA FOR UPCOMING COMMISSION MEETINGS

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| Discussion | Items to modify the Rolling Agenda: <ul style="list-style-type: none"> • Add Lobbying Policy to September • Hispanic Heritage Month Festival in September |
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ITEM 2 – FEBRUARY 12, 2019 EXECUTIVE COMMITTEE MEETING MINUTES

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| ACTION | April 8, 2019 Open Session approved without comment. Motion of Chair Hewlett, seconded by Acting Executive Director Bennett. |
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| ITEM 3 – DISCUSSION/PRESENTATION ITEMS | |
|--|---|
| ITEM 3a – 2019-2021 Diversity Council Strategic Plan (Bennett/Bush) | |
| Discussion | <p>Acting Executive Director Bennett provided background on this item. The Diversity Council has worked exceptionally hard in developing an updated three-year Strategic Plan to guide efforts to further the acceptance of diversity and inclusion as a critical business priority. She has had the pleasure of working with the Council since November and recognizes the important work being done by the talented members of the Council.</p> <p>She introduced Diversity Council Co-Vice Chairs Jonathan Bush and Calista Black. The draft was presented to Department Heads for input. The Plan considers information that came as a result of the the survey given at the last One-Commission Diversity Event.</p> <p>Council Vice Chair Bush asked for the Executive Committee’s support to bring the Diversity Council’s 2019-2021 Strategic Plan to the Commission. Diversity has a direct impact on our citizens and constituents. The Council is planning to integrate information from the Personnel Management Review (PMR) surveys, both to collect benchmark information and to share the data with employees. Council Vice-Chair Black added the Strategic Plan aims to enhance the Diversity Council’s presence and visibility through the agency. They are planning Women’s History Month and One-Commission major events plus smaller events on timely, relevant topics to engage dialogue.</p> <p>Chair Hewlett remarked how diversity is very important to her and recalled participating in diversity training many years ago at the agency. She was astounded by the some of the perceptions and lack of understanding. Consequently, when she became Chair, she was instrumental in getting the Council started with former Executive Director Trudye Johnson. Every year, the Diversity Council has developed new ideas, improving upon the previous year. She said she was so pleased with the work the Council does to enlighten us and get feedback. Every person in our agency needs to feel welcomed, appreciated and valued, and that does not happen without understanding we have differences. She thanked the Diversity Council for their service.</p> |
| Action/Follow up | The Executive Committee supported bringing the plan to the Commission. |
| ITEM 3b – 2018 Personnel Management Review (PMR) | |
| Discussion | <p>Human Resources Director Spencer provided the Executive Committee with a summary of the report. Every year, the M-NCPPC takes a snapshot to examine the agency’s workforce in relation to ethnicity, gender, and other components, broken down to a department level. He presented some of the highlights of the report, and some of the trends it revealed.</p> <p>Acting Executive Director Bennett noted how this report has changed from prior years. One major difference was to reflect demographics for the entire workforce, rather than only career positions. The team was asked to add statistics on the seasonal workforce. The report also provided a breakdown of positions, contradicting the perception that the agency is top-heavy and shows a more accurate picture, showing how most of our workforce is actively delivering services directly to our communities.</p> |

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| Action/Follow up | The Executive Committee supported bringing the report to the Commission. |
| | |
| ITEM 3c – Proposed Amendments to Practice 5-61, Lobbying Disclosure (Harvin/Beckham) | |
| Discussion | <p>Acting CPMO Director Harvin introduced the practice as part of larger review of ethics policies this year. Maryland law states the agency must adopt a policy that is substantially similar to what is laid out in state law. Consequently, there was very little room to deviate from what the law has established. There are two items for consideration in the proposed amendments. First, whether to adopt a registration fee. The State and WSSC charges a registration fee of \$100; Montgomery County charges \$125. Prince George’s County charges nothing. The second is whether to charge a late fee for those who file their activity reports late.</p> <p>General Counsel Gardner stated this policy is aimed at those who are hired as a lobbyist, or a lawyer trying to advocate for something, such as Master Plans or contracts. Chair Hewlett asked for clarification on what constitutes lobbying, and what similar things are not. General Counsel Gardner suggested the Legal Department could produce a 1-pager that describes those situations but cautioned there is not always going to be a clear line. The onus is on the person who is doing the lobbying. He added that people attempting to influence anything planning related, are likely to be registered with the County and that could be a resource for MNCPPC.</p> <p>Director Wright noted she receives calls every day from attorneys with regulatory cases. General Counsel Gardner said the policy would not apply, noting regulatory items are excluded. Chair Hewlett noted if this policy is going to be presented to the full Commission, these examples should be included. She added Commissioners should not be entertaining conversations with currently filed land use applications and a periodic reminder is beneficial. Ms. Harvin said staff will include that reminder, along with the example sheet of situations that are contemplated by the policy versus those that are not. Ms. Harvin agreed more education was needed, but added these forms, and their instructions are posted. She agreed as soon as it is approved by the Commission, staff should educate agency officials.</p> <p>General Counsel Gardner said there is an opportunity to have a mechanism in place that when people register, that information can be shared with the county. Secretary Treasurer Zimmerman asked if it would be possible if the counties notified us as well. General Counsel Gardner agreed integration would be a good idea and suggested including it as an information suggestion but cautioned it may be a huge implementation issue. He suggested asking the counties’ registration sites having a click-through to register also with ours.</p> <p>Chair Hewlett asked for more information and a more thorough policy presentation. Mr. Beckham asked if there was Executive Committee to support a registration fee and a late activity report fee. General Counsel Gardner said there needs to be more groundwork before a vote by the Executive Committee.</p> |
| Action/Follow-up | <ul style="list-style-type: none"> • Legal Department will create a fact sheet of examples of what is and is not lobbying; • Legal Department will draft a reminder about discussing land use applications; • General Counsel and Policy Staff will follow up with Executive Committee with changes and clarifications. |
| | |

ITEM 3d – Proposed Amendments to Practice 3-30, Delegation of Authority to Approve Certain Financial and Personnel Transactions (including Time Cards) (Harvin/Beckham)

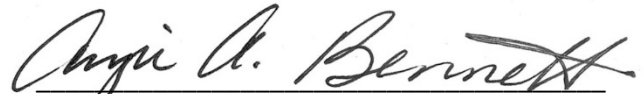
| | |
|------------------|--|
| Discussion | <p>Acting CPMO Director Harvin introduced the item, noting Department Heads approved amendments, which clarified responsibilities and authorities for delegation of Department Head responsibilities. Mr. Beckham summarized the changes and requested approval from the Executive Committee.</p> <p>Acting Montgomery Parks Deputy Vera thanked the policy team for working with Montgomery County Parks, acknowledging the difficult work updating this policy, and that the Department is at a good point with the policy.</p> <p>Chair Hewlett supported the item. General Counsel Gardner noted since there were not any material or substantive issues, the amendments could be agreed upon by unanimous consent, and the Acting Executive Director could authorize it to be finalized and posted.</p> |
| Action/Follow-up | <p>The policy team will finalize the amendments for approval by the Acting Executive Director Bennett.</p> |
| | |

Pursuant to Maryland General Provisions Article of the Annotated Code of Maryland, Section 3-305(b) (7) & (9), Chair Hewlett moved to go into closed session to consult with counsel for legal advice. The Executive Committee Meeting moved into closed session at 10:57 a.m. to discuss Item 4a.

Closed session concluded at 11:17. There being no further business to discuss, the meeting adjourned at 11:17 a.m.



James F. Adams, Administrative Program Specialist II



Anju A. Bennett, Acting Executive Director



**REGULAR BOARD OF TRUSTEES MEETING
MINUTES
Tuesday, June 4, 2019; 10:00 A.M.
ERS/Merit Board Conference Room**

The Maryland-National Capital Park and Planning Commission Employees' Retirement System Board of Trustees met in the ERS/Merit Board Conference Room at its office in Riverdale, Maryland on Tuesday, June 4, 2019 and was called to order at 10:00 a.m. by CHAIRMAN HEWLETT.

Board Members Present

- Elizabeth M. Hewlett, Board of Trustees Chairman, Prince George's County Commissioner
- Gerald R. Cichy, Board of Trustees Vice Chairman, Montgomery County Commissioner
- Anju A. Bennett, M-NCPPC Acting Executive Director, Ex-Officio
- Melissa D. Ford, Prince George's County Open Trustee
- Amy Millar, MCGEO Represented Trustee
- Sheila Morgan-Johnson, Prince George's County Public Member
- Elaine Stookey, Bi-County Open Trustee
- Joseph C. Zimmerman, CPA, M-NCPPC Secretary-Treasurer, Ex-Officio

In at 10:15 a.m.
via conference call

Board Members Not Present

- Howard Brown, FOP Represented Trustee
- Pamela F. Gogol, Montgomery County Public Member

ERS Staff Present

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

Presentations

- Groom Law Group - Alexander P. Ryan, Counsel
- Wilshire Associates - Bradley A. Baker, Managing Director and Martell McDuffy, Senior Analyst
- Cheiron - Janet H. Cranna, FSA, FCA, EA, MAAA, Principal Consulting Actuary and Patrick Nelson, FSA, CERA, MAAA, EA, Associate Actuary

via conference call

Others Present

- M-NCPPC Legal Department – William C. Dickerson, Principal Counsel
- Daniel Singh, New Montgomery County Open Trustee Candidate

ITEM 1

APPROVAL OF THE JUNE 4, 2019 CONSENT AGENDA

- A. Approval of the June 4, 2019 Board of Trustees Meeting Agenda
- B. Minutes of Open Session, March 5, 2019
- C. Minutes of Closed Session, March 5, 2019 (**Confidential**)
- D. Minutes of Open Session, April 26, 2019
- E. Minutes of Closed Session, April 26, 2019 (**Confidential**)
- F. Disbursements Granted Reports – February, March & April 2019

CHAIRMAN HEWLETT asked for a motion to approve Items 1.B-F.

ACTION: VICE CHAIRMAN CICHY made a motion, seconded by MS. BENNETT to approve Items 1.B-F. The motion PASSED unanimously (7-0). (Motion #19-24)

CHAIRMAN HEWLETT revised the June 4, 2019 Board of Trustees Meeting Agenda to add a Closed Session as Item 4.

ACTION: MS. BENNETT made a motion, seconded by VICE CHAIRMAN CICHY to approve the June 4, 2019 Board of Trustees Meeting Agenda, as revised with a Closed Session as Item 4. The motion PASSED unanimously (7-0). (Motion #19-25)

ITEM 2

CHAIRMAN'S ITEMS

- A. Board of Trustees Conference Summary
- B. Acknowledge the Reappointment of Elizabeth M. Hewlett as the Prince George's County Commissioner Trustee for the Term Ending June 30, 2022

ACTION: MS. BENNETT made a motion, seconded by VICE CHAIRMAN CICHY to acknowledge the reappointment of Elizabeth M. Hewlett as the Prince George's County Commissioner Trustee for the term ending June 30, 2022. The motion PASSED unanimously (7-0). (Motion #19-26)

- C. Acknowledge the Reappointment of Amy Miller as the Municipal and County Government Employees Organization Representative for the Term Ending June 30, 2022

ACTION: MS. BENNETT made a motion, seconded by VICE CHAIRMAN CICHY to acknowledge the reappointment of Amy Miller as the Municipal and County Government Employees Organization Representative for the term ending June 30, 2022. The motion PASSED unanimously (7-0). (Motion #19-27)

- D. Acknowledge the Reappointment of Howard Brown as the Fraternal Order of Police Representative for the Term Ending June 30, 2022

ACTION: VICE CHAIRMAN CICHY made a motion, seconded by MS. MORGAN-JOHNSON to Acknowledge the reappointment of Howard Brown as the Fraternal Order of Police Representative for the term ending June 30, 2022. The motion PASSED unanimously (7-0). (Motion #19-28)

- E. Acknowledge Daniel Singh as the Montgomery County Open Trustee for the Term Ending June 30, 2021

Due to the departure of Montgomery County Open Trustee Rick Liu, a Notice to All Montgomery County Commission Employees was placed in the *Update* Newsletter, on the ERS' website, and the Commission's Intranet site in March 2019. Employees interested in the Montgomery County Open Trustee seat for the remainder of the term ending June 30, 2021 were invited to submit an application by Friday, March 22, 2019.

Daniel Singh submitted an application and no other applications were received. Mr. Singh is determined to have won by acclamation.

As a Parks Activation Manager for Montgomery Parks, Mr. Singh's role is to bridge the priorities ranging from conservation of natural resources, foregrounding health/wellness goals, and

fostering social equity issues. Mr. Singh has an MBA from Georgetown University and an MFA from the University of Maryland. He brings years of experience serving on non-profit boards or governing bodies and he is hopeful this experience will be useful as an ERS Trustee.

ACTION: MS. BENNETT made a motion, seconded by MS. MORGAN-JOHNSON to acknowledge Daniel Singh as the Montgomery County Open Trustee for the term ending June 30, 2021. The motion PASSED unanimously (7-0). (Motion #19-29)

ITEM 3 MISCELLANEOUS

A. Recommendation to Re-appoint the Chairman and Vice Chairman of the Board of Trustees for the Term Ending June 30, 2021

ACTION: MR. ZIMMERMAN made a motion, seconded by MS. BENNETT to re-appoint Elizabeth M. Hewlett as the Chairman and Gerald R. Cichy as the Vice Chairman of the Board of Trustees for the term ending June 30, 2021. The motion PASSED unanimously (7-0). (Motion #19-30)

ITEM 4 CLOSED SESSION

At 10:09 a.m. CHAIRMAN HEWLETT requested a motion to go into Closed Session under authority of the General Provisions Article of the Annotated Code of Maryland Section 3-305(b)(13) to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosure about a particular proceeding or matter, namely the Maryland Public Information Act General Provisions 4-335 which prevents public disclosure of confidential commercial or financial information to discuss proprietary information of Oaktree Capital Management L.P. and White Oak Global Advisors; and, Section 3-305(b)(7) to consult with counsel to obtain legal advice on particular legal matters and to preserve attorney-client privilege.

ACTION: VICE CHAIRMAN CICHY made a motion, seconded by MS. BENNETT to go into Closed Session. The motion PASSED unanimously (7-0). (Motion #19-31)

MS. FORD arrived at 10:15 a.m.

During Closed Session, the following matters were discussed:

1. Oaktree Capital Management, L.P.'s merger with Brookfield Asset Management, Inc.
2. White Oak Global Advisors update on British Steel
3. Consultation with legal counsel to obtain legal advice

The Board of Trustees moved back into Open Session at 10:40 a.m.

ACTION: VICE CHAIRMAN CICHY made the motion, seconded by MS. BENNETT to ratify the actions taken in Closed Session. The motion PASSED unanimously (7-0). MR. ZIMMERMAN was out of the room. (Motion #19-34)

ITEM 5 MANAGER REPORTS/PRESENTATIONS

Cheiron

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

Janet Cranna and Patrick Nelson presented the annual economic assumption review which included the July 1, 2018 actuarial valuation results with projections to July 1, 2019. Cheiron confirmed replication of the July 1, 2018 actuarial valuation results (performed by Boomershine Consulting Group) within 5% in total which is within the generally accepted tolerance.

Mr. Nelson pointed out the investment return assumption is the single most powerful assumption. Small tweaks can cause large fluctuations to the plan's funding. Mr. Nelson discussed factors to consider in selecting the investment return assumption, such as industry trends, historical experience, expectations for the future, and the plan's tolerance for risk.

The Board has reduced the investment return assumption over the past several years which currently stands at 6.90%. Wilshire confirmed the current target allocation has an expected return of 8.35% and expected risk of 10.95% with the probability of achieving the assumed 6.90% investment return at 55.27% over any given year.

Following discussion on the impact of a reduction in the investment return assumption from 6.90% to 6.85% and 6.65% and reviewing Cheiron's projected outlook for each assumption, the Board agreed to reduce the investment return assumption to 6.85%.

ACTION: MR. ZIMMERMAN made a motion, seconded by MS. MORGAN-JOHNSON to reduce the investment return assumption from 6.90% to 6.85% effective with the July 1, 2019 actuarial valuation. The motion PASSED unanimously (8-0). (Motion #19-35)

Wilshire Associates

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

Bradley Baker presented Wilshire's Actuarial Interest Rate Assumption Report which can be used to support the investment return assumption decision. Based on Wilshire's 2019 asset class assumptions the 10- and 30-year expected returns are 7.35% and 8.35%, respectively, with expected risk of 10.95%. Wilshire considers it prudent to continue to lower the investment return assumption.

The Board was provided with an Executive Summary of Investment Performance for the quarter ending March 31, 2019 and Mr. Baker reported on the fund's performance. The ERS' total fund return was 7.16% (net of fees) for the quarter, underperforming the target policy index return of -8.08%. For the three, five, and ten-years ended March 31, 2019 the ERS fund return was 9.65%, 5.92%, and 10.34%, respectively, compared to the target policy return of 8.23%, 5.40%, and 9.61%, respectively. The total market value through March 31, 2019 was \$948.1 million.

Mr. Baker said all managers are performing as expected with the international equity composite and BlackRock's minimum volatility fund as "bright spots" in the portfolio for the quarter. Wilshire has no concerns.

ITEM 5

REPORT OF THE ADMINISTRATOR

Andrea Rose presented the Administrator's Report dated May 17, 2019

The ERS will be receiving an employer contribution from the Commission on July 1, 2019 in the amount of \$19,244,687 as recommended by Boomershine Consulting Group in the July 1, 2018 Actuarial Valuation. Staff will work with Wilshire's Brad Baker on placement of the funds.

Ms. Rose reported the Certificate of Achievement for Excellence in Financial Reporting has been awarded to the ERS by the Government Finance Officers Association (GFOA) of the United States and Canada for its Comprehensive Annual Financial Report (CAFR) for fiscal year ended June 30, 2018. Ms. Rose recognized Sheila Joynes, Accounting Manager, for leading the CAFR team and

Heather Van Wagner, Senior Administrative Specialist, for her key role in assisting Sheila with the CAFR project.

GFOA has given an Award for Outstanding Achievement in Popular Annual Financial Reporting to the ERS for its Popular Annual Financial Report (PAFR) for the fiscal year ended June 30, 2018. Ms. Rose recognized Heather Van Wagner for leading the PAFR team to another award.

ITEM 6

COMMITTEE REPORTS/RECOMMENDATIONS

Investment Monitoring Group – March 19, 2019 Meeting

Committee Chairman MS. MORGAN-JOHNSON asked if there were any questions on the March 19, 2019 Investment Monitoring Group Report. The Board had no questions.

Administration & Personnel Oversight Committee – May 14, 2019 Meeting

Committee Chairman MR. ZIMMERMAN said the Administration & Personnel Oversight Committee (“Personnel Committee”) discussed the Budget vs. Actual for the quarter ending March 31, 2019. Approximately \$290,000 in budget savings is projected primarily due to the retirement of an ERS employee during the fiscal year.

In accordance with a Memorandum of Understanding between the Commission and the ERS, the Office of the Chief Information Officer (CIO) provides a full range of hardware, software, and IT services to the ERS. The CIO, Mazen Chilet, recommended upgrades estimated at \$53,400 to keep in-line with the Commission’s hardware. The Personnel Committee recommends the Board approve using the FY2019 budget savings to purchase the hardware as recommended by the CIO and estimated at \$53,400.

ACTION: VICE CHAIRMAN CICHY made a motion, seconded by MS. MORGAN-JOHNSON to approve purchasing hardware estimated at \$53,400, as recommended by the CIO, with funds from the ERS’ FY2019 budget savings. The motion PASSED unanimously (8-0). (Motion #19-36)

The Personnel Committee reviewed the ERS’ proposed FY2020 Operating Budget which totals \$2,059,688, a 1.0% increase from FY2019, and includes a placeholder for salary adjustments and potential position reclassifications, funding for a new accounting position to provide checks and balances and succession planning, funding for pension and health insurance, actuarial, auditing, and legal services, as well as, training, and chargebacks to the Commission for rent, technology, and legal services. Staff anticipate returning with a FY2020 Budget Amendment for the pension administration software system. The Personnel Committee recommends the Board approve the FY2020 Operating Budget.

ACTION: VICE CHAIRMAN CICHY made the motion, seconded by MS. BENNETT to approve the FY2020 Operating Budget of \$2,059,688. The motion PASSED unanimously (8-0). (Motion #19-37)

The Personnel Committee recommends the Board approve rescheduling completion of the Board Self-Assessment & Board Member Training Self-Assessment to the fall/winter of 2019 due to trustee turnover. CHAIRMAN HEWLETT asked MR. ZIMMERMAN if the Personnel Committee could abbreviate the Self-Assessment titles and he agreed.

ACTION: VICE CHAIRMAN CICHY made a motion, seconded by MS. MILLAR to reschedule completion of the Board Self-Assessment and Board Member Training Self-Assessment. The motion PASSED unanimously (8-0). (Motion #19-38)

Audit Committee – May 7, 2019 Meeting

The ERS entered into an Auditing Services Contract with SB & Company, LLC on April 15, 2016 for three-years with a two-year renewal option through April 15, 2021. Committee Chairman MR. ZIMMERMAN said the Audit Committee (the "Committee") discussed with Staff the two-year renewal option. The ERS plans to issue a Request for Proposal with the Commission in early 2021 to coincide with expiration of the Auditing Services Contract on April 15, 2021. The Committee recommends the Board approve the two-year renewal option, through April 15, 2021, of the Auditing Services Contract with SB & Company, LLC.

ACTION: MS. BENNETT made the motion, seconded by MS. FORD to approve the two-year renewal option, through April 15, 2021, of the Auditing Services Contract with SB & Company, LLC. The motion PASSED unanimously (8-0). (Motion #19-39)

The Board of Trustees meeting of June 4, 2019 adjourned at 12:22 p.m.

Respectfully,



Heather D. Van Wagner
Senior Administrative Specialist



Andrea L. Rose
Administrator



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
6611 Kenilworth Avenue • Riverdale, Maryland 20737

M-NCPPC 19-16
July 19, 2019

RESOLUTION

**IN RECOGNITION AND APPRECIATION OF
STEVEN R. COHEN
FOR DISTINGUISHED PUBLIC SERVICE**

WHEREAS, Steven R. Cohen has served with distinction for more than ten years as Chair of the Merit System Board of The Maryland-National Capital Park and Planning Commission (“Commission”); and

WHEREAS, during his exemplary tenure, **Steven R. Cohen** demonstrated tremendous competence and capabilities as Chair and shared his extensive knowledge and expertise in the areas of financial management, corporate governance, human resources and organizational policy; and

WHEREAS, during his distinguished career, **Steven R. Cohen** served as Chairman of the Chicago Federal Executive Board, a former member of the Public Administration Advisory Council of the University of Illinois at Chicago and held positions at the Office Of Personnel Management (OPM) including service as Acting Director, Senior Policy Advisor to the Director, Associate Director for Merit Systems Oversight and Effectiveness, Director of the Office of Workforce Relations, and Regional Director of OPM’s Chicago Regional Office; and

WHEREAS, Steven R. Cohen received many awards and honors including: the Award of the President of the United States for Distinguished Federal Civilian Service received from President George W. Bush, in recognition of his extraordinary accomplishments over the course of his 42 years of Federal civilian service; the Presidential Distinguished Executive Rank Award from both President Reagan and President Clinton; the Elmer B. Staats Award for Accountability in Government; the OPM Director’s Award for Distinguished Service; the Theodore Roosevelt Award for Distinguished Career Service; the OPM Medal for Meritorious Service; and, the Distinguished Service Award from the Federal Emergency Management Agency; and

WHEREAS, the Commission desires to express its gratitude and appreciation to **Steven R. Cohen** for his outstanding leadership and integrity as Chair of the Merit System Board of The Maryland-National Capital Park and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED, that the Maryland-National Capital Park and Planning Commission formally recognizes, acknowledges, and appreciates **Steven R. Cohen** for

his commendable dedication and service and confers this resolution to memorialize its enduring gratitude and appreciation of his efforts.

#

APPROVED AS TO LEGAL SUFFICIENCY


M-NCPPC Legal Department

Date

7/10/19



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
6611 Kenilworth Avenue • Riverdale, Maryland 20737

Personnel Management Review

This year marks the 25th edition of our Personnel Management Review. The report, which is attached, presents information on the Maryland-National Capital Park and Planning Commission's ("M-NCPPC") workforce demographics for fiscal year 2018 along with trends on hires and promotions that reflect our efforts to promote diversity.

- As of 2018, the agency employed nearly 7500 employees, with 74.4% representing one or more minority groups.
- The overall workforce is 49.5% male and 50.5% female.

This Personnel Management Review presents:

- Overall workforce demographics (career and seasonal/non-permanent workforce)
- Career workforce demographics and trends (overall and by department/operation)
- Seasonal/non-permanent workforce demographics

The M-NCPPC has a longstanding commitment to workforce diversity and inclusion. The agency values the unique perspectives and contributions of the individuals comprising our workforce. Having a workforce which reflects a diverse population allows our agency to better connect with, understand, and deliver meaningful services to our communities.

Our commitment to diversity has gained us community, statewide, and national recognition. In 2000, the M-NCPPC became one of only two public employers in Maryland to receive the coveted Workplace of Excellence Award from the national Alliance for Workplace Excellence for forward thinking and progressive policies and programs. The agency continues to be recognized as a leader in the community earning the following awards in 2017-2018:

- The Diversity Champion award from the Alliance of Workplace Excellence;
- Employer of the Year Award from the Prince George's Provider Council for commitments to the disabled community;
- Age-Friendly Employer award from the Alliance of Workplace Excellence;
- Health and Wellness Trailblazer award from the Alliance of Workplace Excellence;
- Employment Trailblazer Award from Seeking Empowerment, Employment and Community (a progressive nonprofit organization in Montgomery County) for supporting to help people with developmental disabilities; and,
- Eco-Leadership award from the Alliance of Workplace Excellence.

Some of the M-NCPPC's efforts, which are highlighted in this brief, have become models of progressive practices utilized by other agencies.

Strategies to Attract a Diverse Population

The M-NCPPC actively partners with County agencies, associations, diversity job networks, and community organizations to attract a diverse workforce and help enhance job skills.

A few community partnerships include:

- Montgomery and Prince George’s County high school and community colleges;
- CASA Maryland organization and Bilingual Latino job fairs;
- Prince George’s Provider Council, the ARC, and Project SEARCH/Montgomery to enhance opportunities and mentoring for individuals with disabilities;
- MobilizeGreen Diversity;
- Regional/WorkSource Montgomery County;
- Regional law enforcement associations;
- Congresswoman Eleanor Holmes Norton’s outreach programs; and,
- The American Indian Festival

In addition to traditional placement of job advertisements, the M-NCPPC regularly posts openings on sites such as Diversityjobs.com, AllHispanicsJobs.com, LatinoJobs.org, AfricanAmericanHires.com, AllLGBTjobs.com, WeHireWomen.com, AsianHires.com, Disabilityjobs.net, and Veteransjobs.net. In the last year, these job postings reached more than 20,000 viewers and resulted in 4,259 applicants.

Progressive Policies: The M-NCPPC is proud of its innovative and progressive workforce policies, many of which have become models for other agencies. A few of our achievements include:

- Award-winning work/life programs to attract and retain highly qualified individuals while also recognizing shifting workforce demographics, working parents, and stewardship of the environment;
- Pioneering policies to add domestic partner benefits in recognition of our LGBTQ community;
- Literacy and Language Proficiency Program to remove barriers and provide greater opportunities to native and non-native English-speaking employees; and,
- Robust internship program to mentor students and graduates and develop skills for future opportunities.

The Personnel Management Review (PMR) is available on InSite, and the public can access it at www.mncppc.org. The M-NCPPC remains committed to delivering an informative report. We welcome your feedback! Please address comments/questions to Boni.King@mncppc.org.



Anju Bennett
Acting Executive Director

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Personnel Management Review Fiscal Year 2018

Employee Demographic Profile



THE COMMISSION

Elizabeth M. Hewlett, Chair

Casey Anderson, Vice-Chair

MONTGOMERY COUNTY PLANNING BOARD

Casey Anderson, Chair

Gerald Cichy

Norman Dreyfuss

Natali Fani-Gonzalez

Tina Patterson

PRINCE GEORGE'S COUNTY PLANNING BOARD

Elizabeth M. Hewlett, Chair

Dorothy Bailey

William Doerner

Manuel Geraldo

A. Shuanise Washington

OFFICERS

Anju A. Bennett, Acting Executive Director

Adrian R. Gardner, General Counsel

Joseph Zimmerman, Secretary-Treasurer

DIRECTORS

Andree Checkley, Prince George's County Planning Director

Darin Conforti, Prince George's County Parks and Recreation Acting Director

Mike Riley, Montgomery County Parks Director

Gwen Wright, Montgomery County Planning Director



M-NCPPC Personnel Management Review Fiscal Year 2018

TABLE OF CONTENTS

| | Page |
|---|-------|
| Employee Workforce Snapshot | 1-3 |
| Career Workforce Highlights | 4-24 |
| Non-Permanent Workforce Highlights | 25-28 |

Montgomery County Career Employee Profile

Montgomery County Commissioners' Office

| | |
|---|----|
| Job Category Distribution | 29 |
| Job Category, Gender, & Race/Ethnicity Distribution | 30 |
| Race/Ethnicity Distribution | 31 |
| Length of Service Distribution, Average Length of Service by Job Category | 32 |

Montgomery County Department of Planning

| | |
|---|----|
| Job Category Distribution | 33 |
| Job Category, Gender, & Race/Ethnicity Distribution | 34 |
| Race/Ethnicity Distribution | 35 |
| Length of Service Distribution, Average Length of Service by Job Category | 36 |

Montgomery County Department of Parks

| | |
|---|----|
| Job Category Distribution | 37 |
| Job Category, Gender, & Race/Ethnicity Distribution | 38 |
| Race/Ethnicity Distribution | 39 |
| Length of Service Distribution, Average Length of Service by Job Category | 40 |

Prince George's County Merit System Employee Profile

Prince George's Commissioners' Office

| | |
|---|----|
| Job Category Distribution | 41 |
| Job Category, Gender, & Race/Ethnicity Distribution | 42 |
| Race/Ethnicity Distribution | 43 |
| Length of Service Distribution, Average Length of Service by Job Category | 44 |

Prince George's Department of Planning

| | |
|---|----|
| Job Category Distribution | 45 |
| Job Category, Gender, & Race/Ethnicity Distribution | 46 |
| Race/Ethnicity Distribution | 47 |
| Length of Service Distribution, Average Length of Service by Job Category | 48 |

Prince George's Department of Parks and Recreation

| | |
|---|----|
| Job Category Distribution | 49 |
| Job Category, Gender, & Race/Ethnicity Distribution | 50 |
| Race/Ethnicity Distribution | 51 |
| Length of Service Distribution, Average Length of Service by Job Category | 52 |

Bi-County Corporate Operations Merit System Employee Profile

Bi-County Corporate Operations

Job Category Distribution 53
Job Category, Gender, & Race/Ethnicity Distribution 54
Race/Ethnicity Distribution 55
Length of Service Distribution, Average Length of Service by Job Category 56

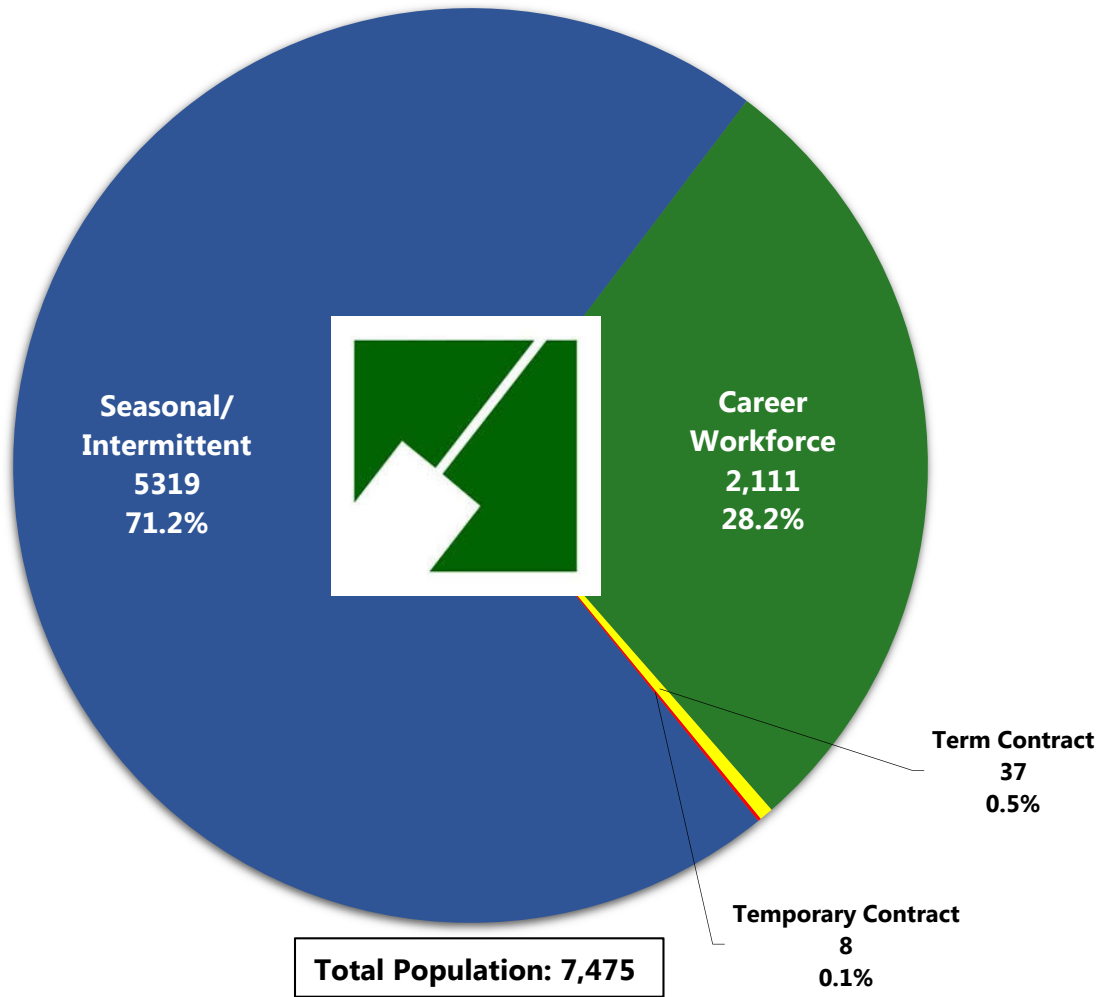
Trends in the Career Employee Lifecycle..... 57-62

Appendix

Equal Employment Opportunity Commission (EEOC) Definitions of Race/Ethnicity 63
EEOC Description of Job Categories 64
FY18 General Service Pay Schedule 65
FY18 Special Salary Range Pay Schedule for Select IT Positions 66
FY18 Office/Clerical Pay Schedule 67
FY18 Trades Pay Schedule 68
FY18 Service/Labor Pay Schedule 69
FY18 FOP Park Police Pay Schedule 70
FY18 Park Police Command Officers and Candidates Pay Schedule 71
FY18 Aquatics Seasonal/Intermittent Pay Schedule (10/2017, 1/2) 72
FY18 Aquatics Seasonal/Intermittent Pay Schedule (5/2018, 2/2) 73
FY18 Seasonal/intermittent Pay Schedule 74
FY18 Tennis Instructor Pay Schedule 75
FY18 Specialty Services Pay Schedule 76
Credits 77



M-NCPPC WORKFORCE SNAPSHOT

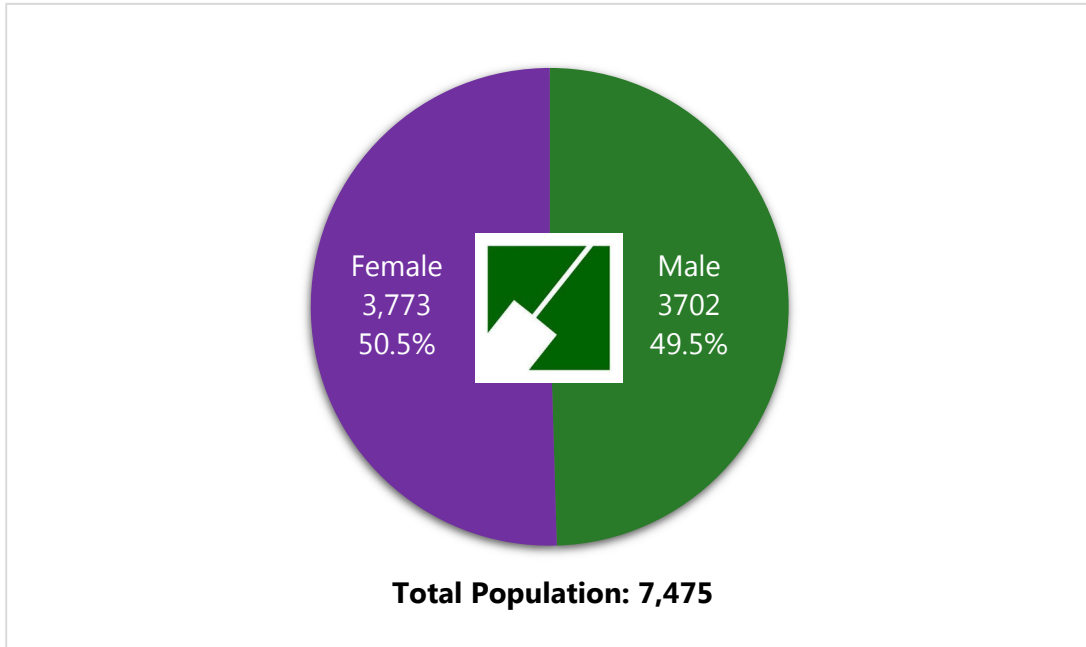


M-NCPPC WORKFORCE SNAPSHOT

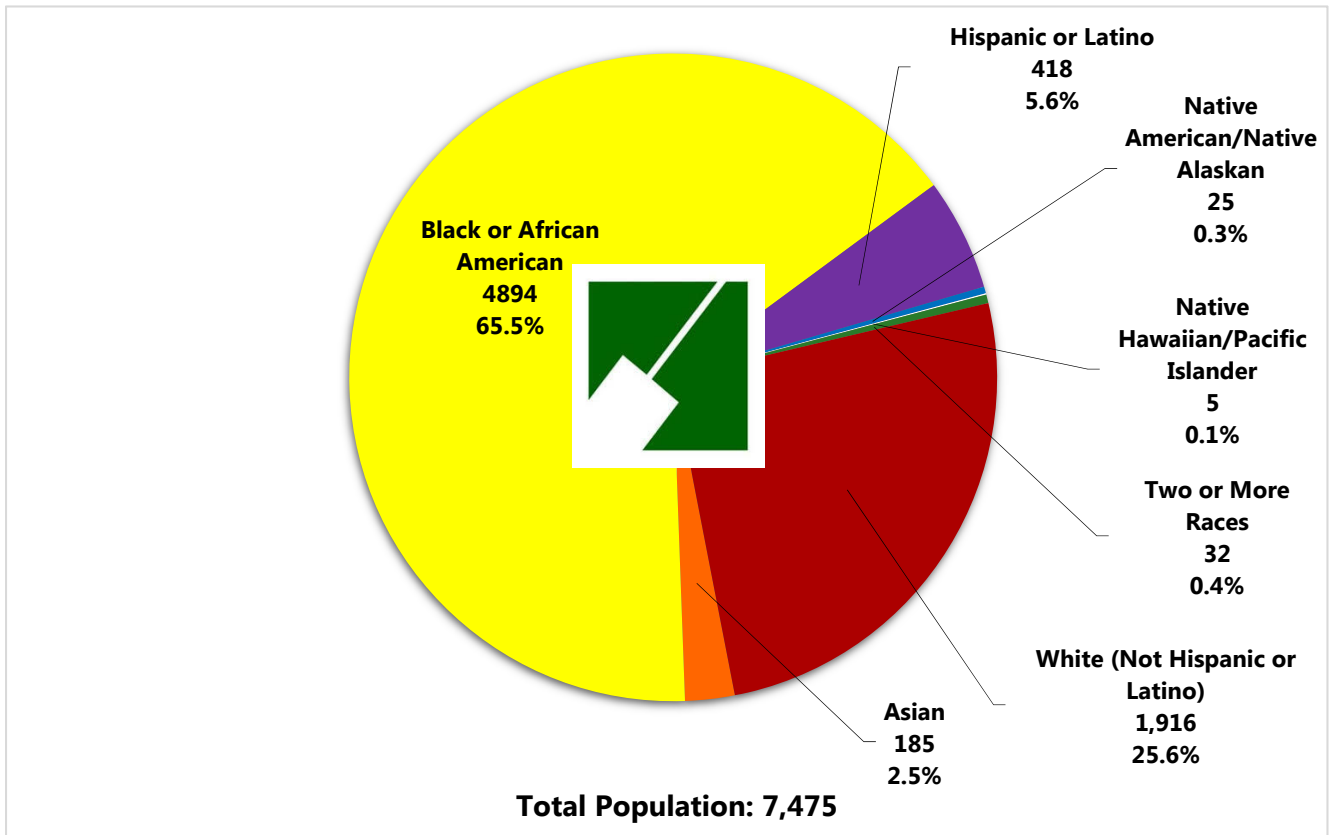
The M-NCPPC Workforce Snapshot reflects the Agency’s entire workforce, both career and non-permanent employees. Additional information concerning the Agency’s career employees begins on page 4 and information concerning the Agency’s non-permanent employees begins on page 26.

All data reported is based on employees, not positions.

- The gender composition of the entire workforce in FY18 was 50.5% female and 49.5% male

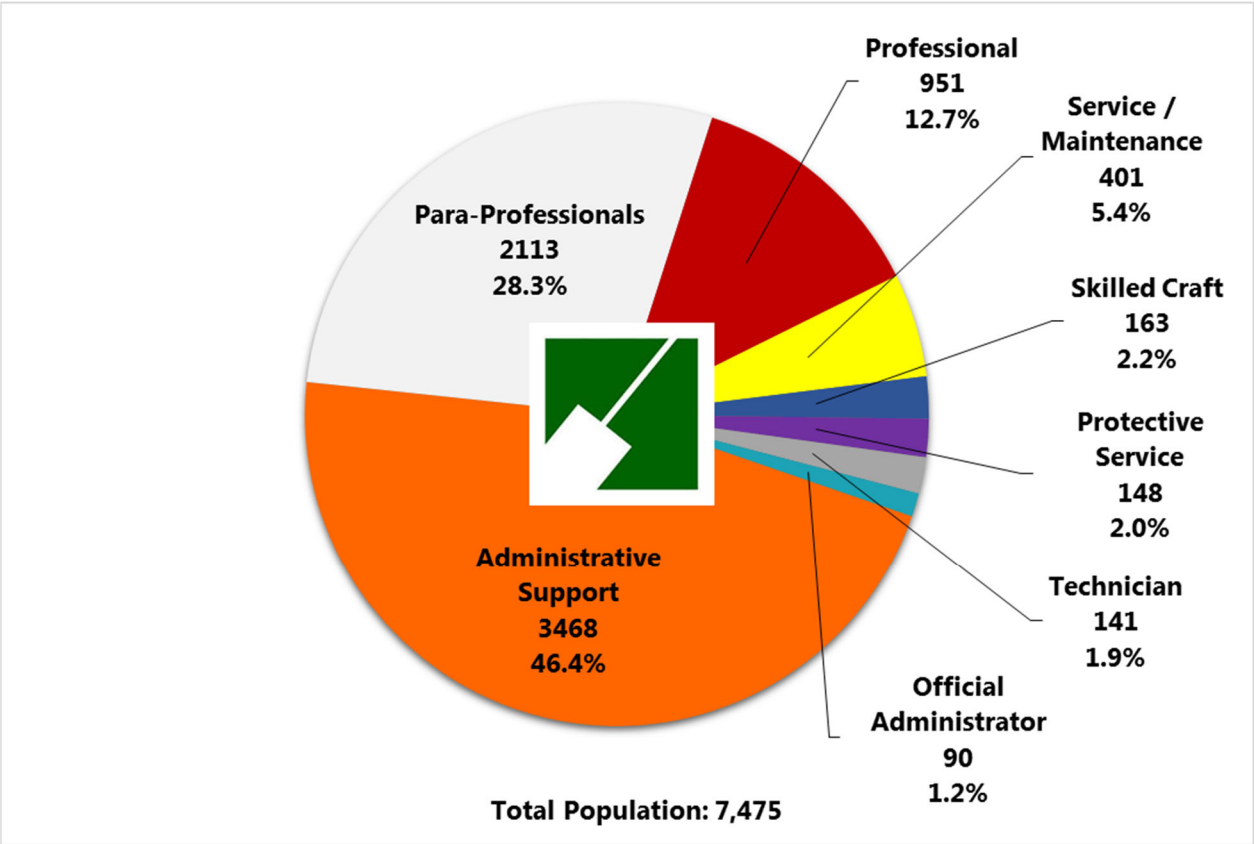


- The racial/ethnic composition of the entire workforce in FY18 was as follows:

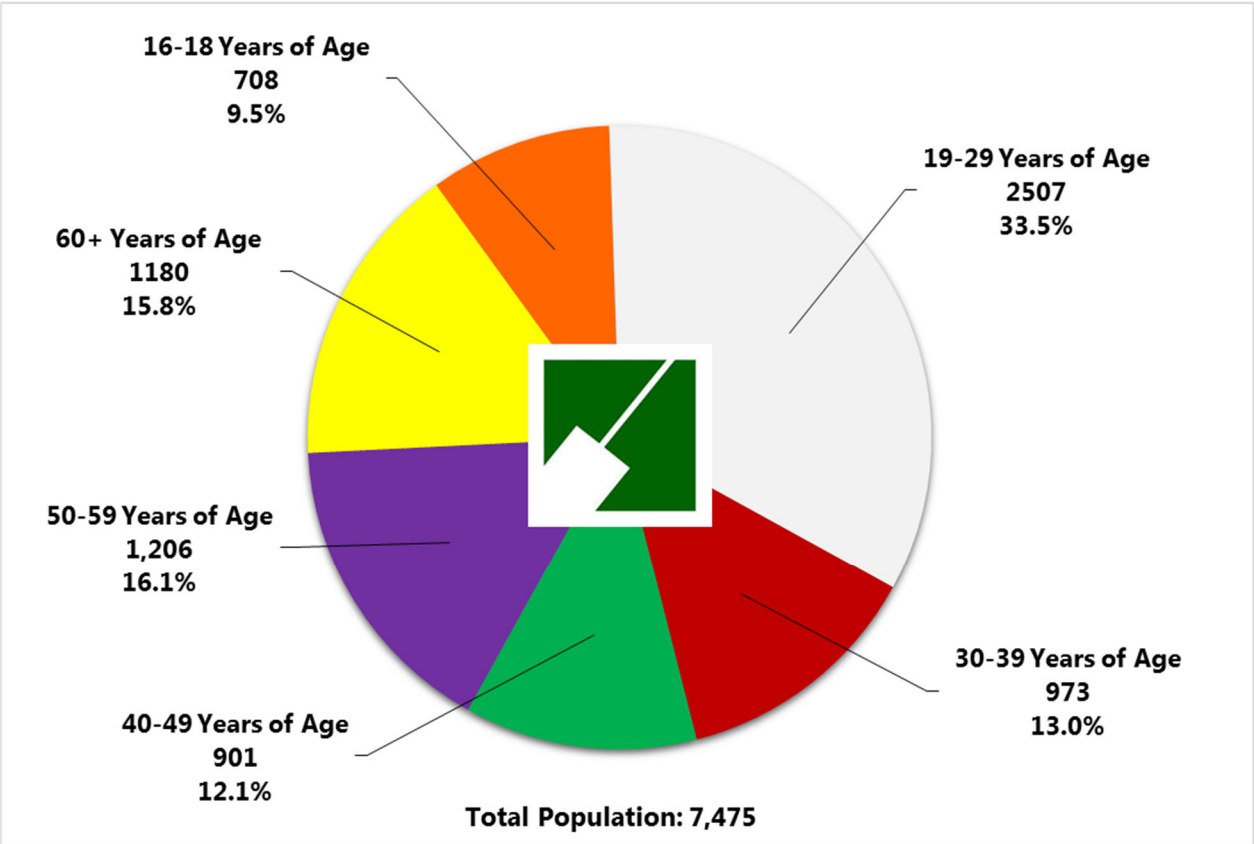


M-NCPPC WORKFORCE SNAPSHOT

- The EEO-4 Job Category composition of the entire workforce in FY18 was as follows:



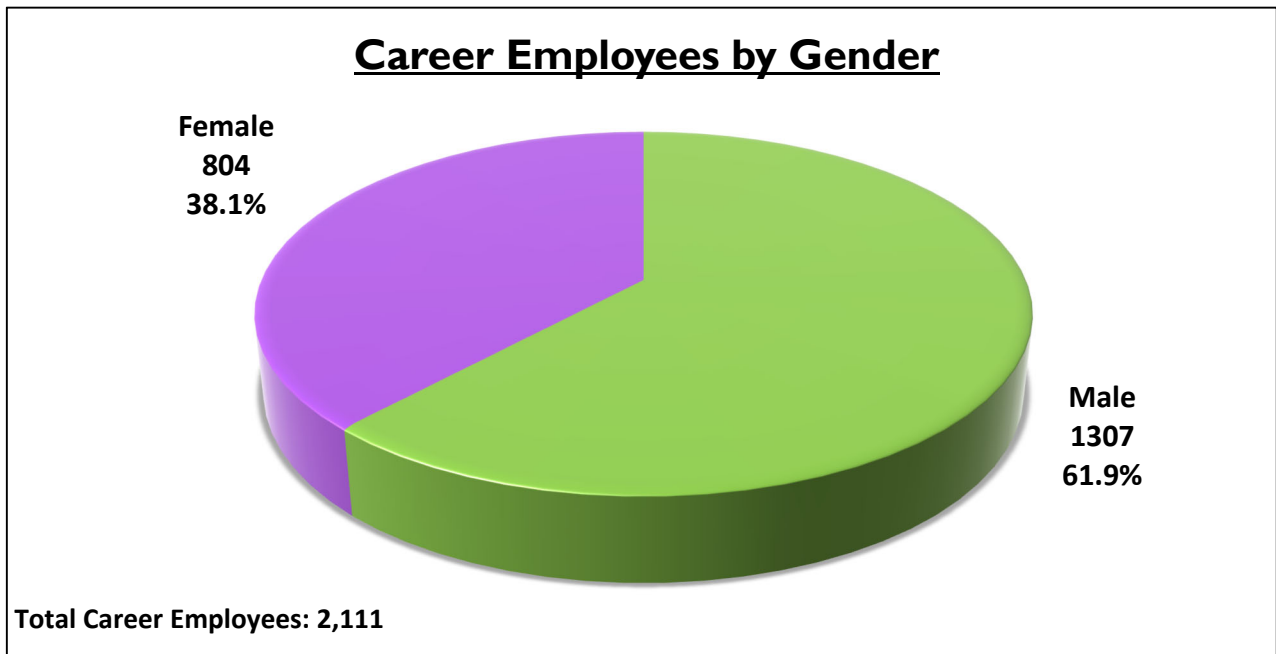
- The age composition of the entire workforce in FY18 was as follows:



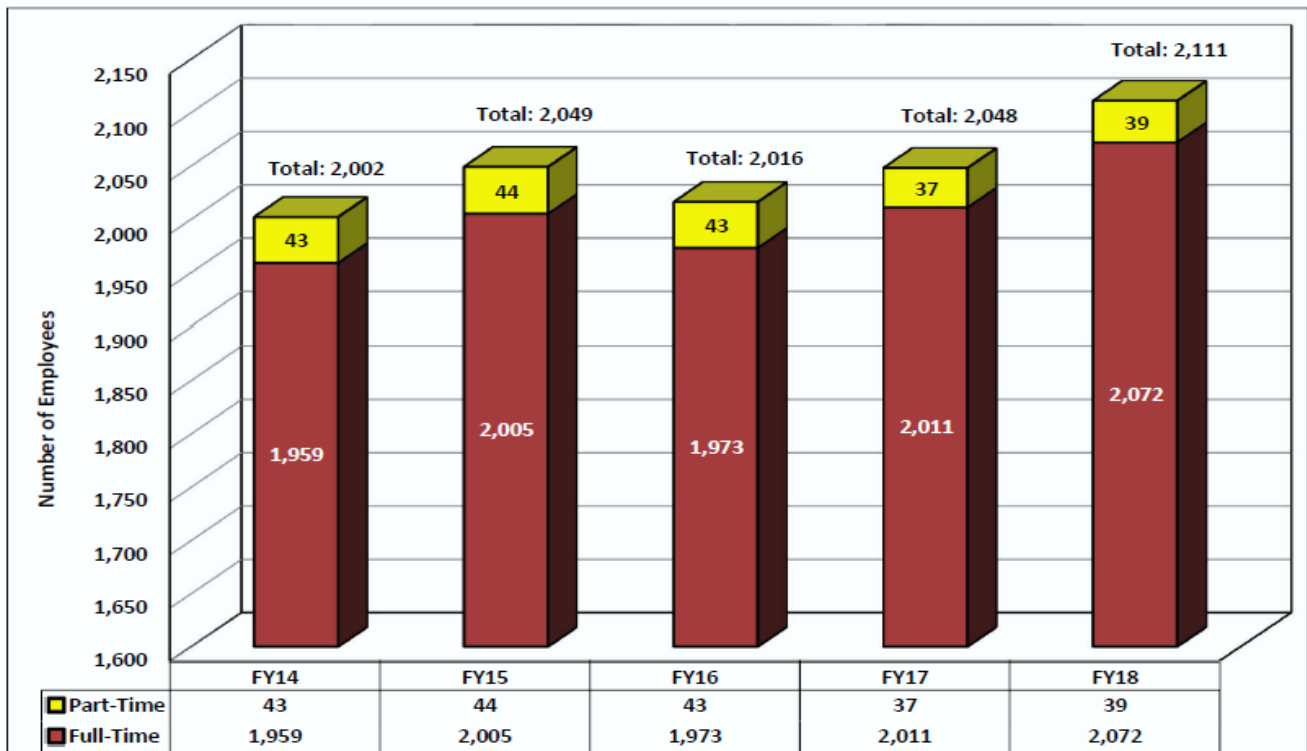
CAREER WORKFORCE:

