



THE MARYLAND-NATIONAL CAPITAL
Park and Planning Commission

COMMISSION MEETING

January 17, 2018

9:30 a.m. – 11:30 a.m.

Montgomery Regional Office

8787 Georgia Avenue

Silver Spring, Maryland 20910

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MEETING
Wednesday, January 17, 2018
Montgomery Regional Office
9:30 a.m. – 11:30 a.m.

			<u>ACTION</u>	
			Motion	Second
1.	Approval of Commission Agenda (9:30)	(+*) Page 1	_____	_____
2.	Vote			
	a) Commission Chair	(*)	_____	_____
	b) Commission Vice-Chair	(*)	_____	_____
3.	Approval of Commission Minutes Open Session – December 20, 2017	(+*) Page 3	_____	_____
4.	General Announcements (9:30)			
	a) Prince George’s Department of Parks and Recreation Black History Month Opening Reception (Sunday, January 28, 2018, 2:00 p.m. – 4:00 p.m. Harmony Hall Regional Center in Fort Washington, MD)			
	b) M-NCPPC Women’s History Month Event hosted by the Diversity Council (Friday, March 30, 2018, 1:00 p.m. – 3:00 p.m. Laurel-Beltsville Senior Center)			
5.	Committee Minutes/Board Reports (For Information Only): (9:40)			
	a) Executive Committee Meeting – Open Session – January 8, 2018	(+) Page 7		
	b) 115 Trust (OPEB) Board of Trustees Meeting Minutes – September 20, 2017	(+) Page 11		
	c) Employees’ Retirement System Board of Trustees Meeting Minutes December 5, 2017	(+) Page 13		
6.	Action and Presentation Items (9:45)			
	a) Resolution #17-37 Adoption of East Riverdale-Beacon Heights Sector Plan (D. Sims)	(+*) Page 19	_____	_____
	b) Resolution#18-01 Adoption of the White Flint 2 Sector Plan (N. Sturgeon)	(+*) Page 53	_____	_____
	c) Resolution #18-02 Adoption of the Grovesnor-Strathmore Area Minor Master Plan (N. Sturgeon)	(+*) Page 75	_____	_____
	d) Diversity Council 2017 End-of-Year Report and Certificates of Appreciation and Photo Op (Barney/Gordon/Feeley)	(+) Page 85		
	e) FY2018 2% Savings Request from Montgomery County Government	(LD)		
	f) Administrative Practice 5-70A – Financial Disclosure (Bennett/Beckham)	(+*) Page 97	_____	_____
	g) ERP Upgrade Project Briefing (Chilet/Dixon)	(+) Page 123		
7.	Officers’ Reports			
	a) Executive Director’s Report (For Information Only) Employee Evaluations Not Completed by Due Date (December 2017)	(+) Page 133		
	b) Secretary Treasurer (For Information Only) Investment Report (November 2017)	(+) Page 135		
	c) General Counsel			
	1) Litigation Report (For Information Only)	(+) Page 141		
	2) Legislative Update			
8.	Closed Session – Collective Bargaining (Barney) Pursuant to Section 3-305(b)(7) and (b)(9) of the General Provisions Article of the Annotated Code of Maryland, a closed session is proposed to consult with counsel to obtain legal advice, and to conduct collective bargaining negotiations or consider matters that relate to the negotiations.			



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

**Commission Meeting
Open Session Minutes
December 20, 2017**

The Maryland-National Capital Park and Planning Commission met at the Prince George's Parks and Recreation Auditorium in Riverdale, MD.

PRESENT

Prince George's County Commissioners

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

Montgomery County Commissioners

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

NOT PRESENT

Tina Patterson

Chair Hewlett convened the meeting at 9:39 a.m.