Highlighting Career Employee Workforce Information and Statistics

Career Workforce Demographics

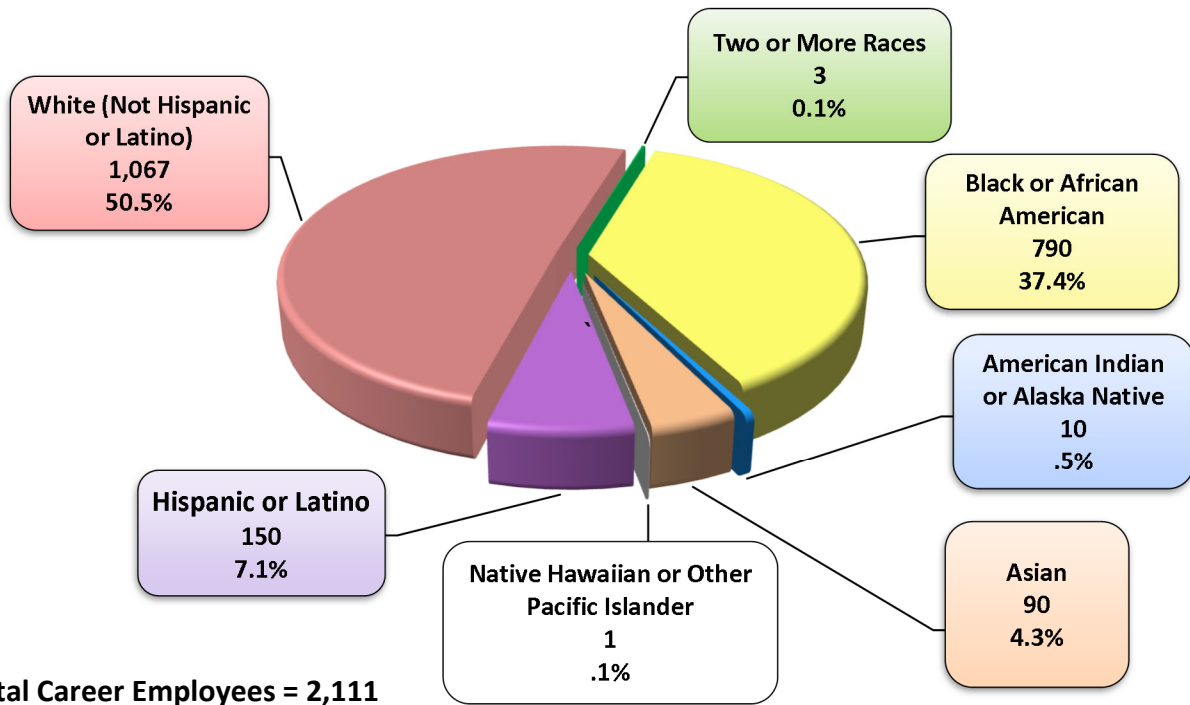


Full-Time & Part-Time Career Employees

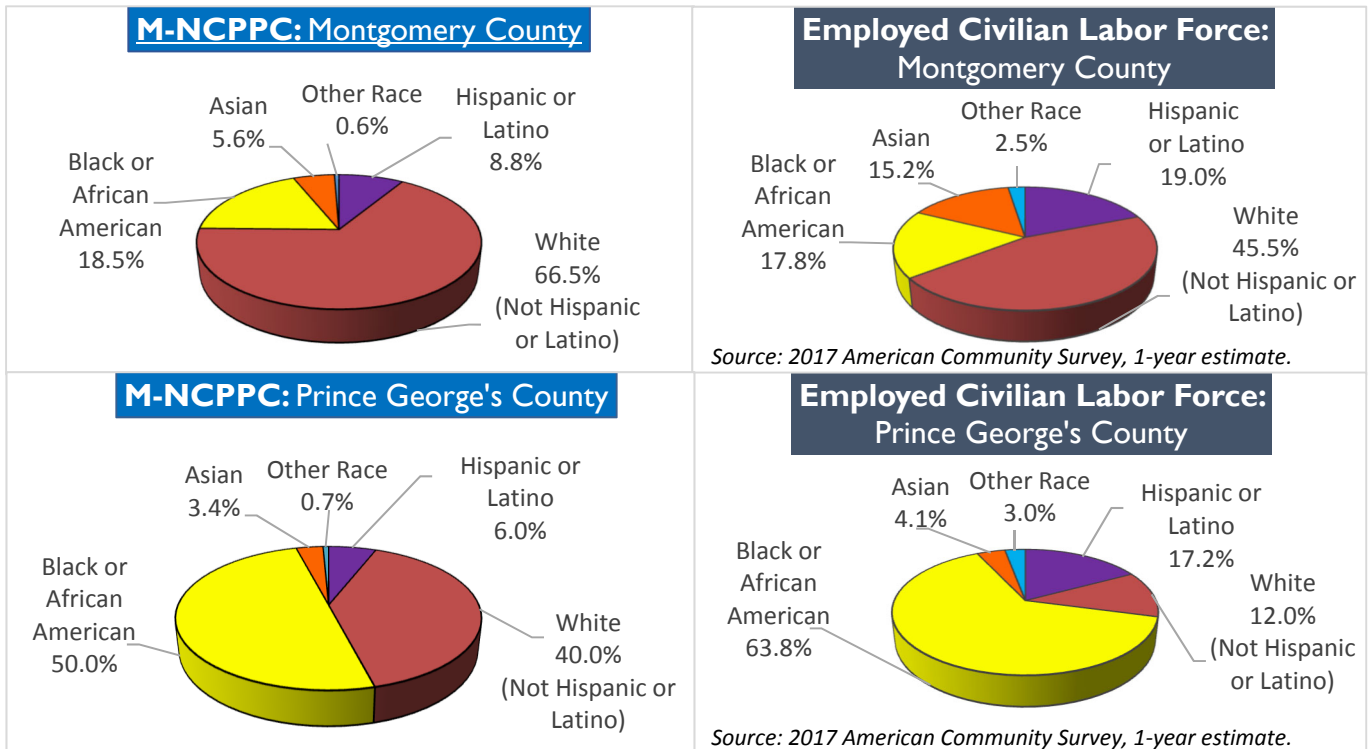


Total Employees: 2,111

Career Employees by EE0-4 Race/Ethnic Identification



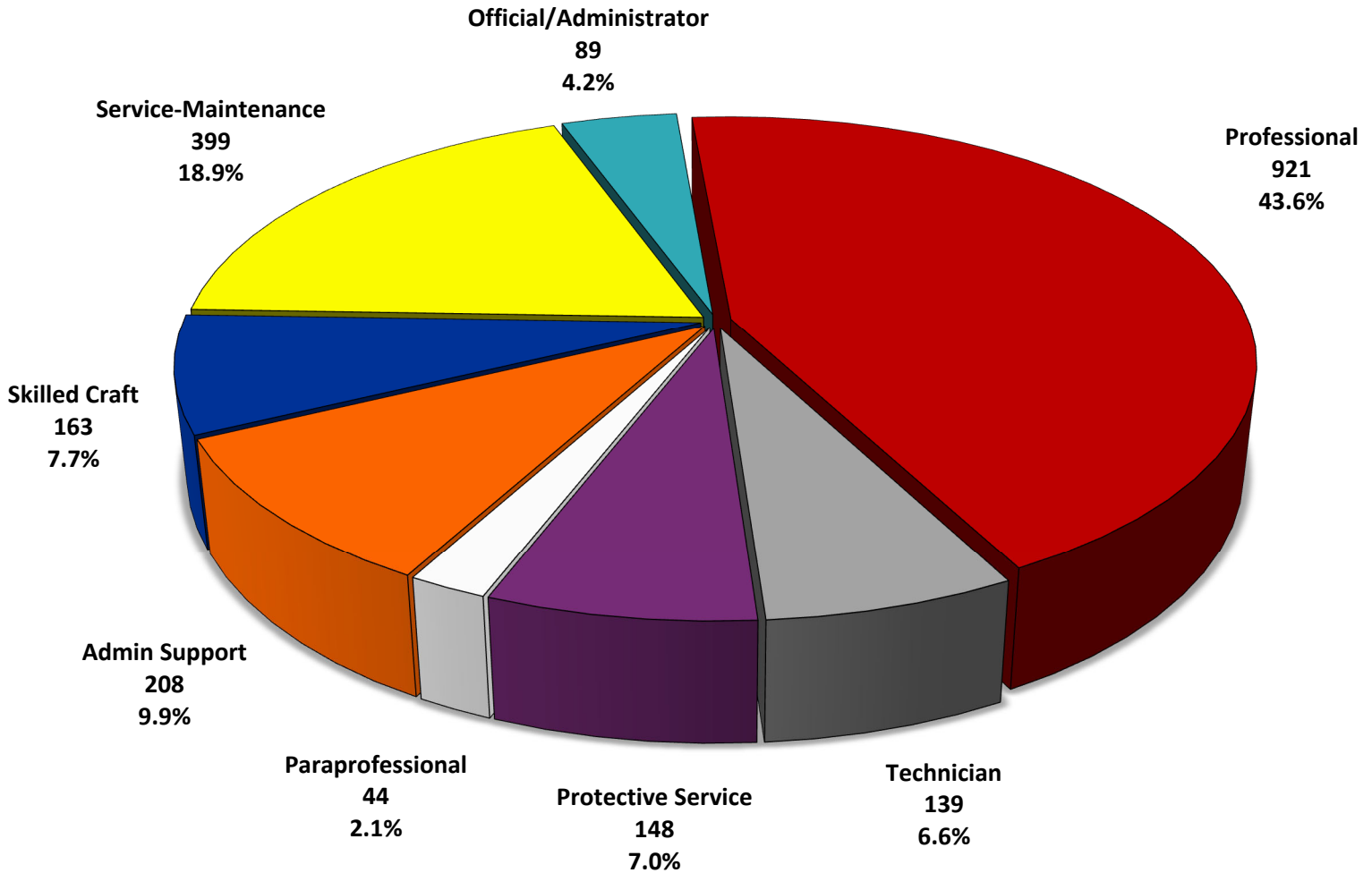
- The charts below reflect M-NCPPC career workforce distribution by race/ethnicity in Montgomery County and Prince George's County, compared to the broader employed civilian labor force within the region.



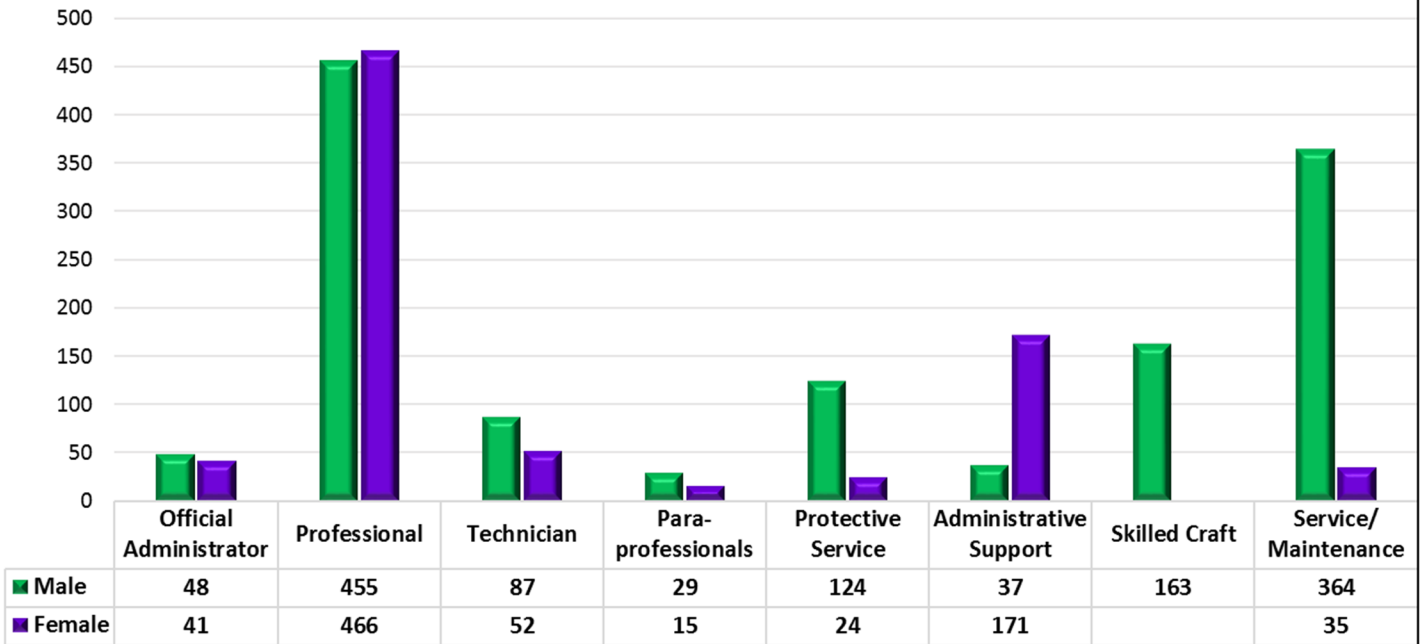
Source for County Demographics: 2017 American Community Survey 1-year estimates. Tables S0201 and S2301 U.S. Census Bureau; Research & Special Projects, Montgomery County Planning Department (2/25/19). The charts represent the employed civilian labor force by race and Hispanic origin, 2017. Prince George's County includes CAS Departments.

- In FY18, the largest number and percent of employees at M-NCPPC fell into the Professional category with 921 employees or 43.6% of the workforce, followed by the Service-Maintenance category with 399 employees or 18.9% of the workforce.

Career Employees by EEO-4 Job Category

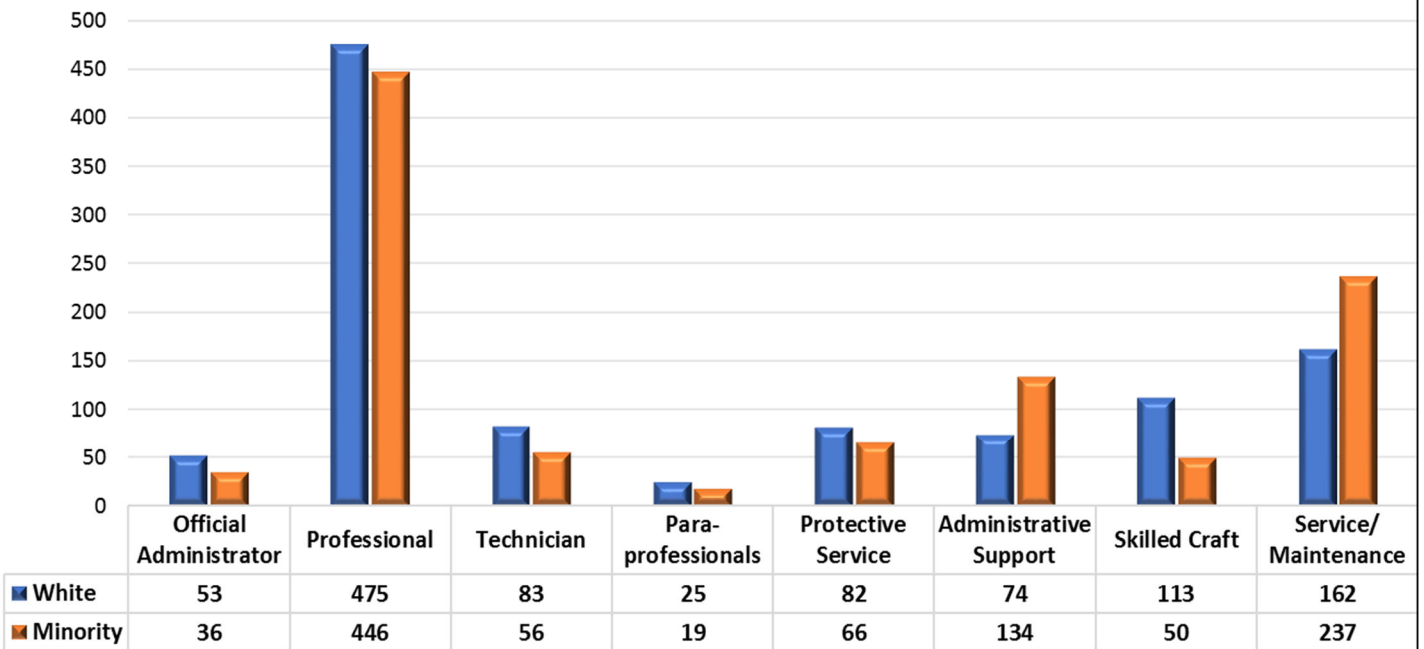


Career Employees by EEO-4 Job Category and Gender



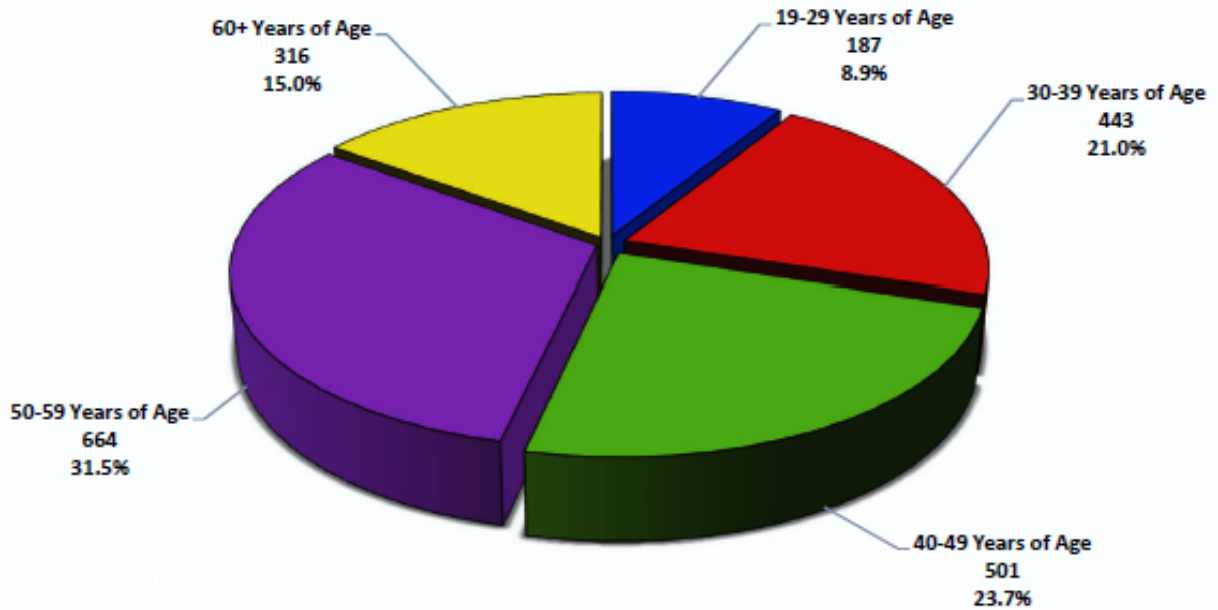
Total Career Employees: 2,111

Career Employees by EEO-4 Job Category and Race/Ethnicity



Total Career Employees: 2,111

Distribution of Career Employees by Age



■ 19-29 Years of Age
 ■ 30-39 Years of Age
 ■ 40-49 Years of Age
 ■ 50-59 Years of Age
 ■ 60+ Years of Age

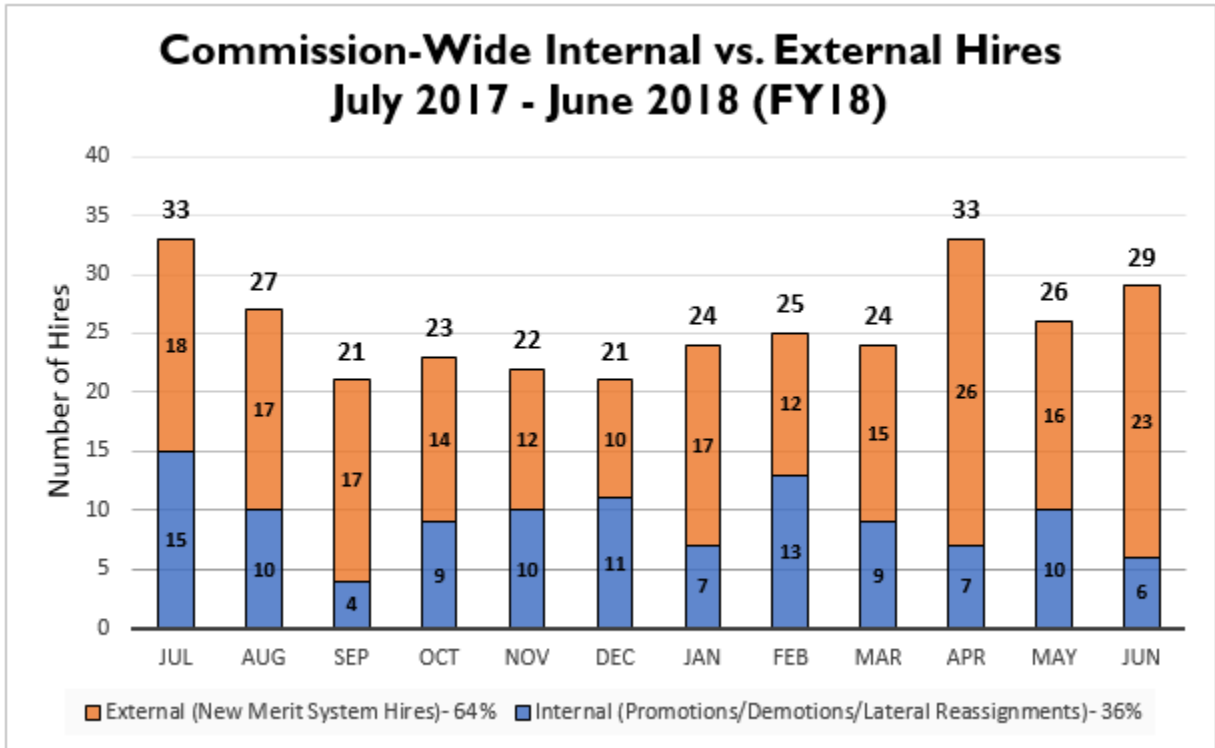
Distribution of Career Employees by Department

| | | |
|--|--------------|---------------|
| Central Administrative Services | 137 | 6.5% |
| Montgomery County Commissioners' Office | 5 | 0.2% |
| Montgomery County Planning | 131 | 6.2% |
| Montgomery County Parks | 706 | 33.4% |
| Prince George's County Commissioners' Office | 8 | 0.4% |
| Prince George's County Planning | 154 | 7.3% |
| Prince George's County Parks and Recreation | 970 | 45.9% |
| | | |
| M-NCPPC Career Employees Total | 2,111 | 100.0% |

Note: Career employee totals exclude 13 employees defined as: 10 Appointed Commissioners (5 in Montgomery County and 5 in Prince George's County), and 3 Merit System Board Members.

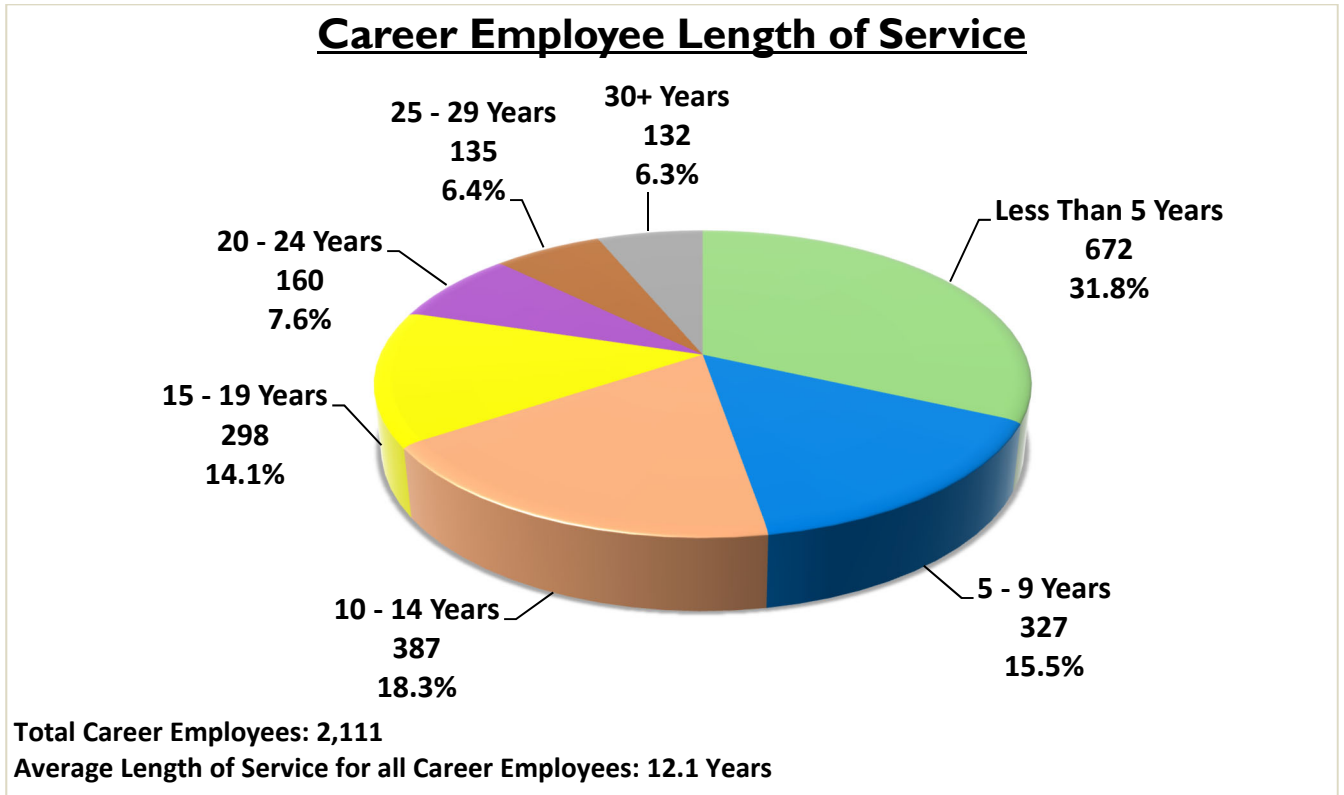
Recruitment of Career Employees

In FY18, the Recruitment and Selection Services Division filled 308 career positions. Of these 308 positions, 197 were filled by external candidates, and 111 positions were filled by internal candidates via promotion, demotion, or lateral reassignment (these figures do not include positions filled through reclassification, appointment, or the Park Police rank promotional process).



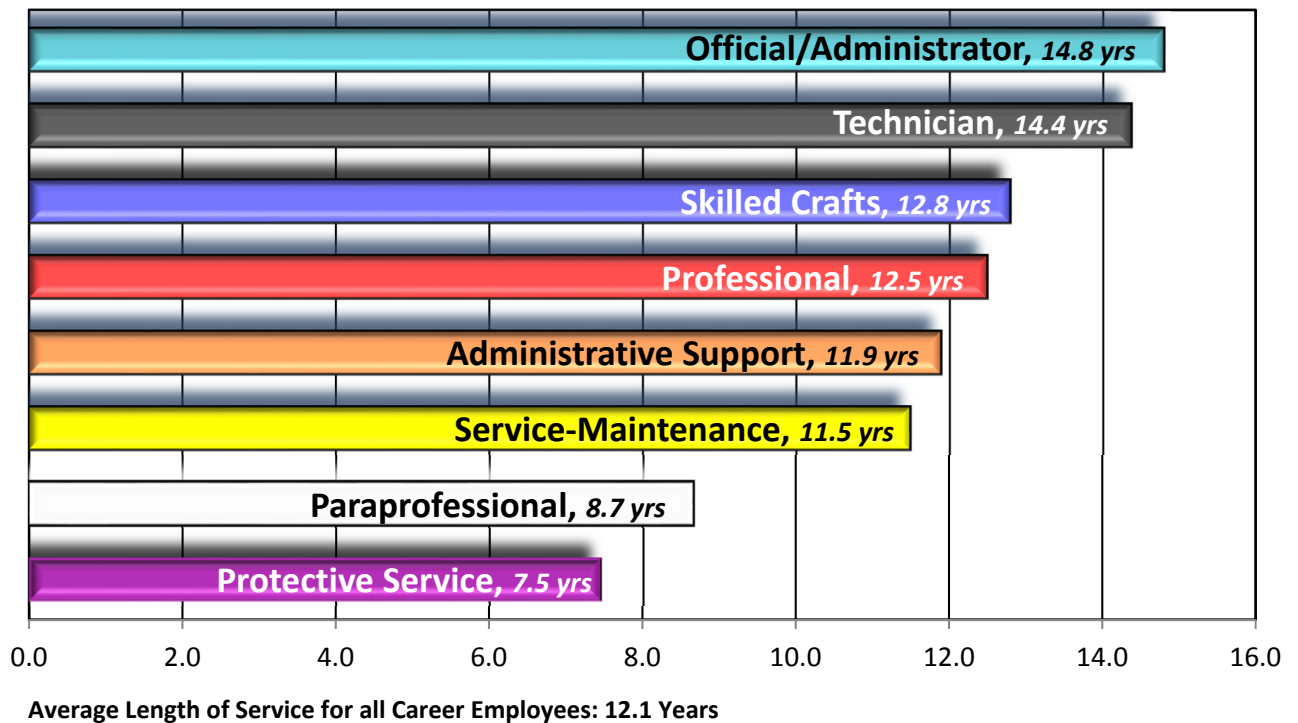
The average salary for a FY18 external career new hire was \$60,532, compared to a FY17 average of \$60,636.

Length of Service for Career Employees



- The average length of service for females was 12.5 years; and 11.8 years for males.

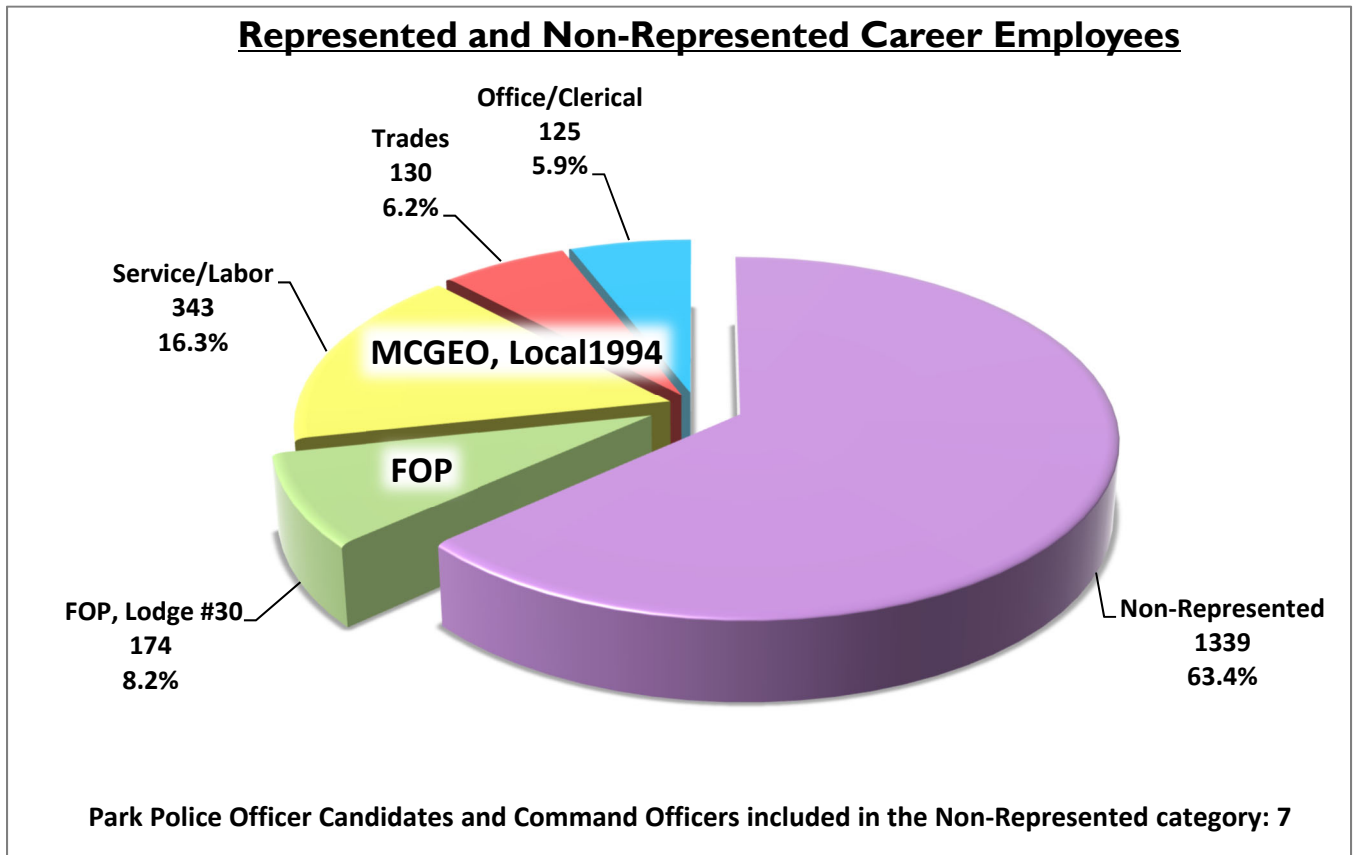
Average Length of Service by EEO-4 Job Category



Collective Bargaining

In FY18, 36.6% of the Commission’s career workforce was represented by a union.

| Union | Number of Members FY17 | % of Career Employees |
|--|------------------------|-----------------------|
| United Food and Commercial Workers Union, Local 1994/Municipal and County Government Workers Union (MCGEO) representing service/labor, trades, and office/clerical positions | 598 | 28.3% |
| Fraternal Order of Police. Lodge #30 (FOP) representing police ranked sergeant and below | 174 | 8.2% |

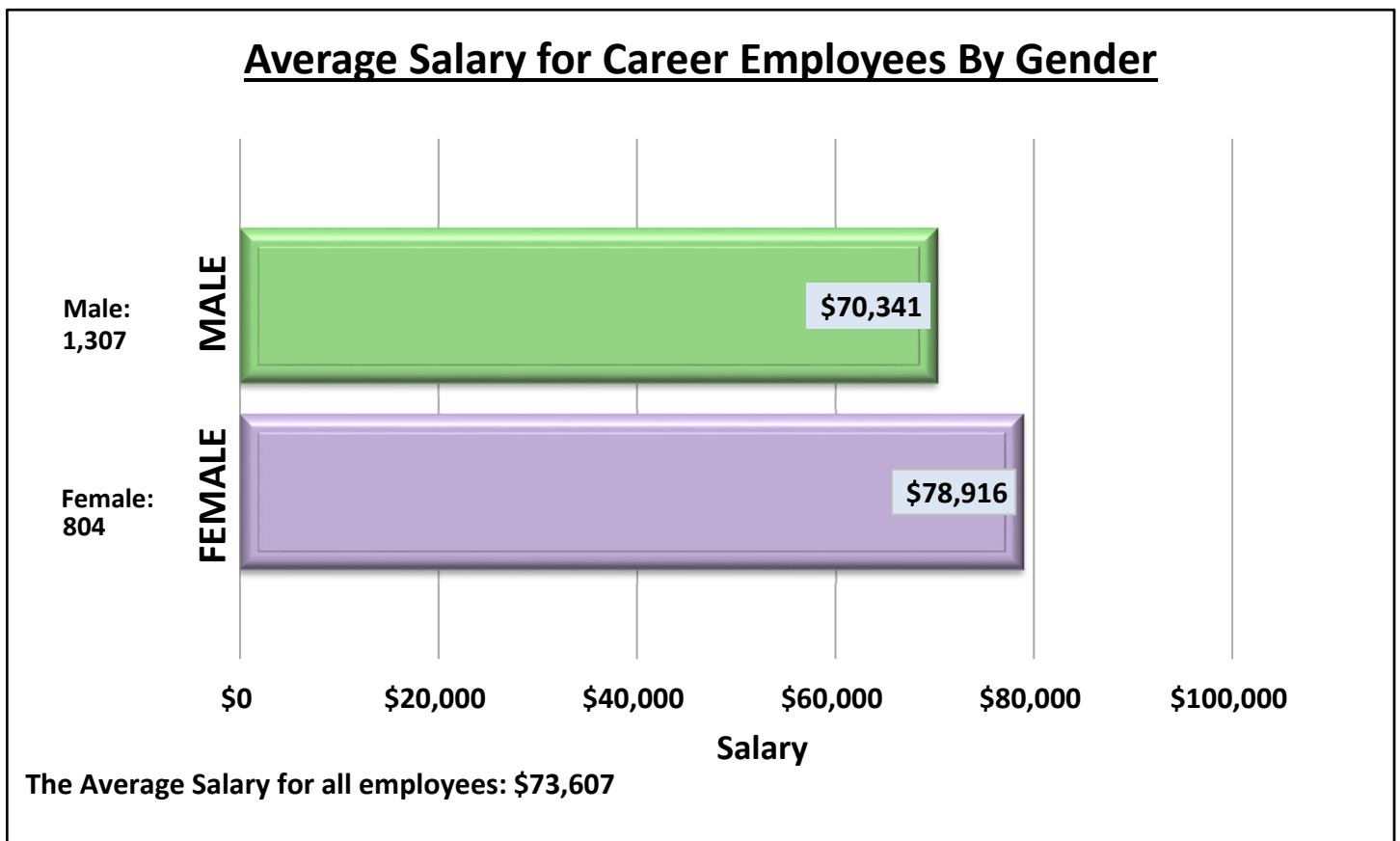


According to the Bureau of Labor Statistics (BLS), 12.1% of employed workers in Maryland were in positions represented by unions. Additionally, BLS reports that 31.8% of state government workers are unionized. The higher numbers for union membership attributed to local government workers is the result of heavily unionized occupations such as teachers, police officers and firefighters.

Source: U.S. Department of Labor Bureau of Labor Statistics, Economic News Release, Table 5. “Union affiliation of employed wage and salary workers by state, 2017-2018 annual averages”.

Compensation

- M-NCPPC compensates and rewards its employees utilizing either pay ranges or step pay schedules.
 - There are six separate pay range schedules for career employees, 3 for non-represented employees (General Service, IT, Command Staff) and 3 for represented employees (Service/Labor, Office/Clerical, Trades). Each range consists of a minimum, midpoint and maximum salary. Schedules for represented employees also have a longevity increment.
 - A step pay schedule is utilized to compensate employees in the FOP Bargaining Unit. This pay schedule includes two additional increments for longevity. (See Appendix for all FY18 Pay Schedules)
- The average salary for all career employees (full-time and part-time) was \$73,607. The average salary for male employees was \$70,341; female employees was \$78,916.



*For career employee annual salary distribution by demographics and job categories, see pages 13-14.

Average Career Employee Salaries by EEO-4 Job Category, Race/Ethnicity and Gender

Official/Administrator

Race/Ethnicity

| Gender | American Indian/ Alaska Native | Asian | Black/African American | Hispanic/ Latino | Native Hawaiian/Other | White (Non Hispanic/Latino) | Two or More Races |
|--------|-----------------------------------|-----------|---------------------------|---------------------|--------------------------|-----------------------------------|-------------------|
| Female | \$128,366 | \$135,682 | \$137,190 | \$122,930 | N/A | \$137,988 | N/A |
| Male | N/A | \$153,307 | \$137,986 | \$133,121 | N/A | \$135,237 | \$100,000 |

Average Salary Official/Administrator: \$136,200

Average Official/Administrator New Hire Salary: \$124,471

Professional

Race/Ethnicity

| Gender | American Indian/ Alaska Native | Asian | Black/African American | Hispanic/ Latino | Native Hawaiian/Other Pacific Islander | White (Non Hispanic/Latino) | Two or More Races |
|--------|-----------------------------------|-----------|---------------------------|---------------------|--|-----------------------------------|-------------------|
| Female | \$66,080 | \$89,037 | \$82,144 | \$83,245 | \$60,930 | \$86,765 | \$82,000 |
| Male | \$88,519 | \$101,952 | \$82,040 | \$80,575 | N/A | \$85,662 | N/A |

Average Salary Professional: \$84,840

Average Professional New Hire Salary: \$72,182

Technician

Race/Ethnicity

| Gender | American Indian/ Alaska Native | Asian | Black/African American | Hispanic/ Latino | Native Hawaiian/Other Pacific Islander | White (Non Hispanic/Latino) | Two or More Races |
|--------|-----------------------------------|----------|---------------------------|---------------------|--|-----------------------------------|-------------------|
| Female | N/A | \$72,081 | \$67,987 | \$82,082 | N/A | \$69,232 | N/A |
| Male | \$79,213 | \$80,302 | \$71,500 | \$72,224 | N/A | \$76,005 | N/A |

Average Salary Technician: \$72,743

Average Technician New Hire Salary: \$56,999

Protective Service

Race/Ethnicity

| Gender | American Indian/ Alaska Native | Asian | Black/African American | Hispanic/ Latino | Native Hawaiian/Other Pacific Islander | White (Non Hispanic/Latino) | Two or More Races |
|--------|-----------------------------------|----------|---------------------------|---------------------|--|-----------------------------------|-------------------|
| Female | N/A | N/A | \$63,794 | \$62,864 | N/A | \$71,653 | N/A |
| Male | \$68,213 | \$72,640 | \$70,573 | \$70,310 | N/A | \$72,015 | N/A |

Average Salary Protective Service: \$70,951

Average Protective Service New Hire Salary: \$54,251

Paraprofessional

Race/Ethnicity

| Gender | American Indian/ Alaska Native | Asian | Black/African American | Hispanic/ Latino | Native Hawaiian/Other | White (Non Hispanic/Latino) | Two or More Races |
|--------|-----------------------------------|----------|---------------------------|---------------------|--------------------------|-----------------------------------|-------------------|
| Female | N/A | N/A | \$75,763 | N/A | N/A | \$65,960 | N/A |
| Male | N/A | \$40,877 | \$50,172 | \$48,240 | N/A | \$62,047 | N/A |

Average Salary Paraprofessional: \$61,896

Average Paraprofessional New Hire Salary: \$52,249

(See Next Page)

Percentages are based on total number of employees: 2,111

Average Commission Career Salary (includes full-time and part-time annualized salaries): \$73,607

Admin Support

Race/Ethnicity

| Gender | American Indian/ Alaska Native | Asian | Black/African American | Hispanic/ Latino | Native Hawaiian/Other | White (Non Hispanic/Latino) | Two or More Races |
|--------|-----------------------------------|----------|---------------------------|---------------------|--------------------------|-----------------------------------|-------------------|
| Female | N/A | \$64,650 | \$60,648 | \$58,145 | N/A | \$60,333 | N/A |
| Male | N/A | N/A | \$55,289 | \$51,883 | N/A | \$56,202 | N/A |

Average Salary Admin Support: \$59,599

Average Admin Support New Hire Salary: \$48,109

Skilled Craft

Race/Ethnicity

| Gender | American Indian/ Alaska Native | Asian | Black/African American | Hispanic/ Latino | Native Hawaiian/Other Pacific Islander | White (Non Hispanic/Latino) | Two or More Races |
|--------|-----------------------------------|----------|---------------------------|---------------------|--|-----------------------------------|-------------------|
| Female | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Male | \$65,000 | \$65,505 | \$60,230 | \$66,129 | N/A | \$64,134 | N/A |

Average Salary Skilled Craft: \$63,244

Average Skilled Craft New Hire Salary: \$49,764

Service-Maintenance

Race/Ethnicity

| Gender | American Indian/ Alaska Native | Asian | Black/African American | Hispanic/ Latino | Native Hawaiian/Other Pacific Islander | White (Non Hispanic/Latino) | Two or More Races |
|--------|-----------------------------------|----------|---------------------------|---------------------|--|-----------------------------------|-------------------|
| Female | N/A | N/A | \$51,170 | \$40,371 | N/A | \$47,842 | N/A |
| Male | \$48,997 | \$50,704 | \$47,320 | \$46,581 | N/A | \$48,740 | \$38,000 |

Average Salary Service-Maintenance: \$47,827

Average Service-Maintenance New Hire Salary: \$37,829

Total Population

Race/Ethnicity

| Gender | American Indian/ Alaska Native | Asian | Black/African American | Hispanic/ Latino | Native Hawaiian/Other Pacific Islander | White (Non Hispanic/Latino) | Two or More Races |
|--------|-----------------------------------|----------|---------------------------|---------------------|--|-----------------------------------|-------------------|
| Female | \$86,842 | \$89,069 | \$75,790 | \$67,744 | \$60,930 | \$81,972 | \$82,000 |
| Male | \$69,637 | \$81,004 | \$67,836 | \$59,182 | N/A | \$72,897 | \$69,000 |

Average Salary: \$73,607

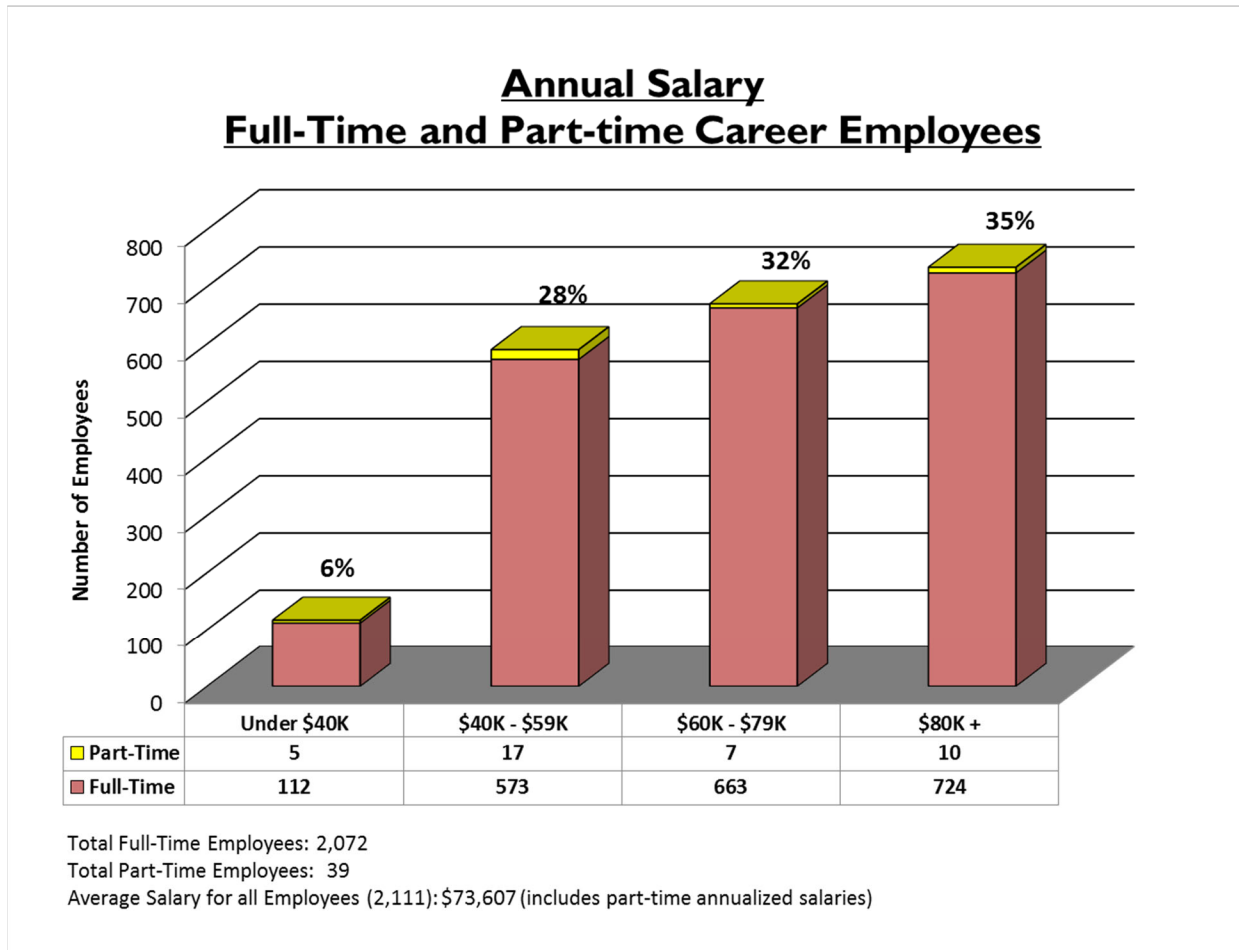
Average New Hire Salary: \$60,532

(See Previous Page)

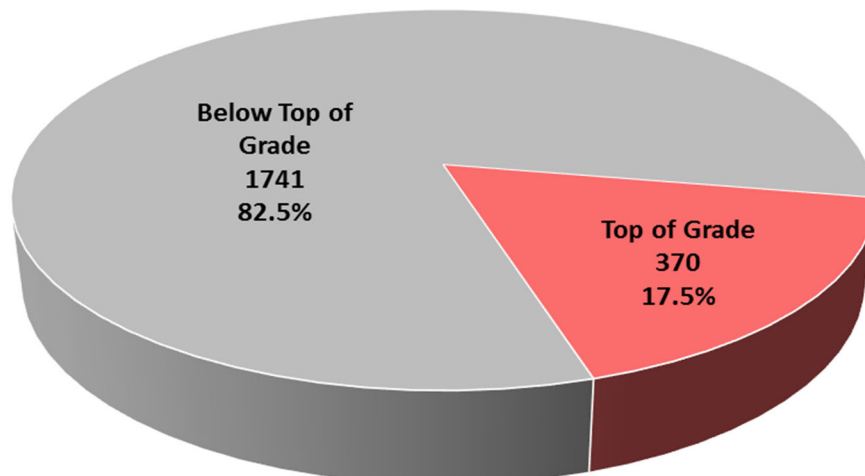
Percentages are based on total number of employees: 2,111

Average Commission Career Salary (includes full-time and part-time annualized salaries): \$73,607

- The greatest number of employees are in the Professional EEO Job Category. The Official/Administrative and Professional categories also have the highest average annual salaries.
- Employee salaries and benefits (personnel services) represent 51% of the FY18 adopted budget expenditures.



Career Employees at Top of Grade (TOG)



TOG is defined as the maximum salary (\$) of a position's grade range. Employees at TOG identified are within \$10.00 of their position's grade maximum.

COLA, Merit Increase, and Lump Sum

- In FY18, **non-represented** and **MCGEO represented** career employees received a 1.5% COLA. Non-represented and MCGEO represented career employees received a 3.5% Merit increase. Employees not eligible to receive a Merit increase (or longevity increase for union employees) because they were at top of grade received a lump sum of one-half percent (0.5%) of base pay.
- **FOP, Park Police Command Staff** and **Candidates** received a 1.5% COLA. These career employees received a 3.5% Merit increase.

*For COLA adjustments and county comparisons, see page 17.

Comparison of Cost-of-Living Adjustments FY10 - FY19 (Percent of Increase)

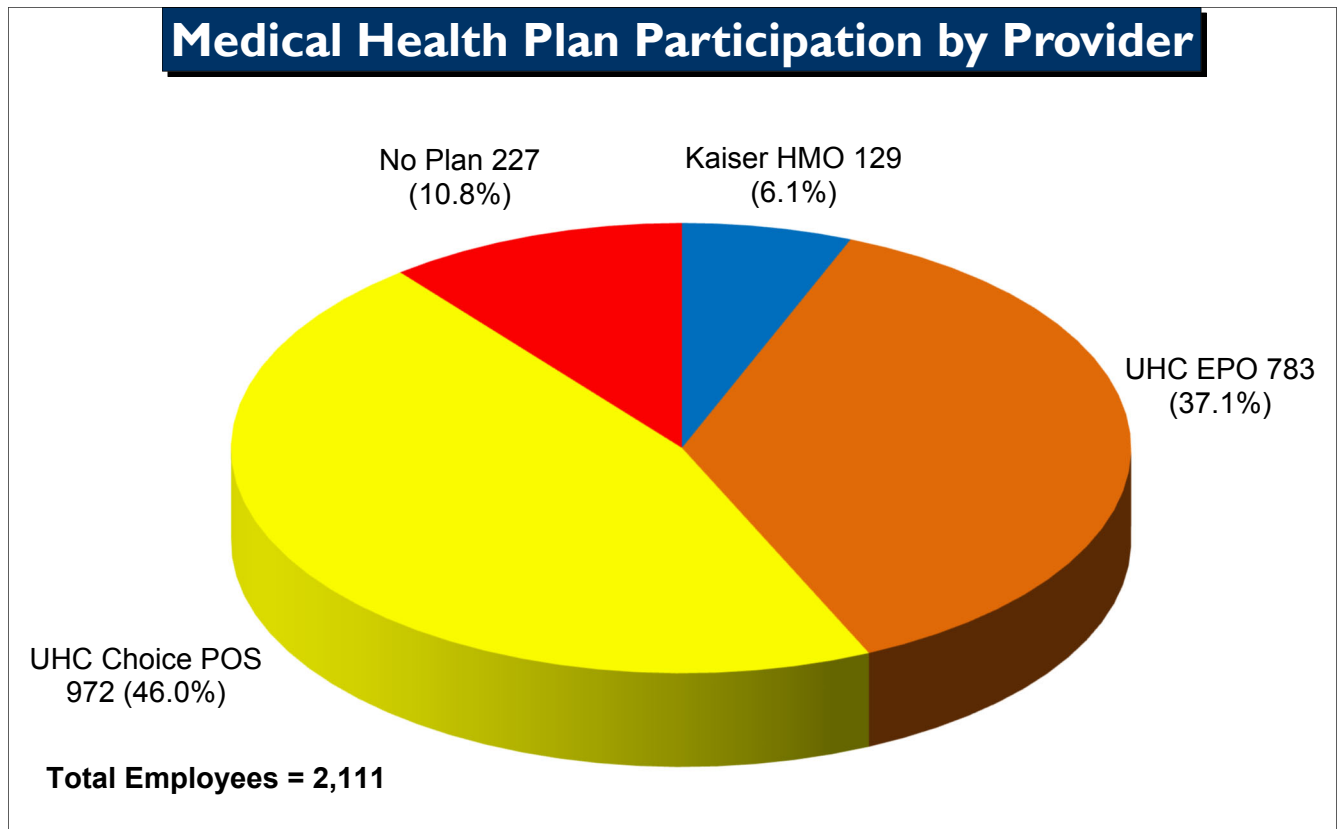
| Fiscal Year | M-NCPPC | | | MONTGOMERY COUNTY GOVERNMENT | | | PRINCE GEORGE'S COUNTY GOVERNMENT | | |
|---|-----------------|--------------------------------------|-------------------|------------------------------|------------------|-------------------|-----------------------------------|------------------------------------|-------------------|
| | Park Police FOP | Ser/Labor Trades Office (Local 1994) | Non-Rep Employees | Police (FOP) | OPT & SLT (1994) | Non-Rep Employees | Police (FOP) | Ser/Labor Trades Office (AFSCME)++ | Non-Rep Employees |
| 2010 | 3.75 | (t) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 2011 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 2012 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | (u) | (u) |
| 2013 | (v) | (v) | (v) | (v) | (v) | (v) | 0.00 (ac) | (u) | (u) |
| 2014 | 2.50 | 2.75 (w2) | 3.00 (w3) | 2.10 | 3.25 | 3.25 | 0.00 (x) | 2.50 (v) | 2.50 (z) |
| | | | 1.50 (w3) | | | | | 2.50 (vy) | 2.50 (zz) |
| 2015 | 1.75 (w1) | 2.00 (w4) | 2.00 (w4) | | | | | | |
| 2016 | 1.75 | 1.75 | 1.75 (w5) | 2.10 | 3.25 | 3.25 | 0.00 | 0.00 | 0.00 |
| 2017 | 0.50 (aa) | 1.75 | 1.75 | 2.00 | 2.00 | 2.00 | 1.00 | 0.00 | 0.00 |
| 2018 | 1.50 | 1.50 | 1.50 | 1.00 | 1.00 | 1.00 (ab) | 0.00 | 3.00 | 3.00 |
| 2019 | 1.50 | 1.50 | 1.50 | 2.00 | 2.00 | 2.00 | 0.00 | 1.00 | 1.00 |
| | | | 1.50 | 2.00 | 2.00 | 2.00 | 0.00 | 2.00 | 2.00 |
| Cumulative Impact on Salary (10 years) | 14.0% | 11.8% | 12.1% | 11.7% | 14.3% | 14.3% | 1.0% (ac) | 11.5% | 11.5% |

++Closely matches classes represented by MCGEO Local 1994 at M-NCPPC

- (q) Salary schedule adjusted by \$3,151 - equivalent to 7.5%, effective 7/1/07
- (r) FY09 COLA of 4.5% for Service/Labor, Trades and Office Units, and Non-represented
- (s) FY09 one-time 2% longevity for employees with performance ratings of exceptional or highly successful in 2 most recent years and at top of grade with 20 years of service
- (t) FY10 \$1,420 lump sum wage adjustment with \$640 representing COLA
- (u) FY12 \$1,000 lump sum not added to base; FY13 \$1,250 lump sum not added to base
- (v) FY13 \$2,000 lump sum not added to base
- (w1) FY15 COLA 1.75%, effective 7/1/15
- (w2) FY14 COLA for MCGEO employees was phased in with 1.25% effective 10/13 and 1.25% effective 1/14. Employees at top of grade received 2.75%
- (w3) FY14 COLA 3.0% for Non-represented whose base salary was at or within 2.999% of top of grade effective 10/13 and 1.5% for Non-represented whose base salary was not at or within 2.999% of top of grade effective 10/13 and 1.5% effective 1/14
- (w4) FY15 2.0% COLA, effective 9/14/14, plus 0.5% lump sum for employees not at top of grade or 1.0% lump sum for those at top of grade
- (w5) FY15 - 1.0% lump sum of base pay for employees at top of grade and 0.5% of base pay for employees who will receive a merit increase, effective 7/6/14
- (x) FY14 Adding new step
- (y) FY14 2.5% COLA, effective 7/1/13
- (yy) FY14 2.5% COLA, effective 3/1/14
- (z) FY14 2.5% COLA, effective 8/25/13
- (zz) FY14 2.5% COLA, effective 3/9/14
- (aa) FY17 included a 3.5% Merit increase for FOP, and 1.75% for MCGEO and Non-Represented
- (ab) FY17 COLA was 0.5% on July 10, 2016, and 0.5% on January 8, 2017, for General Salary Schedule employees.
- (ac) FY13 included 12% in Merit increases, including 3% for FY10, FY11, FY12, and FY13

Health Benefits – Career Employees

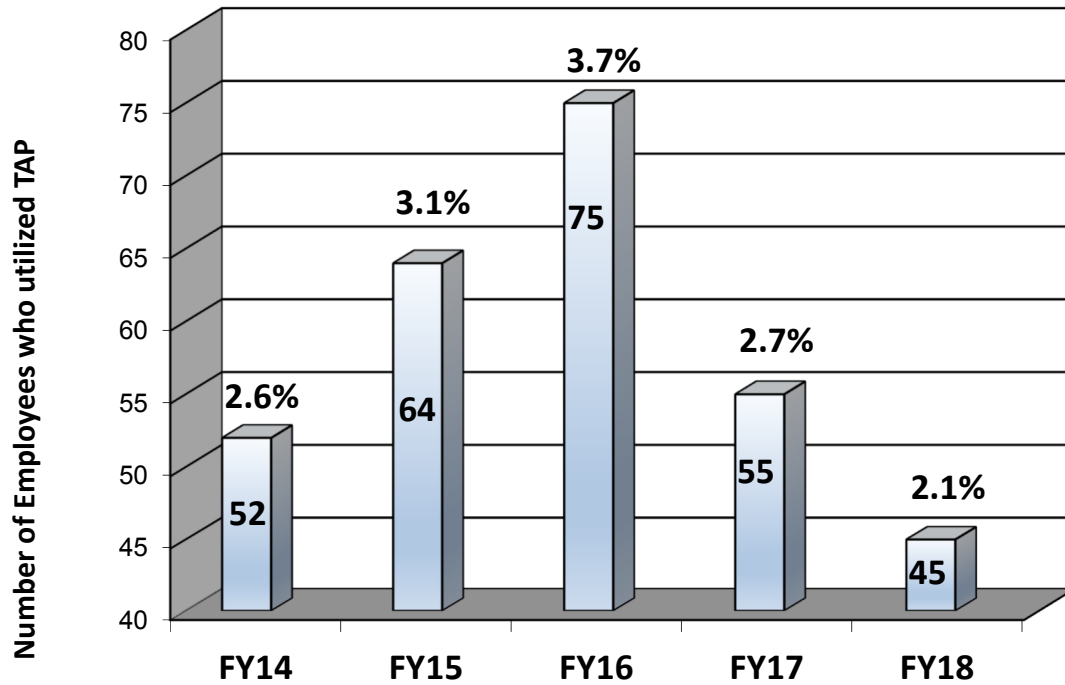
- The Commission offered career employees medical, vision, prescription, and dental plans; basic life and accidental death and dismemberment (AD&D) insurance, long term disability insurance (LTD), and employee assistance program (EAP); as well as fully employee-funded benefits such as spouse and dependent life insurance, 457 deferred compensation, legal services, flexible spending accounts, and long-term care benefits.
- Career Employees selected from three health plans for medical insurance coverage. These included a Point of Service (POS) plan, an Exclusive Provider Organization (EPO) plan, and a Health Maintenance Organization (HMO) plan.



Other Benefits

The agency offers career employees the opportunity to utilize the Tuition Assistance Program for professional development through funding for college and technical training. In FY18, 45 career employees utilized the Tuition Assistance Program.

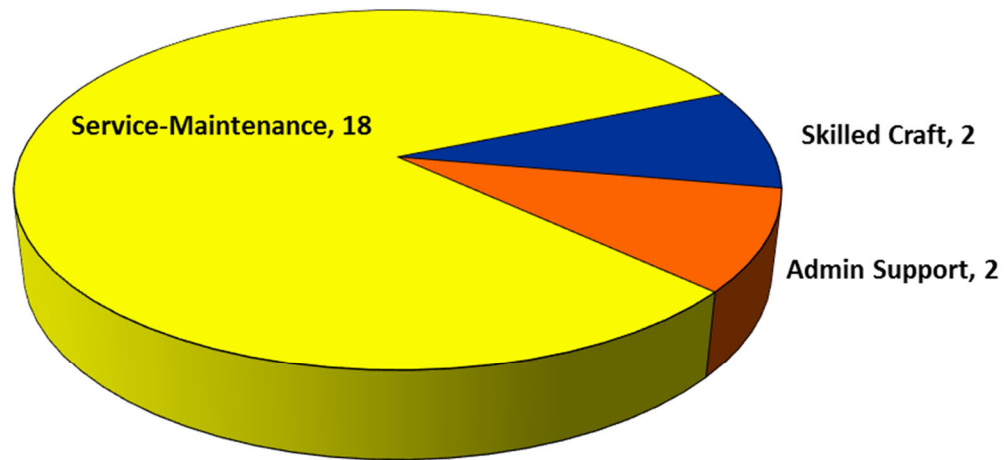
Tuition Assistance Program (TAP) Commission-Wide Participation



FY17 & FY18 analysis based on number of *employees who utilized TAP*, not the number of TAP requests. FY14-FY16 based on number of requests. Many employees submitted requests to utilize TAP twice or more in FY18, on a semester-to-semester basis).

- The Commission offered career employees the opportunity to participate in the Literacy and Language Program which teaches communication and job skills to native and non-native English-speaking employees, therefore advancing professional opportunities. Over 2016-2017, employees completing the program were promoted at a rate of 7%, as compared to the 5.5% promotional rate within the general workforce. In FY18, 22 employees utilized the Literacy and Language Proficiency Program.

Literacy Program Participants by Job Category



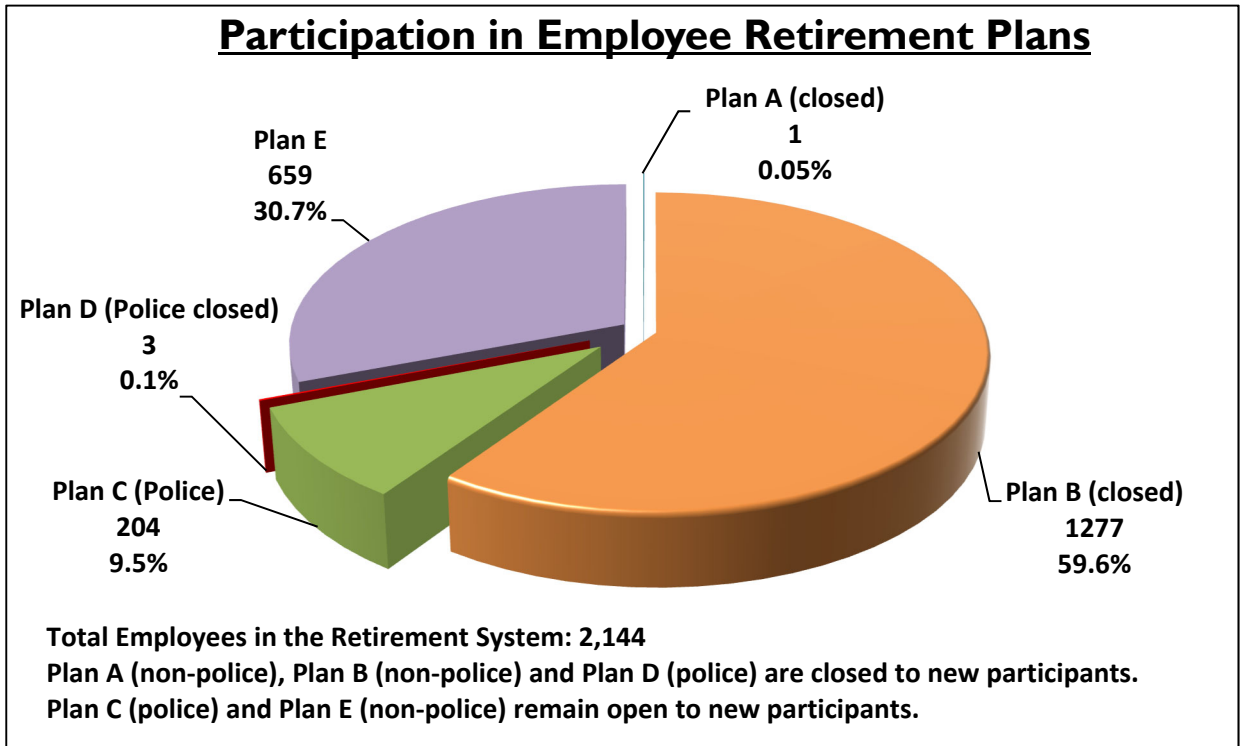
| Department | Number of Participants |
|---|------------------------|
| Montgomery County Parks | 8 |
| Prince George’s County Parks and Recreation | 13 |
| Bi-County Corporate Operations | 1 |
| Total | 22 |

Retirement Benefits – Career

Since 1978, the Commission has offered a pension program to its career workforce. Enrollment is mandatory, and plans are jointly funded through employer and employee contributions. There are five defined benefit plans:

1. Plan A is non-integrated with Social Security and has been closed to new membership since December 31, 1978; less than 1% (.05%), 1 active career employee is in Plan A.
2. Plan B is integrated with Social Security; 59.6% of the workforce, or 1,277 active employees are in Plan B. This plan was closed to new membership on December 31, 2012.

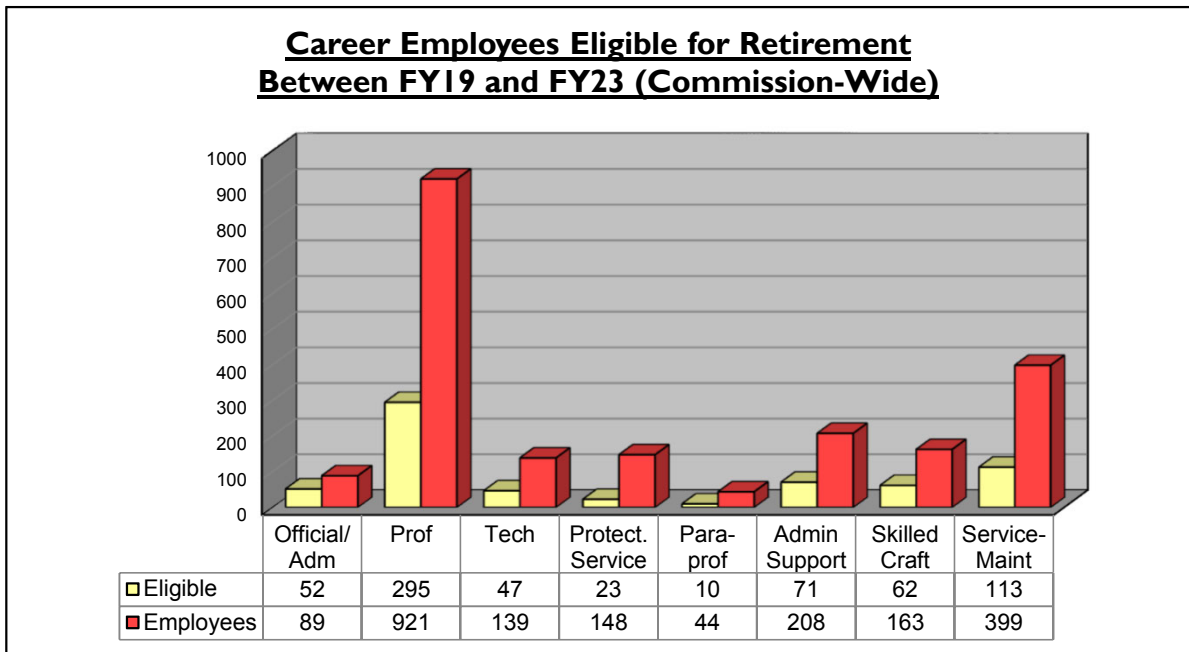
3. Normal retirement for employees in both Plan A and Plan B is age 60 with at least five years of credited service or 30 years of credited service regardless of age.
4. Plans C and D are the retirement plans for the Park Police and account for 9.6% of active employee retirement plan membership. Plan C has 9.5% or 204 members and Plan D has less than 1% (.1%) or 3 members. Plan D was closed to new membership in July 1993.
5. Normal retirement for employees in Plan C is 25 years of credited service, or age 55 with at least five years of service.
6. Normal retirement for employees in Plan D is 22 years of credited service, or age 55 with at least five years of service.
7. Plan E is mandatory for all full-time and part-time Merit System employees (except Park Police), for individuals employed by Employees' Retirement System, Appointed Officials, and employees exempted from the Merit System who are employed or appointed on or after January 1, 2013. Plan E has 30.7% of the career workforce, or 659 members.
8. Normal retirement for employees in Plan E is age 62 with at least 10 years of credited service, or 30 years of credited service regardless of age.
9. Employees are eligible to convert accumulated sick leave into credited service at the time of retirement. Employees may use a maximum of 14 months of sick leave to qualify for early or normal retirement.



*For retirement eligibility statistics see page 22.

Career Employees Eligible for Normal Retirement Between FY19 and FY23

| | FY18 | FY19 | FY20 | FY21 | FY22 | Total |
|---------------------------------|------------|-----------|-----------|-----------|-----------|------------|
| PGC Commissioners' Ofc | 6 | | 1 | 1 | | 8 |
| PGC Parks and Recreation | 184 | 26 | 21 | 30 | 46 | 307 |
| PGC Planning | 38 | 6 | 3 | 3 | 2 | 52 |
| PGC Sub Total | 228 | 32 | 25 | 34 | 48 | 367 |
| CAS | 34 | 4 | 4 | 2 | 3 | 47 |
| MC Commissioners' Ofc | 3 | | | | | 3 |
| MC Parks | 127 | 23 | 20 | 19 | 22 | 211 |
| MC Planning | 32 | | 5 | 3 | 5 | 45 |
| MC Sub Total | 162 | 23 | 25 | 22 | 27 | 259 |
| Commission Total | 424 | 59 | 54 | 58 | 78 | 673 |



FY19 through FY23, 673 out of 2,111 (31.9%) of current employees will reach normal retirement eligibility. This is an average of 135 employees for each of those years. Based on the current number of employees, by EEO category, this represents:

- 58.4% of the Official/Administrator category
- 32.0% of the Professional category
- 33.8% of the Technician category
- 15.5% of the Protective Service category
- 22.7% of the Paraprofessional category
- 34.1% of the Administrative Support category
- 38.0% of the Skilled Craft category
- 28.3% of the Service-Maintenance category

(Excludes Commissioners and employees in Long Term Disability status.)

Turnover – Career

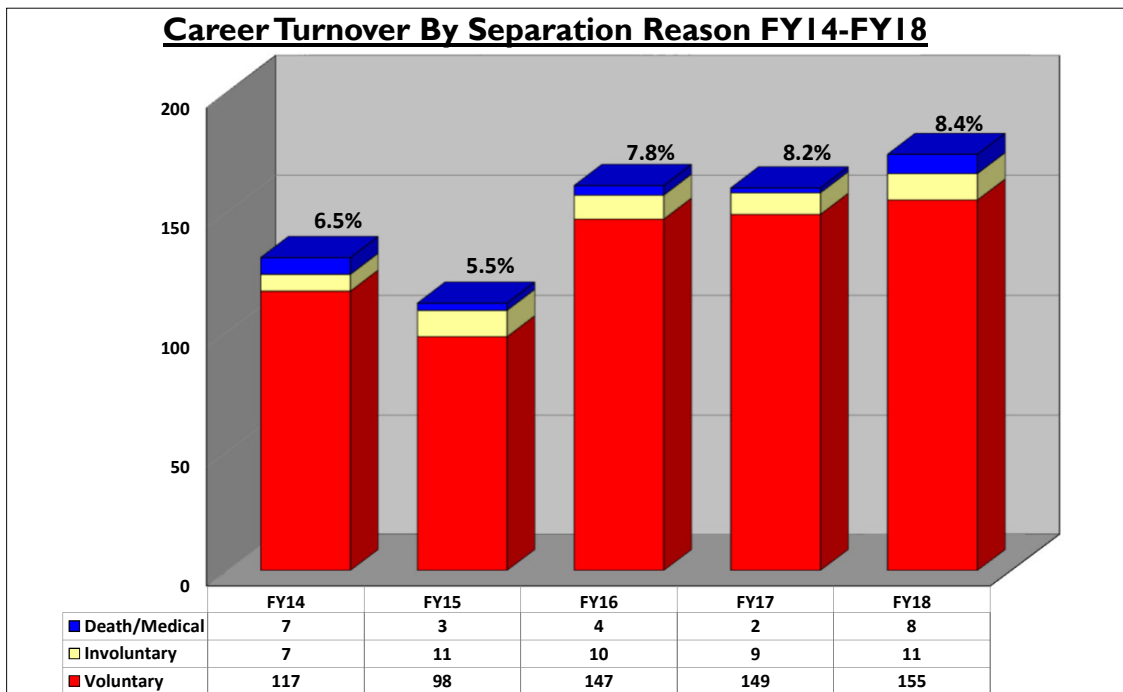
- Turnover rate in FY18 was 8.4% or 177 employees. The average turnover rate for the past five fiscal years (FY14 – FY18) is 7.3%.
- In FY18, 61% of employees who separated employment were male and 39% were female.
- In FY18, the composition of separating employees was:
 - 55.4% White (Not Hispanic or Latino)
 - 39.0% Black of African American
 - 2.3% Asian
 - 2.8% Hispanic or Latino
 - 0.6% American Indian or Alaska Native
- Of the 177 separated employees, the highest turnover percentage occurred in the Officials/ Administrative job category, with a turnover of 12.4% (11 separations of 89 total). The Skilled Craft job category had the second highest turnover, 10.4% (17 separations out of 163 total), followed by a Service-Maintenance job category, with turnover of 9.3% (37 out of 399 total), and then the Professional job category turnover of 8.7% (80 out of 921 total).
- In FY18, the three primary reasons for separations were normal retirement, a new job, and personal reasons.

*For separations statistics see page 24.

Number of Separations by Reason and Fiscal Year

| | | FY14 | FY15 | FY16 | FY17 | FY18 |
|--------------------------|-------------------------------|-------------|-------------|-------------|-------------|-------------|
| Voluntary | New Job | 31 | 21 | 45 | 41 | 41 |
| | Relocation | 5 | 3 | 11 | 7 | 3 |
| | Personal Reasons | 32 | 21 | 21 | 24 | 24 |
| | Return to School | 1 | 1 | 0 | 2 | 1 |
| | Early Retirement | 1 | 2 | 0 | 7 | 9 |
| | Normal Retirement | 45 | *48 | 67 | 67 | 74 |
| | Quit Without Notice (No Show) | 1 | 0 | 1 | 1 | 2 |
| | Other | 1 | 3 | 2 | 0 | 1 |
| Involuntary | Violation of Rules | 6 | 4 | 7 | 7 | 6 |
| | Unsatisfactory Performance | 5 | 5 | 2 | 4 | 10 |
| | Reduction in Force (RIF) | 0 | 0 | 0 | 0 | 0 |
| | Dismissal/Job Abandonment | 0 | 1 | 0 | 0 | 2 |
| Other | Death | 3 | 2 | 2 | 3 | 3 |
| | Not Specified | 0 | 1 | 0 | 0 | 0 |
| | Disability Medical | 0 | 0 | 0 | 0 | 0 |
| | Resign Medical | 0 | 0 | 0 | 5 | 1 |
| Total Separations | | 131 | 112 | 158 | 168 | 177 |
| Turnover Rate | | 6.5% | 5.5% | 7.8% | 8.2% | 8.4% |

*This data represents employees who completed an exit interview.



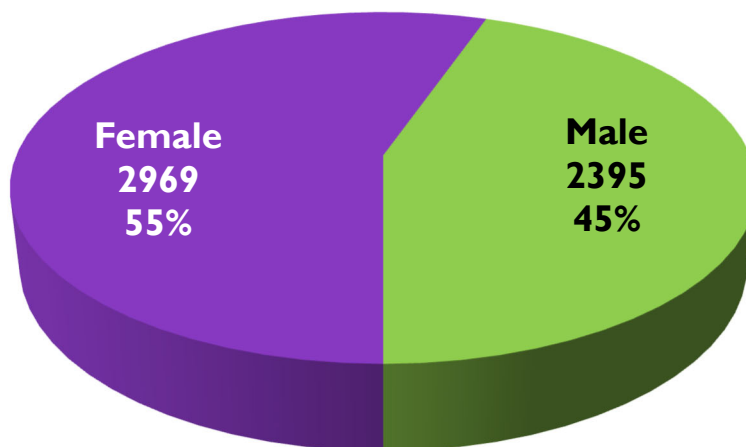
Non-Permanent (Seasonal/Intermittent, Temporary, and Term Contract) Workforce Composition, Demographics, & Benefits

- In FY18, the non-career workforce totaled 5,364 employees (as of 6/30/2018). Of this number, 99% (5,319) were Seasonal/Intermittent Contract, .7% were Term Contract (37), and .1% (8) were Temporary Contract.
- Of non-permanent/seasonal employees, 90.0% worked in Prince George’s County Department of Parks and Recreation and 9.4% worked in Montgomery County Department of Parks.

| Non-Permanent/Seasonal Employee Distribution by Department | | |
|---|-------------|---------------|
| Bi-County Corporate Operations | 10 | 0.2% |
| Montgomery County Commissioners' Office | 1 | 0.0% |
| Montgomery County Planning | 8 | 0.1% |
| Montgomery County Parks | 504 | 9.4% |
| Prince George's County Commissioners' Office | 1 | 0.0% |
| Prince George's County Planning | 11 | 0.2% |
| Prince George's County Parks and Recreation | 4829 | 90.0% |
| M-NCPPC Non-Permanent/Seasonal Employees Total | 5364 | 100.0% |

- The gender composition of non-career employees in FY18 was 55% female and 45% male.

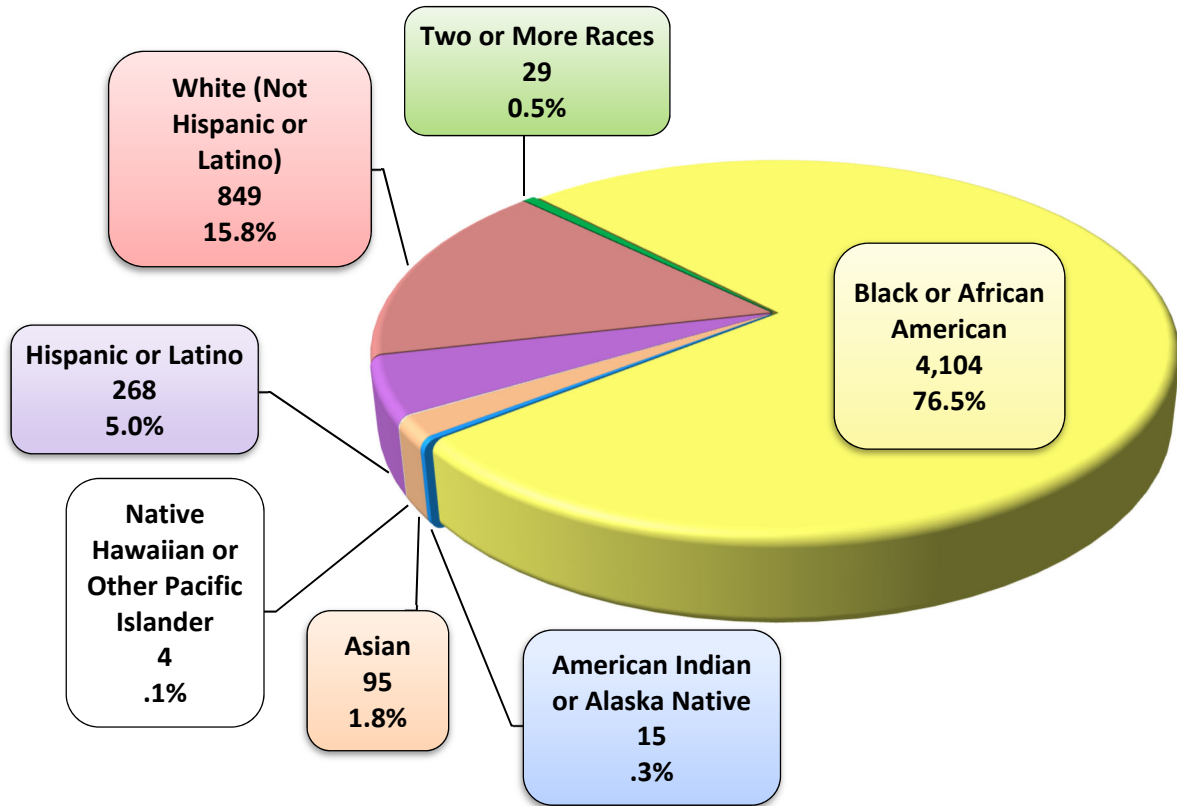
Non-Permanent/Seasonal Employees by Gender



Total Non-Permanent/Seasonal Employees: 5,364

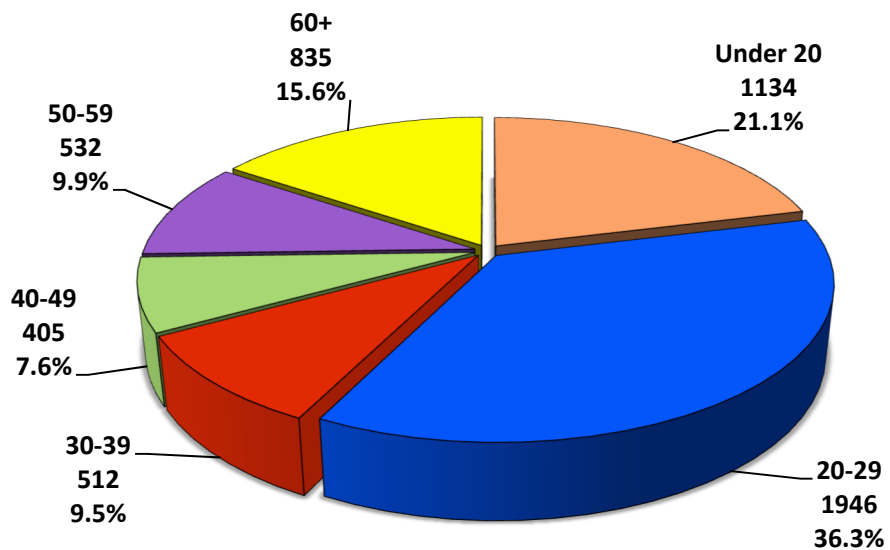
- In FY18, the racial/ethnic composition of non-career employees was as follows:

Non-Permanent/Seasonal Employees by EE0-4 Race/Ethnic Identification



Total Non-Permanent/Seasonal Employees: 5,364

Distribution of Non-Permanent/Seasonal Employees by Age



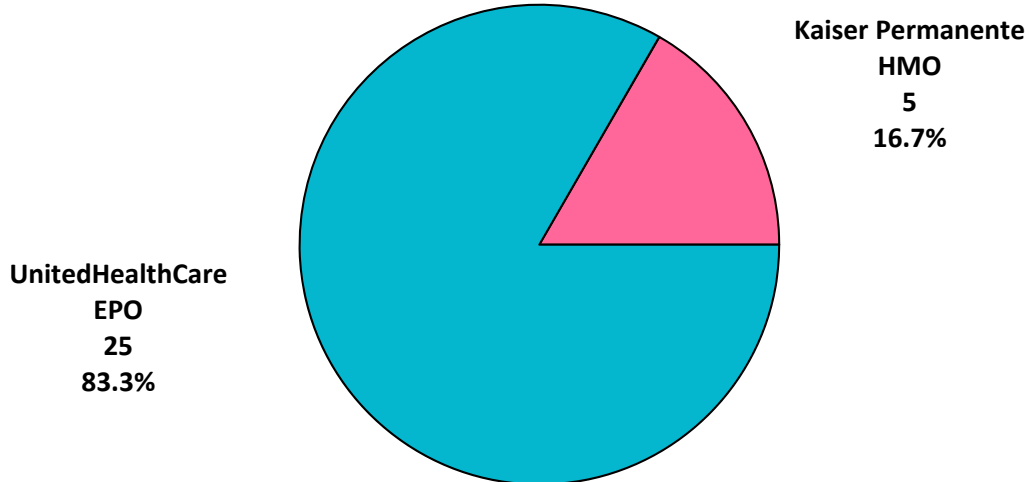
Average Age : 35 years old
Total Non-Permanent/Seasonal Employees: 5,364

- **Seasonal/Intermittent** Employees are eligible for:
 - FMLA (subject to meeting minimum service and work-hour requirements)
 - Leave without pay
 - Direct Deposit
 - Medical health benefits as long as they meet the requirements for the Affordable Care Act as they apply to M-NCPPC and the employee works, on average, a minimum of 30 hours per week over the course of a twelve (12) month period as defined by the Affordable Care Act.
 - In FY18, the passage of the Maryland Healthy Working Families Act employees who work at least 24 hours, per bi-weekly pay period, are eligible to earn up to 40 hours of sick leave each calendar year.
 - Seasonal/Intermittent employees are eligible for medical health benefits as long as they meet the requirements for the Affordable Care Act as they apply to M-NCPPC and the employee works, on average, a minimum of 30 hours per week over the course of a twelve (12) month period as defined by the Affordable Care Act.

- **Term Contract** Employees are eligible for:
 - Leave Benefits: Up to 2 weeks of paid generic leave, Paid holiday leave, Administrative leave, Holiday pay when working a holiday, FMLA (subject to meeting minimum service and work-hour requirements) and Leave without pay.
 - General Benefits: Direct deposit, Membership in Credit Union, Deferred Compensation Plan and workers' compensation benefits.
 - Medical Benefits: Medical Health Insurance, prescription plan, flexible spending accounts, and retirement programs including traditional and Roth IRA.
 - Term Contract Employees are eligible at time of hire for medical health insurance, prescription plan, flexible spending accounts, and retirement programs including Traditional and Roth IRA, Deferred Compensation IRC 457, flexible spending accounts

- **Temporary** Employees are eligible for:
 - FMLA (subject to meeting minimum service and work-hour requirements)
 - Leave without pay
 - Direct Deposit
 - In FY18, the passage of the Maryland Healthy Working Families Act employees who work at least 24 hours, per bi-weekly pay period, are eligible to earn up to 40 hours of sick leave each calendar year.
 - Temporary employees are not eligible for health benefits

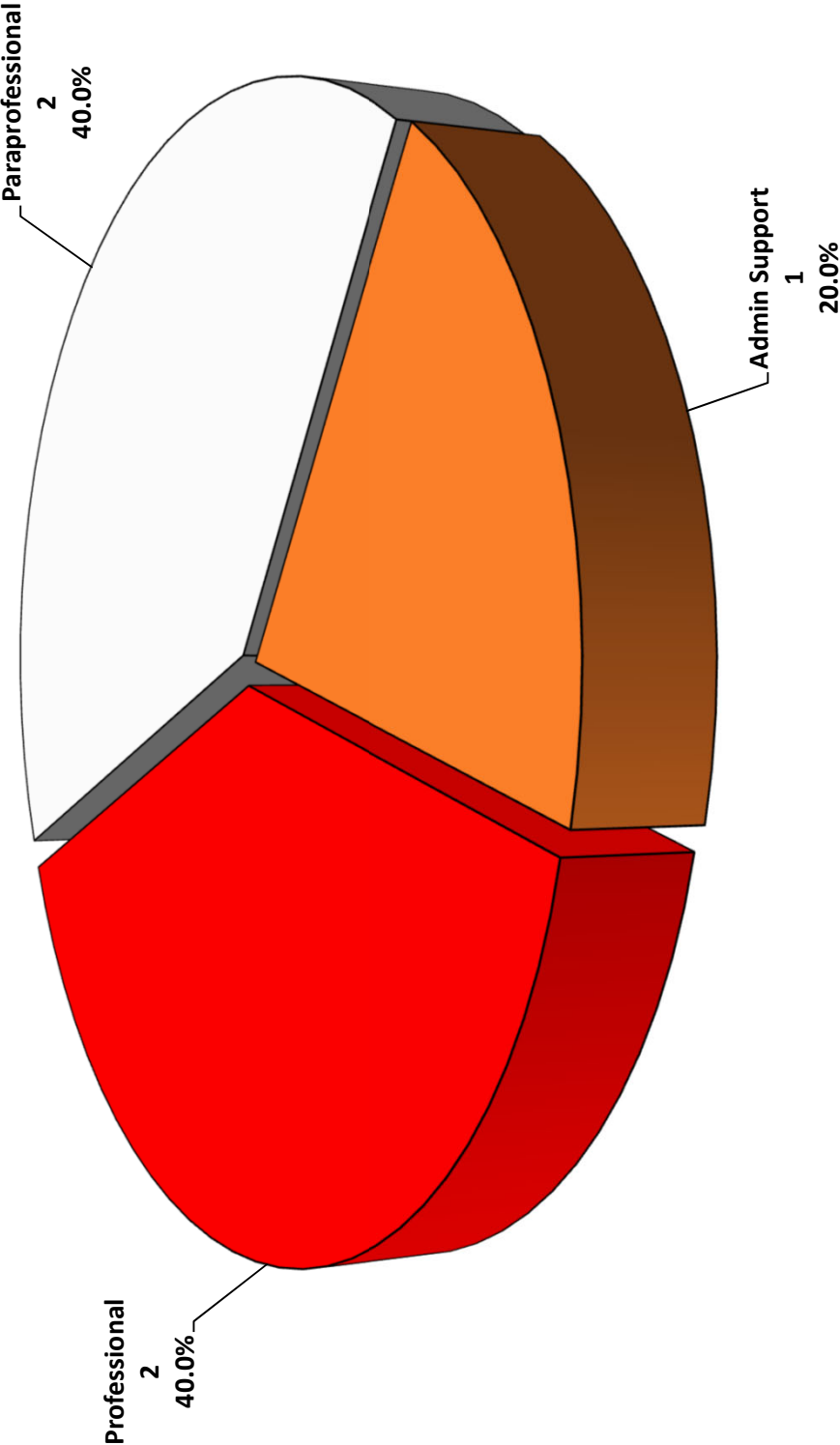
Non-Permanent/Seasonal Employee Medical Health Plan Participation



Total Number of Non-Permanent/Seasonal Medical Health Plan Participants:
30 (.56% of all Non-Permanent/Seasonal Employees)
19 Term Contract Medical Health Plan Participants
11 Seasonal/Intermittent Medical Health Plan Participants

Note: In FY18 the passage of the Maryland Health Working Families Act made up to 40 hours of sick leave benefits available to Seasonal/Intermittent and Temporary Contract employees who work at least 24 hours in a bi-weekly pay period.

Career Employees by EEO-4 Job Category: Montgomery County Commissioner's Office



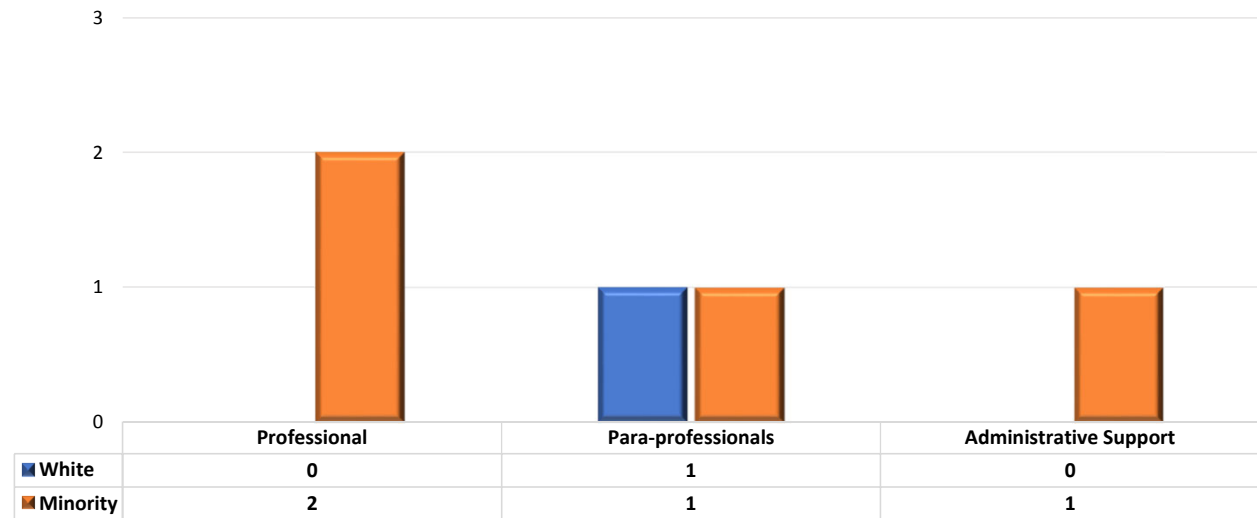
Total Employees = 5

Distribution by EEO-4 Job Category and Gender



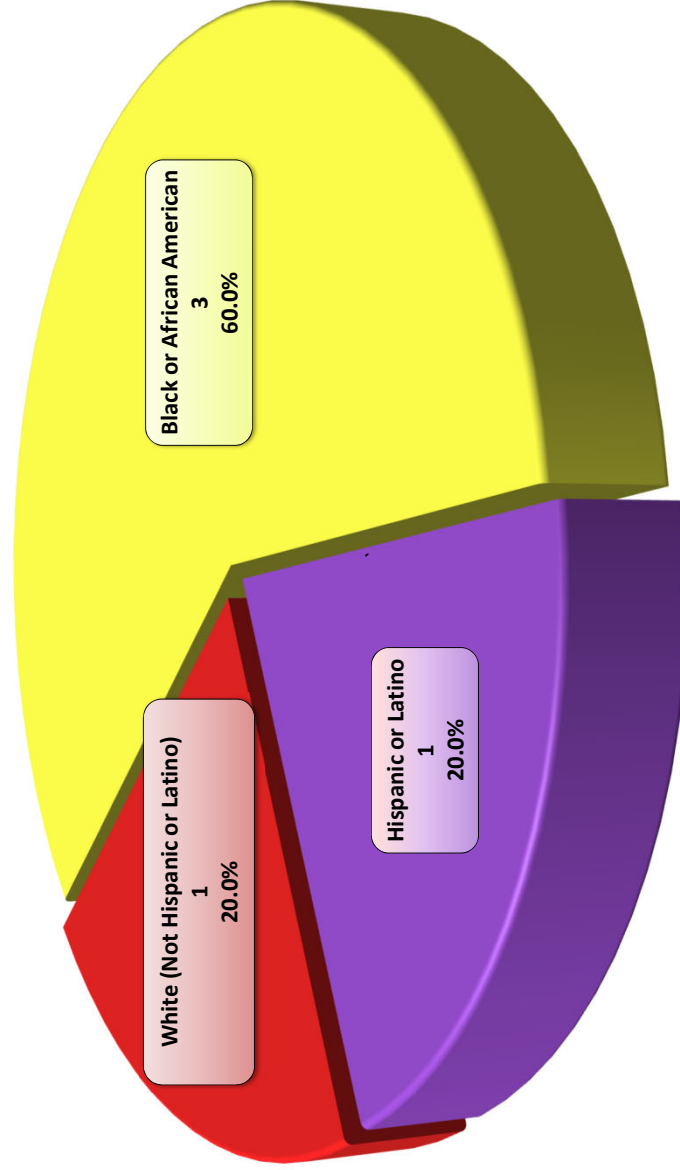
Total MCCO Employees: 5

Distribution by EEO-4 Job Category and Race/Ethnicity



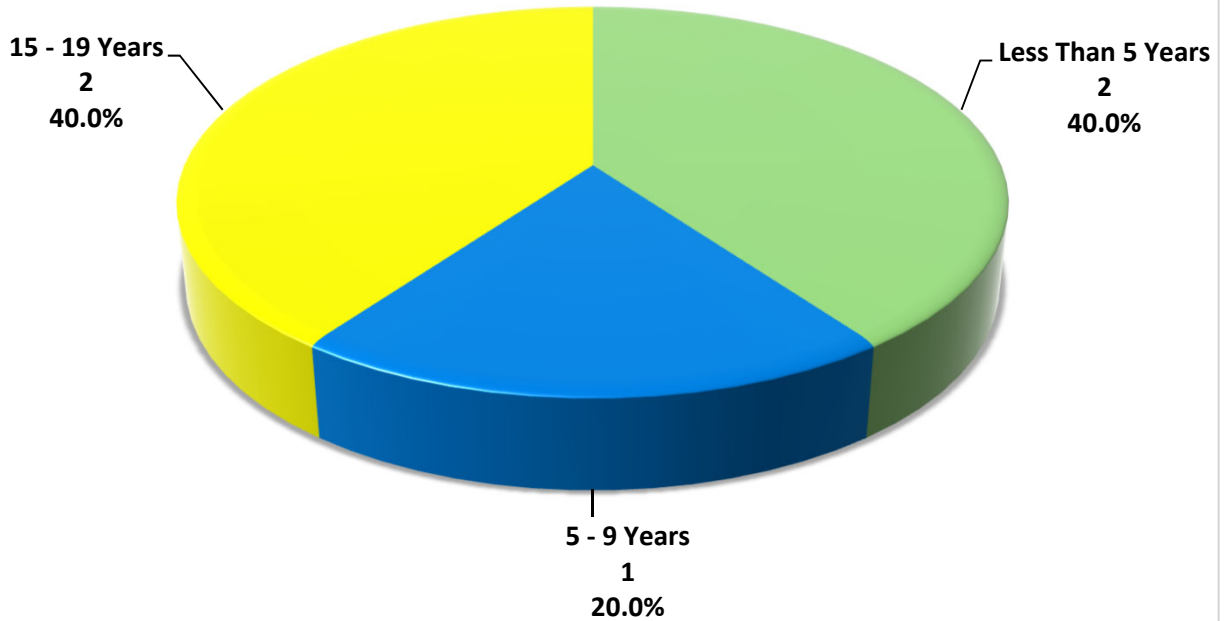
Total MCCO Employees: 5

**EE0-4 Race/Ethnic Identification, Career Employees
Montgomery County Commissioners' Office**



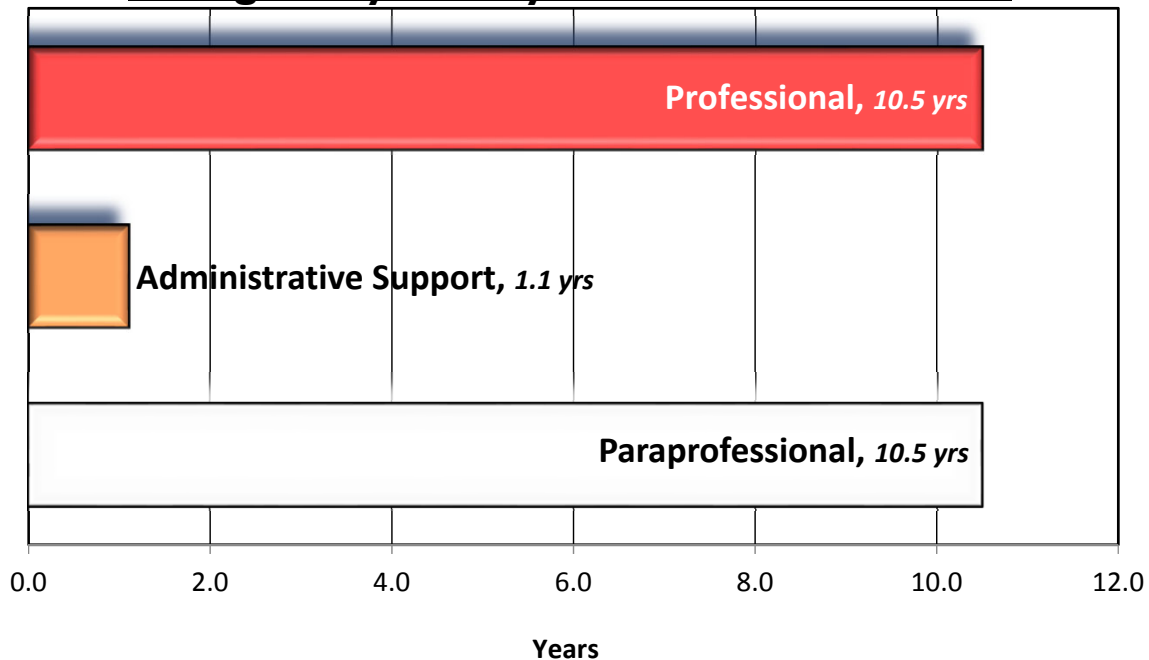
Total Career Employees: 5

Length of Service for Career Employees: Montgomery County Commissioners' Office



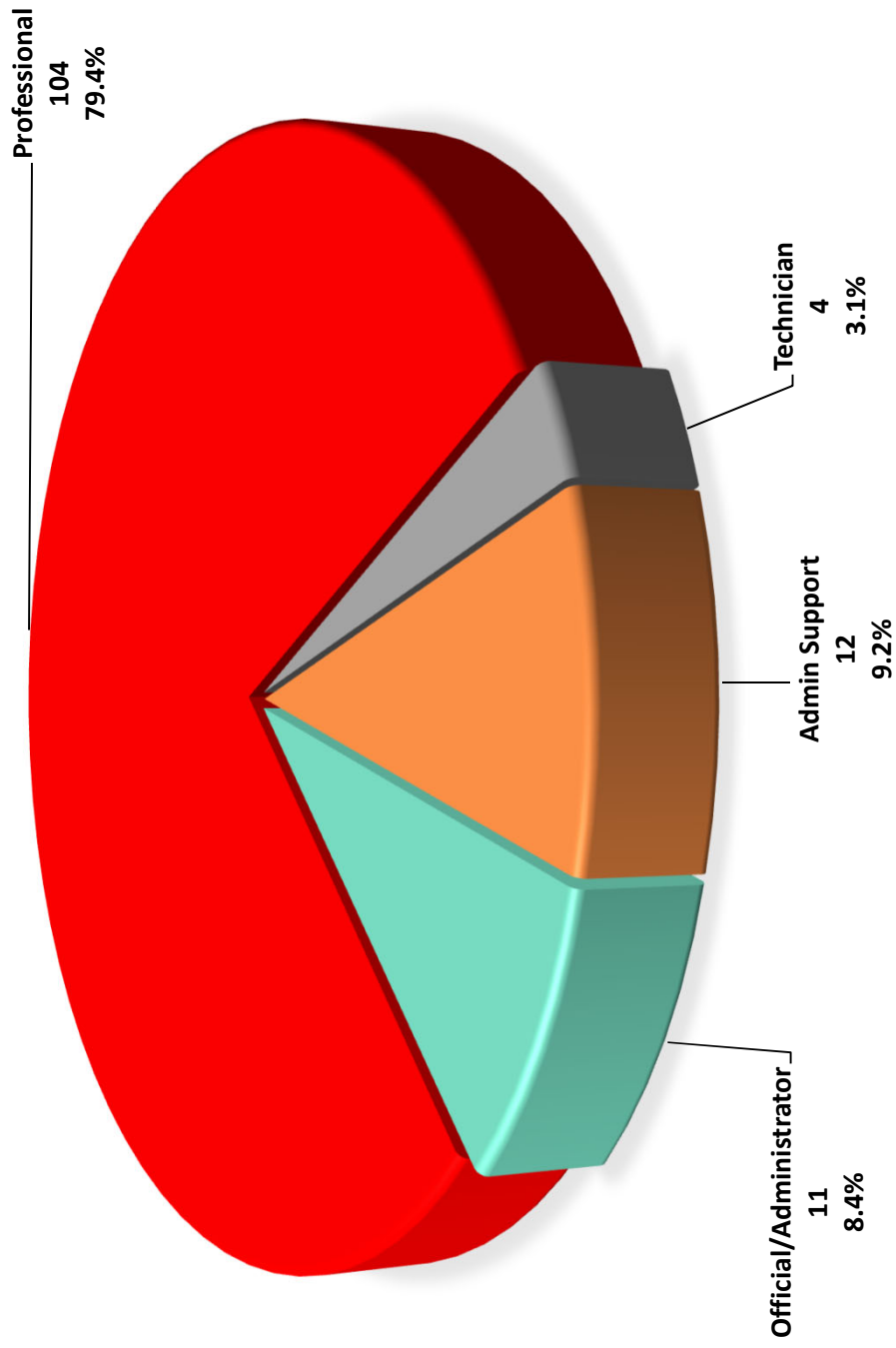
Total MCCO Employees: 5

Average Length of Service by EEO-4 Job Category: Montgomery County Commissioners' Office