ITEM 1 APPROVAL OF COMMISSION AGENDA

ACTION: Motion of Geraldo to approve the Commission agenda
Seconded by Washington
9 approved the motion

ITEM 2 APPROVAL OF COMMISSION MINUTES

Open Session – November 15, 2017
ACTION: Motion of Geraldo to approve the Commission minutes
Seconded by Washington
9 approved the motion

ITEM 3 GENERAL ANNOUNCEMENTS

Chair Hewlett made the following announcements:

- Prince George's Department of Parks and Recreation Winter Festival of Lights – Watkins Regional Park – (November 20th – January 1, 2018). This was a successful event to support victims of the hurricane. Thus far over 140 cases of water have been collected for hurricane victims and \$99,000 has been earned from admission costs.
- Montgomery Parks Department "Holly Days" Garden of Lights Display – Brookside Gardens (November 24th – January 1, 2018) was well attended.
- Chair Hewlett mentioned the Commission Employee Appreciation Open House Event on December 8, 2017 at the Newton White Mansion. This event also celebrated the Commission's 90th Anniversary. Chair Hewlett thanked the event Committee for their hard work and making the event a success.
- Commissioner Dreyfuss announced the appointment of Renee Kenney to Inspector General within the Office of the Inspector General (OIG) which was formed by the State legislation.

He also introduced the OIG staff members Natalie Beckwith, Robert Feeley, and Wanda King. Chair Hewlett added that the appointment was well deserved.

- Chair Hewlett announced the retirement of Rose Krasnow, Deputy Director, Montgomery County Planning Department on January 31, 2017. Vice-Chair Anderson and Chair Hewlett honored Ms. Krasnow for her strong service to the community and the agency. Vice-Chair Anderson invited staff to attend her retirement celebration.
- Chair Hewlett and Commissioners wished Commissioner Geraldo's a happy birthday.

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

- a) **Executive Committee – Closed Session – December 12, 2017**
(This item was a late delivery item and will be presented at January 17, 2018 Meeting)
- b) **Regular Board of Trustees Meeting Minutes – November**

ITEM 5 **ACTION AND PRESENTATION ITEMS**

- a) **Resolution #17-33 Land Exchange between the Commission and Piscataway Clinton, LLC.**
(P. Sun/H. Asan)

ACTION: Motion of Geraldo to approve Resolution #17-33
Seconded by Fani-Gonzalez
9 approved the motion

- b) **Resolution #17-38 Adoption of Rock Spring Sector Plan (N. Sturgeon)**

ACTION: Motion of Fani-Gonzalez to approve Resolution #17-38
Seconded by Geraldo
9 approved the motion

- c) **CAFR (C. Lehman/B. Seymour/B. Walsh)**

Secretary-Treasurer Joseph Zimmerman introduced Accounting Manager Barbara Walsh, and independent Financial Auditor, Chris Lehman of SB and Company. Ms. Walsh presented the Comprehensive Annual Financial Report for the fiscal year ending June 30, 2017. Ms. Walsh reviewed the PowerPoint presentation which reported the fund balances and funding goals of Commission departments. Every goal was achieved for fund balances throughout the Commission. Mr. Lehman presented findings of the Audit stating there were no material weaknesses identified within the Audit and no issues of fraud were revealed throughout the Commission. To Commissioner Doerner's inquiry, Secretary-Treasurer Zimmerman confirmed Commission funds are held in interest bearing accounts. Commissioner Fani-Gonzalez complemented the use of the Dinosaur Park as the cover photo for this year's report as it showcases the agency's great work to the community.

- d) **Other Post-Employment Benefits (OPEB) Valuation Presentation (Bolton Partners/B. Walsh)**

M-NCPPC Accounting Manager, Barbara Walsh, introduced Senior Actuary Kevin Binder of Bolton Partners who presented OPEB valuations. Mr. Binder provided background on the valuation process, plan changes, changes in assumptions, the five-year forecast, reconciliation, and actuarial certification. The budget forecast and contribution recommendation were presented without further discussion.

- e) **Resolution #17-36 FY19 Budget Proposed Budget Adoption (Kroll)**

John Kroll, Corporate Budget Manager presented the Commission's Fiscal Year 2019 Proposed Budget. Mr. Kroll reported on an overall budget of \$515,000,000 which is an increase of 10.2 percent from Fiscal Year 2018. There was a \$43,000,000 increase in tax support. The taxable base increased by 4.46% for Prince George's County and 4.18% for Montgomery County. Pension costs and benefits costs decreased for this fiscal year. Chair Hewlett thanked Mr. Kroll and all Budget staff within the departments for their hard work and dedication to the budget. Mr. Kroll announced that the budget documents will be published and distributed to the county governments.