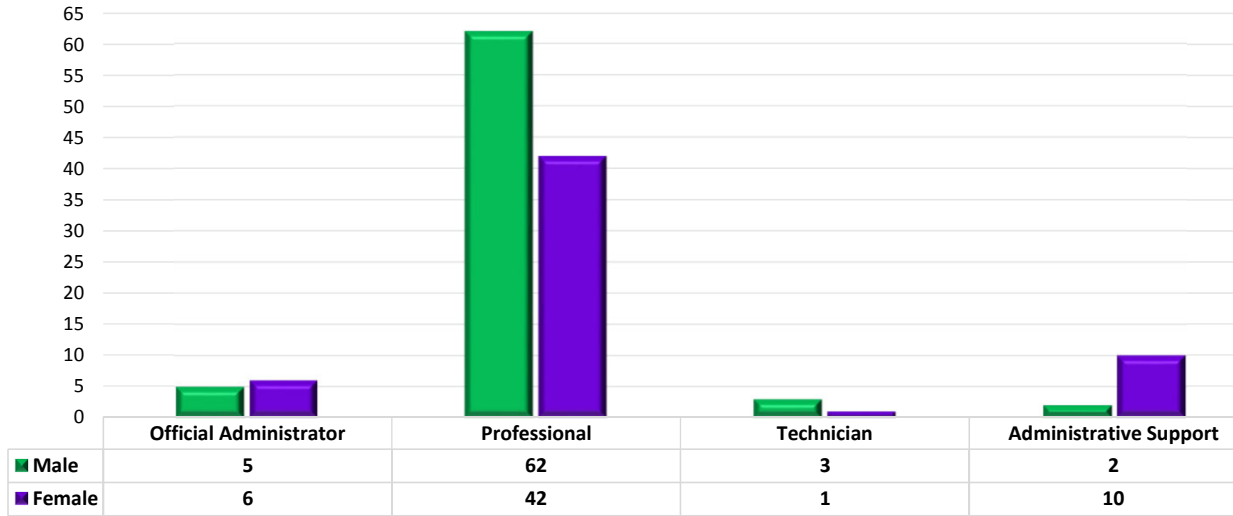
Average Length of Service for Employees: 8.6 Years

Career Employees by EEO-4 Job Category: Montgomery County Planning



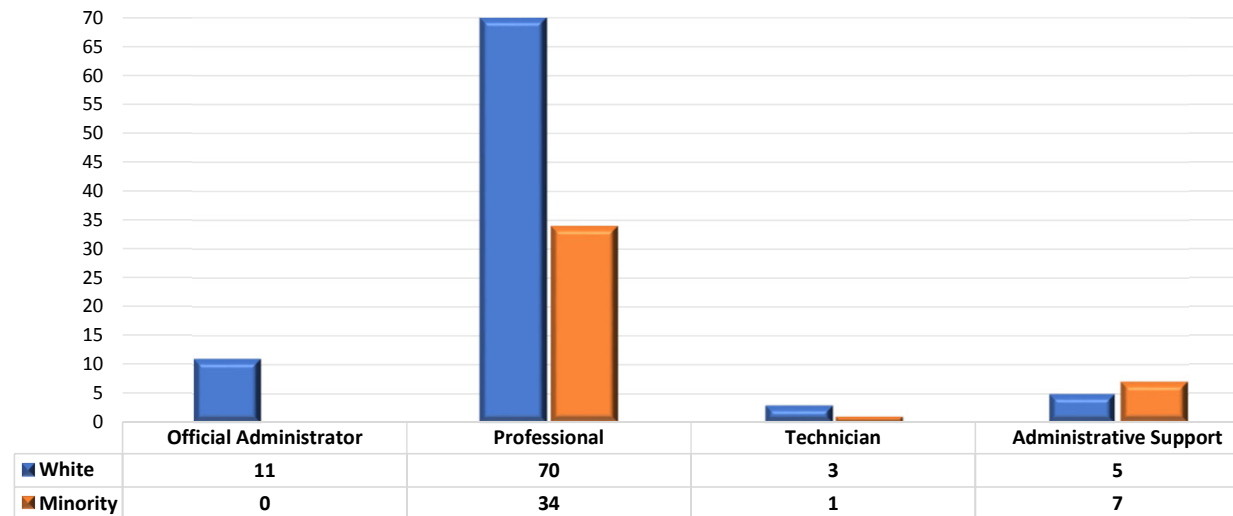
Total Employees = 131

Distribution by EEO-4 Job Category and Gender



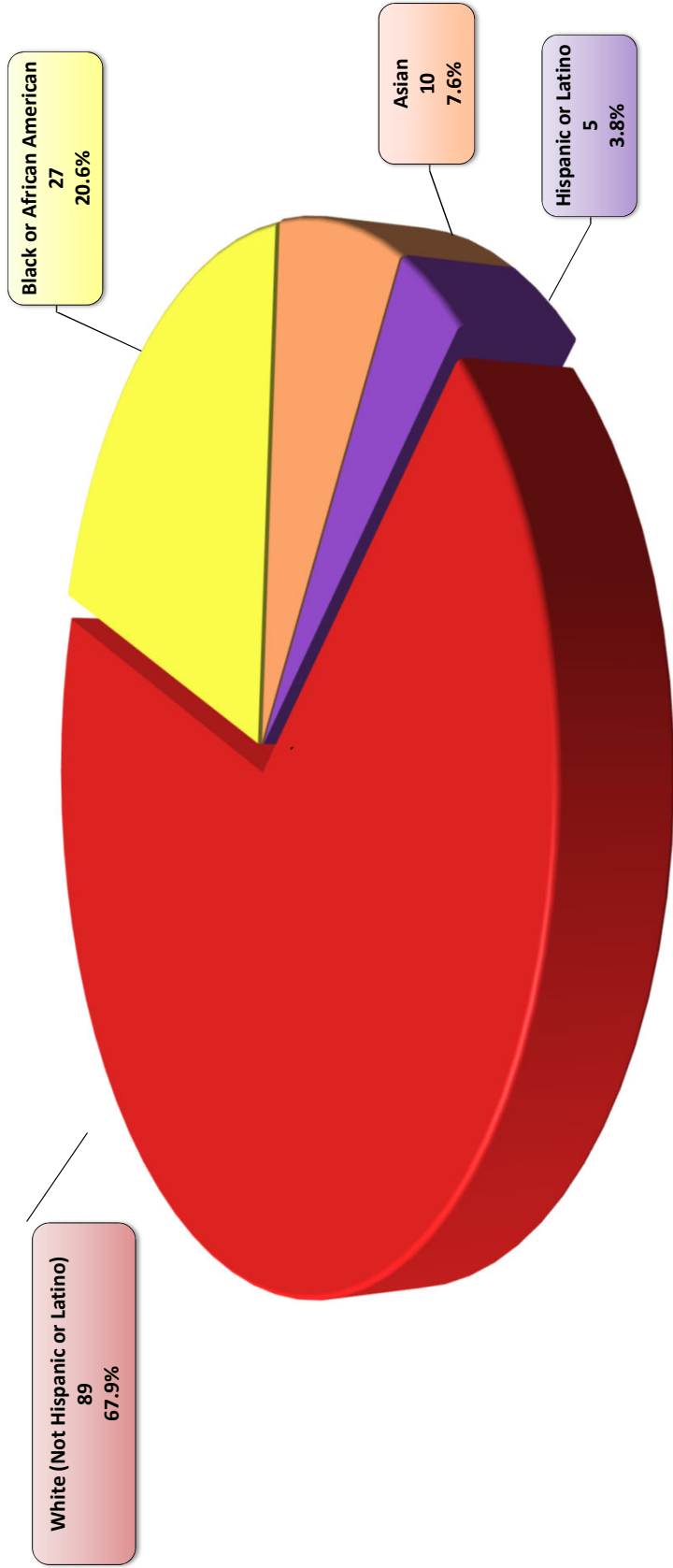
Total MCPL Employees: 131

Distribution by EEO-4 Job Category and Race/Ethnicity



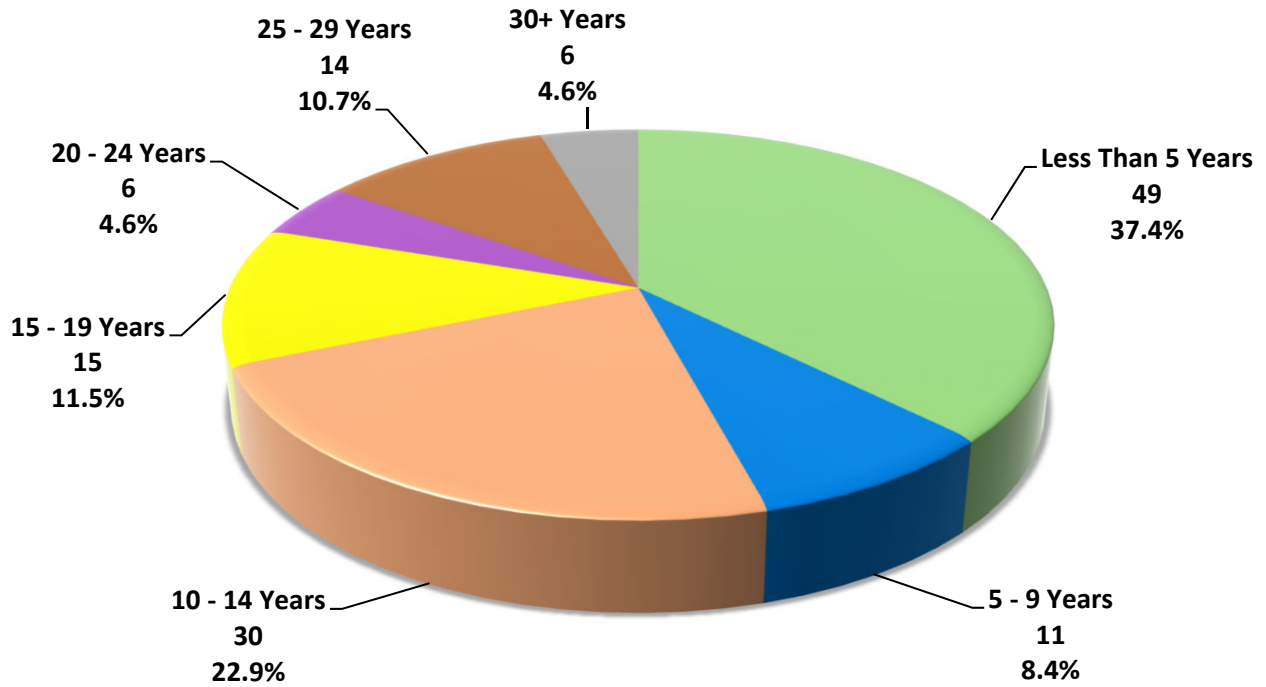
Total MCPL Employees: 131

EE0-4 Race/Ethnic Identification, Career Employees Montgomery County Planning



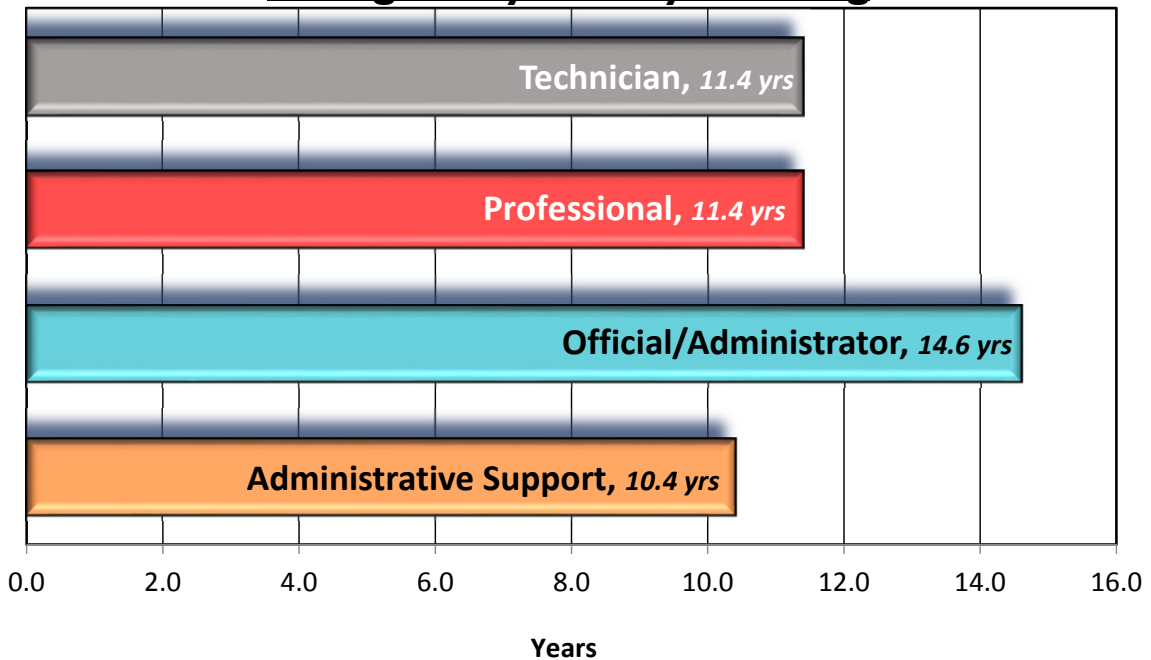
Total Career Employees: 131

Length of Service for Career Employees: Montgomery County Planning



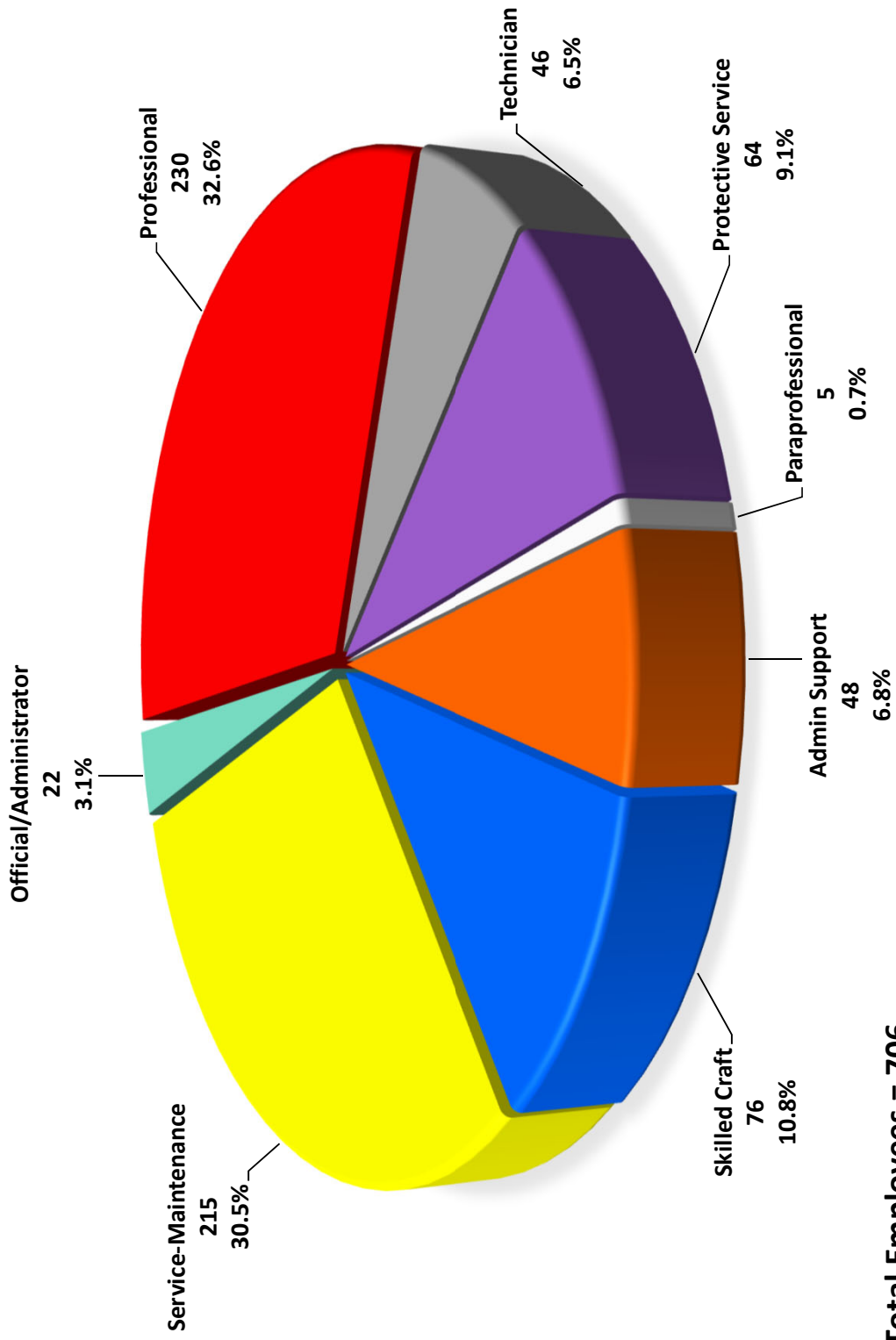
Total MCPL Employees: 131

Average Length of Service by EEO-4 Job Category: Montgomery County Planning



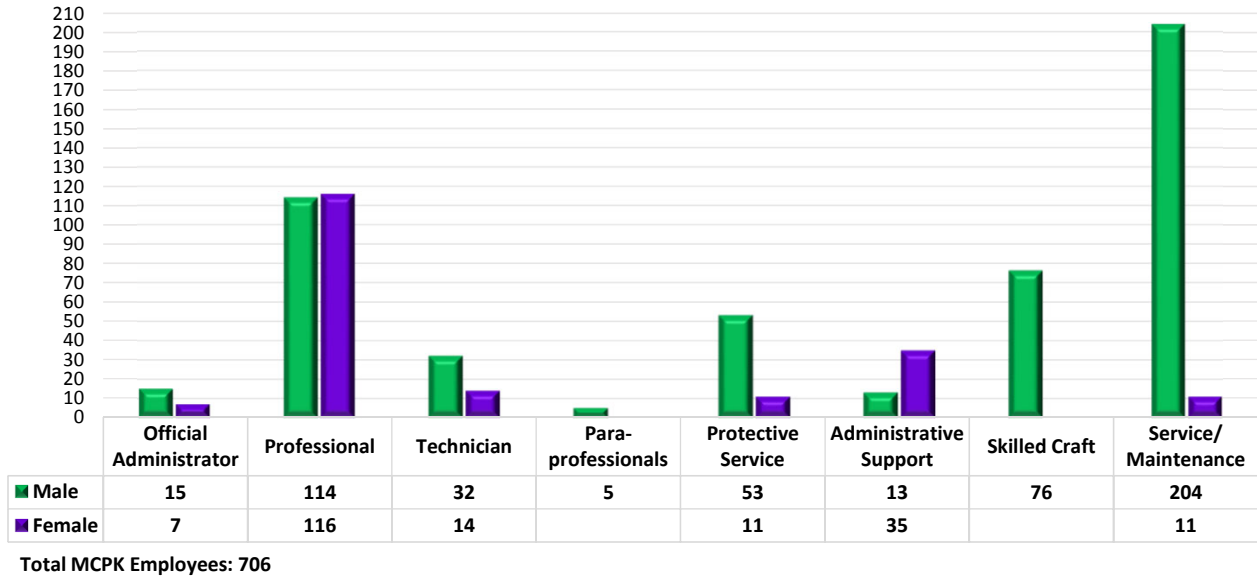
Average Length of Service for Employees: 11.6 Years

Career Employees by EEO-4 Job Category: Montgomery County Parks

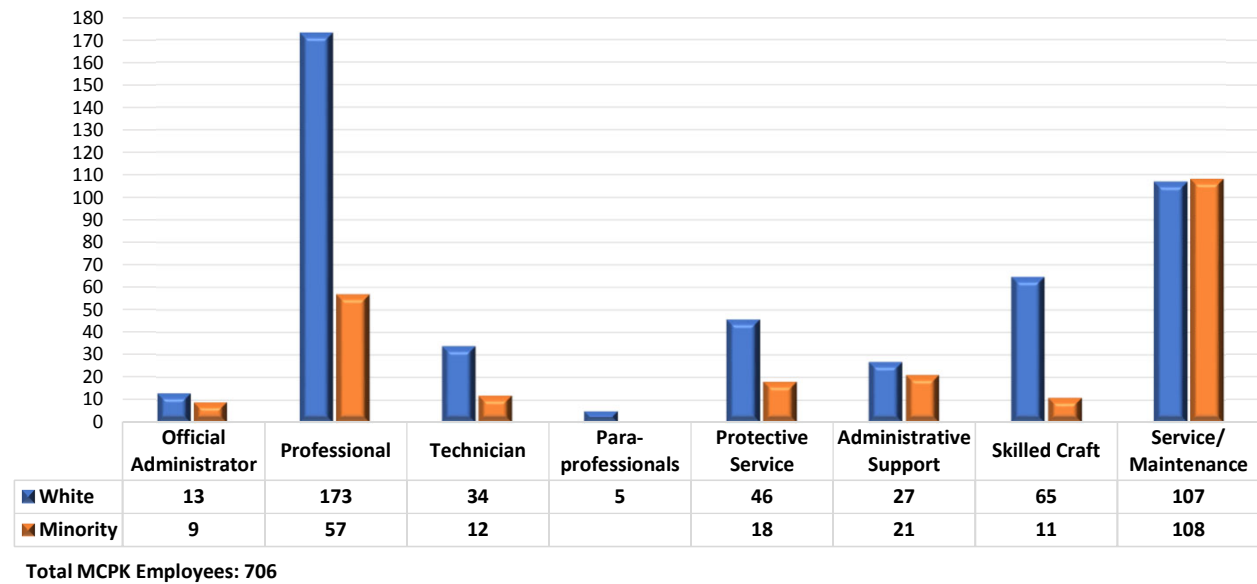


Total Employees = 706

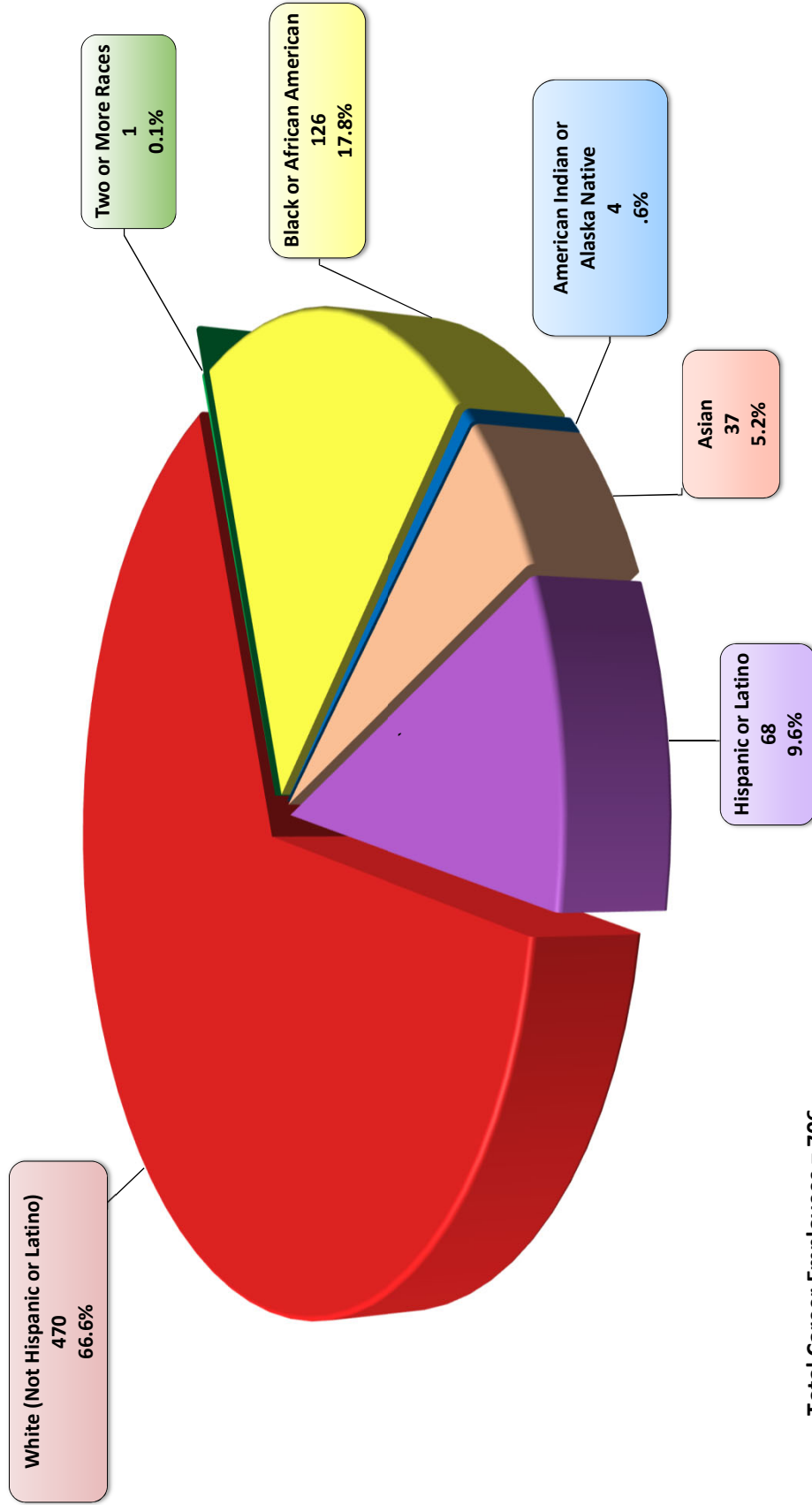
Distribution by EEO-4 Job Category and Gender



Distribution by EEO-4 Job Category and Race/Ethnicity

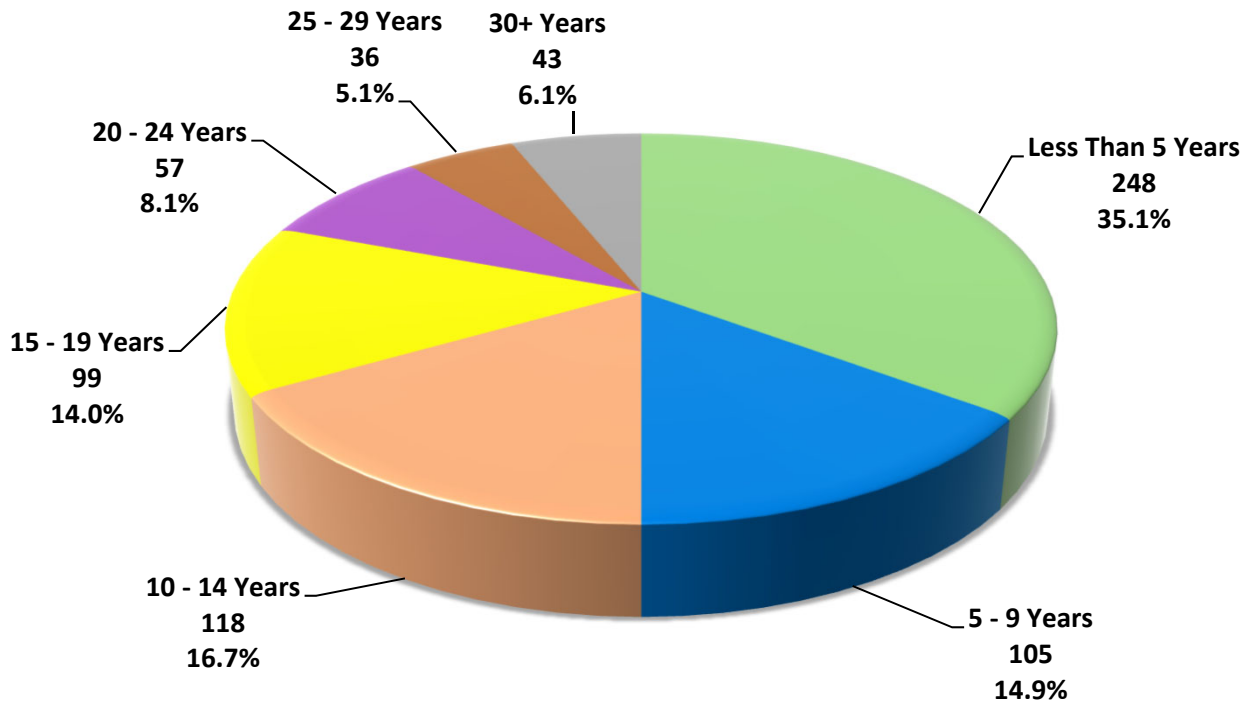


EE0-4 Race/Ethnic Identification, Career Employees Montgomery County Parks



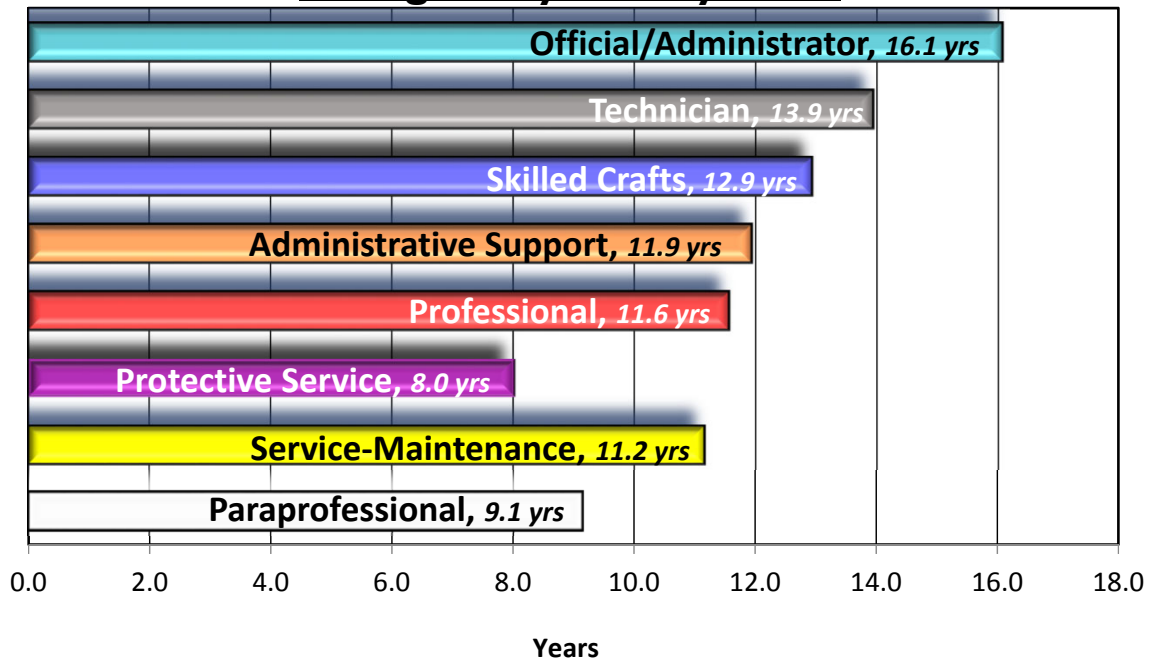
Total Career Employees = 706

Length of Service for Career Employees: Montgomery County Parks



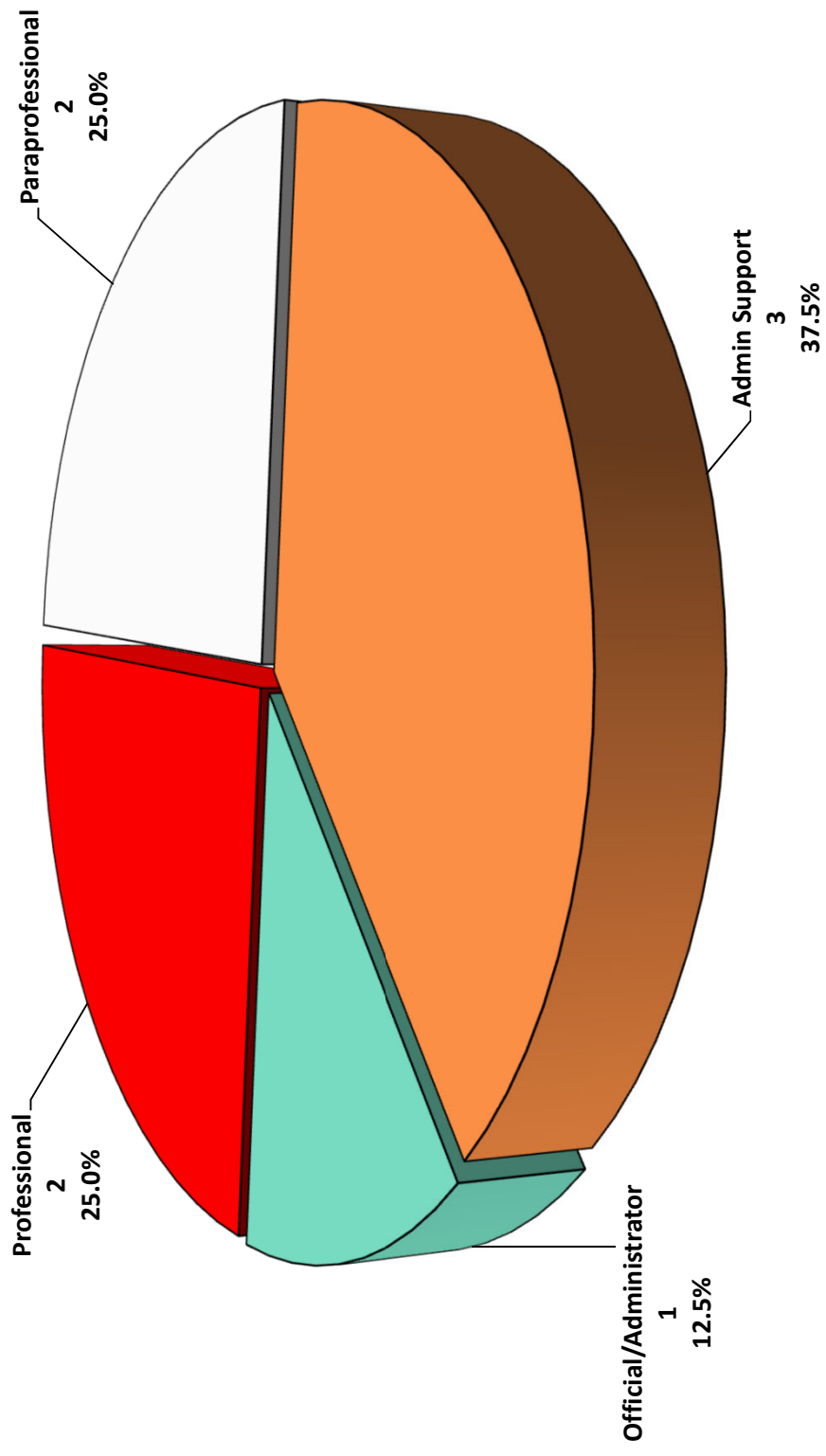
Total MCPK Employees: 706

Average Length of Service by EEO-4 Job Category: Montgomery County Parks



Average Length of Service for Employees: 11.6 Years

Career Employees by EEO-4 Job Category: Prince George's County Commissioner's Office



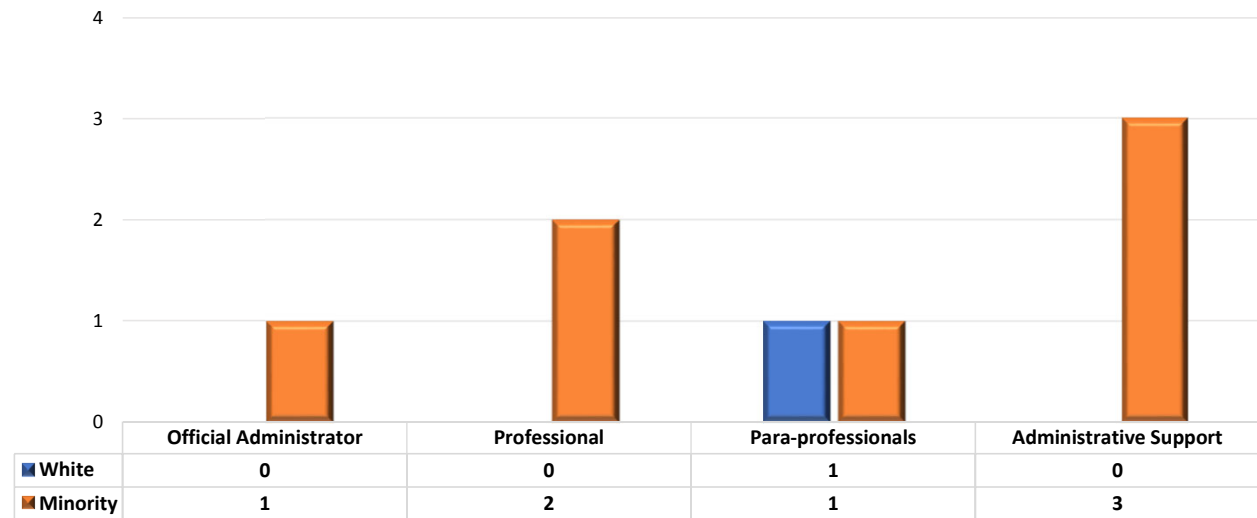
Total Employees = 8

Distribution by EEO-4 Job Category and Gender



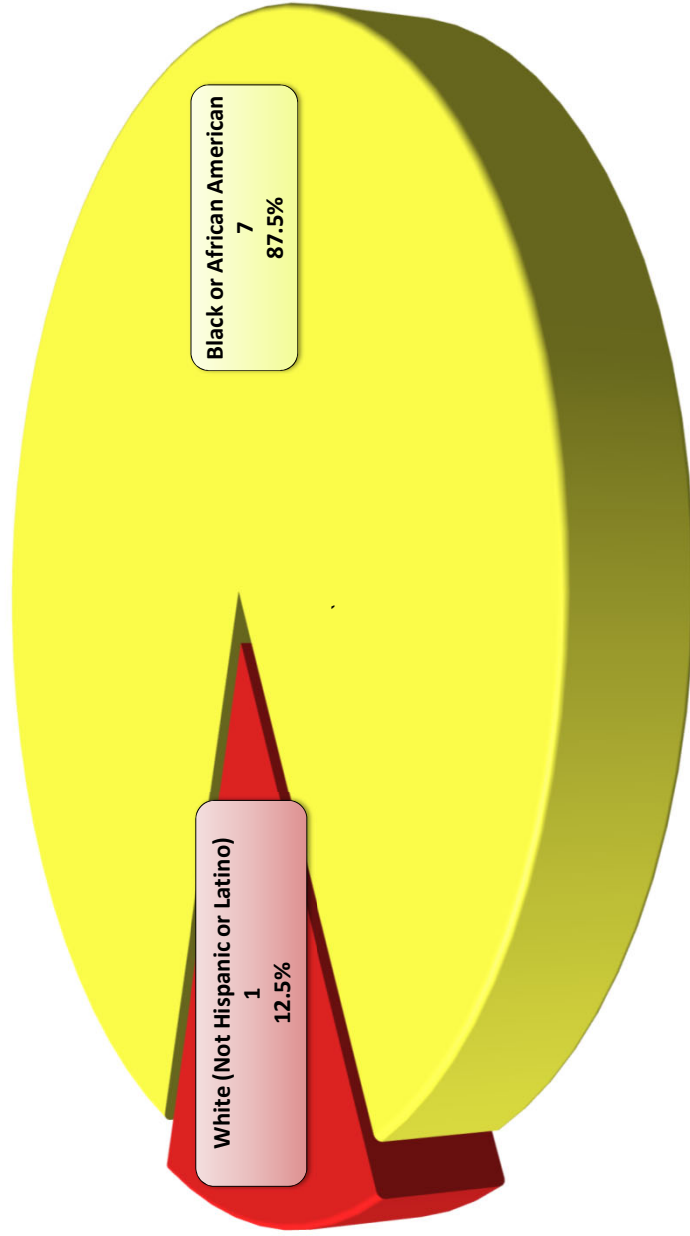
Total PGCCO Employees: 8

Distribution by EEO-4 Job Category and Race/Ethnicity



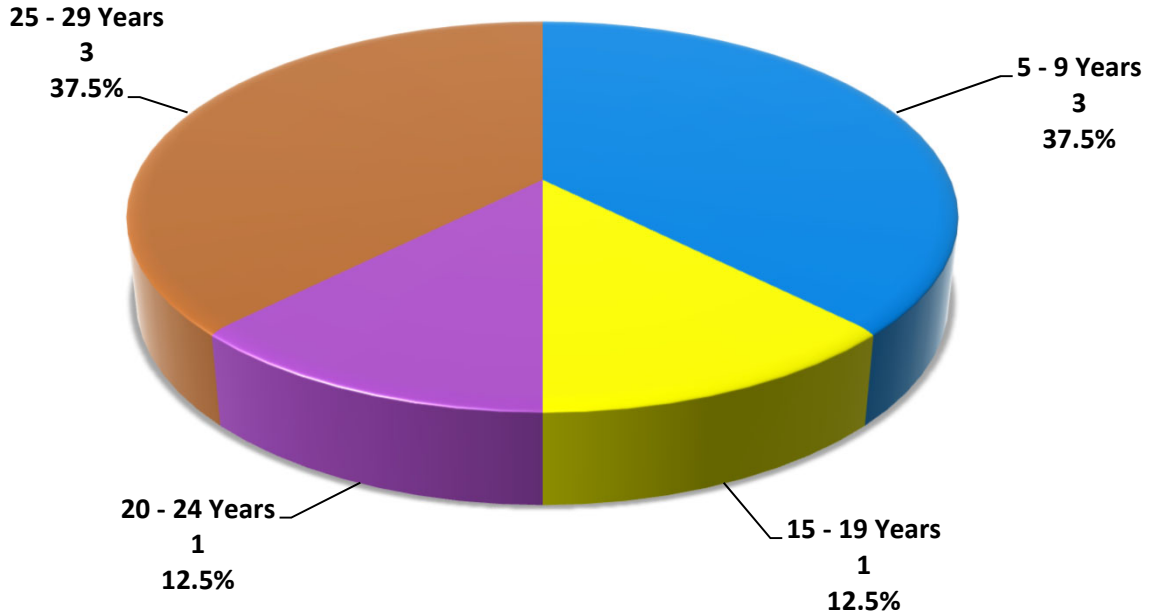
Total PGCCO Employees: 8

EE0-4 Race/Ethnic Identification, Career Employees
Prince George's County Commissioners' Office



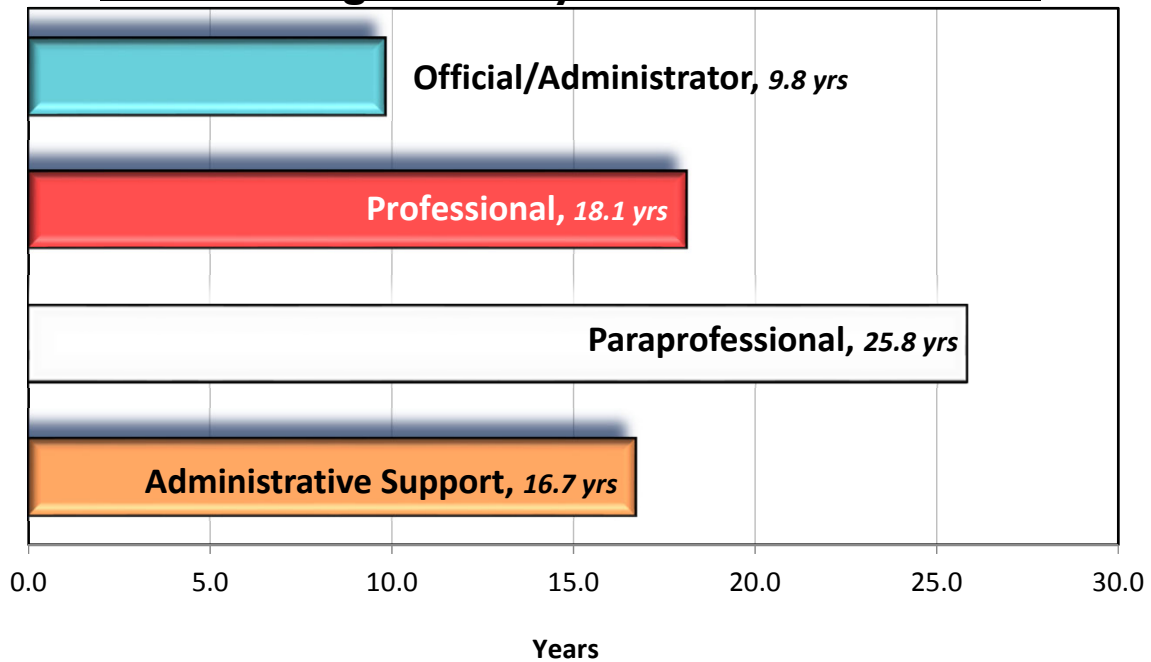
Total Career Employees: 8

Length of Service for Career Employees: Prince George's County Commissioners' Office



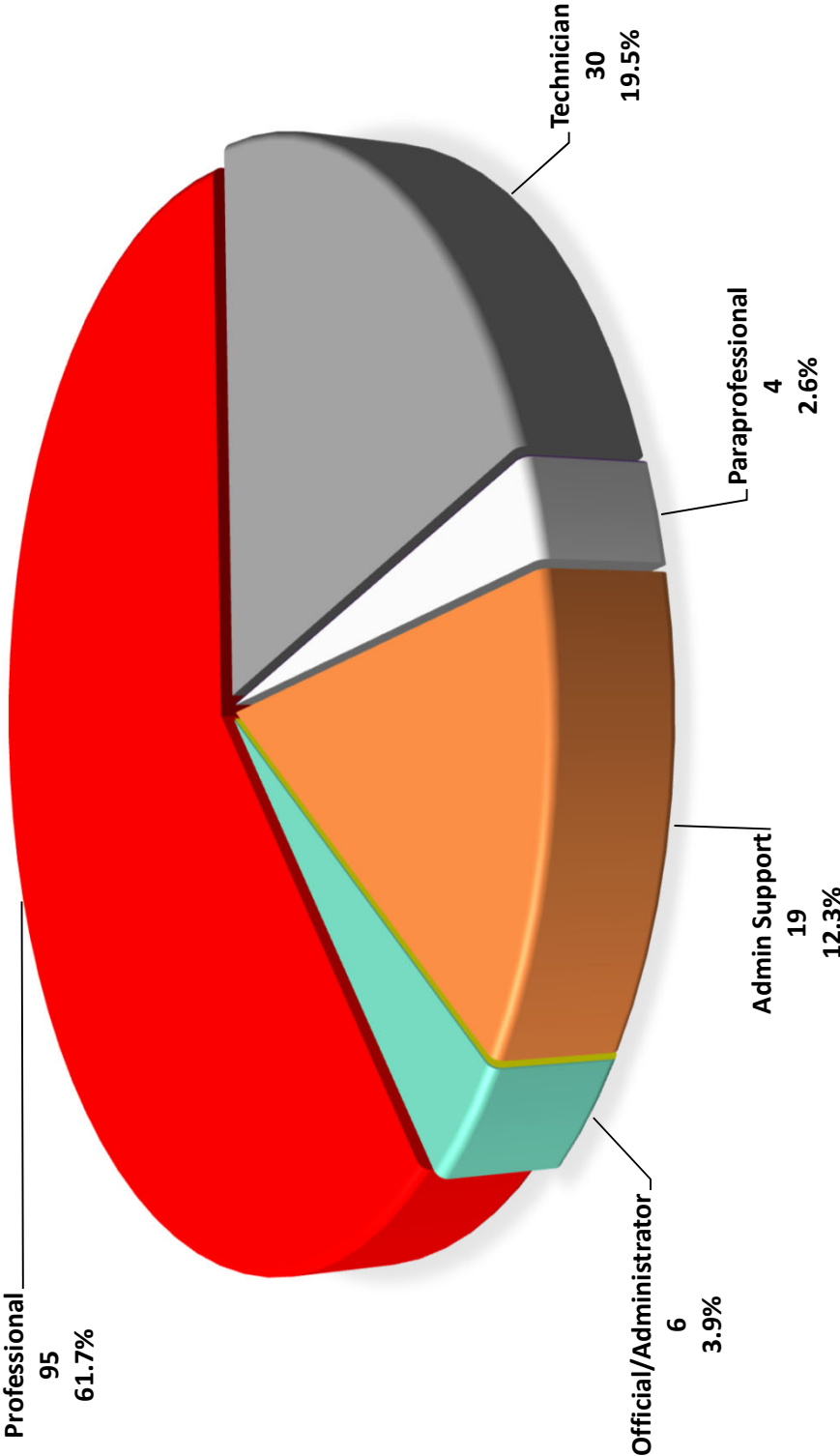
Total PGCCO Employees: 8

Average Length of Service by EEO-4 Job Category: Prince George's County Commissioners' Office



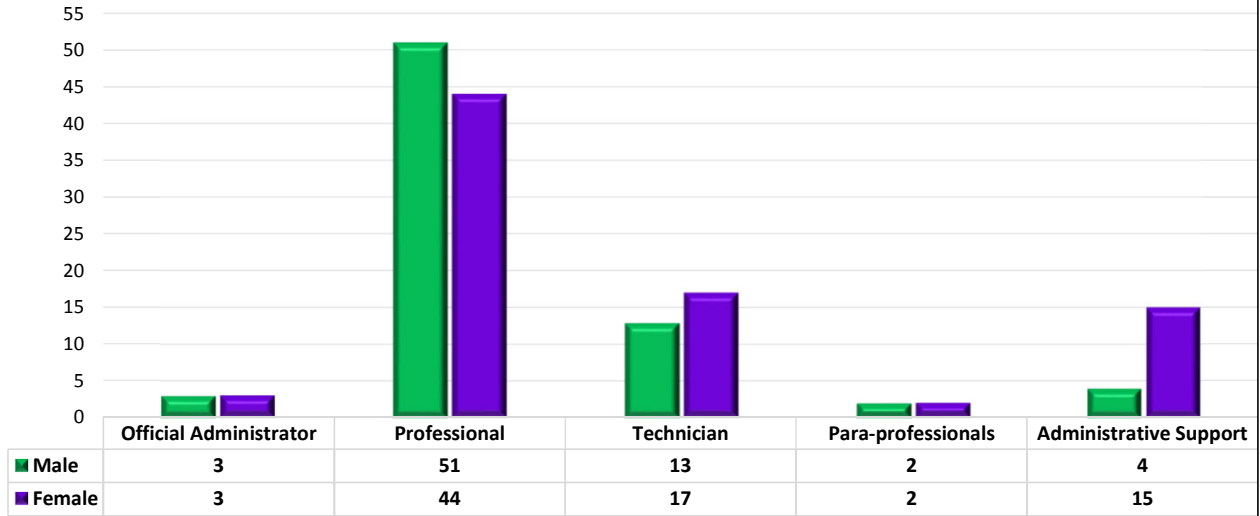
Average Length of Service for Employees: 18.5 Years