ACTION: Motion of Geraldo to approve Resolution #17-36
Seconded by Washington
9 approved the motion

f) Status Report Employee Program for People with Disabilities (Glover/Spencer)

Program Manager Jeannette Glover, provided a briefing on the progress of the Employee Program for People with Disabilities which has been in existence since 1998. Through the outreach efforts and participation of operating departments, 39 individuals with disabilities were hired in the summer of 2017; 108 people were interviewed. Ms. Glover informed that applicants range in skill levels, but most positions offered are within the summer camps and playgrounds. Commissioner Geraldo commented that the Commission's Purchasing Department should consider the purchase of wheel chair accessible furniture.

ITEM 6

OFFICERS' REPORTS

- a) Executive Director's Report (For information only)
Employee Evaluations Not Completed by Due Date (November 2017)
- b) General Counsel (For information only)
 - 1) Litigation Report (November 2017)
 - 2) Legislative Update
 - 3) General Counsel Gardner provided an update on a litigation case involving the Commission "Price vs. Prince George's County", The plaintiff's arguments are being abandoned and the Commission is not involved in the remainder of the suit. Chair Hewlett commended General Counsel Gardner on his efforts regarding the case.

Chair Hewlett adjourned the meeting at 10:26 a.m.


Deirdra S. Walker, Administrative Specialist


Anju Bennett, acting on behalf of Executive
Director Barney



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

EXECUTIVE COMMITTEE MEETING MINUTES

January 8, 2018

On January 8, 2018, the Maryland-National Capital Park and Planning Commission’s Executive Committee met via conference call. Present were Chair Elizabeth M. Hewlett, Vice-Chair Casey Anderson, and Executive Director Patricia Barney. Also present were:

Department Heads

- Andree Checkley, Director, Prince George’s County Planning
- Gwen Wright, Director, Montgomery County Planning
- Mike Riley, Director, Montgomery County Parks
- Joseph Zimmerman, Secretary-Treasurer
- Adrian Gardner, General Counsel

Presenters/Staff

- Roslyn Johnson, Deputy Director, Prince George’s County Parks and Recreation
- Debbie Tyner, Deputy Director, Prince George’s Parks and Recreation
- Mazen Chilet, Chief Information Officer
- Anju Bennett, Chief, Corporate Policy and Management Operations (CPMO)
- William Spencer, Human Resources Director
- Reggie Dixon, Senior Project Manager, Office of the Chief Information Officer
- Michael Beckham, Manager, Corporate Policy and Records, CPMO
- Brian Coburn, Senior Management Analyst, CPMO

The meeting convened at 9:05 a.m.

ITEM 1a – APPROVAL OF EXECUTIVE COMMITTEE AGENDA

Discussion	Executive Director Barney advised of a correction to Item 1b, which should state “Commission Agenda for January 17, 2018” instead of “November 15, 2017”. Executive Director Barney added an item to the agenda, “2% Savings Request from Montgomery County Government”.
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ITEM 1b – APPROVAL OF COMMISSION MEETING AGENDA

Discussion	The agenda was accepted without changes.
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ITEM 1c – ROLLING AGENDA FOR UPCOMING COMMISSION MEETINGS

Discussion	Executive Director Barney commented that her office will check into plans for a Black History Month event and will add to the Commission agenda. She is working with the Diversity Council to obtain a date for the Women’s History Month event which is held in March or April. Executive Director Barney informed that Commissioner Natali Fani-Gonzalez expressed interest in participating in Diversity Council Meetings and providing input on diversity education and training. Executive Director Barney advised of a correction to remove the Diversity Council Annual Report from the February agenda as it will be presented at the January meeting.
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ITEM 2 – MINUTES

	December 12, 2017 Executive Committee Minutes – accepted without changes.
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ITEM3 – DISCUSSION/REPORTS/PRESENTATIONS

2% Savings Request from Montgomery County Government (added item)

Executive Director Barney shared that a 2% savings request letter was sent by Montgomery County Executive Leggett to Vice-Chair Anderson, Montgomery County Planning Director Gwen Wright, and Montgomery County Parks Director Mike Riley for fiscal year 2018. Executive Director Barney informed that Central Administrative Services' (CAS) departments will assist with the savings effort by identifying funds that would not cause material impact to the services they provide to the operating departments. The Montgomery County Planning Board will be briefed on January 11, 2018 and the Prince George's Planning Board will be briefed at the January Commission Meeting.

Montgomery Parks Director Riley informed his department was also asked to cut an additional amount of approximately \$1.2 million from their capital budget with current revenue funding. Executive Director Barney suggested that the Department of Human Resources and Management (DHRM), Montgomery Parks and Montgomery Planning meet to discuss savings. Director Gwen Wright shared she will assist by identifying potential sources to cover the reductions. General Counsel Adrian Gardner and Secretary-Treasurer Joseph Zimmerman will share their savings with Vice-Chair Anderson prior to the collective meeting with CAS, the Vice-Chair, Montgomery Parks, and Montgomery Planning.

a) Enterprise Resource Planning (ERP) Upgrade Project Executive Briefing

Chief Information Officer Mazen Chilet and Senior Project Manager Reggie Dixon of the CIO Office provided an update on the ERP Upgrade Project in anticipation of the project kick-off scheduled for the first week of February 2018. Mr. Dixon presented on the project scope, project status, scheduled activities, high level risks, executive sponsor responsibilities, and next steps. He shared that the Project Management Office (PMO) has reached out to all departments to identify resources and Subject Matter Experts (SME) to gather requirements and discuss business processes and pain points.

Department Heads requested:

- They be included in future communications of items requested from SME's regarding the needs of the project;
- That a formal request be sent to each Department Head so they could identify the appropriate SME for the project. The request should explain the required expertise, skills, and commitment level required of the SMEs;
- A brief document explaining the benefits and outcomes of the new system. Department Heads want to be clear on the new system's capabilities and how it will meet departmental needs;
- The CIO's team consider starting with existing data gathered from previous departmental work sessions as a starting point to validate needs/information;
- The word "age" be removed from employee demographics on page 6 of the slide presentation under project risks;
- They be provided with a detailed scope of work for the selected contractor RPI;

Vice-Chair Anderson advised that the department heads and the CIO schedule time to discuss the project in more detail to ensure everyone understands the details and expectations of the project.

	<p>b) Administrative Practice 5-70A – Financial Disclosure Anju Bennett, Chief, Corporate Policy and Management Operations (CPMO) requested the Executive Committee’s support in moving forward with proposed amendments to Administrative Practice 5-70A – Financial Disclosure. Ms. Bennett introduced Corporate Policy Manager Michael Beckham who reviewed the amendments drafted with input from Department Heads as outlined in the packet. Proposed amendments clarify state law on required filings by Commissioners, clarify which employee positions are required to file, and incorporate requirements that employees file disclosures at time of hire, termination, or when serving in an acting capacity for designated positions. The Executive Committee supported moving the amended policy for review by the Commission.</p>
<p>Follow up from Presentation</p>	<p>ERP Project – The CIO will ensure follow up on items identified by the Executive Committee and Department Heads and will present at the January Commission Meeting.</p> <p>Practice 5-70 will be presented at the January Commission Meeting</p>

There being no further business to discuss, the meeting adjourned at 10:30 a.m.

Deirdra Walker, Administrative Specialist



Patricia Colihan Barney, Executive Director

115 Trust (OPEB)
Meeting Minutes
MRO

Wednesday, September 20, 2017

- Attending: Commissioner Natali Fani-Gonzalez, Trustee;
Patricia Colihan Barney, Commission Executive Director, Trustee;
Joseph Zimmerman, Commission Secretary-Treasurer, Trustee;
William Spencer, Commission Human Resources Director, Trustee;
Barbara Walsh, Commission Accounting Manager, Staff;
Abbey Rodman, Commission Investment Manager, Administrator;
Claudia Stalker, Commission Accountant, Staff;
Barry Bryant, Investment Consultant, Dahab Assoc.;
- Absent: Commissioner Manuel Geraldo, Trustee, Chairman;
Commissioner William Doerner;
LaTonya Reynolds, Commission Senior Counsel;
Tracey Harvin, Commission Senior Counsel, Staff
William Dickerson, Commission Principal Counsel
Adrian Gardner, Commission General Counsel

The meeting was called to order at 8:45 a.m.