Career Employees by EEO-4 Job Category: Prince George's County Planning



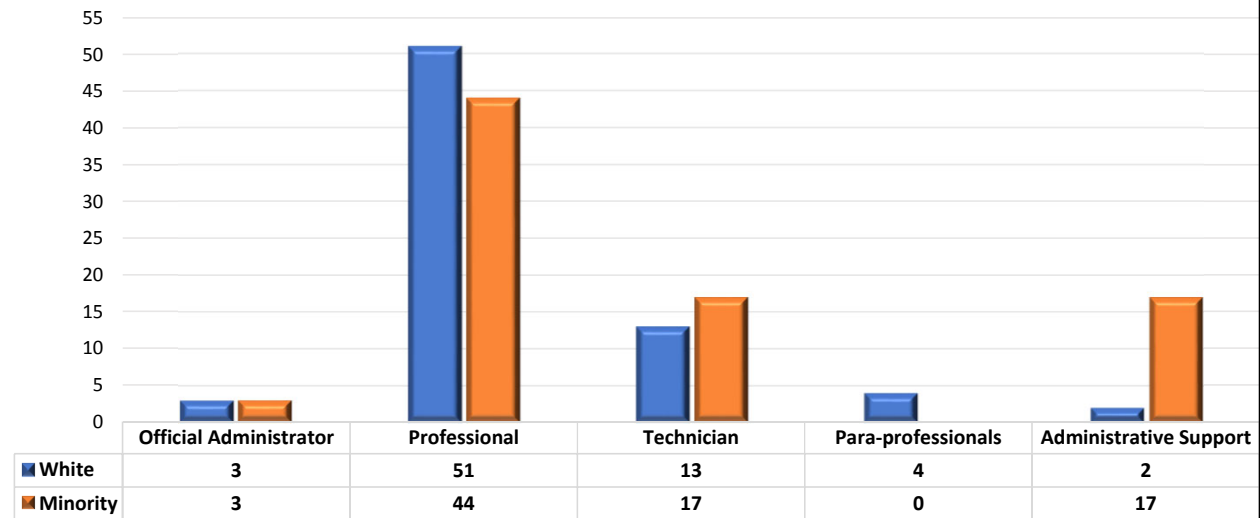
Total Employees = 154

Distribution by EEO-4 Job Category and Gender



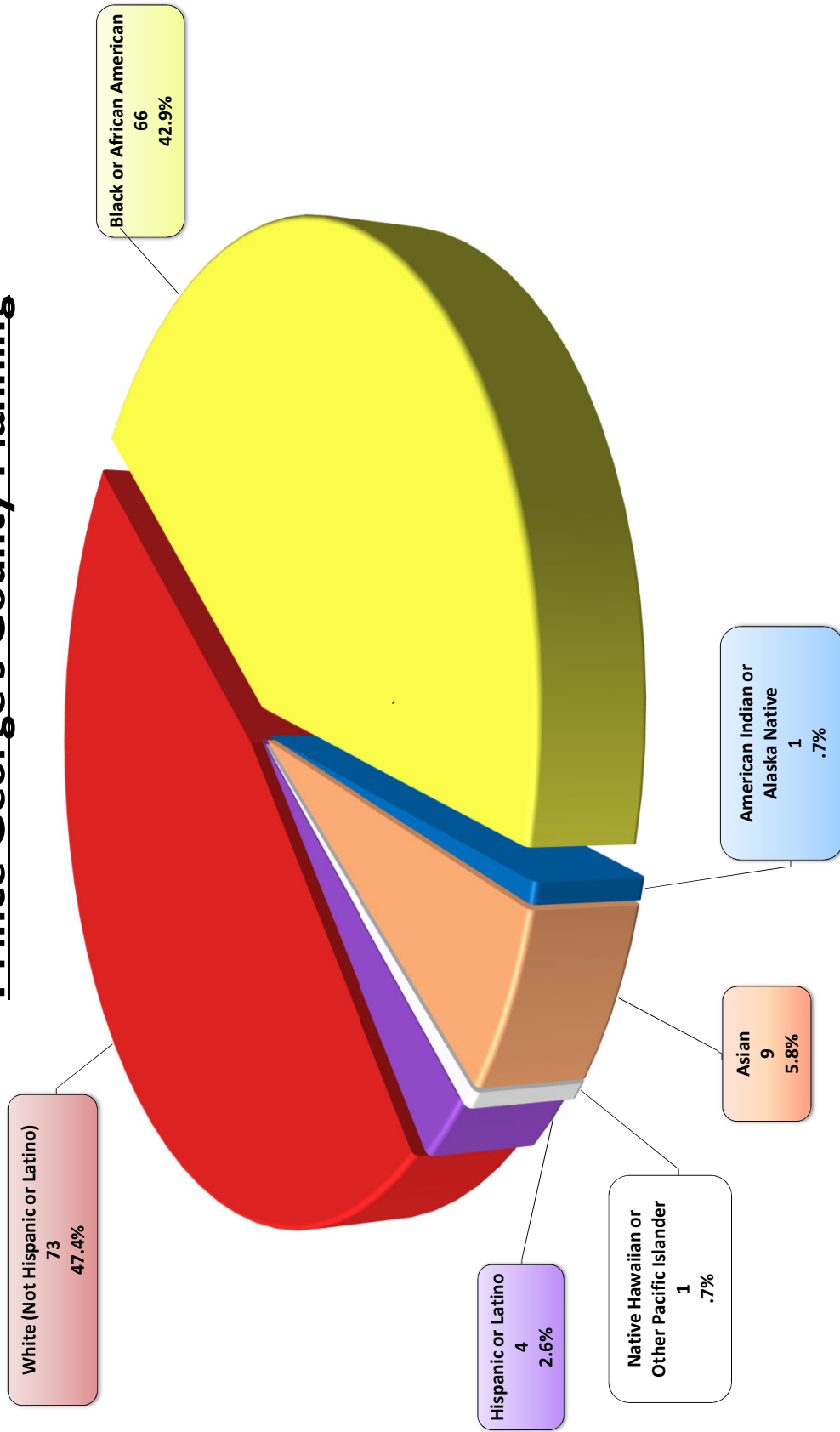
Total PGPL Employees: 154

Distribution by EEO-4 Job Category and Race/Ethnicity



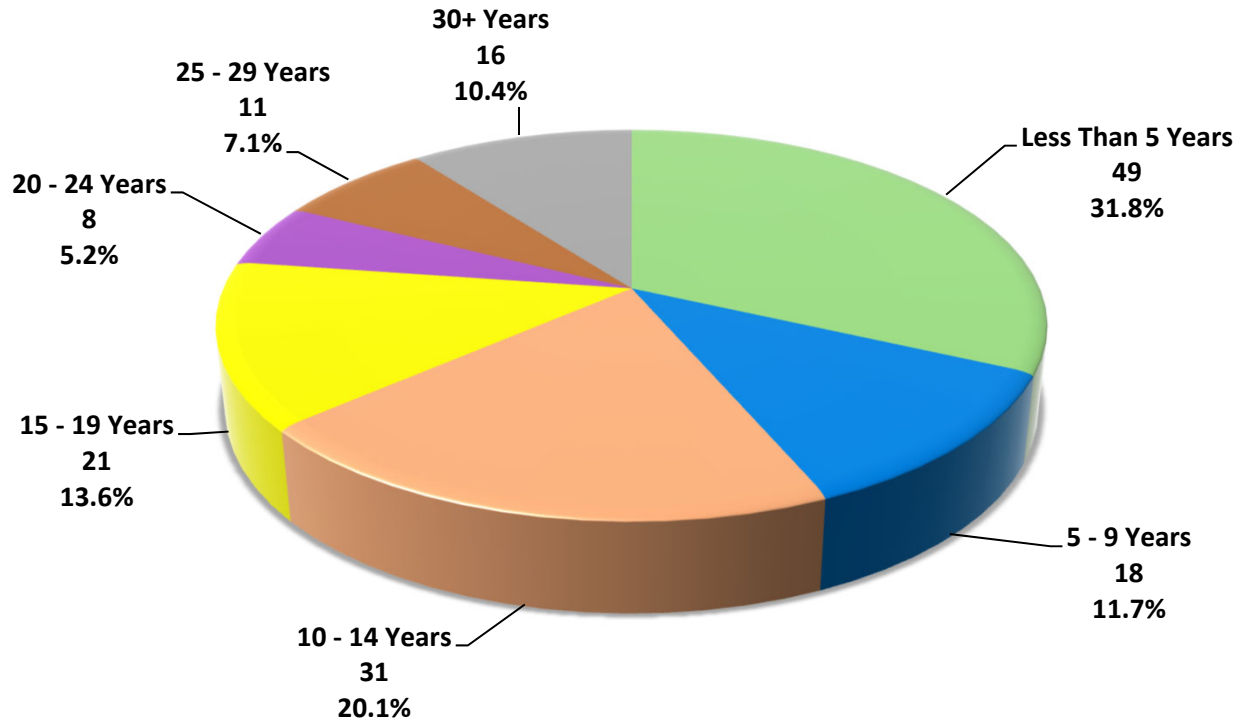
Total PGPL Employees: 154

EE0-4 Race/Ethnic Identification, Career Employees Prince George's County Planning



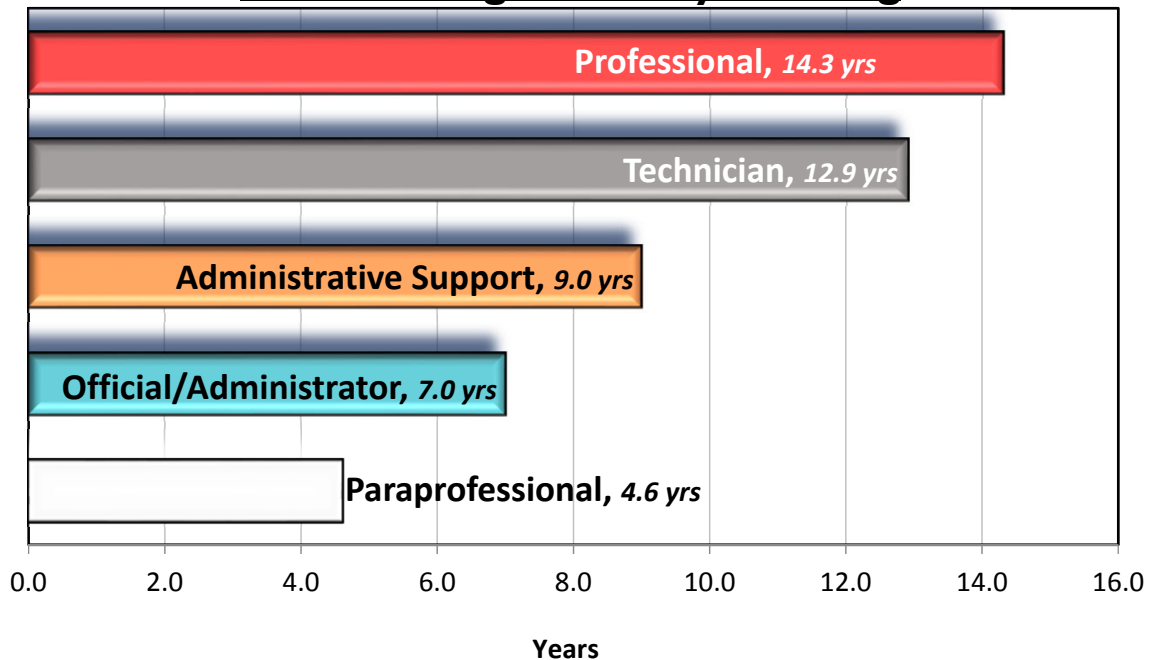
Total Career Employees = 154

Length of Service for Career Employees: Prince George's County Planning



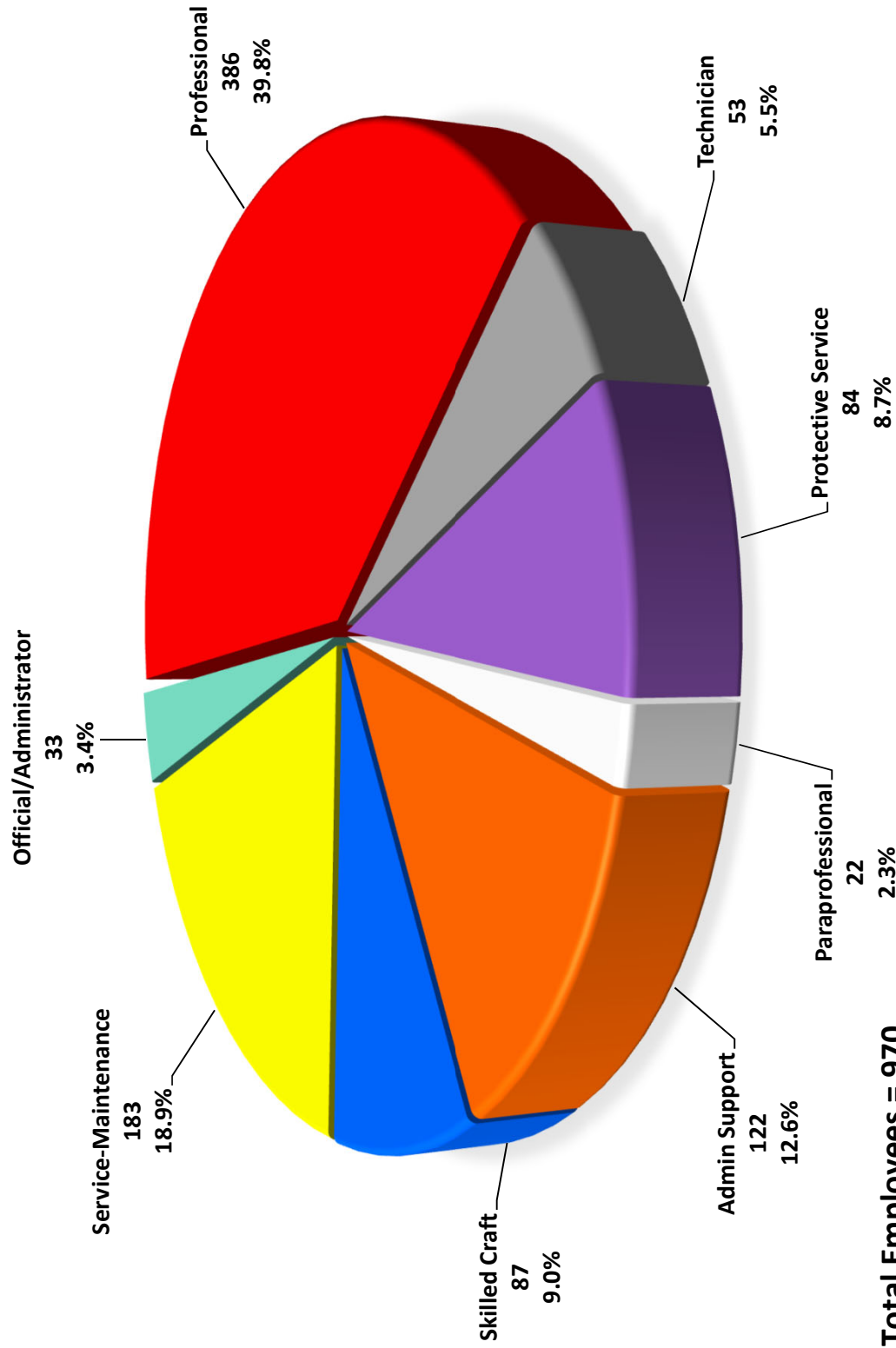
Total PGPL Employees: 154

Average Length of Service by EEO-4 Job Category: Prince George's County Planning

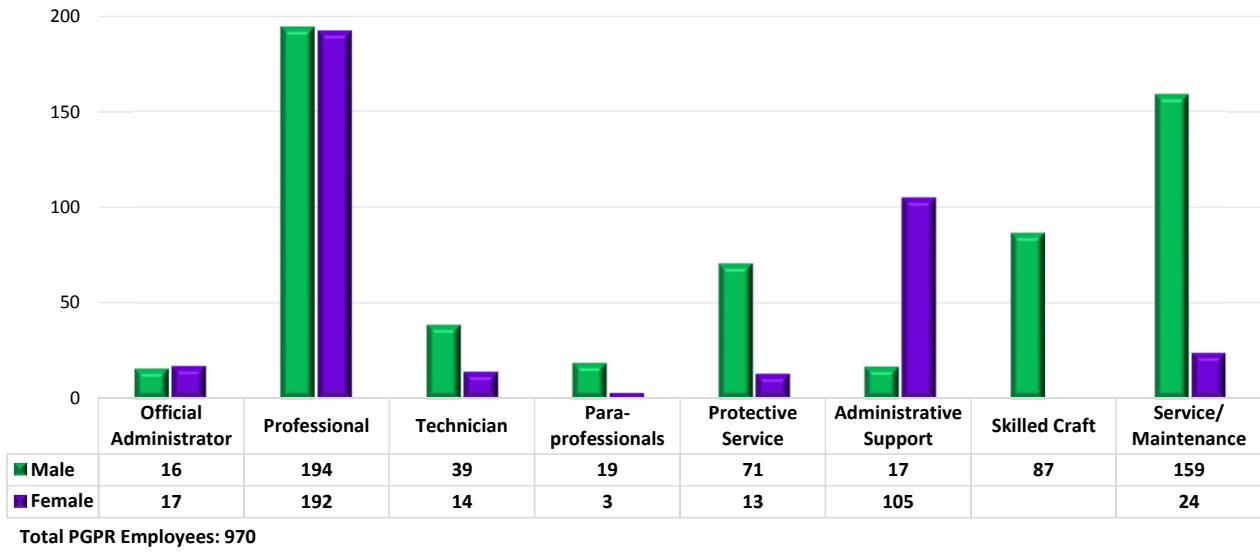


Average Length of Service for Employees: 12.8 Years

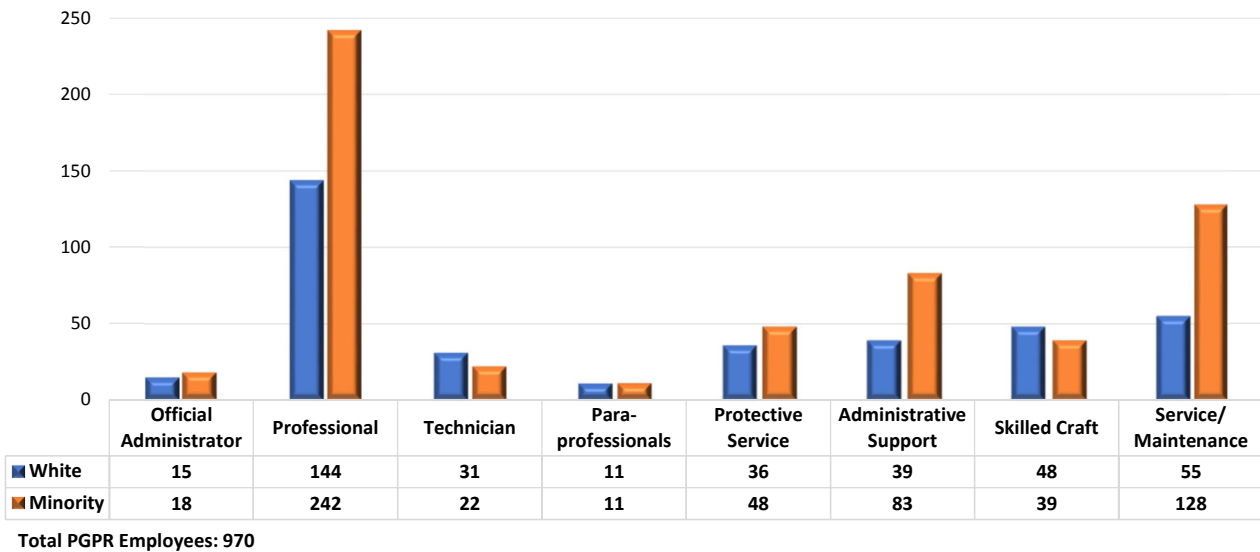
Career Employees by EEO-4 Job Category: Prince George's County Parks and Recreation



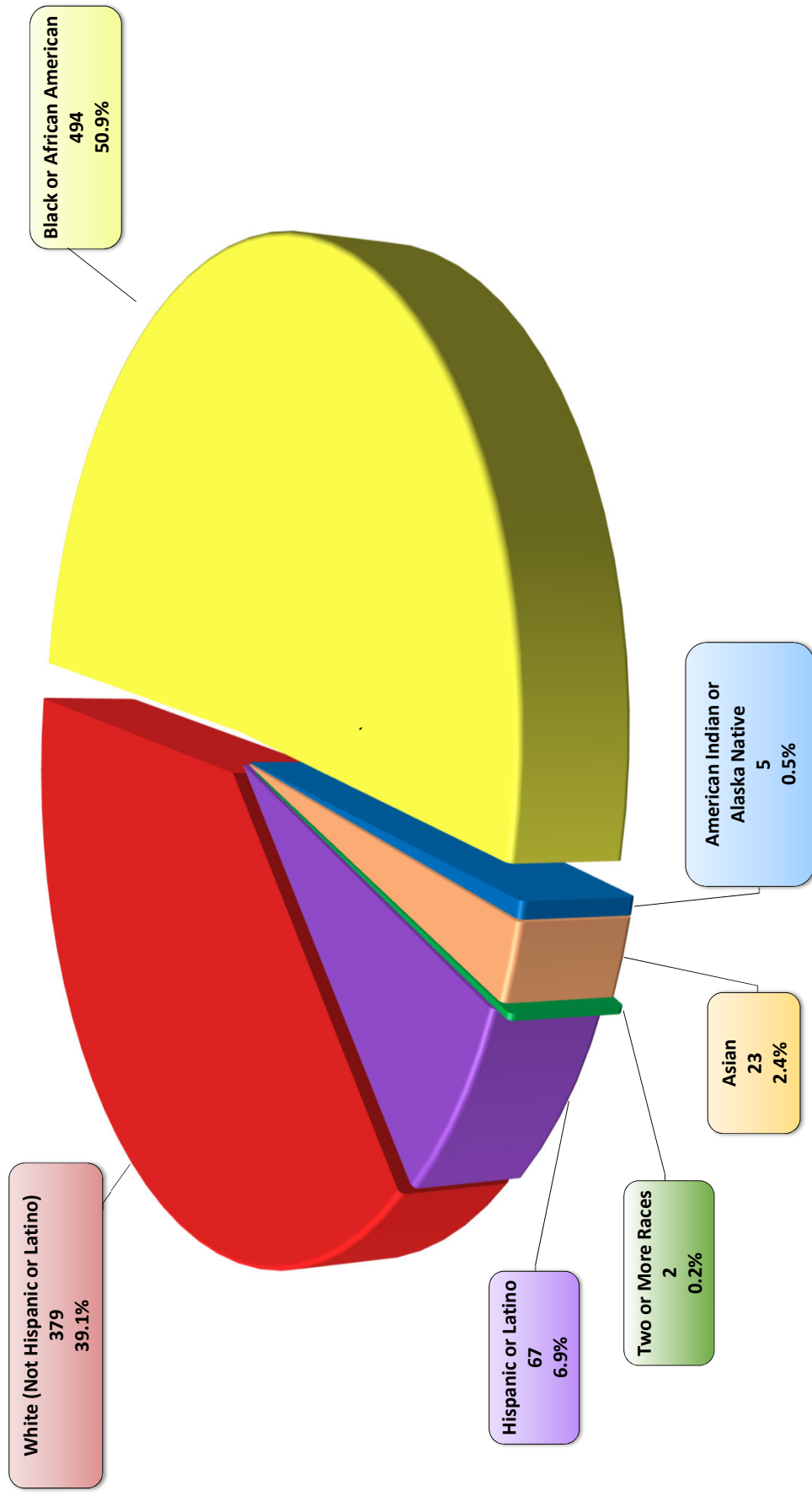
Distribution by EEO-4 Job Category and Gender



Distribution by EEO-4 Job Category and Race/Ethnicity

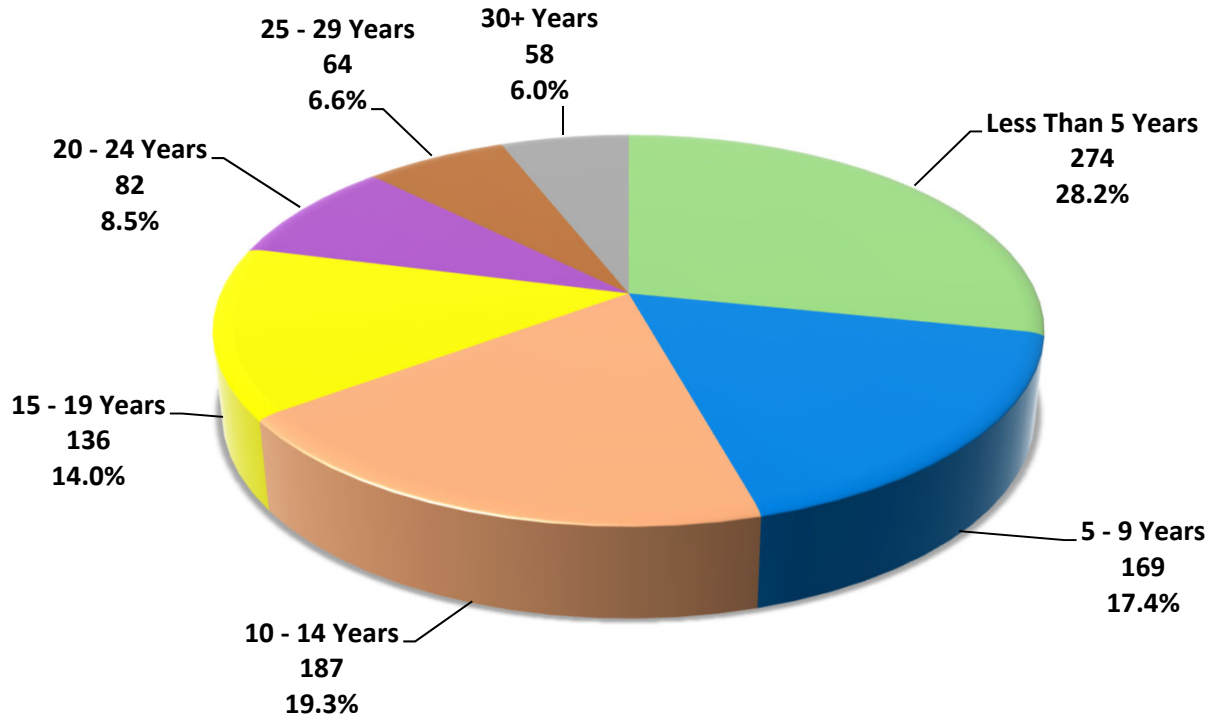


EE0-4 Race/Ethnic Identification, Career Employees Prince George's County Parks and Recreation



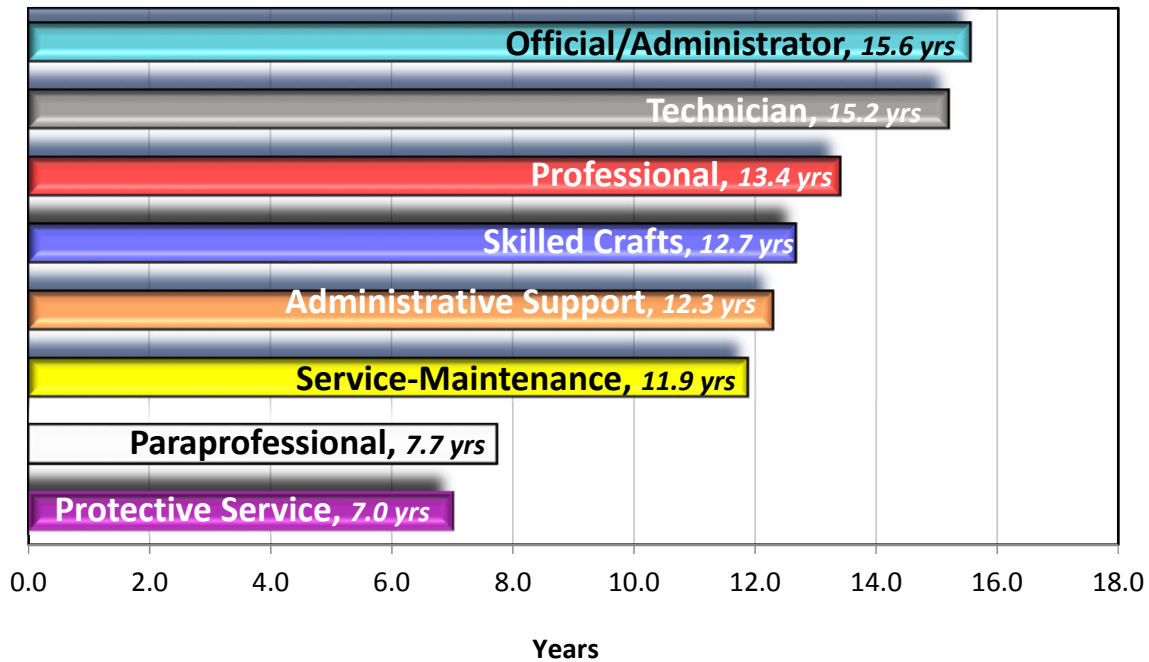
Total Career Employees = 970

Length of Service for Career Employees: Prince George's County Parks and Recreation



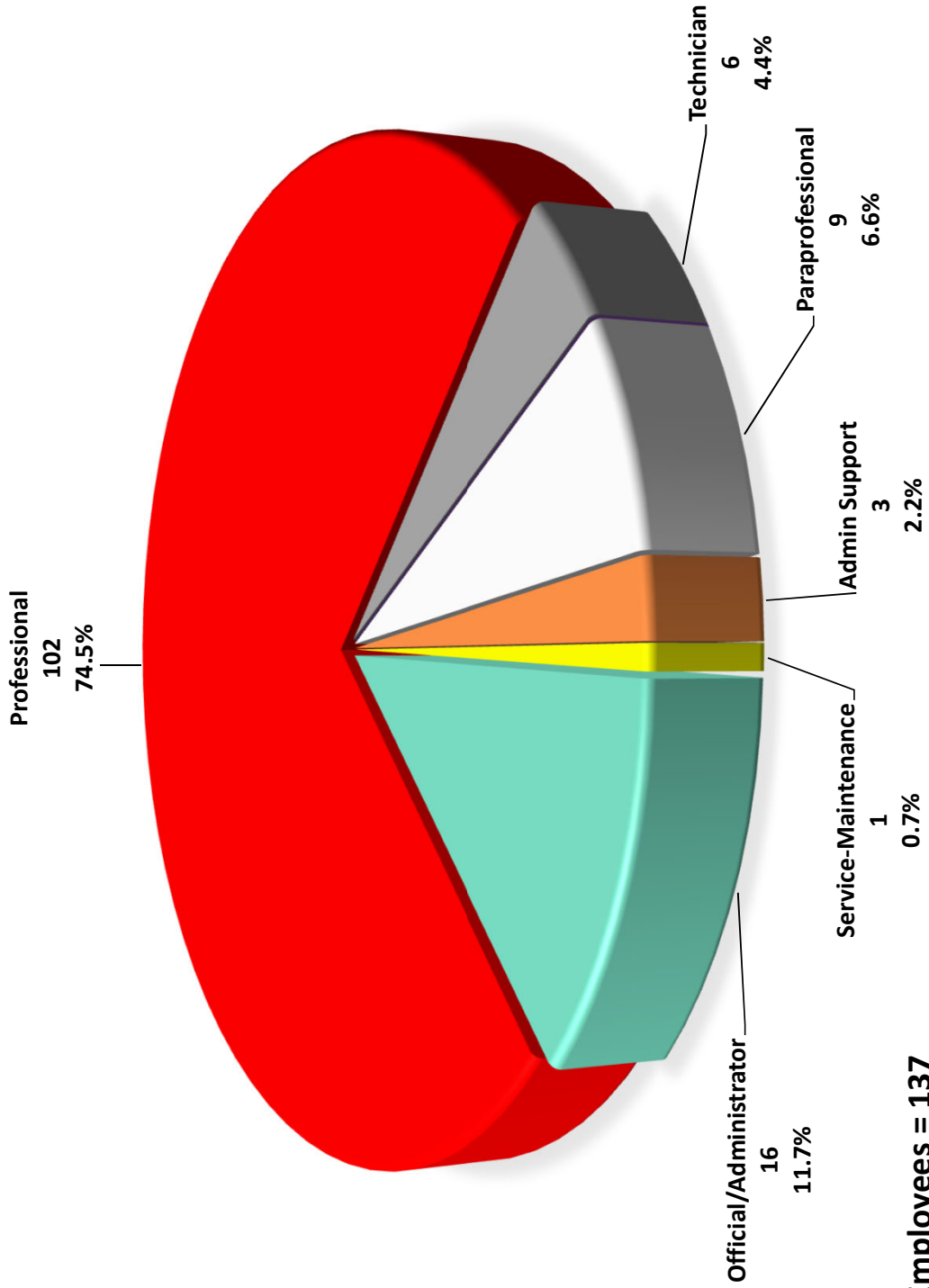
Total PGPR Employees: 970

Average Length of Service by EEO-4 Job Category: Prince George's County Parks and Recreation

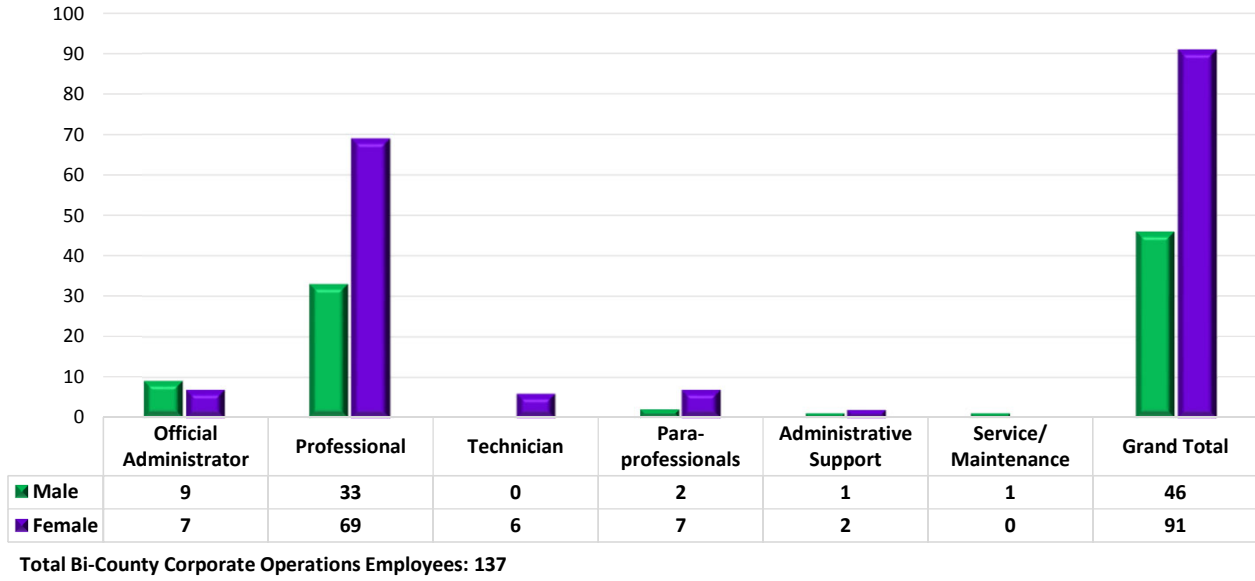


Average Length of Service for Employees: 12.4 Years

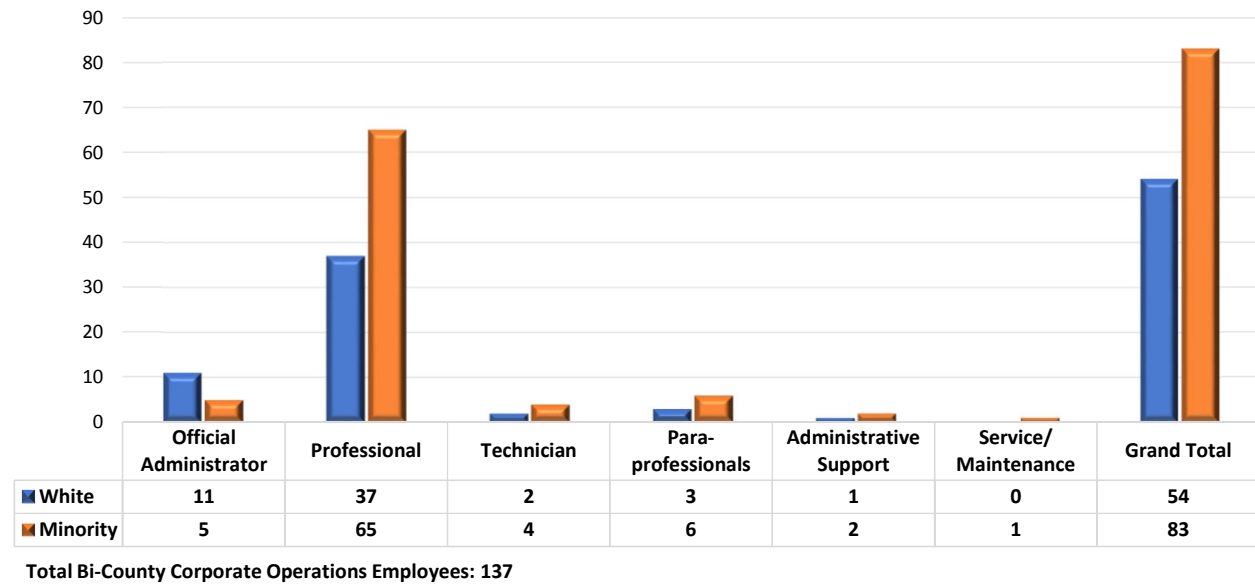
Career Employees by EEO-4 Job Category: Bi-County Corporate Operations



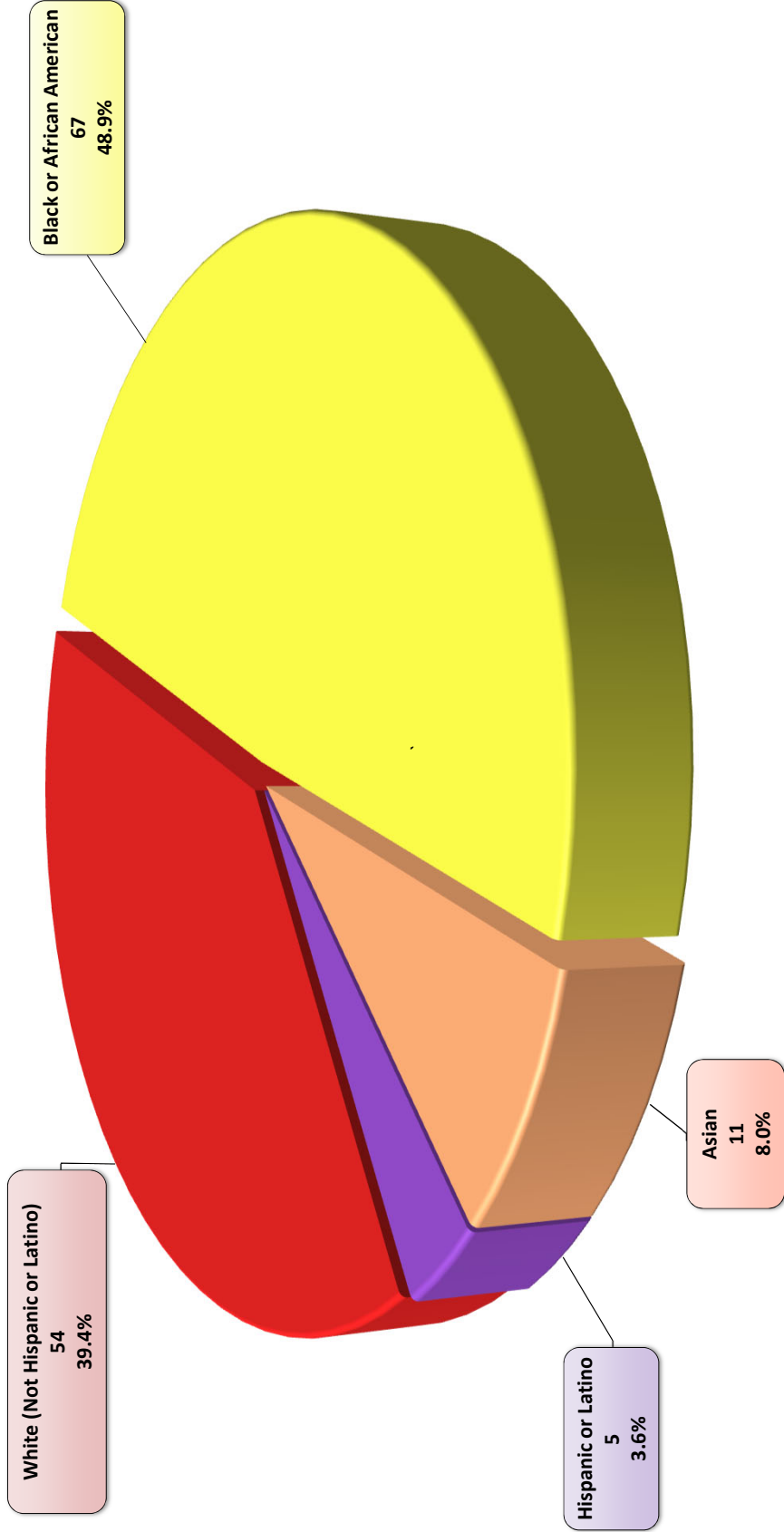
Distribution by EEO-4 Job Category and Gender



Distribution by EEO-4 Job Category and Race/Ethnicity

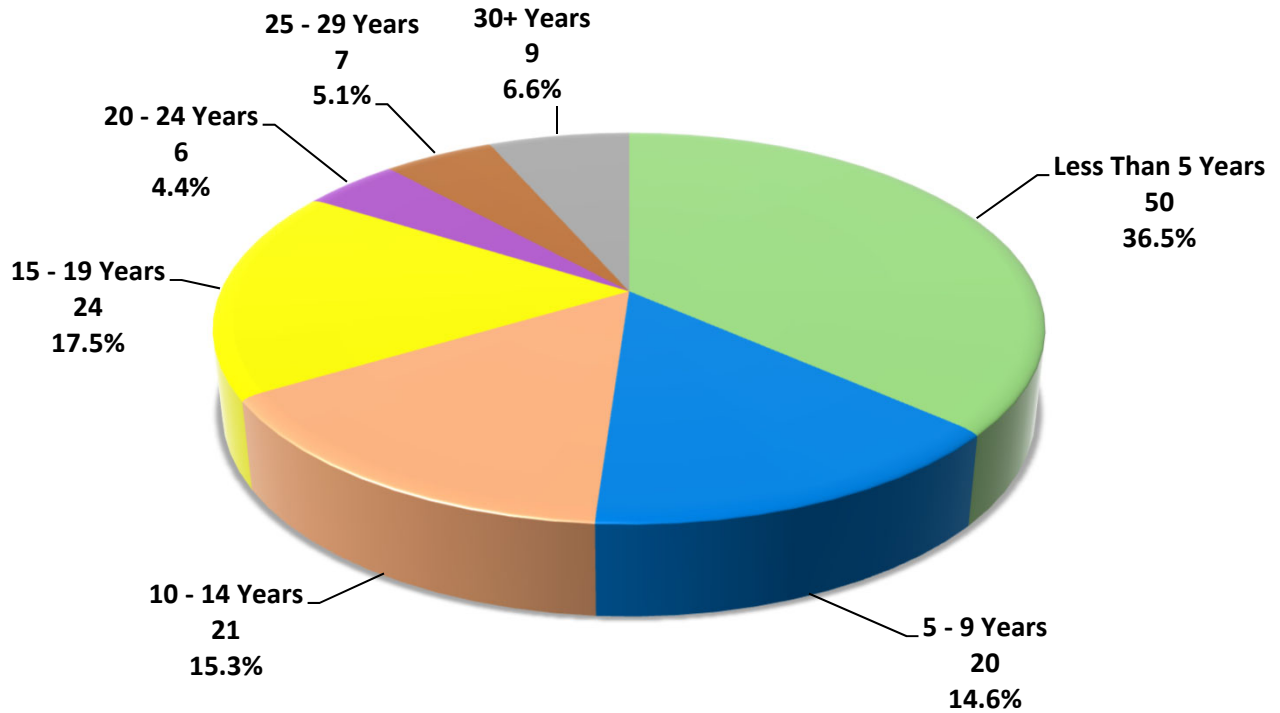


EE0-4 Race/Ethnic Identification, Career Employees
Bi-County Corporate Operations



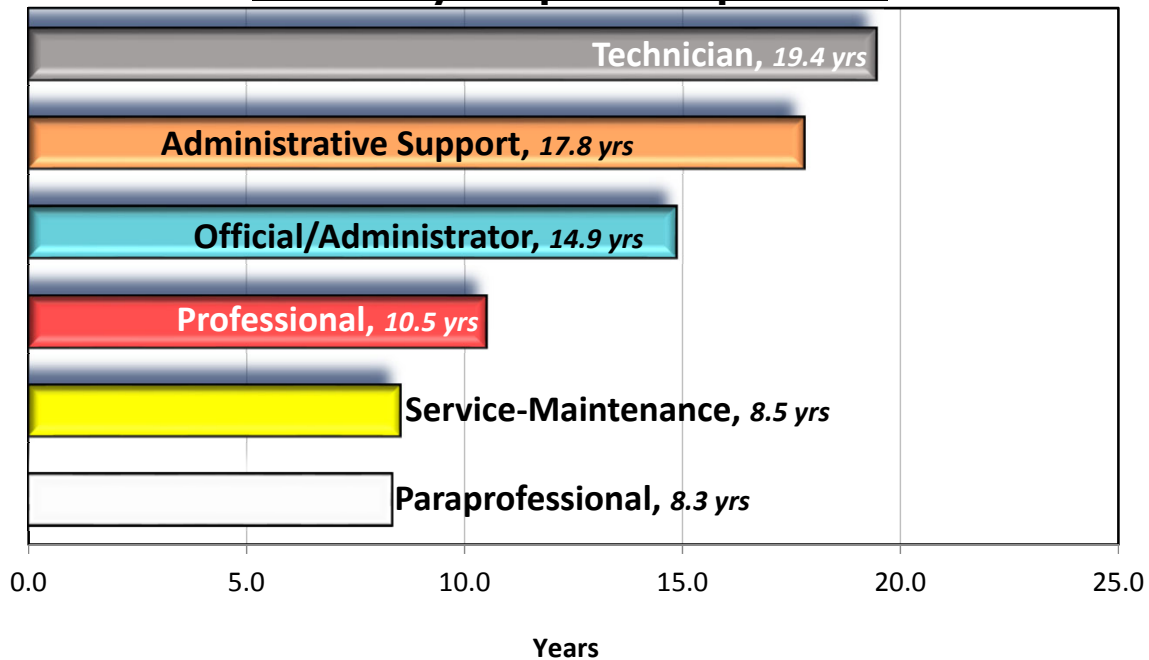
Total Career Employees: 137

Length of Service for Career Employees: Bi-County Corporate Operations



Total Bi-County Corporate Operations Employees: 137

Average Length of Service by EEO-4 Job Category: Bi-County Corporate Operations



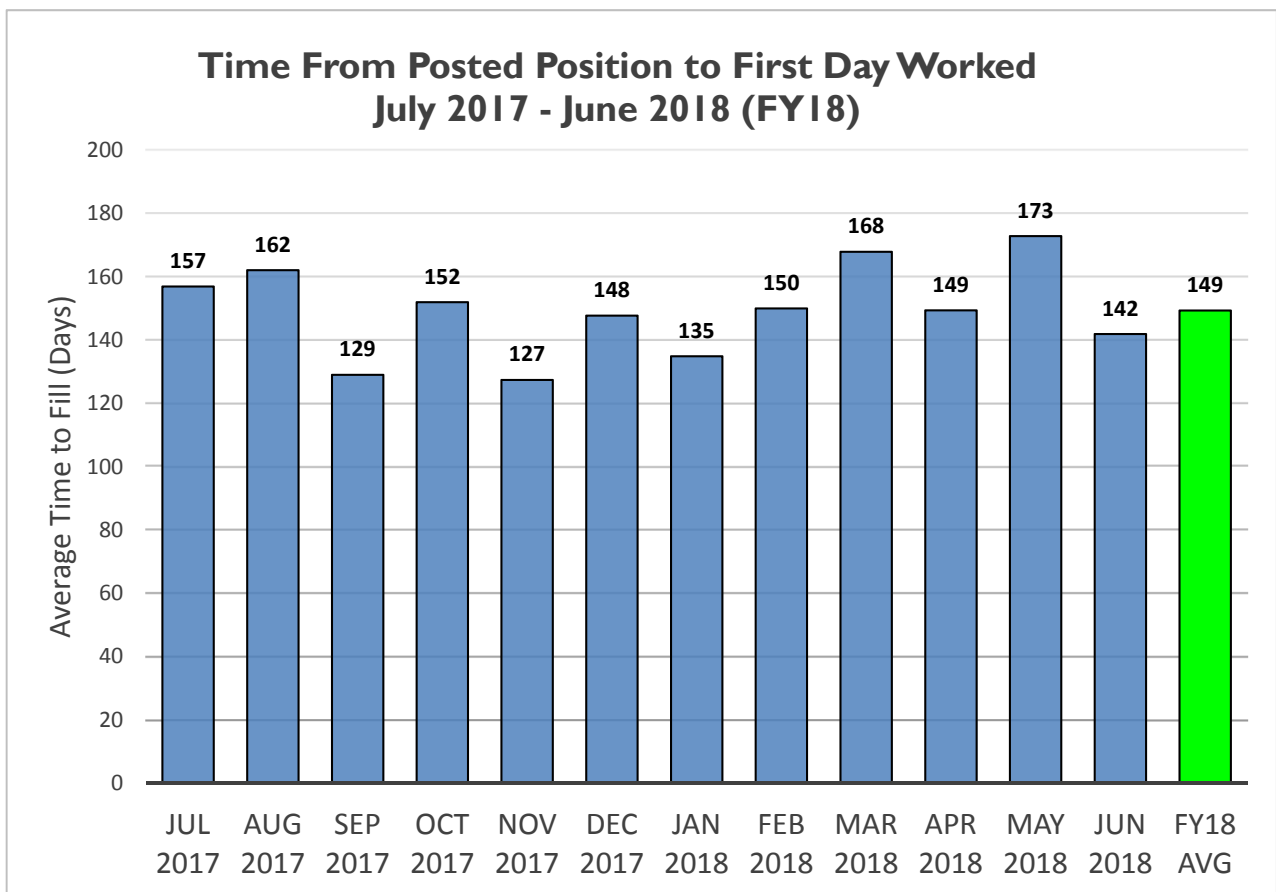
Average Length of Service for Employees: 11.4 Years

FY18 PERSONNEL MANAGEMENT REVIEW: TRENDS IN THE CAREER EMPLOYEE LIFECYCLE

Recruitment, Salary, Demographics, Retirement, and Turnover Over Time

1. Recruitment Trends

The average number of days to fill a position indicates the time between the date a position is posted/advertised and the date of hire. In FY18, it took an average of 149 days to fill a position by these metrics. Many variables contribute to the average number of days it takes to fill positions. The chart includes positions filled by both internal employees and external candidates. The chart excludes appointed positions and Park Police selections which follow specific hiring and promotional requirements.



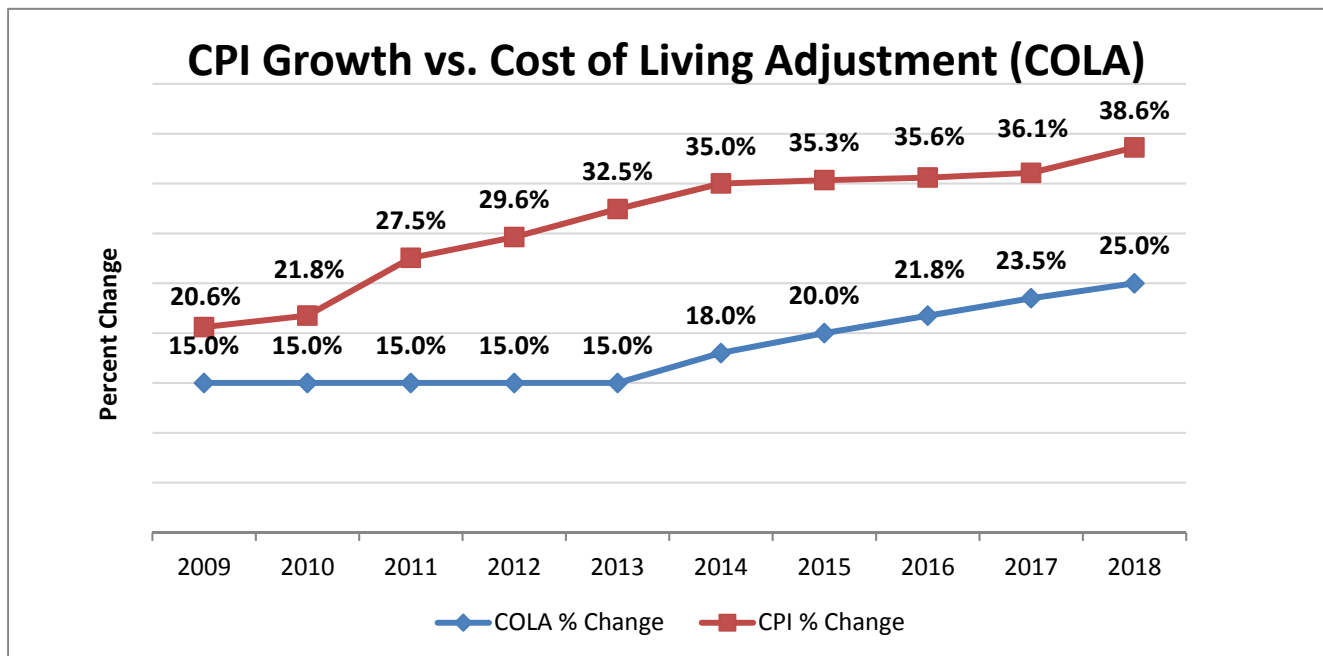
2. Cost of Living Adjustment and Merit Increase Trends

In FY18, career employees received a 1.5% cost of living adjustment and a 3.5% merit increment.

M-NCPPC Five-Year COLA and Merit Increases

| | <u>FY14</u> | <u>FY15</u> | <u>FY16</u> | <u>FY17</u> | <u>FY18</u> |
|---------------------------------|-------------|----------------------|--|--|--|
| <u>Non-Represented</u> | | | | | |
| Increment (Merit) | 3.00% | 3.50% | 1.75% | 1.75% | 3.50% |
| General Adjustment (COLA) | 3.00% | 2.00% | 1.75% | 1.75% | 1.50% |
| (effective date) | 7/13 | 9/14 | 9/15 | 9/16 | 8/17 |
| Lump-sum Payment | | | .5% for EEs at TOG and not eligible for merit or longevity | .5% for EEs at TOG and not eligible for merit or longevity | .5% for EEs at TOG and not eligible for merit or longevity |
| <u>MC GEO Local 1994</u> | | | | | |
| Increment (Merit) | 3.50% | 3.50% | 1.75% | 1.75% | 3.50% |
| General Adjustment (COLA) | 2.75% | 2.00% | 1.75% | 1.75% | 1.50% |
| (effective date) | 7/13 | 9/14 | 9/15 | 9/16 | 8/17 |
| Lump-sum Payment | | | .5% for EEs at TOG and not eligible for merit or longevity | .5% for EEs at TOG and not eligible for merit or longevity | .5% for EEs at TOG and not eligible for merit or longevity |
| <u>FOP Lodge 30</u> | | | | | |
| Increment (Merit) | 3.50% | 3.5% + make-up merit | 3.50% | 3.50% | 3.50% |
| General Adjustment (COLA) | 2.50% | 1.75% | 1.75% | .5% | 1.5% |
| (effective date) | 7/13 | 7/14 | 7/15 | 7/16 | 7/17 |
| Lump-sum Payment | | | | | |

The red line on the chart below depicts the cumulative growth of the Consumer Price Index (CPI) over the last 10 years (FY09 – FY18). The blue line, in comparison represents the cumulative M-NCPPC career workforce cost of living adjustments over that period.

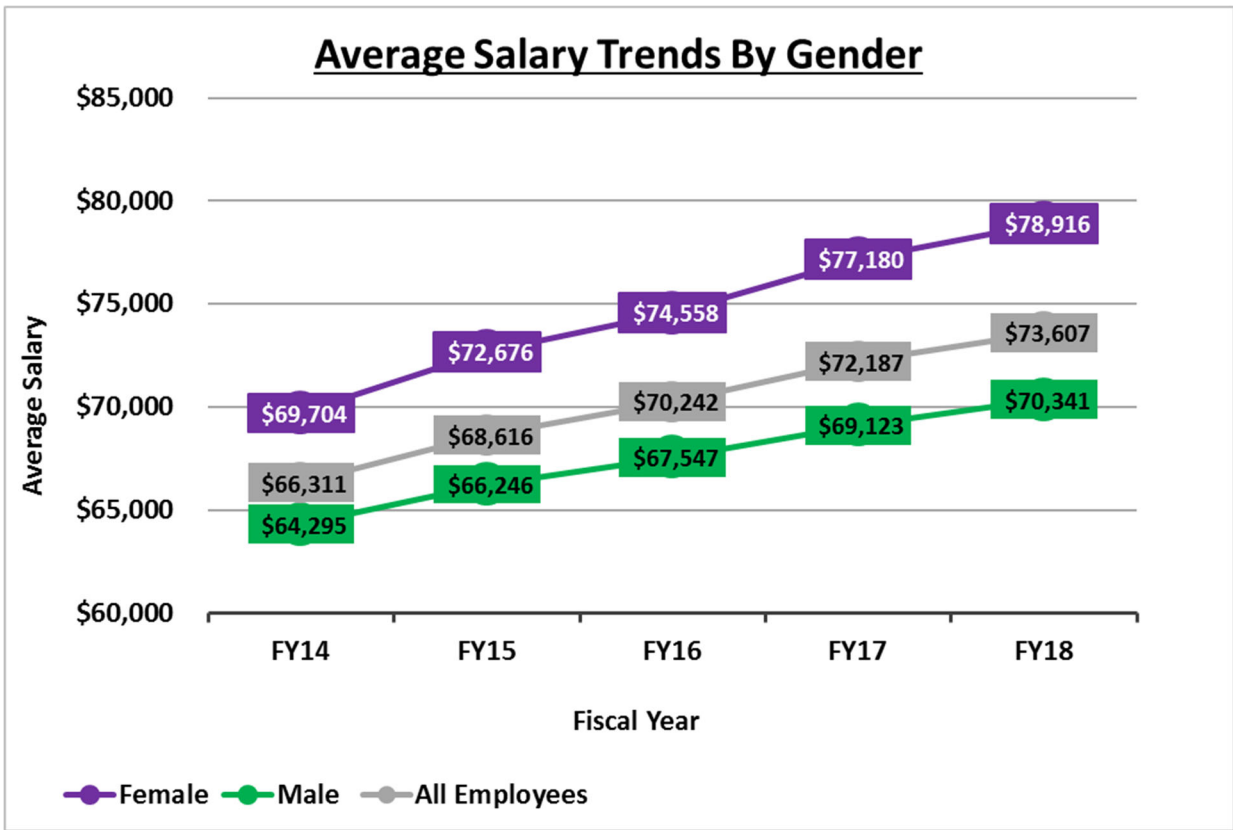


Source: U.S. Department of Labor Consumer Price Index for all Urban Consumers, Washington-Arlington-Alexandria, DC-MD-VA-WV.

Note: In January 2018, BLS introduced a new geographic area for the Consumer Price Index (CPI). Washington DC and Baltimore now have separate indexes. Montgomery County and Prince George's County now both fall in the Washington-Arlington-Alexandria, DC-MD-VA-WV geographic sample area.

3. Employee Salary Trends

In FY18, the Commission’s average salary for all career employees increased by 2%, from \$72,187 in FY17 to \$73,607. Average salary figures include annualized part-time employees’ salaries.



4. Top of Grade Trends

Top of Grade means a salary is at the maximum of the pay grade. In FY18, the percentage of employees at top of grade was 17.5%. This was a slight increase from the percentage of employees at top of grade in FY17, 16.2%.

Five-Year Top of Grade Distribution Trends

| Top of Grade | FY14 | FY15 | FY16 | FY17 | FY18 |
|------------------------|-------|-------|-------|-------|-------|
| # of EEs | 296 | 411 | 458 | 331 | 370 |
| % of Total Populations | 14.7% | 20.0% | 22.6% | 16.2% | 17.5% |

5. Five-Year Demographic Trends

In the past five fiscal years, there have been incremental changes in the Commission's career workforce demographics. The Hispanic or Latino category reflects a 1% increase between FY14. The Asian category saw a .5% increase. The gender composition has remained fairly stable.

Five-Year Demographic Distribution by Race/Ethnicity and Gender: FY2014 – FY2018

| | FY14 | FY15 | FY16 | FY17 | FY18 | % Change over 5 years |
|---|-------|-------|-------|-------|-------|-----------------------|
| Race/Ethnicity | | | | | | |
| American Indian or Alaska Native | 11 | 13 | 10 | 9 | 10 | -9.1% |
| Asian | 77 | 81 | 86 | 87 | 90 | 16.9% |
| Black or African American | 752 | 756 | 732 | 757 | 790 | 5.1% |
| Hispanic or Latino | 123 | 126 | 126 | 134 | 150 | 22.0% |
| Native Hawaiian or Other Pacific Islander | 0 | 0 | 0 | 1 | 1 | 100.0% |
| Two or More Races ¹ | 0 | 0 | 0 | 0 | 3 | Footnote ¹ |
| White | 1039 | 1073 | 1062 | 1060 | 1067 | 2.7% |
| Minority Combined Total | 963 | 976 | 954 | 988 | 1044 | 8.4% |
| Gender | | | | | | |
| Women | 768 | 777 | 775 | 779 | 804 | 4.7% |
| Men | 1234 | 1272 | 1241 | 1269 | 1307 | 5.9% |
| Total Career Workforce | 2,002 | 2,049 | 2,016 | 2,048 | 2,111 | 5.4% |

¹ This Ethnic/Race Identification Category has been added to Federal EEO-4 survey forms, to M-NCPPC ethnicity selection forms, and to the human capital management system (Lawson) in FY18.

6. Five-Year Age Distribution Trends

In the past five fiscal years, the percentage of employees in the 60+ age category has grown from 12.6% to 15% of the career workforce.

Five-Year Demographic Distribution by Age: FY2013 – FY2017

| | FY14 | | FY15 | | FY16 | | FY17 | | FY18 | |
|------------------------------|------|-------|------|-------|------|-------|------|-------|------|-------|
| Age / % of Population | | | | | | | | | | |
| 60+ Years of Age | 252 | 12.6% | 272 | 13.3% | 283 | 14.0% | 292 | 14.3% | 316 | 15.0% |
| 50-59 Years of Age | 682 | 34.1% | 676 | 33.0% | 660 | 32.7% | 664 | 32.4% | 664 | 31.5% |
| 40-49 Years of Age | 561 | 28.0% | 556 | 27.1% | 533 | 26.4% | 519 | 25.3% | 501 | 23.7% |
| 30-39 Years of Age | 374 | 18.7% | 389 | 19.0% | 393 | 19.5% | 410 | 20.0% | 443 | 21.0% |
| 19-29 Years of Age | 133 | 6.6% | 156 | 7.6% | 147 | 7.3% | 163 | 8.0% | 187 | 8.9% |
| Total Career Workforce | 2002 | | 2049 | | 2016 | | 2048 | | 2111 | |

7. Retirement Eligibility and Projection Trends

Over the past five fiscal years, the percentage of employees eligible for normal retirement has remained somewhat consistent, with slight increases and decreases in the percentage.

| Fiscal Year | Five-Year Trend |
|-------------|-----------------|
| FY18 | 31.9% |
| FY17 | 33.2% |
| FY16 | 34.4% |
| FY15 | 33.6% |
| FY14 | 36.5% |

In FY19, 424 out of 2,111 employees (20% of the workforce) *will be* eligible for normal retirement. Between FY19 and FY23, 673 out of 2,111 employees, 31.9%, of all career employees (full-time and part-time) will be eligible for normal retirement.

Employees Reaching Normal Retirement Eligibility- Projections by EEO Job Category

| EEO Job Category | FY2019 | FY2020 | FY2021 | FY2022 | FY2023 | 5-year total | % of EEO Category |
|------------------------|------------|-----------|-----------|-----------|-----------|--------------|-------------------|
| Official Administrator | 34 | 2 | 4 | 8 | 4 | 52 | 58.4% |
| Professional | 191 | 25 | 24 | 22 | 33 | 295 | 32.0% |
| Technician | 30 | 7 | 3 | 2 | 5 | 47 | 33.8% |
| Protective Service | 9 | 2 | 4 | 3 | 5 | 23 | 15.5% |
| Para-professionals | 5 | 0 | 2 | 1 | 2 | 10 | 22.7% |
| Admin Support | 48 | 7 | 3 | 5 | 8 | 71 | 34.1% |
| Skilled Craft | 38 | 8 | 8 | 5 | 3 | 62 | 38.0% |
| Service/Maintenance | 69 | 8 | 6 | 12 | 18 | 113 | 28.3% |
| Total | 424 | 59 | 54 | 58 | 78 | 673 | 31.9% |

8. Retirement Trends

Five-Year Retirement Separations

| Fiscal Year | Number Retired | % of Workforce Retired |
|-------------|----------------|------------------------|
| FY18 | 83 | 3.9% |
| FY17 | 85 | 4.2% |
| FY16 | 67 | 3.6% |
| FY15 | 51 | 2.5% |
| FY14 | 45 | 2.0% |
| FY13 | 58 | 3.0% |

9. Turnover Trends

The turnover rate for career employees in FY18 was 8.4%. The above average retirement rates in FY16, FY17, and FY18, as presented previously, contributed to the increases in turnover percentages.

Five-Year Turnover Rates

| FY14 | FY15 | FY16 | FY17 | FY18 |
|------|------|------|------|------|
| 6.5% | 5.5% | 7.8% | 8.2% | 8.4% |

Turnover rates as reported by the Local Government Personnel Association for FY18. M-NCPPC is near the median for organizations that reported this data.

| Organization | Turnover Rate |
|------------------------|---------------|
| Baltimore County | 12.3% |
| Arlington County | 10.6% |
| District of Columbia | 10.2% |
| Maryland State | 10% |
| Alexandria City | 9.7% |
| M-NCPPC | 8.4% |
| Howard County | 6.8% |
| City of College Park | 6% |
| Anne Arundel County | 5.4% |
| Charles County | 5% |
| Prince George's County | 5% |
| Fairfax County | 4.2% |

Note: Montgomery County Government reported 9% for Police and 7.6% for Fire, but did not report "other" employees.

Excerpt from U.S. Equal Employment Opportunity Commission's EEOC Form 164, State and Local Government Information (EEO-4), Instruction Booklet.

RACE/ETHNIC IDENTIFICATION

An employer may acquire the race/ethnic information necessary for this section either by visual surveys of the work force, or from post-employment records as to the identity of employees. Since visual surveys are permitted, and the fact that race/ethnic identifications are not present on agency records is not an excuse for failure to provide the data called for. However, although the Commission does not encourage direct inquiry as a method of determining racial or ethnic identity, this method is not prohibited in cases where it has been used in the past, or where other methods are not practical, provided it is not used for purposes of discrimination.

Moreover, the fact that employees may be located at different addresses does not provide an acceptable reason for failure to comply with the reporting requirements. In such cases, it is recommended that visual surveys be conducted for the employer by persons such as supervisors who are responsible for the work of the employees or to whom the employees report for instruction or otherwise.

Please note that the General Counsel of the Commission has ruled, on the basis of court decisions, that the Commission has the authority to require the racial and ethnic identification of employees, regardless of any possible conflicting state or local laws.

The concept of race as used by the Equal Employment Opportunity Commission does not denote clear cut scientific definitions of anthropological origins. For the purposes of this report, an employee may be included in the group to which he or she appears to belong, identifies with, or is regarded in the community as belonging. However, no person may be counted in more than one race/ethnic category.

NOTE: The category "HISPANIC", while not a race identification, is included as a separate race/ethnic category because of the employment discrimination often encountered by this group; for this reason do not include HISPANIC under either "white" or "black".

For the purposes of the report, the following race/ethnic categories will be used:

- a. **White (not of Hispanic origin):** All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.
- b. **Black (not of Hispanic origin):** All persons having origins in any of the Black racial groups of Africa.
- c. **Hispanic:** All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- d. **Asian or Pacific Islander:** All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands, and Samoa.
- e. **American Indian or Alaskan Native:** All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

Note to the reader: Category "Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands," has been added to EEO-1 Reporting requirements and has been elected for utilization within M-NCPPC EEO-4 reporting as of FY17.

DESCRIPTION OF JOB CATEGORIES

- a. **Officials and Administrators:** Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies, or direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, district or area basis. Includes: department heads, bureau chiefs, division chiefs, directors, deputy directors, controllers, wardens, superintendents, sheriffs, police and fire chiefs and inspectors, examiners (bank, hearing, motor vehicle, warehouse), inspectors (construction, building, safety, rent-and- housing, fire, A.B.C. Board, license, dairy, livestock, transportation), assessors, tax appraisers and investigators, coroners, farm managers, and kindred workers.
- b. **Professionals:** Occupations which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge. Includes: personnel and labor relations workers, social workers, doctors, psychologists, registered nurses, economists, dietitians, lawyers, systems analysts, accountants, engineers, employment and vocational rehabilitation counselors, teachers or instructors, police and fire captains and lieutenants, librarians, management analysts, airplane pilots and navigators, surveyors and mapping scientists, and kindred workers.
- c. **Technicians:** Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training. Includes: computer programmers, drafters, survey and mapping technicians, licensed practical nurses, photographers, radio operators, technical illustrators, highway technicians, technicians (medical, dental, electronic, physical sciences), police and fire sergeants, inspectors (production or processing inspectors, testers and weighers), and kindred workers.
- d. **Protective Service Workers:** Occupations in which workers are entrusted with public safety , security and protection from destructive forces. Includes: police patrol officers firefighters, guards, deputy sheriffs, bailiffs, correctional officers, detectives, marshals, harbor patrol officers, game and fish wardens, park rangers (except maintenance), and kindred workers.
- e. **Paraprofessionals:** Occupations in which workers perform some of the duties of a professional or technician in a supportive role, which usually require less formal training and/or experience normally required for professional or technical status. Such positions may fall within an identified pattern of staff development and promotion under a "New Careers" concept. Included: research assistants, medical aides, child support workers, policy auxiliary welfare service aides, recreation assistants, homemakers aides, home health aides, library assistants and clerks, ambulance drivers and attendants, and kindred workers.
- f. **Administrative Support(Including Clerical and Sales):** Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. Includes: bookkeepers, messengers, clerk-typist, stenographers, court transcribers, hearing reporters, statistical clerks, dispatchers, license distributors, payroll clerks, office machine and computer operators, telephone operators, legal assistants, sales workers, cashiers, toll collectors, and kindred workers.
- g. **Skilled Craft Workers:** Occupations in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the process involved in the work which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Includes: mechanics and repairers electricians, heavy equipment operators, stationary engineers, skilled machining occupations, carpenters, compositors and typesetters, power plant operators, water and sewage treatment plant operators, and kindred workers.
- h. **Service-Maintenance:** Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property. Workers in this group may operate machinery. Includes: chauffeurs, laundry and dry cleaning operatives, truck drivers, bus drivers, garage laborers, custodial employees, gardeners and groundkeepers, refuse collectors, construction laborers, park rangers (maintenance), farm workers (except managers), craft apprentices/trainees/helpers, and kindred workers.

**The Maryland-National Capital Park and Planning Commission
General Service Pay Schedule
Effective August 13, 2017
1.5% COLA**

| <u>New Grade</u> | <u>Lawson Grade</u> | <u>ePersonality Grade</u> | <u>Minimum</u> | <u>Midpoint</u> | <u>Maximum</u> |
|------------------|---------------------|---------------------------|------------------------|------------------------|------------------------|
| 10 | HC | C | \$29,306 \$14.0894 | \$40,994 \$19.7087 | \$52,680 \$25.3269 |
| 12 | HD | D | \$32,925 \$15.8293 | \$44,632 \$21.4577 | \$56,339 \$27.0861 |
| 14 | HE | E | \$36,428 \$17.5135 | \$49,381 \$23.7409 | \$62,334 \$29.9683 |
| 16 | HF | F | \$40,877 \$19.6524 | \$55,412 \$26.6404 | \$69,946 \$33.6279 |
| 18 | HG/EG | G | \$46,293 \$22.2563 | \$62,753 \$30.1697 | \$79,213 \$38.0832 |
| 20 | | | \$48,607 \$23.3688 | \$65,892 \$31.6788 | \$83,175 \$39.9880 |
| 22 | HH/EH | H | \$52,480 \$25.2308 | \$71,139 \$34.2014 | \$89,803 \$43.1745 |
| 24 | | | \$55,103 \$26.4918 | \$74,696 \$35.9115 | \$94,288 \$45.3308 |
| 26 | EI | I | \$59,434 \$28.5740 | \$80,667 \$38.7822 | \$101,900 \$48.9904 |
| 28 | | | \$63,412 \$30.4865 | \$86,959 \$41.8072 | \$110,506 \$53.1279 |
| 30 | EJ | J | \$69,175 \$33.2572 | \$94,868 \$45.6096 | \$120,559 \$57.9611 |
| 32 | | | \$76,838 \$36.9413 | \$104,123 \$50.0591 | \$131,408 \$63.1769 |
| 34 | EK | K | \$82,841 \$39.8274 | \$112,297 \$53.9889 | \$141,754 \$68.1510 |
| 36 | | | \$91,661 \$44.0678 | \$124,254 \$59.7375 | \$156,848 \$75.4077 |
| 38 | EL | L | \$100,481 \$48.3082 | \$136,211 \$65.4861 | \$171,942 \$82.6644 |
| 40 | | | \$110,528 \$53.1385 | \$145,534 \$69.9683 | \$180,538 \$86.7971 |

Approved by the Commission
May 17, 2017

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Special Salary Range Pay Schedule for Select Career IT Positions ONLY
Effective August 13, 2017
1.5% COLA

| <u>Lawson Grade</u> | <u>Minimum</u> | <u>Midpoint</u> | <u>Maximum</u> |
|---------------------|-----------------------|------------------------|------------------------|
| EGT | \$48,607 \$23.3688 | \$64,486 \$31.0029 | \$83,175 \$39.9880 |
| EHT | \$55,103 \$26.4918 | \$73,101 \$35.1447 | \$94,288 \$45.3308 |
| EIT | \$62,404 \$30.0019 | \$82,891 \$39.8514 | \$106,994 \$51.4394 |
| EJT | \$75,402 \$36.2510 | \$101,184 \$48.6462 | \$131,408 \$63.1769 |

| <u>TITLE</u> | <u>GRADE</u> |
|------------------------------|--------------|
| Programmer/Analyst I | EGT |
| GIS Specialist I | EGT |
| IT Telecommunications Spec I | EGT |
| Programmer/Analyst II | EHT |
| GIS Specialist II | EHT |
| Senior IT Support Specialist | EIT |
| Programmer/Analyst III | EIT |
| GIS Specialist III | EIT |
| IT Systems Manager/Leader | EJT |

Approved by the Commission
May 17, 2017

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Office/Clerical Bargaining Unit Pay Schedule
Effective August 13, 2017
1.5% COLA

| <u>Legacy Grade</u> | <u>Lawson Grade</u> | <u>Minimum</u> | <u>Midpoint</u> | <u>Maximum</u> | <u>Longevity</u> |
|---------------------|---------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| C01 | HC1 | \$26,254 \$12.6221 | \$35,590 \$17.1106 | \$44,926 \$21.5990 | \$46,275 \$22.2476 |
| C02 | HC2 | \$28,044 \$13.4827 | \$38,017 \$18.2774 | \$47,988 \$23.0712 | \$49,428 \$23.7635 |
| C03 | HC3 | \$29,320 \$14.0962 | \$41,013 \$19.7178 | \$52,706 \$25.3394 | \$54,288 \$26.1000 |
| C04 | HC4 | \$32,941 \$15.8370 | \$44,654 \$21.4683 | \$56,366 \$27.0990 | \$58,057 \$27.9120 |
| C05 | HC5 | \$36,447 \$17.5226 | \$49,406 \$23.7529 | \$62,367 \$29.9841 | \$64,236 \$30.8827 |
| C06 | HC6 | \$40,897 \$19.6620 | \$55,439 \$26.6534 | \$69,983 \$33.6457 | \$72,081 \$34.6543 |

Approved by the Commission
 April 19, 2017

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Trades Bargaining Unit Pay Schedule
Effective August 13, 2017
1.5% COLA

| <u>Legacy Grade</u> | <u>Lawson Grade</u> | <u>Minimum</u> | <u>Midpoint</u> | <u>Maximum</u> | <u>Longevity</u> |
|---------------------|---------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| T01 | HT1 | \$28,044 \$13.4827 | \$38,017 \$18.2774 | \$47,988 \$23.0712 | \$49,428 \$23.7635 |
| T02 | HT2 | \$32,941 \$15.8370 | \$44,654 \$21.4683 | \$56,366 \$27.0990 | \$58,057 \$27.9120 |
| T03 | HT3 | \$36,447 \$17.5226 | \$49,406 \$23.7529 | \$62,366 \$29.9837 | \$64,236 \$30.8827 |
| T04 | HT4 | \$40,897 \$19.6620 | \$55,439 \$26.6534 | \$69,983 \$33.6457 | \$72,082 \$34.6548 |

Approved by the Commission
April 19, 2017

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Service/Labor Bargaining Unit Pay Schedule
Effective August 13, 2017
1.5% COLA

| <u>Legacy Grade</u> | <u>Lawson Grade</u> | <u>Minimum</u> | <u>Midpoint</u> | <u>Maximum</u> | <u>Longevity</u> |
|---------------------|---------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| L01 | HL1 | \$26,176 \$12.5846 | \$35,485 \$17.0601 | \$44,795 \$21.5361 | \$46,138 \$22.1817 |
| L02 | HL2 | \$29,234 \$14.0548 | \$40,892 \$19.6596 | \$52,551 \$25.2649 | \$54,127 \$26.0226 |
| L03,L04 | HL3/HL4 | \$32,845 \$15.7909 | \$44,524 \$21.4058 | \$56,203 \$27.0207 | \$57,890 \$27.8317 |
| L05,L06 | HL5/HL6 | \$36,340 \$17.4712 | \$49,262 \$23.6837 | \$62,184 \$29.8962 | \$64,049 \$30.7928 |
| L07 | HL7 | \$40,777 \$19.6043 | \$55,278 \$26.5760 | \$69,777 \$33.5466 | \$71,871 \$34.5534 |

Approved by the Commission
April 19, 2017

The Maryland-National Capital Park and Planning Commission
 FOP Park Police
 Effective July 2, 2017 (1.5% COLA)

| Rank | A | B | C | D | E | F | G | H | I | J | K | L | M | N | O | P |
|--------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|------------------------|
| P02 (annual) (hourly) | \$51,800 \$24,9038 | \$53,618 \$25,7779 | \$55,495 \$26,6803 | \$57,436 \$27,6135 | \$59,443 \$28,5784 | \$61,527 \$29,5803 | \$63,679 \$30,6149 | \$65,907 \$31,6861 | \$68,213 \$32,7947 | \$70,605 \$33,9447 | \$73,077 \$35,1332 | \$75,630 \$36,3606 | \$78,277 \$37,6332 | \$81,018 \$38,9510 | | |
| P03 (annual) (hourly) | \$54,392 \$24,8933 | \$56,299 \$27,0668 | \$58,276 \$28,0173 | \$60,307 \$28,9938 | \$62,412 \$30,0058 | \$64,602 \$31,0587 | \$66,862 \$32,1452 | \$69,208 \$33,2731 | \$71,627 \$34,4361 | \$74,134 \$35,6413 | \$76,732 \$36,8904 | \$79,419 \$38,1822 | \$82,192 \$39,5154 | \$85,069 \$40,8986 | | |
| P04 (annual) (hourly) | \$54,367 \$26,1380 | \$57,109 \$27,4563 | \$59,114 \$28,4202 | \$61,182 \$29,4144 | \$63,320 \$30,4423 | \$65,539 \$31,5091 | \$67,831 \$32,6111 | \$70,203 \$33,7514 | \$72,664 \$34,9346 | \$75,203 \$36,1553 | \$77,839 \$37,4226 | \$80,565 \$38,7332 | \$83,382 \$40,0875 | \$86,302 \$41,4913 | \$89,325 \$42,9447 | |
| P05 (annual) (hourly) | \$59,939 \$28,8168 | \$62,970 \$30,2740 | \$65,171 \$31,3322 | \$67,452 \$32,4288 | \$69,810 \$33,5625 | \$72,255 \$34,7380 | \$74,784 \$35,9538 | \$77,405 \$37,2139 | \$80,115 \$38,5168 | \$82,915 \$39,8630 | \$85,821 \$41,2601 | \$88,828 \$42,7058 | \$91,930 \$44,1971 | \$95,148 \$45,7442 | \$98,475 \$47,3438 | \$100,939 \$48,5284 |

| Rank | ASI 1* | ASI 2** |
|--------------------------|------------------------|------------------------|
| P02 (annual) (hourly) | \$83,449 \$40,1197 | \$86,161 \$41,4236 |
| P03 (annual) (hourly) | \$87,621 \$42,1255 | \$90,469 \$43,4947 |
| P04 (annual) (hourly) | \$92,005 \$44,2332 | \$94,995 \$45,6707 |
| P05 (annual) (hourly) | \$103,967 \$49,9841 | \$107,346 \$51,6087 |

*ASI 1 Applies to all officers on the first anniversary date on which the officer has completed 16 years.
 **ASI 2 Applies to all officers on the first anniversary date on which the officer has completed 19 years.

**Park Police Command Officers
Effective July 2, 2017
1.5% COLA**

| Title | Minimum | Midpoint | Maximum |
|---------------------|------------------------|-------------------------|-------------------------|
| Lieutenant [P06] | \$69,872 \$ 33.5923 | \$94,411 \$ 45.3899 | \$118,953 \$ 57.1889 |
| Captain [P07] | \$80,838 \$ 38.8644 | \$109,225 \$ 52.5120 | \$137,613 \$ 66.1601 |
| Commander [P09] | \$98,753 \$ 47.4774 | \$128,345 \$ 61.7043 | \$157,932 \$ 75.9288 |

**Officer Candidate Pay Scale
Effective July 2, 2017
1.5% COLA**

| <u>Position</u> | <u>Scale</u> |
|------------------------|------------------------|
| Candidate [PC] | \$50,171 \$ 24.1207 |

Approved by the Commission June 21, 2017

**The Maryland-National Capital Park and Planning Commission
Aquatics Seasonal/Intermittent Pay Schedule
Effective First Full Pay Period in October 2017
Minimum Wage and Schedule Adjustments**

| <u>Grade</u> | <u>First Year</u> | <u>Second Year</u> | <u>Third Year</u> |
|--------------|-------------------|--------------------|-------------------|
| A02 | \$11.50 | \$12.05 | \$12.60 |
| A03 | \$11.55 | \$12.40 | \$13.25 |
| A04 | \$12.00 | \$13.18 | \$14.35 |
| A05 | \$13.55 | \$14.70 | \$15.85 |
| A06 | \$15.60 | \$16.93 | \$18.25 |
| A07 | \$17.90 | \$19.40 | \$20.90 |

Approved by Commission on October 18, 2017

**The Maryland-National Capital Park and Planning Commission
 Aquatics Seasonal/Intermittent Pay Schedule
 Effective May 13, 2018
 Pay Schedule Adjustments and New Grade**

| <u>Grade</u> | <u>First Year</u> | <u>Second Year</u> | <u>Third Year</u> | <u>Fourth Year</u> |
|--------------|-------------------|--------------------|-------------------|--------------------|
| AQ2 | \$12.00 | \$12.61 | \$13.23 | \$13.89 |
| AQ3 | \$13.00 | \$13.88 | \$14.57 | \$15.30 |
| AQ4 | \$15.00 | \$15.75 | \$16.53 | \$17.36 |
| AQ5 | \$16.50 | \$17.31 | \$18.18 | \$19.09 |
| AQ6 | \$18.14 | \$19.05 | \$20.00 | \$21.00 |
| AQ7 | \$19.96 | \$20.96 | \$22.01 | \$23.10 |
| AQ8 | \$24.15 | \$25.36 | \$26.62 | \$27.95 |

Approved by Commission on February 21, 2018

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Seasonal/Intermittent Pay Schedule
Effective First Full Pay Period in October 2017
Minimum Wage Update and Schedule Adjustments

| | <u>GRADE</u> | <u>MINIMUM</u> | <u>MIDPOINT</u> | <u>MAXIMUM</u> | <u>INSTRUCTORS</u> | |
|--------------------------------------|--------------|----------------|-----------------|----------------|--------------------|-----|
| PFA I - 920 | N01 | \$11.5000 | \$12.3500 | \$13.2000 | 950 | I |
| PFA II - 921 | N02 | \$11.5500 | \$12.6750 | \$13.8000 | | |
| PFA III - 922 | N03 | \$11.6000 | \$13.0500 | \$14.5000 | | |
| PFMA I - 930 | N04 | \$11.6500 | \$13.4500 | \$15.2500 | 951 | II |
| PFMA II - 931 | N05 | \$11.7000 | \$13.8500 | \$16.0000 | | |
| PFMA III - 932 | N07 | \$11.7500 | \$14.2750 | \$16.8000 | | |
| Help Desk Rep I - 933 | N08 | \$11.8000 | \$14.7250 | \$17.6500 | 952 | III |
| Not in Use | N10 | \$11.8500 | \$15.2000 | \$18.5500 | | |
| Intern I/Playground Manager | N11 | \$12.2800 | \$15.6567 | \$20.0500 | 953 | IV |
| Help Desk Rep II - 934 | N12 | \$13.2626 | \$16.9100 | \$21.6500 | | |
| Intern II/Help Desk Rep III - 935 | N13 | \$15.2514 | \$19.4455 | \$23.6396 | 954 | V |
| Not in Use | N14 | \$17.5395 | \$22.3632 | \$27.1869 | | |
| Camp Health Supv - 941 | N15 | \$20.1711 | \$25.7179 | \$31.2647 | 955 | VI |

Approved by the Commission on October 18, 2017

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Tennis Instructor Pay Schedule
Effective First Full Pay Period in October 2017
Minimum Wage Update and Schedule Adjustments

| | <u>GRADE</u> | <u>MINIMUM</u> | <u>MIDPOINT</u> | <u>MAXIMUM</u> |
|---------------------|--------------|----------------|-----------------|----------------|
| Tennis Instructor 1 | TI1 | \$11.5000 | \$14.2750 | \$17.0500 |
| Tennis Instructor 2 | TI2 | \$15.0000 | \$19.0000 | \$23.0000 |
| Tennis Instructor 3 | TI3 | \$20.0000 | \$27.0000 | \$34.0000 |
| Tennis Instructor 4 | TI4 | \$32.0000 | \$36.0000 | \$40.0000 |

Approved by the Commission October 18, 2017

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Specialty Services Pay Schedule
Effective First Full Pay Period in October 2017
Minimum Wage Update and Schedule Adjustments

| | <u>GRADE</u> | <u>MINIMUM</u> | <u>MIDPOINT</u> | <u>MAXIMUM</u> |
|-------------------------|--------------|----------------|-----------------|----------------|
| Spec Svcs Instructor 1 | SS1 | \$11.5000 | \$16.7500 | \$22.0000 |
| Spec Svcs Instructor 2 | SS2 | \$12.5000 | \$19.7500 | \$27.0000 |
| Spec Svcs Instructor 3 | SS3 | \$15.5000 | \$24.7500 | \$34.0000 |
| Spec Svcs Instructor 4 | SS4 | \$21.0000 | \$33.5000 | \$46.0000 |
| Spec Svcs Instructor 5* | SS5 | \$34.0000 | \$54.5000 | \$75.0000 |

* Use of Specialty Services Instructor 5 requires Human Resources Director approval

Approved by the Commission October 18, 2017

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

CREDITS

Personnel Management Review Fiscal Year 2018

Anju A. Bennett
Acting Executive Director

William Spencer
Human Resources Director

Boni King
PMR Project Advisor

Jillian Chapman
PMR Project Manager





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

July 10, 2019

TO: The Commission

VIA: Anju A. Bennett 
Acting Executive Director

FROM: Jeremy Wiess, Diversity Council Chair
Calista Black, Diversity Council Co-Vice Chair 
Jonathan Bush, Diversity Council Co-Vice Chair

SUBJECT: 2019-2021 Diversity Council Strategic Plan

The Commission established a Diversity Council to promote workplace diversity and inclusion, value employees from all backgrounds, and better understand the needs of the community we serve. The Council is charged with developing recommendations for programs and policies which carry out this mission.

The Diversity Council's work program is guided by its Strategic Plan. Accordingly, the Council is requesting approval of the 2019-2021 Diversity Council Strategic Plan, which communicates goals and objectives of the Council over the next 3 years. The Plan was developed with input from senior management, earlier feedback from Commissioners, as well input from employees through agency-wide surveys on workplace diversity.

A testament to the agency's efforts to create a diverse workforce comes from documented employee feedback. In 2017, the Diversity Council issued a comprehensive, anonymous survey to allow employees to share perceptions on workplace culture and support for diversity/inclusion. Based on feedback submitted from 627 individuals:

- 97% of employees were comfortable working with individuals of different ages, genders, ethnicities, religions, cultures, or sexual orientations.
- 84% of employees agreed that their direct manager was committed to supporting a culture of inclusion.
- 91% of employees believed that a diverse workforce positively impacts business performance.
- 70% of employees believed the organization recognizes the contribution of all employees who excel at their jobs, regardless of their backgrounds.

Although the feedback has been encouraging, there is more work to be done. We believe it is critical to maintain a continuous and focused effort on a culture of inclusion. Some survey feedback

stressed the need for greater diversity training opportunities that reach all employees. Commissioners, the Executive Director, and other members of senior management have also asked that we incorporate greater metrics on the success of diversity efforts.

The Diversity Council has worked diligently to develop a Strategic Plan which promotes greater dialogue with management and employees, education, and messaging to raise general awareness of why inclusion is a business priority. The Plan reflects goals for actions, tasks, resources, and timelines to assist the agency in building stronger workforce inclusion.

The Plan was presented to Department Heads and the Executive Committee for input, all of whom supported the proposed Plan. We are seeking the Commission's approval of the Plan. Once approved by the Commission, the strategies proposed in this Plan will guide the work of the Diversity Council through 2021. We thank the Commission for their continued support of the Diversity Council and its initiatives.

DIVERSITY COUNCIL 2019



MANY CULTURES ONE COMMISSION



ANJU BENNETT

*Acting Executive Director
EOB - M-NCPPC
Executive Sponsor*



TINA PATTERSON

*Commissioner
Montgomery County Planning Board
Special Adviser*



JEREMY WEISS, *Diversity Council Chair 2019, Term: 2018-2019*

Facility Director | Bladensburg Community Center | Department of Parks and Recreation, Prince George's County
Within a collaborative frame of thinking, I hope to promote the importance of respecting differences in an inclusive environment to improve the quality of work for M-NCPPC employees. I hope to encourage and foster the Commission's positive efforts in embracing diversity birthed from our trail blazers of the past and encourage diversity for years to come.



CALISTA BLACK, *Diversity Council Co-Vice Chair, Term: 2019-2020*

Principal Public Affairs and Marketing Specialist | Office of the Chairman | Prince George's County Planning Board
I look forward to contributing my perspectives and suggestions based on my life experiences and 20-year professional background in communications and marketing. As a parent of a teenager with special needs, I hope to be a strong advocate for colleagues with unique abilities.



JONATHAN BUSH, *Diversity Council Co-Vice Chair, Term: 2019-2020*

Senior Planner | Development Review Division | Prince George's County Planning Department
I desire to bring an understanding of urban planning that will benefit the MNCPPC community, specifically understanding the inherent socio-economic issues and the people we are designing/planning for.



CATHERINE COELLO, *Term: 2018-2019*

Administrative Assistant | Commissioners Office | Montgomery County Planning Board
I look forward to taking on bigger projects. Specifically, I would like to help with leading and organizing upcoming Diversity Council sponsored events that engage staff thoughtfully and memorably, all while bringing attention to the importance of inclusion and diversity within the Commission and our communities.



WENDY IRMINGER, *Term: 2018-2019*

Planning Coordinator | Community Planning Division | Prince George's County Planning Department
What is important to me is building a better community as a planner; which is not unlike building a better workplace as a member of the Diversity Council. As a member of the Diversity Council in the coming year, I hope to work on a training program that provides Commission staff with tools to better communicate and understand each other.



RICHARD KHARMAN, *Term: 2018-2019*

Park Manager II | Southern Parks | Department of Parks, Montgomery County
In the past, I have enjoyed working on Women's History Month and Veteran's Day events. In 2019, I hope to introduce more diversity and inclusion to the rest of our fellow workers by helping to make the presence of our Council more visible. Also by introducing diversity to our new hires.



MARY ELIZABETH O'QUINN, *Term: 2018-2019*

Planner Coordinator | ITI Division | Montgomery County Planning Department

In the past my interest in the Diversity Council focused on Inclusion for Persons with Disabilities, as a citizen, employee and public servant. For 2019, I wish to enlarge my understanding of our role, particularly regarding a respectful culture, hidden or overt bias, along with inclusion and acceptance of all others.



GRACE TAN, *Term: 2018-2019*

Administrative Specialist | Horticulture Forestry & Environmental Education Div. | Dept. of Parks, Montgomery Co.

It's an honor for me to be a part of the Diversity Council and I look forward to contributing to a more diversified and inclusive workplace by helping to create positive experiences and influence attitudes related to diversity. I enjoyed working at the Commission-wide Women's History Month 2018 and I look forward to lead and support impactful programs and initiatives in 2019.



JILLIAN CHAPMAN, *Term: 2019-2020*

Human Resources Information Systems Specialist | Dept. of Human Resources & Mangement | EOB - M-NCPPC

As a new member of the Diversity Council, I hope to bring another unique perspective to the Council and its initiatives. I will strive to emphasize the value of diverse perspectives in problem solving, and I hope to learn and share enthusiastically how beneficial bridging gaps with this attitude can be!



CARLOS OCASIO, *Term: 2019-2020*

Acting Program Superintendent | Northern Area Operations | Dept. of Parks and Recreation, Prince George's County

As a Diversity Council member, I'm looking forward to use my experiences and skills to provide our Commission employees with more inclusive programs, opportunities and create a safe environment where we can enjoy and respect our many cultures.



SELINA PRADHAN, *Term: 2019-2020*

Programmer Analyst | Office of Chief Information Officer | Central Administration Services | EOB - M-NCPPC

I hope to bring awareness of diversity, and to continue creating an open working environment. Looking forward to working on upcoming projects and events.



ROBERT REESE, *Term: 2019-2020*

Mail Courier | Montgomery County Planning Department

As a Diversity Council member, I look forward to using my experience and skill set to promote awareness throughout the Commission of all the diverse opportunities and programs that exist to bring us closer together.



NATALIE SMART, *Term: 2019-2020*

Facility Director | Bowie Community Center | Department of Parks and Recreation, Prince George's County

I desire to be a channel to help expand Commission employees' understanding of the definition of diversity. Additionally, I hope to be able to initiate meaningful conversations through trainings and outreach that bridge gaps and connect people who would have otherwise never interacted with one another.



SHIRL SPICER, *Term: 2019-2020*

Museum Manager | Park Planning & Stewardship Division | Department of Parks, Montgomery County

In serving the Commission for the past decade as one who brings history to life, I'd like my service on the Diversity Council to help bridge a connection between the varied lives within the Commission. All of us, as different as we may appear, share similar stories and experiences, and I will work to help sustain and develop programs that will bring to life this rich diversity.

2019-2021

M-NCPPC Diversity Council Strategic Plan





INTRODUCTION

The Diversity Council’s purpose is to promote the Maryland-National Capital Park and Planning Commission employees’ understanding of the importance of respecting differences and working together productively. The Council is the guiding body charged to help the Commission embrace diversity as part of an overall business model.



The Council supports an inclusive environment to improve the quality of work, boost morale, and maximize contributions of all employees. This strategic plan was developed in support of our efforts to renew and reinvigorate the Diversity Council. It introduces initiatives to unify and align our organization while delivering broad services and products that make us stronger. In order to establish greater trust and cohesiveness, the Commission is open in its communications and invites input and buy-in from the communities we serve.

Once adopted by the Commission, the strategies proposed in this Plan will guide the work of the Diversity Council over the next three calendar years (2019-2021). It characterizes the best thinking of a network of deeply experienced allies, diversity champions, and lead learners from across the Commission. It is grounded in the core values of the Commission including the values of diversity and inclusion.

Thank you for the opportunity to share this document and for your continued support.

M-NCPPC Executive Director (Executive Sponsor of Diversity Council)

Anju A. Bennett (Acting Executive Director)

2019 Current M-NCPPC Diversity Council Members

| | |
|------------------------------|--|
| Jeremy Weiss, Chair | Anju A. Bennett, Acting Executive Director |
| Calista Black, Co-Vice-Chair | Tina Patterson, Commissioner, Advisor |
| Jonathan Bush, Co-Vice-Chair | Mary Beth O’Quinn |
| Jillian Chapman | Selina Pradhan |
| Catherine Coello | Robert Reese |
| Wendy Irminger | Natalie Smart |
| Richard Kharman | Shirl Spicer |
| Carlos Ocasio | Grace Tan |



CONTENTS

Table of Contents

Diversity Definitions, Mission, Vision, Values1

History of the Diversity Council 2

Strategies in Action (Committees)

 Policy Recommendations and Action Plan 6

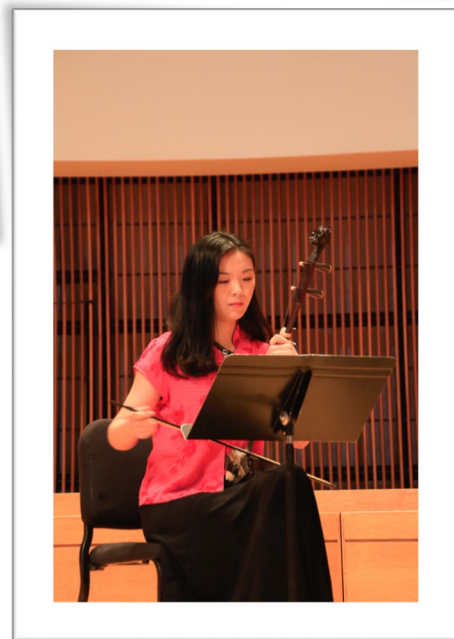
 Marketing and Communications and Action Plan 7

 Policy Recommendations and Action Plan 9

 Program Development/ Training and Action Plan 10

Appendix

- Appendix 1 Operating Guidelines and Procedures
- Appendix 2 Past Diversity Council Members
- Appendix 3 Diversity Goals
- Appendix 4 Commission Resolutions





DIVERSITY AND DIVERSITY COMPETENCY DEFINITIONS

Diversity recognizes a dynamic mix of personal and cultural characteristics, perspectives, and relationships as a vital organizational resource. It refers to areas of differences and similarities across all individuals. In the Commission’s workplace, diversity includes all attributes that define each Commission employee as a unique individual. These differences include but are not limited to culture, ethnicity, race, gender, national origin, age, religion, physical characteristics, abilities, sexual identity, experiences, opinions, and beliefs. It is not enough to understand diversity: rather, one should strive to achieve diversity competency.

Diversity competency is defined as skills, behaviors, and attitudes that demonstrate the value of individual and group differences to organizational effectiveness and the commitment to be included. Additionally, it is the willingness to learn about self and others, to value the unique attributes that each person possesses, and to recognize diversity as a core, essential business and organizational practice.

MISSION, VISION, AND VALUES

Our mission is to advise the Commission on developing and implementing a diversity policy framework that promotes an inclusive workplace, measures progress, and ensures effective programming and services both internally and externally (for more detail, refer to operational guidelines Appendix 1).

Our vision and values are to promote behavior in the workplace that contributes to understanding, respecting, and valuing all people. The Council’s values in action are fairness, equal treatment, leveling the playing field, integrity, understanding,





HISTORY OF THE DIVERSITY COUNCIL

Building on prior years' in-house diversity training and an "Affirming Diversity" column featuring employees in *Update* in 1999, Executive Director Trudye Morgan Johnson and Commissioners Allison Bryant and Zola Boone, and several employees met to establish the Diversity Policy Initiative Committee, with the purpose of establishing the Diversity Council. The group presented its report and recommendations to the Commission, and on December 15, 1999, the Commission approved a Commission-wide diversity policy, program, and process in an effort to nurture and celebrate diversity in our workforce and the communities we serve. On June 21, 2000 the Commission established the Diversity Council through Resolution 00-12 (for more details refer to Appendix 4).



To begin improving policies, procedures, and our workforce, an outside consultant from Bridges in Organizations, Inc. was brought in to help facilitate the process. Cultural assessment survey sessions were held in February 2000 with employees, supervisors, and Executive Management. The objectives were to introduce the notion of a preferred workplace and to collect data about current cultural perceptions of the Commission.

The assessment examined power and politics, language and communication, working relationships, and doing the work. The consultant also suggested changes within the organization. In May 2000, the Bridges consultant facilitated a leadership briefing, focused on five questions:

- What are the activities to date?
- What is a snapshot of the current organizational concerns?
- Where do you want to be?
- What's missing?
- What will it take to get you there?

These five questions acted as a guideline for the Council to develop its structure, appropriate roles, and operating procedures set forth in this document.



STRUCTURE AND ROLES

The Diversity Council consists of representatives from each department who expressed an interest in serving. Members are appointed by the Executive Director in consultation with the respective Department Directors. To generate a broad and inclusive view, Council membership should always reflect the diversity of the Commission and the communities we serve (for more details, refer to Appendix 1 & 3).



To enable the opportunity to participate on the Diversity Council for a greater number of Commission staff, members are appointed for a maximum two-year term. Past Council members become important diversity ambassadors, spreading the message throughout their departments long after their terms have expired.

The Council consists of a chair and a vice chair, one representative from each county. They are responsible for facilitating and providing guidance to the Diversity Council and working with members to implement the goals of the Strategic Plan. The two-year Council member term may be extended to three years with the support of the respective Department Director and the Executive Director under the following circumstances:

- To enable a Council member serving as first year vice chair to become the Diversity Council chair
- To enable, if necessary, a successful transition of a second year Council member committee chair to a new committee chair
- Members are expected to attend meetings and to complete committee assignments.

The Diversity Council work program is accomplished under the direction of the Commission's Executive Director and is based on the Strategic Plan developed in conjunction with the Diversity Council as approved by the Department Directors, Executive Committee, and ultimately the full Commission. The Executive Director provides insight into the perspectives of the Commission leadership so that the Diversity Council's work is well-aligned with the Commission's missions and goals. The Office of the Executive Director provides logistics, human resources, and administrative support to the Diversity Council. The Diversity Council consists of a streamlined team structure with three committees, each with its respective goals and individualized action plan.



Policy Recommendations Committee of the Diversity Council



This committee ensures that diversity efforts in all departments result in an integrated and coordinated approach to diversity and cultural competence within the Commission by:

- Recommending policies to the Commission that promote inclusion and diversity in the workplace.
- Reporting annually to the department heads, Executive Committee, and full Commission on status of strategic plan initiatives.
- Collecting and consolidating input and functioning as a resource for all employees regarding suggestions to enhance inclusion and other diversity initiatives.
- Recognizing and encouraging diversity champions within the departments and throughout the agency.
- Analyzing the findings of the employee diversity survey to help determine the Commission's progress in promoting its core value of diversity and inclusion.
- Providing input for facilitators/consultants, co-chairs, Council members, committees, and "champions."

Program Development and Training Committee

This committee's role is to promote greater contributions in training and program development for a more unified and aligned organization by:

- Ensuring diversity training is offered Commission-wide and includes cultural competency.
- Informing Diversity Council members about current Diversity Training trends and practices.
- Reviewing internal training opportunities and developing recommendations for Commission-wide training.
- Recommending to the Executive Director and Department Heads various resources for staff and managers to promote diversity and inclusion; applying tools to evaluate their impact.
- Creating and distributing an employee diversity survey within two years of this Plan.



One-Connect Event 2017



Asian Pacific American Heritage Celebration 2018



Marketing and Communications Outreach Committee

This committee's role is to unify our organization by improving awareness that we are all different. It aims to establish greater trust and cohesiveness among departments for the sake of our employees and the public we serve by:

- Providing internal communications to the Diversity Council including communications materials (slogans, etc.).
- Publishing articles for monthly *Update* and offering ongoing content for the InSite employee website to educate workforce on diversity and inclusion practices. Content will be coordinated with Executive Director.
Developing a membership outreach program for the Diversity Council (awareness and recruitment).
- Having members serve on the Commission-wide Diversity Awareness event.
- Sharing with departments the various tools, strategies, and resources that are being used to broaden outreach and awareness to the communities we serve.
- Monitoring and updating the Diversity Council website, other external and internal marketing tools, and media from each Department. [http://insite.mncppc/Our_People/Diversity.html]



I. Policy Recommendations and Action Plan

| | Action Items | Tasks | Lead | Resources | Start | Due |
|-----------------------------------|---|--|--|--|-------------|-----------------|
| 2019 - 2021 STRATEGIC PLAN | 1. Create and Finalize the Strategic Plan. | Provide progress report at each Diversity Council meeting | Council Members, | | | Monthly updates |
| | 1a. Implement the Overall Strategic Plan | Prioritize goals and objectives | Sub-Committee members, Executive Director | | Summer 2019 | Continuing |
| | 1b. Interview Department Directors and Planning Board Chairs to get their input on the Council's work program. | Communicate with Department Directors, Deputies, Division Chiefs and Commissioners | Council Members | | | Ongoing |
| | 1c. Implement tasks in Strategic Plan and update document. | Coordinate Sub-Committee work for plan goals | Sub-Committee Members | | | Ongoing |
| COUNCIL INITIATIVES | 2. Provide continuous communication regarding Diversity Council initiatives | Communicate with Department Directors, Deputies, Division Chiefs and Commissioners | Council Members | | | Ongoing |
| | 2a. Keep tabs on deliverables and add as an agenda item to report about at each Diversity Council meeting. | Coordinate Sub-Committee work for plan goals | Sub-Committee Members | | | Ongoing |
| DIVERSITY POLICY WORK | 3. Develop recommendations for policies and policy changes to the Commission regarding cultural diversity and inclusion. | <p>The Council drafts recommendations for policies and procedures.</p> <p>The Chair and Vice-Chair present the recommendations to the Executive Director for review.</p> | Diversity Council Chair, Vice Chair and Executive Director | Coordinate with Commission Policy Department and other appropriate offices/departments | | Ongoing |

| | | | | | | |
|--------------------|---|--|---|---|-----------------------------|---------------------------|
| ANNUAL REPORT | 4. Produce the Annual Report | Identify information to include in the Report based on Sub-Committee tasks completed. | Chair, Vice Chair, Sub-Committee chairs | | Annual Production each Fall | Year End |
| | Complete the Annual Report | Provide draft Annual Report to the Executive Director for Review. | Chair, Vice Chair, Sub-Committee chairs, Executive Director | - | | Year End |
| | Submit and Present the Annual Report as required | Present Final Annual Report. | Chair, Vice Chair | | | Spring-Summer 2019 |
| MEMBER RECOGNITION | 5. Recognize outgoing Diversity Council members | Recognize contributions of outgoing Council members. Council will make recommendations to Executive Director for recognition, awards. Funding to be approved by Executive Director with input of Department Heads. | Chair, Vice Chair, Executive Director | | | Year End |

II. Marketing and Communications

| | Action Items | Tasks | Lead | Resources | Start | Due |
|------------------|--|---|-----------------------|---|-----------|--|
| PROMOTING VISION | 1. Promote a consistent mission and vision for the Diversity Council | Utilize multiple media types to communicate the Agency's commitment to and Council's vision of Diversity and Inclusion to include web, video and traditional print media. | Councilmember | Departmental and Commission wide IT, Public Affairs, National Diversity Council | | Continuous |
| COMMUNICATIONS | 2. Provide continuous, consistent communication to Departments and employees regarding Diversity Council initiatives. | Provide Diversity resources on the web site with links and publication citations. Provide a timely article for the "Diversity Corner" in each issue of <i>Update</i> . <i>Distribute articles electronically.</i> | Sub-Committee members | | Quarterly | Quarterly For Update: Monthly, starting Fall 2018, and continuing on set schedule |

| | | | | | | |
|--|---|--|--|--|-------------|------------|
| | 2a. Increase Content of Diversity Council Website to include Video, Diversity Events, Update articles on members as well as other Diversity-related content published in Update. | Monitor website use and activity. Update for increased viewing, as needed. Develop and update inSite specific content. Update the Diversity Council web site with current council member contacts. Develop Commission-wide blast for awareness of new web content | Sub-Committee Members | Engage IT and Public Affairs staff for assistance. | | Continuous |
| | 3. Support Department Event organizers Publish and distribute an electronic calendar of Diversity Council activities and events via web site links. | Create a "Diversity Events Calendar" of events and links to programs on the Training Calendar; offer assistance to other event organizers with use of the Council logo. | Sub-Committee members | Event Subcommittees | | Continuous |
| E V E N T S | 3a. Develop the list of year-round events by engaging with other diversity events. Offer Diversity Council sponsorship of other committee events. | Contact event organizers; consider adding Diversity Council logo to flyers and other communication promoting the events. | Sub-committee members | | Winter 2019 | Continuous |
| | 3b. Plan, organize and implement select Commission Diversity events. | Plan, organize and execute Diversity events, such as the Women's History Month Event and the triennial One-Connect Event , with input from the Executive Director. | Chair, Vice-Chair, Executive Director, Full Diversity Council, Sub-Committee members | All council members | | May 2020 |
| R E S O U R C E S P E A K E R S | 4. Extend invitations to a variety of visiting speakers to address the monthly Diversity Council meeting to share, guide and critique ideas for inclusion. | Formalize the schedule for invited speakers to address the monthly Diversity Council meeting | Sub-Committee members | | | Continuous |
| A D M I N I S T R A T I V E R E S P O N S I B I L I T I E S | 5. Develop Diversity Council outreach strategies, including video and paper educational content for showing the Council's goals, and focusing on effective employee engagement. | (a) Develop promotional rack card/brochure and stand up ("roving") banners. | Sub-Committee members | Public affairs and media departments to create video (What is Diversity and other media promotional clips. | Winter 2019 | Continuous |

III. Training and Development

| | Action Items | Tasks | Lead | Resources | Start | Due |
|---|---|---|---|--|-------------|--------------------|
| TRAINING RESEARCH | 1. Research the Commission existing training programs and provide Department Heads training recommendations as it relates to cultural, diversity and inclusion training, starting with Commission employees, senior management and supervisors. Draft training proposal and recommendations. | Meet with point of contacts in various departments to obtain information about and materials for existing Diversity-related training | Chair, Vice Chairs, Training Subcommittee | Departmental Training Coordinators | | Summer 2020 |
| Develop recommendations and training outline for delivery to Department Heads | | Department Heads | | | | |
| | | Commission-Wide Training Manager (new position) | | | | |
| ORIENTATION | 2. Integrate Diversity Council work in Orientation components Employee On-Boarding (pre-day 1) and Orientation (day 1) Diversity Council education. | Investigate Diversity Council and opportunities for Diversity commitment and Diversity Council awareness content to be added as part of new NeoGov onboarding module and new Orientation program. Work with Marketing Subcommittee for web or video content | | Recruitment Manager Departmental Personnel Onboarding Coordinators Public Affairs | | Continuous |
| DIVERSITY TRAINING | 3. Develop an in-house Diversity Training Program for leadership based on survey results to determine most requested diversity and employees ty training topics. Utilize Diversity Council Members, past and present, who will receive training for trainers. | Research and procure an appropriately qualified Diversity instructor to “train-the-trainers.” Provide a training initiative to provide quarterly training to leadership focusing on “Effective Diversity Engagement Strategies.” Seek Department feedback prior to sending Diversity Training survey. Develop the program: timeframe, topics, agenda, preparation, handouts, schedule. | Sub-committee members | Coordinate with Department Training Coordinators and Corporate Policy & Management Division, with Human Resources. | Winter 2019 | Continuous |

| | | | | | | |
|-------------------------------------|--|---|---|--|-------------|------------------|
| | 3a. Support Diversity training opportunities and events throughout the Commission by participating or collaborating with other trainers and programs. | Post Diversity Training opportunities that are supported or sponsored by other Commission Departments and sections. | Diversity Council members, in coordination with the Development and Training Sub-Committee. | Department Training | | As Needed |
| EVALUATIONS AND SURVEY TOOLS | 4. Prepare and conduct an electronic survey of employees, starting with Merit Career Employees in phases, beginning with management and supervisors. | Conduct a Merit Employee survey to determine progress in promoting core values of diversity and inclusion. Use results to determine training needs and content. | Sub-Committee Members | Survey Monkey (Brittany Drakeford recommendations) | Summer 2020 | |
| | 4a. Develop a limited survey for inclusion with payroll for Contract Employees addressing diversity and inclusion in the workplace. | Develop a draft survey, including recommendations for survey metrics and measurement and a procedure for implementation | Sub-Committee | | | December 2019 |
| | 4b. Analyze survey results and prepare report. Use survey results to define training needs and diversity training program content. | Create summary presentation for Executive Director, Department Heads. | Sub-Committee Members | | | |

Appendix 1

Diversity Council Charter of Operating Guidelines and Procedures

Amended by the Diversity Council: June 9, 2015

Approved by Department Heads: June 23, 2015

I. Background

- A. As a matter of practice, The Maryland-National Capital Park and Planning Commission shall:
1. Expect a workplace that contributes to understanding, respecting, and valuing all individuals.
 2. Maximize the Commission's effectiveness through inclusive processes that benefit staff and community alike.
 3. Not tolerate discrimination, harassment, or the practice of exclusion based upon individual differences including, but not limited to, culture, ethnicity, race, gender, national origin, age, religion, physical characteristics, disability, sexual orientation, experiences, opinions, and beliefs.
 4. Conduct personnel activities in a way that complies with equal employment opportunities and encourages the recruitment and retention of a diverse workforce that reflects the community the agency serves.
- B. The Commission desires to have, and to promote, an environment where there is conscious inclusion, acceptance, and education concerning diversity within the Commission. Further, the Commission recognizes the need for an inclusive formalized diversity program.

II. Creation and Mission

- A. Enabling Authority: On June 21, 2000, the Commission adopted Commission Resolution 00-12 which established the Diversity Council to assist with the strategic development and implementation of diversity policies and programs.
- B. The Mission of the Council is to:
1. Provide advice to the Commission on developing and implementing a diversity policy frame work that promotes an inclusive workplace and assures effective programming and services both internally and externally.
 2. Establish a diversity initiative, including a policy that will foster an equitable and inclusive work place and employment system at the Commission.
 3. Analyze the Commission's culture and determine how to achieve an organizational culture that respects, nurtures, and promotes diversity in our workforce and the communities we serve.
 4. Assist departments in their efforts to develop and improve diversity (departmental diversity initiatives), and to develop an integrated, coordinated, and structured approach to diversity and multiculturalism within the agency.

5. Sponsor and support programs pertaining to employment functions, education, and training of a diversified workforce, enhanced workplace productivity, and effective customer service.
6. Represent the Commission on committees, panels, and boards as requested to accomplish its objectives.
7. Consider, evaluate, and recommend policies and programs regarding the promotion of inclusiveness, in order to create a more multicultural and diversified workplace. To accomplish its objectives, subgroups of the Council shall examine and recommend recruitment and hiring policies and shall sponsor educational workshops, community programs, and training seminars.
8. Provide advice and information to the Commission, Executive Director, department heads and members of the senior management team on development and implementation of diversity initiatives.
9. Provide advice on other matters related to diversity and employment issues such as: employee development of cultural competencies, equity in access to training and educational opportunities, organizational assessment, cultural change, and leadership development.
10. Assist in other appropriate ways to promote programs and services related to diversity initiatives.

C. Limitations on Actions

- A. The Council shall not entertain or seek to intervene in any individual employee complaint.
- B. The Council shall not entertain or seek to intervene in any employee issue that is within the purview of a collective bargaining agreement and/or the duly authorized employee bargaining unit. The Council shall refer any matters relating to a collective bargaining agreement, individual employee issues relating to equal employment opportunity compliance, or issues within the jurisdiction of other divisions of the Commission to the appropriate body.

III. Diversity and Diversity Competency Definitions

- A. Diversity recognizes a dynamic mix of personal and cultural characteristics, perspectives, and relationships as a vital organizational resource. It refers to areas of differences and similarities across all individuals. In the Commission’s workplace, diversity includes all attributes that define each Commission employee as a unique individual. These differences include, but are not limited to: culture, ethnicity, race, gender, national origin, age, religion, physical characteristics, disability, sexual orientation, experiences, opinions, and beliefs. It is not enough to understand diversity: rather, one should strive to achieve diversity competency.
- B. Diversity competency is defined as skills, behaviors, and attitudes that demonstrate the value of individual and group differences to organizational effectiveness and the



commitment to inclusion. Additionally, it is the willingness to learn about self and others, to value the unique attributes that each person possesses, and to recognize diversity as a core, essential business and organizational practice.

IV. Composition of the Diversity Council

- A. The Council shall be comprised of a representative “cross section” from the non-represented employee community from Montgomery and Prince George’s Counties.
- B. The department heads shall take affirmative measures to ensure that their employees are aware of the Council and to encourage those employees who show an interest in serving to submit their names for consideration.
- C. The Executive Director, in consultation with department heads, will appoint Members to reflect the diverse composition of the counties and the population of the communities served by the Commission.

The departments shall be represented as follows:

- Montgomery County Department of Parks—three members.
 - Prince George’s County Department of Parks and Recreation—three members.
 - Montgomery County Planning Department—two members.
 - Prince George’s County Planning Department—two members.
 - Central Administrative Services – two members from two different departments.
 - Prince George’s County Chair’s Office—one member.
 - Montgomery County Chair’s Office—one member.
- D. Appointments will be for two years, with staggered terms beginning in January.
 - E. In the event that a vacancy occurs prior to the expiration of a Member’s term, the Executive Director, in consultation with department heads and guided by the Council, shall fill the vacancy as soon as possible. The appointed person will complete the remaining term of the vacant position.
 - F. Members from each department shall be assigned to serve as liaisons to their directors. These liaisons shall meet at least annually with directors to keep them informed and to receive feedback on their respective departmental diversity initiatives.

V. Duties of Officers and Members

- A. The Executive Director:
 - 1. Shall act as a sponsor and advisor to the Council by providing guidance to the Council.
 - 2. Serves as the liaison between the Council and the Commission leadership, including Department Heads, Executive Committee and Full Commission.
- B. The Chair:



1. Shall be elected annually by the Council to a one-year term. The election shall be decided by a simple majority of the Members present at a Council meeting.
2. Shall adhere to—and ensure Council adheres to—these operating guidelines and procedures.
3. Shall preside over Council meetings, facilitate discussions, and have the authority and responsibility customarily conferred on a presiding officer.
4. May create committees as deemed desirable by the Council in order to sponsor and support programs pertaining to employment functions, an educated diverse workforce, and enhanced workplace productivity.
5. May assign tasks to Members for research, study, or analysis and request reports back within a specific time period. These assignments shall become part of the minutes of the Diversity Council.
6. Shall, in coordination with support staff, assigned department heads, and any consultants, ensure that the following activities are performed:
 - a. Prepare an agenda for each meeting. The agenda, minutes, and supporting documents for any agenda items shall be distributed to Council Members at least three business days, prior to Council meetings.
 - b. Solicit a Member of the Council to record the minutes of Council meetings, have the Office of the Executive Director review them, and disseminate a draft prior to the following meeting for approval at that meeting.
 - c. Maintain a file of written communications with or by Council Members concerning Council topics, including agendas and meeting minutes.
 - d. Shall ensure the Council meets the reporting requirements described herein.

C. The Vice Chair:

1. The Council shall elect two Vice Chairs annually to a one-year term. The election shall be decided by a simple majority of the Members present at a Council meeting.
2. May assign tasks to Members for research, study, or analysis and request reports back within a specific time period. These assignments shall become part of the minutes of the Diversity Council.
3. Shall work with the chair in developing meeting agendas.
4. Oversee the committees and their work program.
5. During the chair's absence, act as chair and assume the chair's responsibilities.
6. In the event of the chair's resignation or termination from the Council, the vice-chair become the new chair of the Council if the vice-chair has served less than



one year when the chair vacates the position. The appointment of the vice-chair to the chair position will require the vote of the Council following approval by the Executive Director with input of the respective Department Head.

7. Work closely with the chair and Executive Director on policy committee work program.

D. Members

1. Serve two years following approval by the Executive Director and input of the respective Department Head.
2. Have a single vote each. Absent Members may convey proxy votes to the responsible Council chair or vice chair by e-mail.
3. Attend all meetings as scheduled or notify the responsible Council chair or vice chair if unable to attend. If a member has more than four (4) absences over a one-year period regardless of reason, the member may be asked to resign to allow another individual to actively represent his/her department on the Diversity Council. The chair and/or vice chair will notify the member and recommend to the Executive Director that he or she be replaced based on the fact that the member has missed more than four (4) meetings over a one-year period. Once the member's seat becomes vacant, the Executive Director will contact the appropriate department head asking for a replacement. The new member is then officially appointed by the Executive Director to serve the remaining term of the departing member. For representatives from Central Administrative Services (CAS), the new representative may be from any department within CAS.
4. Serve on and attend meetings of at least one committee, as scheduled, or notify the committee chairperson or a designated Member if unable to attend.
5. Shall attend and participate in activities sponsored by and for the Council.
6. Provide, to the maximum extent possible, written copies of any announcement, recommendations, or proposal to be made at the Council meeting to the responsible chair or vice chair prior to the meeting.
7. Any member may be removed from the Council due to performance or disciplinary concerns. The removal will be approved by the Executive Director and the respective Department Head.

VI. Council Meetings and Operations

A. Meetings

1. The Council shall hold regular meetings once a month and other meetings as may be called by a chair or vice chair.
2. Each Member shall ensure that the proper decorum is maintained during



Council meetings and that due consideration is given to the sensitivity of any deliberations during Council meetings.

3. The chair or vice chair may allow members to participate in Diversity Council meetings using remote meeting platforms such as video or phone conferencing, when needed.

B. Agenda and Meeting Materials

1. Any Member wishing to propose an agenda item should contact the responsible Council chair or vice chair at least five days in advance of the meeting.
2. The agenda, meeting minutes, and supporting materials for agenda items shall be distributed at least three business days, prior to Council meetings. The chair or vice chair has the discretion to add items to the agenda after it has been disseminated to the Council; however, the number of exceptions under this subsection is not intended to erode the purposes of this provision.
3. The agenda shall include the following items:
 - a. Call to order.
 - b. Approval of minutes and selection of a scribe.
 - c. Announcements and reports from departmental diversity initiative project leaders.
 - d. Committee reports.
 - e. Old business.
 - f. New and other business.
 - g. The date of the next meeting.
 - h. Adjournment.

C. Committees and Working Groups

1. Committees and working groups may be created with the consent of a majority of the Members present at a Council meeting.
2. Committees and working groups may be long-term or short-term.
3. Committees and short-term working groups will be disbanded once the assignment is completed unless the Council desires a standing committee.

D. Decisions of Council

1. After the discussion of a proposal, the chair or vice chair shall summarize the proposal and poll Council Members for a consensus of opinion.



2. Each Member will have and cast a single vote.
3. The Council will reach decisions by consensus with a simple majority of those present and those who have voted by proxy (see V.D.2.). However, adoption of amendments to the Operating Guidelines and Procedures (Charter) contained in this Handbook shall be consistent with Section VII.
4. The Council may replace a chair or vice chair upon a two-thirds vote of all Council Members. At least two weeks' notice must be given to all Council Members before this vote may be taken.

E. Work Program and Strategic Planning for the Council

1. The Council should require regular reporting from its departmental diversity initiative liaisons and seek to coordinate and assist the departmental diversity initiatives.
2. Annually, the Council must develop a strategic plan of goals and objectives it desires to achieve for that year.

F. Reporting Requirements

1. Reports from departmental diversity initiatives: The Council may invite representatives of the departmental diversity initiatives to attend meetings quarterly to provide reports on their departmental diversity initiatives.
2. Reports to the Commission: The Council shall recommend annual reports for submission to the Commission by the Executive Director. The annual reports shall summarize Council activities and initiatives.

VII. Amendments

- A. Any voting Member of the Council may propose a change to these Operating Procedures and Guidelines.
- B. An amendment may be considered by the Council after prior written notice is sent to Members announcing the meeting at which the amendment(s) is to be considered. The amendment must be included with the written notice.
- C. An amendment shall not be voted upon at the same meeting at which it is presented.
- D. An amendment requires a two-thirds vote of all Council Members.
- E. Changes made to these Operating Procedures and Guidelines may be subject to adoption or rejection by department heads.



Appendix 2

The Trailblazers... Diversity Policy Initiative Committee

Commissioner Zola Boone
Commissioner Allison Bryant
Trudye Morgan Johnson, Executive Director
Robert Ashton
Ellen Brous
Carl Falcone
Mimi Feinstone
Jeannette Glover
Lael Holland
Marion Joyce
David McClintock
Edith Michel
Peter Noursi
Sam Parker
Gail Thomas
Carolyn Wainwright

DIVERSITY COUNCIL 2019

Anju Bennett, Acting Executive Director
Tina Patterson, Advisor
Jeremy Weiss, Chair
Calista Black, 1st Vice Chair
Jonathan Bush, 2nd Vice Chair
Jillian Chapman
Catherine Coello
Wendy Irminger
Richard Kharman
Carlos Ocasio
Mary Elizabeth O'Quinn
Selina Pradhan
Robert Reese
Natalie Smart
Shirl Spicer
Grace Tan



Appendix 3 Diversity Goals

The Commission is located within the Washington Metropolitan Area, which is one of the most demographically diverse areas in the United States. Every person is unique - whether it is because of culture, background, family, religious beliefs, race, education, and life experiences. This diversity adds richness to our community as it also does for an organization.

It is the dynamic mix of personal and cultural characteristics, perspectives, and relationships that add to the vitality of an organization. The Commission is proud to be an employer that embraces the diversity and unique talents of each employee. The Commission created a Diversity Council to promote open dialogue and create initiatives that strengthen understanding and appreciation of individual uniqueness. The Commission believes that it is the individual uniqueness that is the common bond each employee has in enriching the organization's tapestry.

The Commission demands behaviors in the workplace, which contribute to understanding, respecting, and valuing all individuals

The agency will not tolerate discrimination, harassment, or the practice of exclusion in any form. The Commission conducts all personnel activities in a way that assures equal employment opportunities on the basis of merit and encourages diversity within the parameters of existing laws, operating principles, rules, and regulations. This policy maximizes the agency's effectiveness through inclusive processes that benefit staff and communities alike.

The Commission sponsors many initiatives that celebrate diversity. Events are hosted to recognize Black History Month, Asian-Pacific Heritage Month, Women's History Month, Hispanic Heritage Month, and LGBTQ Pride Month. The Commission sponsors many activities and programs for our communities' senior citizens. There are also diversity workshops and training provided to all employees to promote greater awareness and strategies to avoid misunderstandings in cross-cultural communications. These are just some of the things the Commission does to rejoice in our commitment to diversity.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

M-NCPPC 00-12

ESTABLISHMENT OF DIVERSITY COUNCIL

WHEREAS, the Commission is committed to an inclusive workplace where all employees and applicants are given consideration on the basis of merit and without discrimination on the basis of race, color, religion, ethnic origin, age, gender, sexual orientation, or disability; and

WHEREAS, it is the policy of the Commission to provide fair and equal treatment to all and to hire and promote the best qualified individuals available; and

WHEREAS, the demographics of the Counties served by the Commission have changed over the past ten years; and

WHEREAS, the Commission's workforce is 64% nonminority and 36% cultural minorities; and

WHEREAS, the Commission recognizes the necessity to foster a workplace and employment system that values diversity and maximizes the effectiveness and contributions of all employees, and is aware of the challenges and opportunities provided by an increasingly diverse labor pool and workforce; and

WHEREAS, the Commission believes a diverse workforce strengthens its ability to provide quality service to internal and external customers, to communicate within our diverse communities, and to enhance business competitiveness; and

WHEREAS, on December 15, 1999, the Commission approved development of a Commission-wide diversity initiative; and

NOW, THEREFORE, BE IT RESOLVED that The Maryland-National Capital Park and Planning Commission authorize the establishment of a Diversity Council to assist the strategic development of diversity policies and programs;

AND BE IT FURTHER RESOLVED, that the Maryland-National Capital Park and Planning Commission, hereby, authorize the Executive Director and Department Heads to staff and resource this effort; develop operating guidelines and procedures and to issue an annual report;

BE IT FURTHER RESOLVED, that the Commission hereby approves the attached Seasonal/Intermittent Aquatic Plan Pay Schedule.

BE IT FURTHER RESOLVED, that the Commission hereby approves the conversion of all appropriate individuals to the Seasonal/Intermittent Aquatic Plan, effective May 14, 2000.

BE IT FURTHER RESOLVED, that the Commission approves the revised Administrative Practice 2-16, Contract Seasonal, Intermittent, Temporary, and Term Employment, as consistent with the new Plan.

BE IT FURTHER RESOLVED, that all previous pay plans for Seasonal/Intermittent Aquatic Positions are hereby rescinded.

* * * * *

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Maryland-National Capital Park and Planning Commission on motion of Commissioner McNeill, seconded by Commissioner Bryant, with Commissioners Boone, Brown, Bryant, Hewlett, Hussmann, Holmes, McNeill, Perdue and Wellington voting in favor of the motion at its regular meeting held on Wednesday, May 17, 2000, in Silver Spring, Maryland.


Trudye Morgan Johnson
Executive Director

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPC Legal Department
Date 6-9-00



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

Resolution 07-07

RECOGNIZING DIVERSITY AS A CORE VALUE

WHEREAS, On June 21, 2000, The Maryland-National Capital Park and Planning Commission ("Commission") adopted Commission Resolution 00-12 which established the Diversity Council to assist with the strategic development and implementation of diversity policies and programs; and

WHEREAS, the Diversity Council is charged with providing advice to the Commission on developing and implementing a diversity policy framework that promotes an inclusive workplace and assuring effective programming and services both internally and externally; and

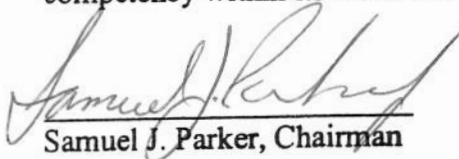
WHEREAS, the Diversity Council is developing an integrated, coordinated and structured approach to achieving an organizational culture that further respects, nurtures, and promotes diversity in our workforce and the communities we serve; and

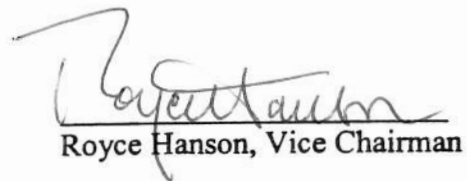
WHEREAS, the Diversity Council believes that adopting diversity as a core value demonstrates the Commission's full commitment to diversity; and

WHEREAS, it is not sufficient to just focus on diversity, but rather the Commission must seek to achieve cultural competence, which is the integration and transformation of knowledge about individuals and groups of people into specific standards, policies, practices and attitudes used in appropriate cultural settings to increase the quality of services and producing better outcomes; and

WHEREAS, the Diversity Council believes that embracing diversity as a core value is the cornerstone for its efforts to develop, implement and maintain cultural competence throughout the Commission; and

NOW, THEREFORE, BE IT RESOLVED, that The Maryland-National Capital Park and Planning Commission adopt diversity as a core value and strive to achieve cultural competency within its work force.


Samuel J. Parker, Chairman


Royce Hanson, Vice Chairman

RECEIVED AS TO LEGAL SUFFICIENCY.

M-NOPPC Legal Department

Date

2-16-07

* * * * *

This is to certify that the foregoing is a true and correct copy of Resolution No. 07-07, adopted by the Maryland-National Capital Park and Planning Commission on motion of Commissioner Clark, seconded by Commissioner Bryant, with Commissioners Eley, Hanson, Parker, Robinson, Vaughns, and Wellington voting in favor of the motion, with Commissioners Perdue, and Squire absent, at its regular meeting held on Wednesday, February 21, 2007, in Silver Spring, Maryland.

R. Bruce Crawford

R. Bruce Crawford
Executive Director

RESOLUTION 01-16

**ESTABLISHMENT OF DIVERSITY DEFINITION,
VISION, AND POLICY STATEMENTS**

WHEREAS, the Commission is committed to an inclusive workplace where all employees and applicants are judged on the basis of merit and without discrimination; and

WHEREAS, it is the policy of the Commission to provide fair and equal treatment to all and to hire and promote the best qualified individuals available; and

WHEREAS, the Commission recognizes the necessity to champion a workplace and employment system that understands, respects, and values diversity and maximizes the effectiveness and contributions of all employees; and

WHEREAS, the Commission believes, a diverse workforce strengthens its ability to provide quality service to internal and external customers, to communicate within our diverse communities, and to enhance business competitiveness; and

WHEREAS, on December 15, 1999, the Commission approved development of a Commission-wide diversity initiative; and effective July 1, 2000 authorized appointments to the Diversity Council to assist the strategic development of diversity policies and programs; and authorized the Executive Director and Department Heads to staff and resource this effort, develop operating guidelines and procedures, and to issue an annual report; and

WHEREAS, the Diversity Council developed and the Leadership Council supports the following operational definition of diversity with the Commission:

"Diversity recognizes a dynamic mix of personal and cultural characteristics, perspectives and relationships as a vital organizational resource. In the Commission's workplace, diversity includes all differences that define each of us as unique individuals. These differences include, but are not limited to, culture, ethnicity, race, gender, nationality, age, religion, disability, sexual orientation, experiences, opinions and beliefs;"

and

WHEREAS, the Diversity Council developed and the Leadership Council supports the following vision statement for diversity:

"The Commission is at the forefront of effective diversity management. We value, celebrate and thrive on the diverse abilities, perspectives, and backgrounds of our staff and the communities served. This is accomplished through a vibrant, inclusive, supportive, open, challenging, learning community;"

and

WHEREAS, the Diversity Council developed and the Leadership Council supports the following policy guidance for diversity in the Commission:

01-16

- We will demand (and reward) behaviors in the workplace which contribute to understanding, respecting and valuing all individuals.
- We will maximize the Commission's effectiveness through inclusive processes that benefit staff and the communities alike.
- We will not tolerate discrimination, harassment, or the practice of exclusion in any form. We will conduct all personnel activities in a way that assures equal employment opportunities on the basis of merit and encourage and administer diversity within adopted laws, operating principles, rules and regulations."


NOW, THEREFORE, BE IT RESOLVED, that the Maryland-National Capital Park and Planning Commission hereby adopts the diversity definition, vision and policy statements.

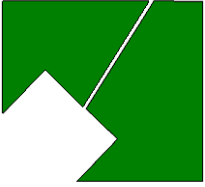
AND BE IT FURTHER RESOLVED, that the Maryland-National Capital Park and Planning Commission directs staff to develop processes, procedures and programs to assure their full implementation and enforcement.

* * * * *

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Maryland-National Capital Park and Planning Commission on motion of Commissioner Holmes, seconded by Commissioner Lowe, with Commissioners Brown, Eley, Hewlett, Holmes, Lowe, Perdue, Scott, and Wellington voting in favor of the motion, and Commissioner Bryant opposed, at its regular meeting held September 19, 2001, in Silver Spring, Maryland.


Trudye Morgan Johnson
Executive Director

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPO Legal Department
Date 9/12/2001



The Maryland-National Capital Park and Planning Commission Debt Management Policy

Introduction

The Debt Management Policy (“Policy”) of the Maryland-National Capital Park and Planning Commission (“Commission”) is intended to provide written guidelines and restrictions that affect the amount and type of debt permitted to be issued, the issuance process, and the management of the debt portfolio. This Policy should provide justification for the structure of the debt issuance, identify policy goals, and demonstrate a commitment to long-term financial planning, including a multi-year capital plan. This Policy is a critical aspect of our efforts to communicate to the Commissioners, County Officials, State Officials, the public, rating agencies, and capital markets that the Commission is well managed and capable of meeting financial obligations within its available resources and in a timely manner.

I. Responsibility

The Commission’s Finance Department under the direction of the Secretary-Treasurer, with the advice of its Bond Counsel and Financial Advisor, will comply with this Policy and all applicable laws and regulations when carrying out its responsibility to issue and manage debt in a fiscally sound manner, and to achieve borrowing at the lowest possible reasonable cost to meet the funding needs of the Commission’s capital improvement program and capital equipment lease financing program.

II. Multi-year Capital Planning

The Commission will prepare a six-year capital improvement program for the Commission’s projects in each County in accordance Sections 18-112, 18-113, and 18-117 of the Land Use Article of the Annotated Code of Maryland (“Land Use Article”). The capital program will include a statement of the objectives of the programs and the relationship of these programs to the Counties’ adopted long-range development plans, the capital projects and construction schedules, estimated costs and funding sources. The capital program will include all programmed land and facility acquisition; all major parkland, recreational facility, and administrative office development and improvements; and all major acquisition of equipment. The Commission’s long-term fiscal operating projections will incorporate the projected operating budget impact of the capital improvement program.

III. Legal Authorization

A. The Commission has legal authority to issue Park Acquisition and Development Bonds (“Park Bonds”), Advance Land Acquisition Bonds (“ALA Bonds”), Revenue Bonds and Refunding Bonds for Park Bonds, ALA Bonds and Revenue Bonds authorized generally under Title 18, Subtitles 2 and 4 of the Land Use Article.

B. Under the Commission’s general powers, it is permitted to issue Certificates of Participation and to enter into master lease agreements to finance capital equipment.

C. The Commission has the legal authority to issue tax anticipation notes in accordance with Section 18-208 of the Land Use Article.

D. The Commission has the legal authority to issue bond anticipation notes in accordance with Title 19, Subtitle II, Part III of the Local Government Article of the Annotated Code of Maryland (“Local Government Article”).

E. The Commission has additional legal authority to issue Refunding Bonds in accordance with Title 19, Subtitle 2, Part II of the Local Government Article.

F. Bond and note issues are approved through the budget process in each county, and resolutions authorizing bond and note sales are adopted by the Commission.

G. The Commission determines the best form of debt and the most favorable debt structure based on the projects to be financed, market conditions and advice of the Commission’s Secretary-Treasurer, in consultation with the Commission’s Bond Counsel and Financial Advisor.

IV. Types of Debt

A. Long-term Debt

1. General Obligation Bonds (“GO Bonds”) – Bonds that are secured by the full faith and credit of the Commission and the county in which the proceeds of the Bonds will be spent. The Commission issues two types of GO Bonds: Park Bonds and ALA Bonds.

a. Park Bonds – In accordance with Section 18-203 of the Land Use Article, the Commission may issue Park Bonds for the purpose of acquiring land or other property within the Metropolitan District for parks, parkways, forests, streets, roads, highways, boulevards, and other public ways, grounds, and spaces, and for the purposes of recreation or for the development or improvement thereof.

b. ALA Bonds – In accordance with Title 18, Subtitle 4 of the Land Use Article, the Commission may establish annual budgets and a land acquisition revolving fund for each county from which disbursements may be made for the acquisition of land in advance of the need for schools, highways, libraries, parks, and other public uses in Montgomery County and Prince George’s County. Each county has specific regulations in Title 18, Subtitle 4 to determine if the acquisition qualifies for funding by the Advance Land Acquisition Fund and the process by which the acquisitions are approved by each county. The Commission may issue ALA Bonds for each county to finance the land to be acquired in each county.

If ALA Bond proceeds are still outstanding at the time an agency repays the Commission for the land acquisition, the amount representing the acquisition cost must be returned to the Bond Proceeds Fund.

2. Revenue Bonds – In accordance with Section 18-206 of the Land Use Article, the Commission may issue Revenue Bonds to finance the development or improvement of revenue producing facilities. The principal and interest on the Revenue Bonds are payable solely from the revenues of the Commission available from the use of any such facilities, including those other than the facilities being financed. If revenues are not sufficient to pay debt service, the Commission may include in its proposed budget support from the Montgomery County Park Fund or the Prince George’s County Park or Recreation Funds. Revenue Bonds are not general obligations of the Commission or the County in which the facility is located.

3. Refunding Bonds –In accordance with Section 18-207 of the Land Use Article, and Title 19, Subtitle 2, Part II of the Local Government Article, the Commission may issue Park Refunding Bonds, ALA Refunding Bonds, and Revenue Refunding Bonds to refinance outstanding Park Bonds, ALA Bonds and Revenue Bonds. Park Bonds may be issued to refinance Revenue Bonds if so authorized by the Commission and the respective county. Refunding Park and ALA Bonds are GO Bonds. Refunding Revenue Bonds are not GO bonds and are secured by the facility revenues per the bond documents.

Refunding Bonds may be issued by the Commission for the following purposes:

- a. To reduce the interest rate and debt service cost on the issues refunded.
- b. To enable a change from tax exempt to taxable or vice versa due to a change in use of the projects financed by the bonds.
- c. For other purposes deemed to be in the best interest of the Commission upon advice of the Secretary-Treasurer, in consultation with the Commission’s Bond Counsel and Financial Advisor.
- d. Refunding Bonds will maintain a maturity schedule similar to that of the bonds being refunded. Differences in maturity structure may be made to enable increased debt service savings without significantly increasing debt service costs in any future year.

4. Certificates of Participation (“COPs”) – Based on the Commission’s general powers, it may issue COPs to finance capital needs, such as office buildings and capital equipment. The financing provides certificate holders the right to installment payments pursuant to a lease or conditional purchase agreement. The Commission must certify that the project for which the COPs are issued is essential and must commit to including the COPs’ debt service payments in its annual proposed budgets. COPs are not guaranteed by the full faith and credit of the Commission or the County in which the proceeds are spent, and the installment payments are subject to annual appropriation. This form of lease financing may result in slightly higher interest costs than GO Bonds. COPs may be used when the purpose for which the debt is to be issued cannot be funded by GO Bonds or when it is determined to be in the best interest of the Commission upon advice of the Secretary-Treasurer, upon consultation with the Commission’s Bond Counsel and Financial Advisor.

5. Revenue Conduit Obligations – Debt or other financing instruments may be issued on behalf of the Commission by other governmental entities as permitted by law. The Commission may be required to certify that the project for which the Revenue Conduit Obligations are issued are essential and must commit to including the lease or loan payments in the annual proposed budgets. Revenue Conduit Obligations are not general obligations of the Commission or the

County in which the proceeds are spent. The lease or loan payments support the issuer's debt service and are subject to annual appropriation.

6. Master Leases – The Commission is authorized, through its general powers, to enter into Master Leases to finance equipment, software system projects and other assets with an estimated useful life at least as long as the term of the lease to support its operations. Lease payments are not general obligations of the Commission or either County and are subject to annual appropriation. The Secretary-Treasurer must certify that essential use and commit to including the lease payments in the annual proposed budgets.

B. Short-Term Debt

1. Tax Anticipation Notes (“TANs”) – The Commission may issue TANS in accordance with Section 18-208 of the Land Use Article to meet operating cash flow needs resulting from the timing of property tax collections. The total amount borrowed and outstanding in any fiscal year may not exceed 75% of the total proceeds received by the Commission from taxes levied and collected during the preceding fiscal year.

2. Bond Anticipation Notes (“BANs”) – The Commission may issue BANs in advance of an authorized GO Bond issuance in accordance with Title 19, Subtitle 2, Part III of the Local Government Article to provide flexibility with regard to the timing of the permanent funding for the capital program such as in times of market volatility. The BANs are to be refunded through the issuance of long-term GO Bonds when the reason for deferring the GO Bond issuance no longer exists.

C. Variable Rate Debt

Historically, variable rate debt has provided financing at interest rates on average below fixed rate debt. However, variable rate debt exposes the issuer to interest rate, liquidity, remarketing, and credit risks. In the event of a failed remarketing, potentially higher than anticipated interest rates and accelerated principal repayment may be required.

Although variable rate debt may hedge against interest rate movements affecting the Commission's earnings on its investment portfolio and may provide flexibility to call debt if required due to a change in use, in order to manage risk exposure and to meet rating agency guidelines, the amount variable rate debt outstanding will be limited to 15% of the outstanding debt of the Commission for each county. The Commission may issue variable rate debt upon advice of the Secretary-Treasurer in consultation with the Commission's Bond Counsel and Financial Advisor when market conditions or other conditions exist which indicate that the structure will benefit the Commission.

1. Variable Rate Demand Obligations (“VRDOs”) – VRDOs are a form of variable rate debt which provide the holders the option to put the bonds back to the issuer in accordance with set terms. The interest rate resets at an agreed upon frequency usually daily or weekly through efforts of a remarketing agent. Typically, liquidity facility is required to fund the purchase of bonds put back to the issuer and not remarketed. In the event of a failed remarketing, the liquidity facility provider will become the holder of the VRDOs and receive interest at a rate

specified in the liquidity facility agreement that is normally higher than that for remarketed VRDOs.

V. Debt Limits

A. Legal Debt Limits – The Commission’s legal debt limits are set forth in the Land Use Article for Park Bonds and ALA Bonds. The debt limits are inclusive of any Refunding Park or Refunding ALA Bonds.

1. Park Bonds - The Commission shall not issue Park Bonds for either Montgomery or Prince George’s County in excess of the debt limits per Section 18-203 (d) of the Land Use Article.

For Montgomery County, the total debt service for outstanding Park Bonds shall not exceed the revenues generated by the mandatory 3.6 cents tax on each \$100 assessed valuation of real property and the mandatory 9.0 cents tax on each \$100 assessed valuation of personal property in the Montgomery County portion of the Metropolitan District.

For Prince George’s County, the total debt service for outstanding Park Bonds shall not exceed the revenues generated by the mandatory 4.0 cents tax on each \$100 assessed valuation of real property and the mandatory 10.0 cents tax on each \$100 assessed valuation of personal property in the Prince George’s County portion of the Metropolitan District.

2. ALA Bonds – The Commission shall not issue ALA Bonds for either County in excess of the debt limits set forth in Section 18-401 (j) of the Land Use Article.

For Montgomery County and Prince George’s County, the total debt service for outstanding Advance Land Bonds for each County shall not exceed taxes estimated to be generated by 1.2 cents tax on each \$100 of assessed valuation of real property and 3.0 cents tax on each \$100 of assessed valuation of personal property.

When calculating the legal debt limits, the Commission may assume continued future levy of the taxes, 100% collection of the taxes in each fiscal year and the assessed value of property at the time the bonds are issued will remain constant.

B. Debt Limit Targets – The Commission has established the following additional debt limit targets to determine the affordable level of debt for each county. These targets should be used in conjunction with the long-term financial projections for the relevant funds supporting the debt to monitor the capability of the Commission to meet current and future debt obligations based on the six-year capital improvement programs for each county.

If at any time the planned debt levels of the approved capital budget is projected to be unaffordable based on conservative financial assumptions, the Commission will slow down the implementation of the capital plan to a level that meets the affordability standards of this policy.

1. Debt Service as a Percentage of General Fund Expenditures (Montgomery County) - Annual debt service including non GO Bond debt, lease and other obligation payments should

not exceed 10% of the Commission's Administration and Park Fund expenditures for its Montgomery County operations.

2. Debt Service as a Percentage of General Fund Expenditures (Prince George's County) – Annual debt service including non GO Bond debt, lease and other obligation payments should not exceed 10% of the Commission's Administration Fund, Park Fund and Recreation Fund expenditures for its Prince George's County operations.

Financing a major project critical to Commission business that will cause the debt service expense ratio to exceed the 10% target, may be permitted as a special exception by a vote of the Commission that specifically grants the exception; however, the debt ratio will be brought back into conformance with the target within the six-year period.

3. Debt Payout Ratio – The debt payout ratio represents the percentage of principal to be paid over the next ten years. The ratio should remain between 60% and 70% of the outstanding debt.

C. County Debt Limits - In addition to the above debt limits and targets, the Montgomery County Council provides spending affordability limits for the Commission's Montgomery County Park and ALA Bonds. The Prince George's County Spending Affordability Committee recommends spending levels inclusive of debt service on the Commission's Prince George's County Park and ALA Bonds to the Prince George's County Executive and County Council.

VI. Debt Issuance Policies

A. Projects to be financed - Long-term debt will be issued only for acquiring, constructing, or renovating capital assets and not to finance current operations or normal maintenance needs. Capital projects and capital equipment financed by debt will have an expected useful life equal to the term of the debt. **Capital assets will be financed only if the Commission's long-term projections based upon conservative financial and economic assumptions indicate the ability to support their operations and maintenance.**

B. Pay-as-you-go - The Commission will strive to maintain and/or incorporate pay-as-you-go funding as a source of financing a portion of its capital program. In times of fiscal constraint, the amount will provide budgetary flexibility.

C. Sale Method – The Commission uses the competitive bidding process when issuing debt unless it is in the best interest of the Commission to conduct a negotiated sale. A negotiated or private placement process may be utilized due to unusual or complex financing issues as advised by the Secretary-Treasurer after consultation with the Commission's Bond Counsel and Financial Advisor. The Commission will generally issue a request for proposals for its capital lease financings.

D. Investment of Bond Proceeds – The Commission utilizes outside investment management services to invest its bond proceeds in accordance with investment agreements which comply with the Commission's Investment Policy.

- E. Refunding** - Outstanding debt will be monitored to take advantage of refunding opportunities. Refunding will be considered economically favorable when the net present value savings is projected to be at least three percent of the amount of the bonds to be refunded. When advance refunding, State and Local Government Securities (SLGS) will be purchased to fund the escrow. In cases when SLGS are not available, the escrow may be funded by competitively bid US Treasury securities upon advice of the Secretary-Treasurer in consultation with the Commission's Bond Counsel and Financial Advisor.
- F. BANs** - The Commission will not issue BANs unless formal authorization for the permanent bond issue has been approved by the Commission and market conditions exist which upon advice of the Secretary-Treasurer, Bond Counsel and Financial Advisor warrant their issuance.
- G. Derivatives** - Currently, the Commission has no derivative contracts outstanding (including interest rate swap agreements). Prior to entering into any such agreement, a policy addressing how derivatives fit within the overall debt program; the conditions under which derivatives can be utilized; the types of derivatives allowed; approaches for managing derivative risk; and the methods for procuring derivatives shall be developed by the Secretary-Treasurer in consultation with the Commission's Bond Counsel and Financial Advisor for incorporation into this Policy. No derivative contracts will be used for the purpose of interest rate speculation.
- H. Professional Services** – The Commission will select and utilize professionals to assist in the debt issuance process. When selecting firms, the Commission will comply with Practice 4-10 Purchasing. The Commission will take into account the benefit of maintaining continuity with regard to professional services such as Bond Counsel services.
- I. Other Services** – The Secretary-Treasurer shall procure other services required to complete debt issuances such as escrow agents, verification agents, paying agents, and printers. These services may also be acquired through the efforts of the Commission's Bond Counsel or Financial Advisor.
- J. Bond Rating Services** – The Secretary-Treasurer and the Chairman of the Commission will continue to communicate regularly with the rating agencies to keep them informed of the financial position of the Commission. The communication may be in the form of meetings and/or conference calls depending on the financial issues to be discussed. The Commission will generally seek three ratings for GO Bond issues and will consider the advice of the Commission's Financial Advisor as to the number of ratings if any required for other forms of debt to assure good market access and competitive interest rates.
- K. Measuring Results** – The Commission will utilize market indices and/or results from similar financings as a benchmark for negotiated transactions as well as to evaluate final bond pricing results.

VII. Debt Structure

The Commission will structure its debt based on advice of its Secretary-Treasurer upon consultation with its Bond Counsel and Financial Advisor to enable issuance at the lowest possible cost considering benefits and risks associated with the recommended structure and compliance with the pay-out ratio target.

- A. Maximum Term** – Generally, the Commission will issue debt with a maximum term of 20 years; however, a term of up to 50 years is permitted by law if the useful life of the assets financed equals or exceeds that term.
- B. Principal Repayment** – Debt may be structured with level principal, equal payments or other amortization schedule which best meets the Commission’s financial plan and complies with the targeted pay-out ratio.
- C. Interest Rates** – The Commission will generally issue fixed-rate debt; however, depending on market conditions and other factors, variable-rate debt may be issued. The par amount of outstanding variable-rate debt may not exceed 15% of the total outstanding debt issued for each County to limit interest rate risk.
- D. Deferred Principal and Capitalized Interest** – The Commission may capitalize interest and defer principal payments while an asset is under construction and for one year subsequent to completion to better match the debt service expense with utilization. Deferred principal payments and interest capitalization will not be utilized with GO Bonds.
- E. Original Issue Premium** – The Commission’s GO Bonds may be sold at a premium in accordance with conditions stated in the Notice of Sale. Revenue bonds may be sold at a premium or discount.
- F. Call Provisions** – The Commission will consider the advice of its Financial Advisor in structuring call provisions recognizing the need to balance the desire for shorter call periods to enable earlier refinancing against current market conditions to achieve low interest rates.
- G. Bond Insurance** – Prior to the time of debt issuance, the Commission will determine whether bond insurance would provide a financial benefit based on the net present value of the premiums and the projected debt service savings. Also, to be considered are other market factors which impact the bond insurer’s financial position. Decisions on bond insurance will be made based on the advice of the Commission’s Secretary-Treasurer in consultation with the Commission’s Bond Counsel and Financial Advisor.
- H. Taxable Debt** – It is the Commission’s general policy to issue tax-exempt debt to enable debt issuance at the lowest possible cost. However, in the event that the purpose of the debt issuance may involve private use or to take advantage of government programs which may be of benefit, taxable debt may be issued upon the advice of the Commission’s Secretary-Treasurer in consultation with the Commission’s Bond Counsel and Financial Advisor.

VIII. Debt Management Practices

- A. Investment Proceeds** – Bond and other debt proceeds will be invested in accordance with the Commission’s Investment Policy and the IRS Section 148 Tax Certificate. Records will be maintained to enable compliance with IRS regulations related to tax-exempt debt. If proceeds remain outstanding three years after issuance, they will be yield restricted as required the Tax Certificate.
- B. Continuing Disclosure** – The Secretary-Treasurer and Finance staff will comply with the continuing disclosure commitments by the Commission in connection with Rule 15(c) 2-12 under the Securities and Exchange Act of 1934 by filing an annual report with the Municipal Securities Rulemaking Board’s EMMA system as the nationally recognized municipal securities information repository disclosing certain financial information.
- C. Arbitrage Regulations** – The Commission will comply with all federal tax regulations including the tracking of investment earnings on bond proceeds and use of bond proceeds, calculating rebate payments and rebating positive arbitrage earnings to the IRS in a timely manner to protect the tax-exempt status of the related outstanding debt.
- D. Intention to Reimburse** – The Commission issues debt depending on the cash flow needs to support its capital improvement program and capital equipment purchases. In accordance with Commission Resolution No. 92-03, the Secretary-Treasurer will execute Intent to Reimburse Certificate for each form of debt at the beginning of each fiscal year to document the intentions to reimburse expenditures prior to debt issuance as is required by IRS regulations.
- E. Bond/Debt Proceeds Accounts** – The Secretary-Treasurer or designee will direct disbursements from bond/debt accounts including construction/project accounts, debt service reserve accounts, cost of issuance accounts and other accounts which may be required. Investment earnings on the accounts will be disbursed in accordance with the IRS Section 148 Tax Certificate to the Commission bank accounts per direction in the investment management agreements. Investment earnings must be utilized on project expenditures or for debt service.
- F. Other Covenants** – The Secretary-Treasurer or designee will be responsible for complying with all debt covenants. Schedules shall be maintained to monitor compliance.
- G. Document Retention** – All documents related to debt issuance including official statements, CAFRs, bond transcripts, and rebate calculations shall be retained until five years after the final maturity of the debt.
- H. Revisions to the Debt Management Policy** – The Secretary-Treasurer will review this policy every three years to ascertain that is it current with municipal market practices, and any revisions will be approved by the Commission and sent to the State Treasurer.

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The Maryland-National Capital Park and Planning Commission
Office of the Chief Information Officer
6611 Kenilworth Avenue, Suite 403
Riverdale, Maryland 20737
<http://www.mncppc.org> • T. (301) 454-1010

TO: Commissioners
FROM: Mazen Chilet, Chief Information Officer
DATE: 7/08/2019
SUBJECT: Chief Information Officer Report – 4th Quarter-FY19

The Office of the Chief Information Office provides IT expertise to ensure that the agency's complex IT infrastructure is modern and secure for its workforce and its patrons. The CIO provides solutions that bring about effectiveness to the business operations and services to the agency. The CIO also serves as a resource to the departments to efficiently streamline IT infrastructure investment and agency wide application services.

The 4th Quarter-FY19 report focuses on service activities and project achievements in the following areas:

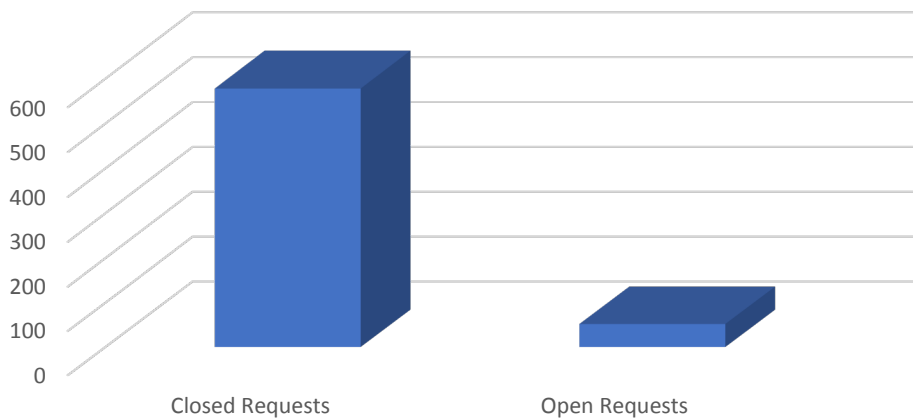
1. ERP service requests figures - April – June 2019
2. Time and Attendance Management System (Kronos) service requests - April – June 2019
3. Cyber Security Readiness of agency IT systems
4. Security Awareness Training of workforce
5. Program Management Office (PMO) – Project Statistics
6. Planned IT Training for FY20
7. Information Security Initiatives

1. ERP Service Request

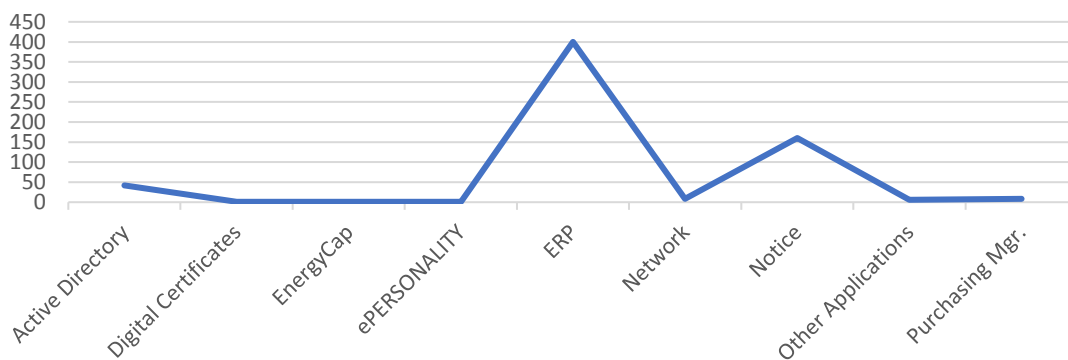
The Infor ERP upgrade was completed on Nov 13, 2018. Corporate IT is responsible for responding to ERP user issues concerning all modules. The numbers below represent those activities from April through June 2019.

| ERP Service Requests Submitted | | ERP Subcategories | |
|--------------------------------|-----|----------------------|-----|
| | | Active Directory | 42 |
| Closed Tickets | 578 | Digital Certificates | 1 |
| Open Tickets | 52 | EnergyCap | 1 |
| Total | 630 | ePERSONALITY | 1 |
| | | ERP | 400 |
| | | Network | 8 |
| | | Notice | 160 |
| | | Other Applications | 6 |
| | | Purchasing Mgr. | 8 |

**Technical Support to ERP users across the Agency.
Service Requests (April 2019 - June 2019)**



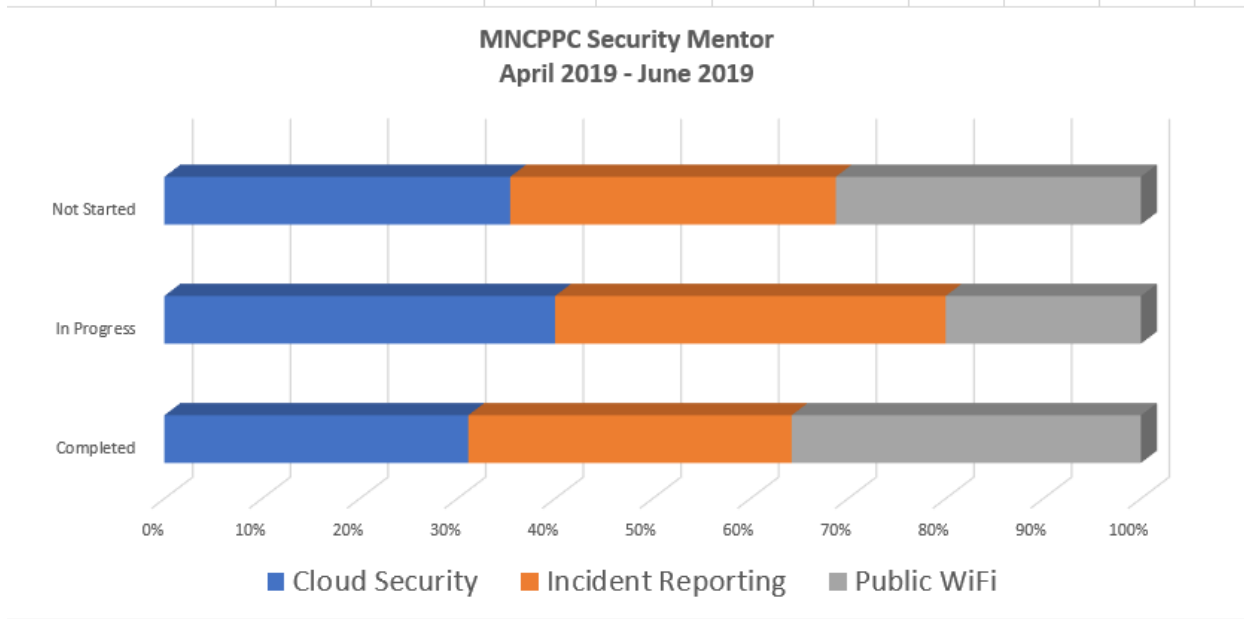
**ERP Service Requests by Category
April 2019 - June 2019**



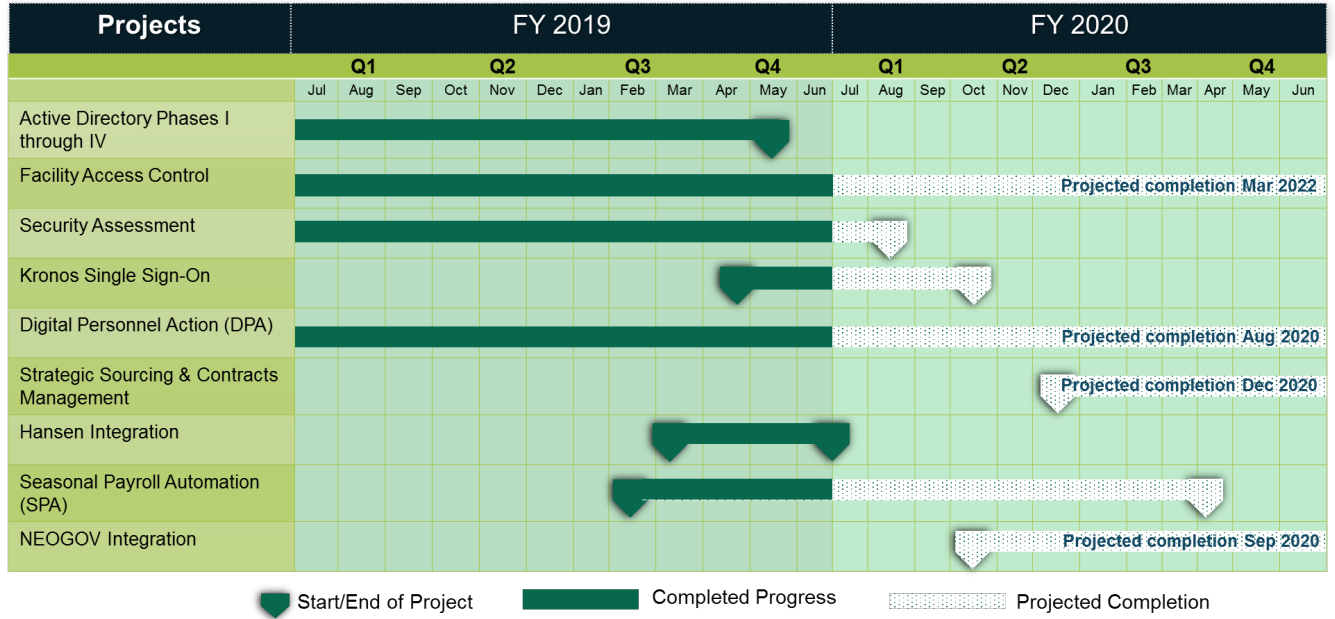
4. Security Awareness Training of Workforce

Information Security Awareness for Enterprise is intended for all employees or contractors that have access to Information Systems. The Security Awareness training is in its third year as an Agency-Wide program. Each month employees get a new security awareness lesson, which takes 10 to 12 minutes to complete. From their account, employees can access current and past lessons, view their training status, and access resources and services. The Security Mentor system tracks each employee's progress and completion of lessons. Reports are provided to managers on employee training progress. The graph below represents completed lesson from April through June 2019.

| Lesson | Past Due | Completed | In Progress | Not Started | Released |
|--------------------|----------|-----------|-------------|-------------|----------|
| Cloud Security | 52% | 47% | 2% | 51% | 6/4/2019 |
| Incident Reporting | 48% | 50% | 2% | 48% | 5/7/2019 |
| Public WiFi | 43% | 54% | 1% | 45% | 4/2/2019 |



5. Program Management Office (PMO) – Project Statistics



6. Planned IT Training for FY20

Cloud computing has become an integral part of the IT infrastructure for our Agency.

The CIO determined the need for the following Cloud related technical skill:

- 1) Microsoft Cloud Administration (Azure)
- 2) Amazon Web Services (AWS)

7. Information Security initiatives:

- a. The recruitment of the Information Security Officer was completed. An Internal Candidate, Ike Onyegbado, was selected for the role.
- b. The roll out of a comprehensive Change Management program over the next few months
- c. Respond to and resolve Security Assessment findings
- d. Build the framework for agency Information Security Program

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

| | <u>31 - 60 DAYS</u> | | <u>61 - 90 DAYS</u> | | <u>91 + DAYS</u> | | <u>DEPARTMENT TOTALS</u> | |
|--|---------------------|-----------|---------------------|-----------|------------------|----------|--------------------------|-----------|
| | May-19 | Jun-19 | May-19 | Jun-19 | May-19 | Jun-19 | May-19 | Jun-19 |
| CHAIRMAN, MONTGOMERY COUNTY | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| CHARIMAN, PRINCE GEORGE'S COUNTY | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OFFICE OF CIO | 1 | 1 | 0 | 1 | 0 | 0 | 1 | 2 |
| OFFICE OF INSPECTOR GENERAL | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| EXECUTIVE COMMITTEE/CHAIRS | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DEPT. OF HUMAN RESOURCES & MGT. | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| LEGAL DEPARTMENT | 1 | 1 | 1 | 1 | 0 | 1 | 2 | 3 |
| FINANCE DEPARTMENT | 2 | 1 | 1 | 0 | 1 | 0 | 4 | 1 |
| PRINCE GEORGE'S PLANNING | 2 | 1 | 1 | 1 | 0 | 0 | 3 | 2 |
| PRINCE GEORGE'S PARKS & RECREATION | 21 | 11 | 0 | 8 | 0 | 1 | 21 | 20 |
| MONTGOMERY COUNTY PARKS | 20 | 8 | 3 | 5 | 1 | 2 | 24 | 15 |
| MONTGOMERY COUNTY PLANNING | 11 | 5 | 2 | 6 | 1 | 2 | 14 | 13 |
| **DEPARTMENT TOTAL BY DAYS LATE** | 59 | 29 | 8 | 22 | 3 | 6 | | |
| COMMISSION-WIDE TOTAL | | | | | | | 69 | 57 |

**DEPARTMENTS HAVE BEEN NOTIFIED OF LATE EVALUATIONS.

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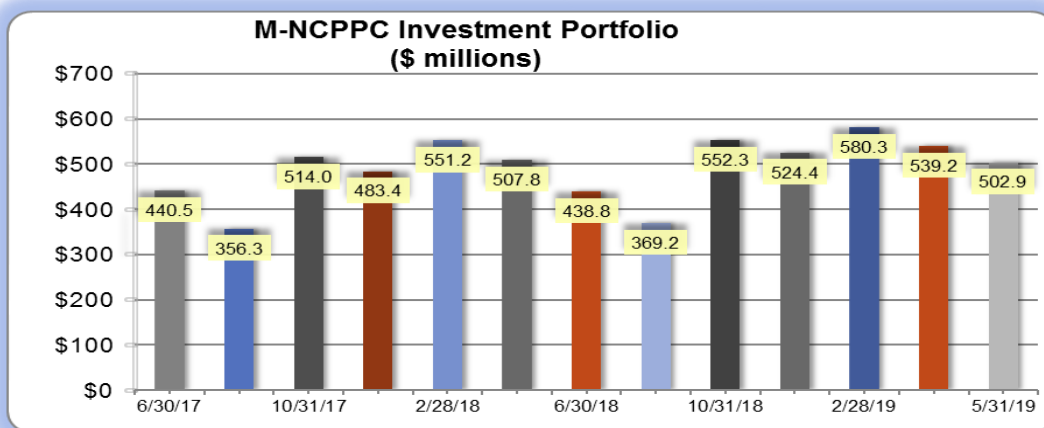


THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 TREASURY OPERATIONS, FINANCE DEPARTMENT
 6611 Kenilworth Avenue, Suite 302, Riverdale, MD 20737
 Telephone (301) 454-1592 / Fax (301) 454-1637

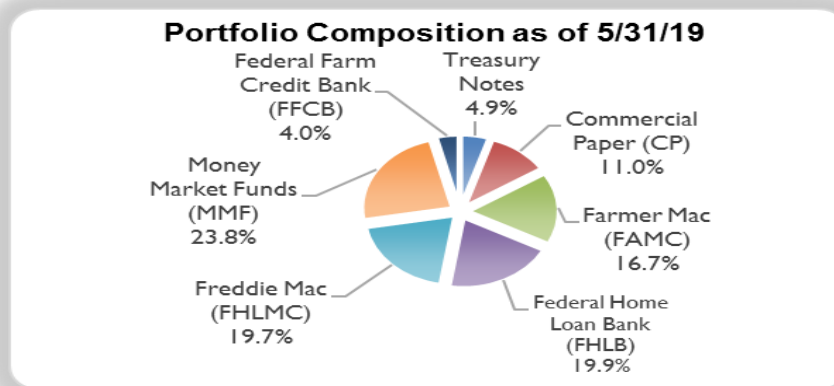
MEMO

TO: Commissioners
VIA: Joseph Zimmerman, Secretary-Treasurer
FROM: Tanya Hankton, Investment & Treasury Operations Manager ^{T.H.}
DATE: 7/2/2019
SUBJECT: Investment Report – May 2019

The Commission’s pooled cash investment portfolio totaled \$502.9 million as of May 31, 2019, with a 7.2% decrease from April 30, 2019. Details are as follows:



The composition of the pooled cash portfolio as of May 31, 2019 is summarized below:

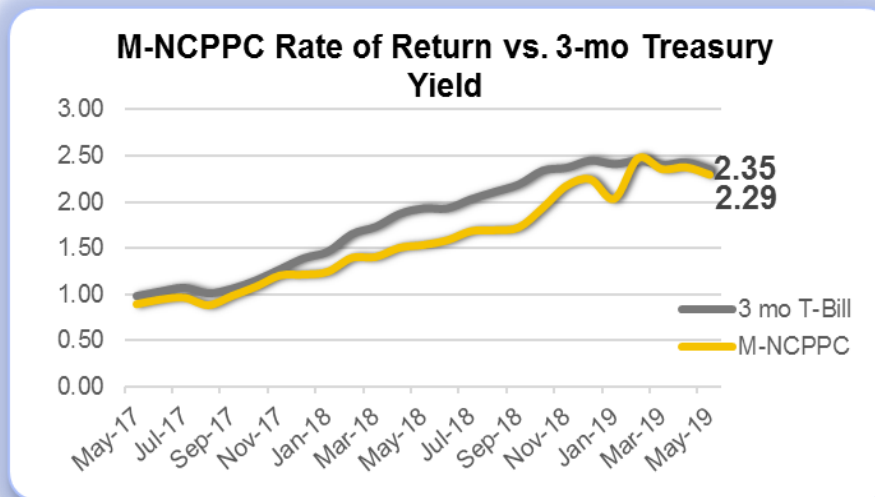


Current Investment Portfolio - May 2019

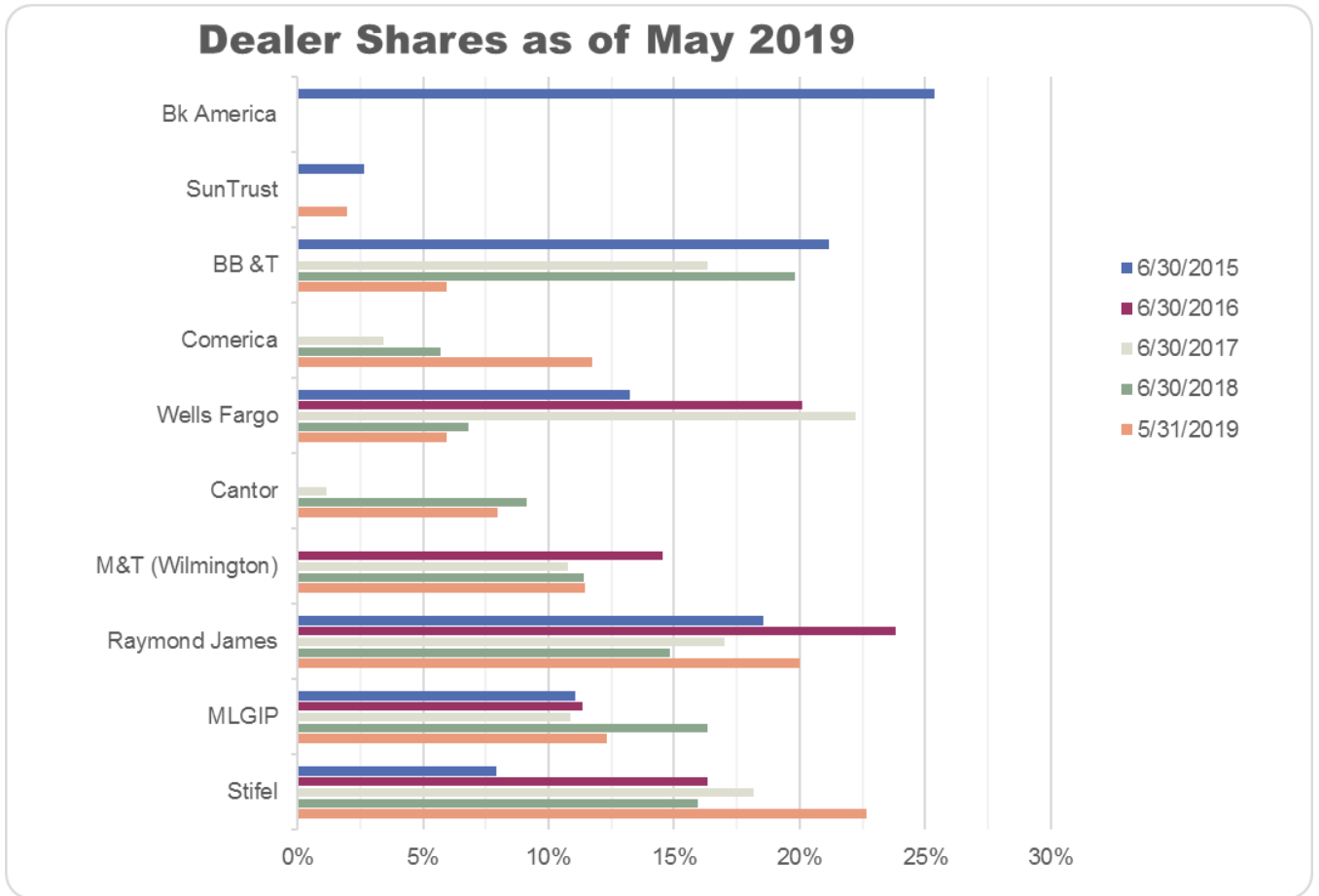
| Instrument | Policy Limit | Actual | Par Value | Wtd. Avg. Return (B/E) |
|--------------------------|-----------------|--------|-----------------------|---------------------------|
| Money Funds | * 25% | 23.8% | \$ 119,413,634 | 2.25% |
| Federal Home Loan Banks | 20% | 19.9% | 100,000,000 | 2.12% |
| Freddie Mac | 20% | 19.7% | 99,000,000 | 2.11% |
| Farmer Mac | 20% | 16.7% | 84,000,000 | 2.56% |
| Commercial Paper | 10% | 11.0% | 55,500,000 | 2.71% |
| Treasury Notes | 100% | 4.9% | 25,000,000 | 2.38% |
| Federal Farm Credit Bank | 20% | 4.0% | 20,000,000 | 2.62% |
| Fannie Mae | 20% | 0.0% | - | 0.00% |
| Certificates of Deposit | 50% | 0.0% | - | 0.00% |
| Bankers Acceptances | 50% | 0.0% | - | 0.00% |
| Repurchase Agreements | 60% | 0.0% | - | 0.00% |
| | | 100% | \$ 502,913,634 | 2.34% |

*As of 5/31/2019

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



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



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

| Market Value - May 2019 | |
|------------------------------------|-----------------------------|
| Prince George's County (PGC-2017A) | \$ 2,909,685 |
| Prince George's County (PGC-2018A) | 33,775,948 |
| Montgomery County (MC-2018A) | 16,246,071 |
| | <u>\$ 52,931,704</u> |

The Commission had debt service payments during the month totaling \$2,730,492 of which \$1,380,000 was principal and \$1,350,492 was interest.

Details by issue of debt outstanding as of May 31, 2019 appear below:

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

ATTACHMENT A

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

REPORT ON COMPLIANCE TO INVESTMENT POLICY Approved March 21, 2012

FISCAL YEAR 2019 – May 31, 2019

| OBJECTIVES | Met Objective | Within Limits | Comments |
|---|---------------|---------------|---|
| Protection of principal | Yes | | |
| Limiting types and amounts of securities | Limit | Yes | |
| US Government | 100% | | |
| US Federal Agencies - combined | 60% | | |
| US Federal Agencies - each | 20% | | |
| Repurchase Agreements | 60% | | |
| CD's and Time Deposits | 50% | | |
| Commercial Paper | 10% | | |
| Money Market Mutual Funds | 25% | | |
| MD Local Gov't Investment Pool | 25% | | |
| Investing Bond Proceeds: | | | |
| State and local agency securities | 100% | | |
| Money Market Mutual Funds | 10% | | |
| Bond Proceeds: | | | |
| Highly-rated state / local agency securities | | Yes | T. Rowe Price managed all funds within limits |
| Highly-rated money market mutual funds | | | |
| (Max. 10% in lower-rated funds) | | | |
| Pre-qualify financial institutions, broker/dealers, intermediaries and advisers | | Yes | All firms must meet defined capital levels and be approved by the Secretary-Treasurer |
| Ensure competition among participants | 30% | Yes | No dealer share exceeded 30% |
| Competitive Bidding | | Yes | All purchases awarded competitively. |
| Diversification of Maturities | | | |
| Majority of investments shall be a maximum maturity of one (1) year. A portion may be as long as two years. | | Yes | All maturities within limits |
| Require third-party collateral and safekeeping, and delivery-versus-payment settlement | | Yes | M&T Investments serves as custodian, monitoring compliance daily |
| Maintain sufficient liquidity | | | Sufficient funds available for all cash requirements during period |
| Attain a market rate of return | | No | Less than market by 6 basis points |
| The pro-rated rates of return for T-bills and the portfolio were 2.35% and 2.29%, respectively. | | | |

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

Reply To

July 8, 2019

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

MEMORANDUM

TO: The Maryland-National Capital Park and Planning Commission

FROM: Adrian R. Gardner
General Counsel

RE: Litigation Report for June 2019 – FY 2019

Please find the attached litigation report we have prepared for your meeting scheduled on Wednesday, July 17, 2019. As always, please do not hesitate to call me in advance if you would like me to provide a substantive briefing on any of the cases reported.

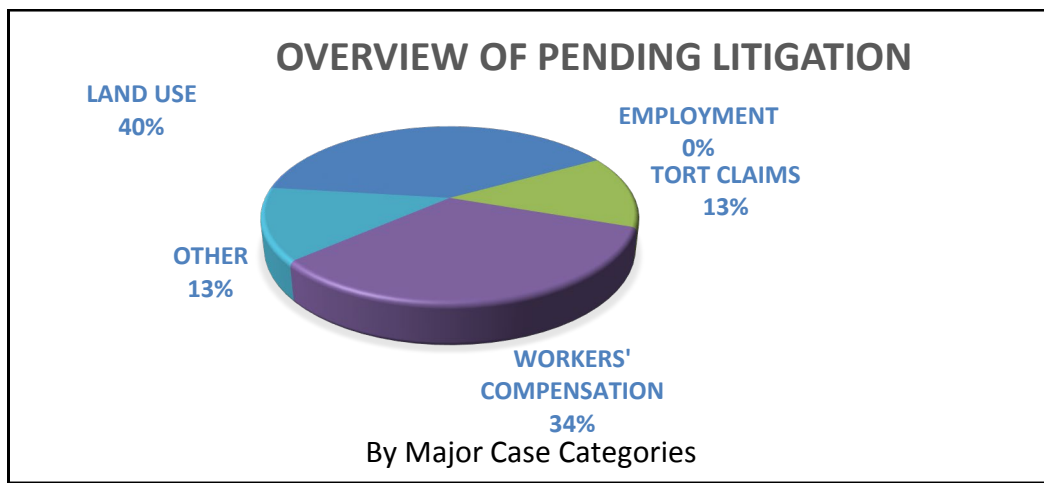
Table of Contents – June 2019 – FY 2019 Report

Composition of Pending Litigation.....Page 01
Overview of Pending Litigation (Chart).....Page 01
Litigation Activity SummaryPage 02
Index of New YTD Cases (FY19)Page 03
Index of Resolved YTD Cases (FY19)Page 04
Disposition of FY19 Closed Cases Sorted by DepartmentPage 06
Index of Reported Cases Sorted by Jurisdiction.....Page 10
Litigation Report Ordered by Court Jurisdiction.....Page 11

June 2019 Composition of Pending Litigation

(Sorted By Subject Matter and Forum)

| | State Trial Court | Maryland COSA | Maryland Court of Appeals | Federal Trial Court | Federal Appeals Court | U.S. Supreme Court | Subject Matter Totals |
|-------------------------|-------------------|---------------|---------------------------|---------------------|-----------------------|--------------------|-----------------------|
| Admin Appeal: Land Use | 3 | 3 | | | | | 6 |
| Admin Appeal: Other | | | | | | | |
| Land Use Dispute | | | | | | | |
| Tort Claim | 1 | | | | | | 1 |
| Employment Dispute | | | | | | | |
| Contract Dispute | | | | | | | |
| Property Dispute | | | | | | | |
| Civil Enforcement | | | | | | | |
| Workers' Compensation | 3 | 2 | | | | | 5 |
| Debt Collection | | | | | | | |
| Bankruptcy | | | | | | | |
| Miscellaneous | | 1 | | | | 1 | 2 |
| Per Forum Totals | 7 | 6 | | | | 1 | 14 |



June 2019 Litigation Activity Summary

| | COUNT FOR MONTH | | | COUNT FOR FISCAL YEAR 2019 | | | |
|--------------------------------------|---------------------|-----------|----------------|----------------------------|-------------------|------------------------|-----------------------|
| | Pending In May 2019 | New Cases | Resolved Cases | Pending Prior F/Y | New Cases F/YTD** | Resolved Cases F/YTD** | Pending Current Month |
| Admin Appeal: Land Use (AALU) | 6 | 1 | 1 | 3 | 8 | 5 | 6 |
| Admin Appeal: Other (AAO) | | | | 0 | | | |
| Land Use Disputes (LD) | | | | 1 | | 1 | |
| Tort Claims (T) | 2 | | 2 | 6 | 3 | 9 | 1 |
| Employment Disputes (ED) | | | | 1 | | 1 | |
| Contract Disputes (CD) | 1 | | 1 | 6 | 1 | 7 | |
| Property Disputes (PD) | 1 | | | 2 | | 2 | |
| Civil Enforcement (CE) | | | | 0 | | | |
| Workers' Compensation (WC) | 5 | 1 | 2 | 2 | 6 | 4 | 5 |
| Debt Collection (D) | | | | 0 | | | |
| Bankruptcy (B) | | | | 0 | | | |
| Miscellaneous (M) | 2 | 1 | 2 | 4 | 2 | 5 | 2 |
| Totals | 17 | 3 | 9 | 25 | 20 | 34 | 14 |

**INDEX OF YTD NEW CASES
(7/1/2018 TO 6/30/19)**

| A. <u>New Trial Court Cases.</u> | <u>Unit</u> | <u>Subject Matter</u> | <u>Month</u> |
|---|--------------------|------------------------------|---------------------|
| Gaspard v. Montgomery County Planning Bd. | MC | AALU | July 18 |
| West Montgomery Citizens Association v. Montgomery County Planning Bd. | MC | AALU | July 18 |
| State Farm v. Barney, et al. | MC | Tort | Aug 18 |
| Commission v. Ferrante | MC | WC | Oct 18 |
| Lovett v. Commission | PG | Tort | Oct 18 |
| Stephanie Green v. Commission | PG | WC | Oct 18 |
| Rose Green v. Commission | PG | Tort | Oct 18 |
| Clark v. Montgomery County Planning Bd. | MC | AALU | Nov 18 |
| Cox v. Commission | MC | WC | Nov 18 |
| Cox v. Commission | MC | WC | Nov 18 |
| Bradley Boulevard Citizens Assn., Inc. v. Montgomery County Planning Bd. | MC | AALU | Feb 19 |
| Critical Areal Commission v. MNCPPC | PG | AALU | Mar 19 |

| B. <u>New Appellate Court Cases.</u> | <u>Unit</u> | <u>Subject Matter</u> | <u>Month</u> |
|---|--------------------|------------------------------|---------------------|
| Bradley Boulevard Citizens Assn., Inc. v. Montgomery County Planning Board | MC | AALU | July 18 |
| Town of Forest Heights v. Commission | PG | Misc. | July 18 |
| Brooks v. Commission | PG | AALU | Aug 18 |
| URS v. Commission | PG | CD | Aug 18 |
| Ross v. Commission | PG | WC | Apr 19 |
| The Town of Forest Heights v. Commission | MC | Misc. | Apr 19 |
| Gaspard v. Montgomery County Planning Board | MC | AALU | May 19 |
| Green v. Commission | PG | WC | Jun 19 |

| C. <u>New Supreme Court of the U.S. Cases.</u> | <u>Unit</u> | <u>Subject Matter</u> | <u>Month</u> |
|---|--------------------|------------------------------|---------------------|
|---|--------------------|------------------------------|---------------------|

**INDEX OF YTD RESOLVED CASES
(7/1/2018 TO 6/30/19)**

| <u>A. Trial Court Cases Resolved.</u> | <u>Unit</u> | <u>Subject Matter</u> | <u>Month</u> |
|---|--------------------|------------------------------|---------------------|
| Sauer, Inv. v. Commission | PG | CD | July 18 |
| Commission v. D.L. Boyd | PG | CD | Aug 18 |
| Arnold v. Napier | PG | Tort | Sept 18 |
| Rivers v. Fitts | PG | Tort | Sept 18 |
| State Farm Fire & Casualty v. Barney, et al. | MC | Tort | Oct 18 |
| Rose Green v. Commission | PG | Tort | Nov 18 |
| West Montgomery Citizens Association v. Montgomery County Planning Bd. | MC | AALU | Nov 18 |
| Commission v. McCoy | PG | CD | Dec 18 |
| Lovett v. Commission | PG | Tort | Dec 18 |
| Bundu v. Bowman | PG | Tort | Dec 18 |
| Global Lifesci Development Corporation v. Montgomery County, et al. | MC | Misc. | Jan 19 |
| Commission v. Clean Air Mechanical Inc., et al. | PG | CD | Feb 19 |
| Diggs v. Robinson, et al. | PG | Tort | Feb 19 |
| Cox v. Commission | MC | WC | Feb 19 |
| Cox v. Commission | MC | WC | Feb 19 |
| Ross v. Commission | PG | WC | Apr 19 |
| Gaspard v. Montgomery County Planning Board | MC | AALU | Apr 19 |
| Melara, et al. v. Evans | MC | Tort | Apr 19 |
| Green v. Commission | PG | WC | May 19 |
| Gutierrez v. Commission | MC | Tort | Jun 19 |
| Clark Office Building LLC v. Montgomery County Planning Board | MC | AALU | Jun 19 |

| <u>B. Appellate Court Cases Resolved.</u> | <u>Unit</u> | <u>Subject Matter</u> | <u>Month</u> |
|---|--------------------|------------------------------|---------------------|
| Brooks v. Commission | PG | AALU | July 18 |
| URS Corporation v. Commission | PG | CD | July 18 |
| Rounds v. Montgomery County, MD, et al | MC | PD | Aug 18 |
| Price, et al. v. Prince George's County, et al. | PG | Misc. | Oct 18 |
| Brooks v. Commission | PG | AALU | Oct 18 |
| URS Corporation v. Commission | PG | CD | Oct 18 |
| Pulte., et al. v. Montgomery County, et al. | MC | LD | Nov 18 |
| Rounds v. Montgomery County, MD, et al. | MC | PD | Dec 18 |
| Burnette v. Commission | PG | ED | Mar 19 |
| Concerned Citizens of Cloverly, et al. v. Montgomery County Planning Board | MC | AALU | Mar 19 |
| Fort Myer Construction Corporation v. Commission | MC | CD | Apr 19 |
| The Town of Forest Heights v. Commission | MC | Misc. | Apr 19 |

C. Supreme Court of the U.S. Cases Resolved.

Unit

Subject Matter

Month

Commission v. American Humanist
Association, et al.

PG

Misc.

Jun 19

Disposition of FY19 Closed Cases Sorted by Department

| CLIENT | PRINCIPAL CAUSE OF ACTION IN DISPUTE | DISPOSITION |
|--|--|---|
| Employees Retirement System | | |
| Finance Department | | |
| Price, et al. v. Prince George's County, et al. | Appellate matter – Plaintiffs below filed a lawsuit for injunctive relief questioning validity of certain personal tax enactments involving the Commission and Prince George's County. The Commission did not file a brief in this matter. | 10/2/18 – Appeal dismissed for failure to file a properly corrected brief |
| Department of Human Resources & Management | | |
| Montgomery County Department of Planning | | |
| Concerned Citizens of Cloverly, et al. v. Montgomery County Planning Board | Petitioner appealed Montgomery County Circuit Court January 29, 2018 Order affirming the Planning Board's approval of RCCG Jesus House Preliminary Plan 120160040. | 03/14/19 – Judgment of the Circuit court reversed with instructions to remand to the Planning Board for further proceedings consistent with the COSA opinion. |
| Gaspard v. Montgomery County Planning Board | Petition for Judicial Review of Board's approval of Preliminary Plan 120160180 Glen Mill – Parcel 833. | 04/29/19 – Decision of the Planning Board Affirmed. |
| Rounds v. Montgomery County, MD, et al. | Appeal from dismissal of claim for violations of the Maryland Constitution and declaratory relief concerning alleged Farm Road Easement | 08/24/18 – Judgment of Circuit Court affirmed |
| Rounds v. Montgomery County, MD, et al. | Appeal from dismissal of claim barred by res judicata concerning alleged Farm Road easement | 12/17/18 – Court of Special Appeals dismisses appeal and issues Mandate. |
| The Town of Forest Heights v. Commission | Commission filed a declaratory judgment action against the Town of Forest Heights in the Circuit Court. The Town appealed to the Court of Special Appeals which reversed the lower court. Appeal to Court of Appeals. | 04/05/19 – Court of Appeals reversed and the case remanded. |

| | | |
|--|---|--|
| West Montgomery Citizens Association v. Montgomery County Planning Board | Petition for Judicial Review filed appealing the Planning Board's approval of Preliminary Plan 120160180 Glen Mill – Parcel 833 | 11/02/18 - Case consolidated with Gaspard v. Montgomery County Planning Board |
| Montgomery County Department of Parks | | |
| Cox v. Commission | Claimant appealed decision of the Workers' Compensation Commission finding her to have a 5% permanent partial disability. | 02/06/19 Case remanded to Workers' Compensation Commission for Consideration and Approval of Settlement Agreement. |
| Cox v. Commission | Claimant appealed decision of the Workers' Compensation Commission which denied her petition to reopen for worsening of condition/increased permanent partial disability. | 02/06/19 Case remanded to Workers' Compensation Commission for Consideration and Approval of Settlement Agreement. |
| Green v. Commission | Claimant appealed Workers' Compensation Order requiring claimant to use Corvel's mail-in services for her prescription needs, effective December 1, 2018. Commission filed a Motion to Dismiss because no change in medications, only the delivery apparatus. | 05/21/19 – Motion to Dismiss granted and Petition for Judicial Review dismissed with prejudice. |
| Ross v. Commission | Claimant filed for judicial review of Workers' Compensation Commission Order which included a credit for the Commission for temporary total disability benefits paid and denied additional credit for vocational rehabilitation benefits paid. | 04/02/19 Judgment entered in favor of Ross and against the Commission. Case remanded back to Workers' Compensation Commission. |
| State Farm Fire & Casualty Co. A/S/O Yuenyee Lee v. Barney, et al. | Defense of Claim for property damage to home from tree on Commission property. | 10/12/18 – Case settled and dismissed |
| Montgomery County Park Police | | |
| Melara, et al. v. Evans | Claim for personal injury following an automobile accident. | 04/09/19 - Verdict in favor of Commission. |

| | | |
|--|--|--|
| Montgomery County Planning Board | | |
| Clark Office Building LLC v. Montgomery County Planning Board | Petitioner appealed Montgomery County Planning Board approval of 4 Bethesda Metro Center Sketch Plan 320180110. | 06/14/19 – Opinion of Planning Board affirmed. |
| Fort Myer Construction Corporation v. Commission | Plaintiff appealed Circuit Court ruling granting dismissal of complaint for alleged delays and damages associated with the erection of a steel girder pedestrian bridge in Montgomery County | 04/29/19 – Judgment of the Circuit Court affirmed. |
| Pulte Home Corporation, et al v. Montgomery County, et al | Plaintiff filed appeal following dismissal of complaint in U. S. District Court for alleged delays and damages associated with the construction of a residential development in Clarksburg, Maryland | 11/29/18 - Decision of U.S. District Court affirmed. |
| Prince George's County Department of Parks and Recreation | | |
| Arnold v. Napier | Defense of Claim for personal injury involving vehicle owned by Commission. | 09/10/18 – Case dismissed. |
| Commission v. American Humanist Association, et al. | Commission sought review by the Supreme Court of the decision of the Court of Appeals for the Fourth Circuit finding violation of the Establishment Clause of the Constitution. | 06/20/19 – Decision in favor of Commission and case reversed and remanded to the Fourth Circuit. |
| Commission v. Clean Air Mechanical Inc. | Commission files complaint for breach of contract, fraud and misrepresentation arising out of purchase order for installation of three DDU units at Cabin John and Wheaton Ice rinks. | 02/15/19 – Judgment granted in favor of M-NCPPC in the amount of \$315,233.14 for compensatory damages and \$3,000,000.00 in punitive damages. |
| Commission v. D.L. Boyd | Commission filed complaint for property damage to Commission property (mansion) | 08/17/18 Case settled and dismissed. |
| Commission v. McCoy | Commission filed complaint for property damage to Commission's golf cart | 12/14/18 Complaint dismissed for lack of prosecution. Final payment made on 1/29/19. |
| Diggs v. Robinson, et al. | Defense of claim for personal injury following an automobile accident involving a Commission vehicle. | 02/21/19 Case settled and dismissed. |
| Gutierrez v. Commission | Defense of Claim for personal injury following an automobile accident. | 06/06/19 Case settled at ADR. All claims dismissed. |
| Lovett v. Commission | Defense of Claim for personal injury sustained while traveling in bus operated by Commission. | 12/06/18 – Case voluntarily dismissed. |

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| Rivers v. Fitts | Defense of Claim for personal injury involving vehicle owned by Commission. | 09/26/18 – Judgment for Plaintiff |
| Rose Green v. Commission | Plaintiff filed a complaint for personal injuries allegedly occurring on Commission property. | 11/09/18 Case dismissed prior to service upon the Commission |
| Sauer, Inc. v. Commission | Plaintiff filed complaint for alleged delays and damages associated with the expansion of the Palmer Park Community Center in Prince George's County. | 07/23/18 – Case settled and dismissed. |
| URS Corporation v. Commission | URS appealed the Circuit Court Decision entering judgment in favor of the Commission as a result of URS breach of duty to defend | 07/06/18 – Judgment of Circuit Court affirmed |
| URS Corporation v. Commission | URS appeals the Circuit Court Decision entering judgment in favor of Commission as a result of URS breach of duty to defend. | 10/26/18 - Petition for Writ of Certiorari denied |
| Prince George's County Planning Department | | |
| Prince George's County Planning Board | | |
| Brooks v. Commission | Plaintiff appealed Planning Board ruling granting the departure from design standards in Prince George's County. | 07/20/18 – Judgment of Circuit Court affirmed. |
| Brooks v. Commission | Plaintiff appealed Planning Board ruling granting the departure from design standards in Prince George's County. | 10/26/18 - Petition for Writ of Certiorari denied. |
| Prince George's Park Police | | |
| Bundu v. Bowman | Defense of Claim for personal injury involving accident in Prince George's County. | 12/03/18 – Case dismissed with prejudice. Case settled. |
| Burnette v. Commission | Former park Police Officer appealed Circuit Court ruling affirming Administrative Hearing Board decision to terminate. | 03/04/19 – Judgment of Circuit Court affirmed. |
| Office of Internal Audit | | |

INDEX OF CASES

| | |
|---|-----------|
| DISTRICT COURT FOR PRINCE GEORGE’S COUNTY, MARYLAND | 11 |
| DISTRICT COURT FOR MONTGOMERY COUNTY, MARYLAND | 11 |
| CIRCUIT COURT FOR PRINCE GEORGE’S COUNTY, MARYLAND | 11 |
| Commission v. Ferrante..... | 11 |
| Commission v. Ferrante..... | 11 |
| Critical Area Commission v. MNCPPC | 12 |
| Green v. Commission | 12 |
| Gutierrez v. Commission..... | 13 |
| CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND | 13 |
| Bradley Boulevard Citizens Assn, Inc. v. Montgomery County Planning Board | 13 |
| Clark Office Building LLC v. Montgomery County Planning Board..... | 14 |
| MARYLAND COURT OF SPECIAL APPEALS..... | 15 |
| Bradley Boulevard Citizens Assn, Inc. v. Montgomery County Planning Board..... | 15 |
| Gaspard v. Montgomery County Planning Board | 15 |
| Green v. Commission | 16 |
| Pletsch, et al v. Commission..... | 16 |
| Ross v. Commission..... | 17 |
| The Town of Forest Heights v. Commission | 17 |
| MARYLAND COURT OF APPEALS..... | 17 |
| U.S. DISTRICT COURT FOR THE DISTRICT OF MARYLAND | 17 |
| U.S. COURT OF APPEALS FOR THE FOURTH CIRCUIT..... | 17 |
| SUPREME COURT OF THE UNITED STATES..... | 18 |
| Commission v. American Humanist Association..... | 18 |

DISTRICT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

No Pending Cases

DISTRICT COURT FOR MONTGOMERY COUNTY, MARYLAND

No Pending Cases

CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Commission v. Ferrante

Case No. CAL 18-09401 (WC)

Lead Counsel: Foster
Other Counsel:

Abstract: Appeal from WCC Order requiring MNCPPC to pay indemnity benefits corresponding to medical treatment.

Status: Awaiting Court's decision.

Docket:

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| 04/17/18 | Petition for Judicial Review filed |
| 05/07/18 | Commission files response to Petition for Judicial Review |
| 06/19/18 | Pretrial date rescheduled by consent |
| 06/26/18 | Order of Court rescheduling Pretrial Conference |
| 07/09/18 | Pretrial Conference cancelled |
| 11/28/18 | Consent Motion to consolidate with CAL18-40683 |
| 12/27/18 | Consent Motion to consolidate with CAL 18-40683 refiled |
| 01/25/19 | Motion to Consolidate granted. Case CAL18-09401 to be the lead case for purposes of filing. |
| 02/20/19 | Trial postponed – inclement weather |
| 03/28/19 | Trial held. Court has taken matter under advisement. |

Commission v. Ferrante

Case No. CAL 18-40683 (WC)

Lead Counsel: Foster
Other Counsel:

Abstract: Appeal from WCC Order requiring MNCPPC to pay indemnity benefits corresponding to medical treatment.

Status: Awaiting Court's decision.

Docket:

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| 10/30/18 | Petition for Judicial Review filed |
| 11/28/18 | Consent Motion to Consolidate with CAL18-09401 |
| 12/27/18 | Consent Motion to Consolidate with CAL18-09401 refiled |

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| 01/25/19 | Motion to Consolidate granted. Case CAL18-09401 to be the lead case for purposes of filing. |
| 02/20/19 | Trial postponed – inclement weather |
| 03/28/19 | Trial held. Court has taken matter under advisement. |

Critical Area Commission v. MNCPPC

Case No. CAL 19-05760 (AALU)

Lead Counsel: Dumais
Other Counsel:

Abstract: Petition for Judicial review regarding the Prince George’s County Planning Board’s approval of the Indian Queen Overlook Conservation Plan CP-16002.

Status: Awaiting oral argument.

Docket:

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|----------|---|
| 02/15/19 | Petition for Judicial Review filed |
| 03/09/19 | Commission served |
| 03/19/19 | Response of MNCPPC filed |
| 04/17/19 | Interested Party Michael Min’s Response to Petition for Judicial Review filed |
| 07/26/19 | Oral argument |

Green v. Commission

Case No. CAL 18-40994 (WC)

Lead Counsel: Foster
Other Counsel:

Abstract: Appeal from WCC Order requiring claimant/plaintiff to use Corvel’s mail-in services for her prescription needs, effective December 1, 2018. The Commission filed a Motion to Dismiss arguing that the Claimant/Plaintiff was not aggrieved by the decision of the WCC because there was no change to her medications, only the delivery apparatus, and thus she had no standing to appeal.

Status: Appeal filed.

Docket:

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| 10/31/18 | Petition for Judicial Review filed |
| 11/28/18 | Response to Petition for Judicial Review |
| 04/11/19 | Pretrial Conference cancelled |
| 04/15/19 | MNCPPC Motion to Dismiss filed |
| 04/15/19 | MNCPPC Motion to Strike Jury Demand filed |
| 05/21/19 | Motion to Strike Jury demand denied as moot |
| 05/21/19 | Motion to Dismiss Granted. Petition for Judicial Review Dismissed with Prejudice. |
| 06/13/19 | Notice of Appeal filed. |

Gutierrez v. Commission
Case No. CAL18-15226 (Tort)

Lead Counsel: Harvin
Other Counsel: Epstein

Abstract: Defense of claim for personal injury following an automobile accident.

Status: Case settled.

Docket:

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| 05/22/18 | Complaint filed |
| 06/15/18 | Commission served |
| 07/24/18 | Answer filed |
| 11/27/18 | Pretrial Conference held |
| 06/03/19 | Alternative Dispute Resolution held |
| 06/06/19 | Case settled at ADR. All claims dismissed. |

CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

Bradley Boulevard Citizens Association, Inc. v. Montgomery County Planning Board
Case No. 463263-V (AALU)

Lead Counsel: Sorrento
Other Counsel:

Abstract: Petitioner appealed Montgomery County Planning Board approval of WMAL Site Plan 820170170.

Status: Petition filed.

Docket:

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|----------|---|
| 02/14/19 | Petition for Judicial Review |
| 02/15/19 | Notice of Filing from Court |
| 03/07/19 | MNCPPC's Response to Petition filed |
| 03/20/19 | Toll Bros., Inc.'s Response to Petition filed |
| 06/21/19 | Respondents' Joint Motion to Dismiss filed. |

Clark Office Building LLC v. Montgomery County Planning Board

Case No. 458065-V (AALU)

Lead Counsel: Dumais
Other Counsel:

Abstract: Petitioner appealed Montgomery County Planning Board approval of 4 Bethesda Metro Center Sketch Plan 320180110

Status: Planning Board Affirmed.

Docket:

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| 11/15/18 | Petition for Judicial Review |
| 11/29/18 | Response to Petition for Judicial Review |
| 01/18/19 | Motion to Intervene by BOP Bethesda Metro Center LLC |
| 01/29/19 | Petitioner's Opposition to Motion to Intervene |
| 02/12/19 | Hearing on Motion to Intervene |
| 02/15/19 | Petitioner's Memorandum of Law in Support of Petition for Judicial Review |
| 02/26/19 | Order of Court Granting Motion to Intervene |
| 03/19/19 | MNCPPC's Answering Memorandum filed |
| 03/19/19 | MNCPPC's Motion to Strike Plaintiff's Exhibits filed |
| 03/20/19 | Defendant BOP Bethesda Metro Center LLC's Answering Memorandum filed. |
| 04/08/19 | Plaintiff's Motion for Leave to Supplement Record |
| 04/08/19 | Plaintiff's Opposition to MNCPPC's Motion to Strike |
| 04/09/19 | Plaintiff's Reply Memorandum and attachments |
| 04/10/19 | MNCPPC's Opposition to Motion for Leave to Supplement Record |
| 04/23/19 | Defendant BOP Bethesda Metro Center LLC's Response to Plaintiff's Motion for Leave to Supplement Record |
| 05/06/19 | Oral argument held. Court denies Petitioner's Motion for Leave to Supplement Record. Court takes matter under advisement. |
| 06/14/19 | Decision of the Planning Board Affirmed. |

MARYLAND COURT OF SPECIAL APPEALS

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

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

Lead Counsel: Sorrento
Other Counsel:

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

Status: Awaiting oral argument.

Docket:

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

Gaspard v. Montgomery County Planning Board

Case No. (AALU)

Lead Counsel: Dumais
Other Counsel:

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

Status: Appeal filed.

Docket:

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| 05/23/19 | Appeal filed |
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Green v. Commission

Case No. (WC)

Lead Counsel: Foster
Other Counsel:

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

Status: Appeal filed.

Docket:

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| 06/13/19 | Appeal filed. |
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Pletsch, et al v. Commission

September Term 2017, No. 2518 (AALU)

(Originally filed under CAL17-12150 in Prince George's County)

Lead Counsel: Mills
Other Counsel: Borden

Abstract: Two separate appeals filed. The Citizens filed an appeal of order affirming the underlying decision and resolution. The developer filed an appeal of the denial of the motion to dismiss for lack of standing. The Commission did not join in the appeal of the denial of the motion to dismiss.

Status: Awaiting Court's decision.

Docket:

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| 02/16/18 | Notice of Appeal filed by Pletsch, et al. |
| 02/23/18 | Notice of Appeal filed by St. John Properties, Inc. |
| 05/13/19 | Oral Argument held. |

Ross v. Commission
Term 2019, No. 280 (WC)

Lead Counsel: Foster
Other Counsel:

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

Status: Appeal filed.

Docket:

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| 04/17/19 | Petition for Judicial Review filed |
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The Town of Forest Heights v. Commission

Case No. (Misc.)

Lead Counsel: Borden
Other Counsel:

Abstract: Commission filed a declaratory judgment against the Town of Forest Heights. The Town appealed. Court of Appeals reversed, and case remanded.

Status: Awaiting new decision.

Docket:

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| 04/05/19 | Remanded from the Court of Appeals. |
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MARYLAND COURT OF APPEALS

No Pending Cases

U.S. DISTRICT COURT OF MARYLAND

No Pending Cases

U.S. COURT OF APPEALS FOR THE FOURTH CIRCUIT

No Pending Cases

SUPREME COURT OF THE UNITED STATES

Commission v. American Humanist Association, et al

Case No. 17A1175 (Misc.)
17-1717 (American Legion)
18-18 (M-NCPPC)
(Appeal from Case No. 15-2597)

Lead Counsel: Hogan Lovells (Neal Kumar Katyal & Mitchell P. Reich)
Other Counsel: Gardner
Dickerson
Harvin

Abstract: The Commission intends to seek review by the Supreme Court of the decision of the Court of Appeals for the Fourth Circuit finding violation of establishment clause of Constitution.

Status: Decision in favor of Commission.

Docket:

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| 04/24/18 | Commission's Application to extend the time to file a Petition for Writ of Certiorari |
| 04/30/18 | American Legion's Application to extend time to file a Petition for Writ of Certiorari |
| 05/03/18 | American Legion's Application to extend time granted |
| 05/09/18 | Commission's Application to extend time granted |
| 06/25/18 | American Legion's Petition for Writ of Cert. filed |
| 06/29/18 | Commission's Petition for Writ of Cert. filed |
| 07/12/18 | Blanket Consent filed by Respondents, The American Legion, the American Legion Department of Maryland, and The American Legion Colmar Manor Post 131 |
| 07/13/18 | Blanket Consent filed by Petitioner, M-NCPPC |
| 07/25/18 | Amicus Brief American Center for Law and Justice |
| 07/26/18 | Amicus Brief Military Order of the Purple Heart |
| 07/27/18 | Amicus Brief 109 United States Senators and Members of the United States House of Representatives |
| 07/27/18 | Amicus Brief Major General Patrick Brady and Veterans Groups Erecting and Maintaining War Memorials |
| 07/27/18 | Amicus Brief The Town of Taos, New Mexico |
| 07/27/18 | Amicus Brief The Islam and Religious Freedom Action Team of the Religious Freedom Institute |
| 07/27/18 | Amicus Brief International Municipal Lawyers Association |
| 07/27/18 | Amicus Brief Veterans of Foreign Wars of the United States |
| 07/27/18 | Amicus Brief Medal of Honor Recipients |
| 07/27/18 | Amicus Brief Maryland Elected Officials |
| 07/27/18 | Amicus Brief State of West Virginia, 27 Other States & the Governor of Kentucky |
| 07/27/18 | Amicus Brief Retired Generals and Flag Officers |
| 07/27/18 | Amicus Brief Jewish Coalition for Religious Liberty |
| 07/27/18 | Amicus Brief The Becket Fund for Religious Liberty |

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| 08/01/18 | Amicus Brief Foundation for Moral Law |
| 08/02/18 | Amicus Brief State of Maryland |
| 08/02/18 | Amicus Brief Veterans in Defense of Liberty |
| 08/02/18 | Amicus Brief Prince George's County, Maryland |
| 08/02/18 | Amicus Brief The Rutherford Institute |
| 08/21/18 | Reply of Commission |
| 08/22/18 | Distributed for Conference of 9/24/18 |
| 10/01/18 | Distributed for Conference of 10/05/18 |
| 10/09/18 | Distributed for Conference of 10/12/18 |
| 10/22/18 | Distributed for Conference of 10/26/18 |
| 10/29/18 | Distributed for Conference of 11/02/18 |
| 11/02/18 | Certiorari granted. |
| 12/17/18 | Brief of petitioners The American Legion, et al. |
| 12/17/18 | Brief of petitioner M-NCPPC |
| 12/17/18 | Joint Appendix filed |
| 12/18/18 | Brief amici curiae of American Association of Christian Schools, et al. |
| 12/19/18 | Brief amicus curiae of Justice and Freedom Fund |
| 12/19/18 | Brief amicus curiae of Thomas More Law Center |
| 12/19/18 | Brief amicus curiae of Town of Taos, New Mexico |
| 12/20/18 | Brief amicus curiae of Wisconsin Institute for Law & Liberty |
| 12/20/18 | Brief amicus curiae of Foundation for Moral Law |
| 12/20/18 | Brief amicus curiae of State of Maryland |
| 12/21/18 | Set for Oral Argument on 2/27/19 |
| 12/21/18 | Brief amici curia of The National Jewish Commission on Law and Public Affairs |
| 12/21/18 | Brief amicus curiae of Family Research Council |
| 12/21/18 | Brief amici curiae of Medal of Honor Recipients |
| 12/21/18 | Brief amici curiae of American Center for Law & Justice, et al. |
| 12/21/18 | Brief amici curiae of Retired Generals and Flag Officers |
| 12/21/18 | Brief amici curiae of Veterans of Foreign Wars of the United States, et al. |
| 12/21/18 | Brief amicus curiae of The Utah Highway Patrol Association |
| 12/21/18 | Brief amici curiae of Citizens United and Citizens United Foundation |
| 12/21/18 | Brief amici curiae of Family Members of Soldiers Named on the Peace Cross |
| 12/21/18 | Brief amicus curiae of Center for Constitutional Jurisprudence |
| 12/21/18 | Brief amici curiae of Public Advocate of the United States, et al. |
| 12/21/18 | Brief amicus curiae of Judicial Watch, Inc. |
| 12/21/18 | Brief amicus curiae of Liberty Counsel |
| 12/21/18 | Brief amici curiae of National Association of Counties, et al. |
| 12/21/18 | Brief amici curiae of Major General Patrick Brady and Veterans Groups Erecting and Maintaining War Memorials |
| 12/21/18 | Amicus brief of The Rutherford Institute |
| 12/24/18 | Brief amici curiae of State of West Virginia and 29 Other States |
| 12/24/18 | Brief amicus curiae of Cato Institute |
| 12/24/18 | Brief amicus curiae of The Becket Fund for Religious Liberty |
| 12/26/18 | Brief amicus curiae of Jewish Coalition for Religious Liberty |

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| 12/26/18 | Brief amici curiae of 84 United States Senators and Members of the United States House of Representatives |
| 12/26/18 | Brief amicus curiae of The American Civil Rights Union |
| 12/26/18 | Brief amicus curiae of CatholicVote.org Education Fund |
| 12/26/18 | Brief amicus curiae of Kamal S. Kalsi |
| 12/26/18 | Brief amicus curiae of The Islam and Religious Freedom Action Team of the Religious Freedom Institute |
| 12/26/18 | Brief amici curiae of Various Professors |
| 12/26/18 | Brief amicus curiae of Military Order of the Purple Heart |
| 12/26/18 | Brief amici curiae of Maryland Elected Officials and Prince George's County |
| 12/26/18 | Brief amici curia of Professors Walter Dellinger and Martin S. Lederman in support of neither party |
| 12/26/18 | Brief amici curiae of Veterans in Defense of Liberty, et al. |
| 12/26/18 | Brief amicus curiae of United States |
| 12/26/18 | Amicus brief of Religious Denominations and Other Religious Institutions |
| 01/09/19 | Joint Motion of Petitioners for Enlargement of time for oral argument and for divided argument |
| 01/09/19 | Motion of the Acting Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument |
| 01/22/19 | Motion of the Acting Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument granted |
| 01/22/19 | Joint Motion of Petitioners for enlargement of time for oral argument and for divided argument granted |
| 01/23/19 | Brief of Respondent American Humanist Association et al. filed |
| 01/30/19 | Brief amici curiae of Religious and Civil-Rights Organizations filed |
| 01/30/19 | Brief amici curiae of Military Religious Freedom Foundation et al. filed |
| 01/30/19 | Brief amici curiae of Jewish War Veterans of the United States of America, Inc. filed |
| 01/30/19 | Brief amici curiae of Muslim Advocates filed |
| 01/30/19 | Brief amici curiae of Historians and Legal Scholars filed |
| 01/30/19 | Amicus brief of Law Professors filed |
| 01/30/19 | Amicus brief of Baptist Joint Committee for Religious Liberty et al. filed |
| 01/30/19 | Amicus brief of Freedom from Religion Foundation, Center for Inquiry, American Atheists, Inc., Military Association of Atheists and Freethinkers, Secular Coalition of America filed |
| 02/13/19 | Reply of Petitioners, The American Legion, et al. |
| 02/21/19 | Letter from State of Rhode Island regarding Amici Brief of State of West Virginia |
| 02/27/19 | Oral Argument held |
| 06/20/19 | Fourth Circuit reversed, case remanded. |

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