Minutes from the 06/21/17 meeting were motioned by Ms. Barney to be approved, seconded by Mr. William Spencer, and then unanimously approved. Ms. Barney then asked Mr. Barry Bryant of Dahab Associates to discuss the 2nd Quarter performance results.

Mr. Bryant began by addressing a question from Commissioner William Doerner, a non-trustee Commissioner, regarding foreign real estate exposure. Mr. Bryant said the Fund was exposed to real estate through the Intercontinental real estate manager, 10% of the portfolio, and within the PIMCO All-Asset/All-Authority Fund as one of multiple strategies. Neither invests in foreign real estate.

Mr. Bryant said the return environment had again been robust. With a revised GDP, increase of +3 domestic stocks rose 3% while foreign stock increased almost 6.5% and bonds increased 1.4%. Mr. Bryant attributed the gains to strong earnings, a weak but steadily growing economy without inflation and a weak dollar at home, and improved economic prospects abroad. Also, he noted that with bond returns as low as they were, investors had little alternative but to pile into stocks.

Commissioner Natali Fani-Gonzalez asked if the weakness in the dollar reflected lack of faith by foreign governments in the Trump administration. Mr. Bryant said he was personally puzzled by dollar weakness with interest rates poised to rise in the US, but he did not think there was a simple connection between our domestic political environment and the weak dollar.

Mr. Bryant turned to quarterly results. He noted that the 2.5% return for the quarter was more than what was needed to cover the 7.4% annual actuarial assumption, but less than

the 3.0% median return for public plans as a whole. He described the shadow index as the weighted average of indices used to judge the various managers, and a measure of the success of the asset allocation. The shadow index of 3.5% would have ranked in the 14th percentile, indicating that the asset allocation performed well. He cited the high percentage of equity and the concentration in foreign equity as the reason for the success of the asset allocation.

Performance of the active managers, he said, pulled down the 3.5% return to the realized 2.5% return. This was due to the under performance of the three RAE strategies covering large cap (-252 bps), foreign developed (-68 bps) and foreign emerging market equity (-636 bps). He explained that these strategies were overweight value stocks in the energy, financial services, telecom, industrials and materials sectors, and underweight stocks in the technology, consumer discretionary and healthcare sectors. It was this latter group that led the market in the second quarter.

Mr. Bryant next turned to the annual results. The Fund made 17.5% and ranked in the 1st percentile of public funds. This resulted from the asset allocation, as before, but also from the out performance of the RAE strategies, as value stocks outperformed growth stocks for most of 2016.

Looking ahead, Mr. Bryant said stronger economic growth accompanied by some inflation would help value stocks. Economic growth in the second quarter appeared headed in that direction.

Mr. Joe Zimmerman said, all in all, he was pleased with the results of the Fund, combining initially strong results with a period of poor results and the more recent strong results of 2016. He cautioned that the Fund had yet to experience a sustained down market.


Ms. Barney asked Mr. Bryant about how hurricane damage might have affected the portfolio. Mr. Bryant said that the nature of the Fund's holdings was that the allocations were spread across most markets and most stocks around the world, and therefore not susceptible to localized weather damage. The exception was the real estate strategy. He read a communication from the firm's real estate manager, Intercontinental, indicating that damage from Harvey in Houston and Irma in Florida had been minimal, but some tenants had been temporarily relocated. He added that the hurricane season was only half over, and future damage remained a possibility.

Ms. Barney asked Ms. Abbey Rodman, Trust Administrator, about an item at the last meeting regarding acceptance of modifications to the Intercontinental real estate contract. Mr. Rodman said that the contract was under review by Groom, the Fund's outside legal advisor.

The Trustees set 8:30 am on Wednesday, December 20, 2017 at PRA for the next meeting.

The meeting was adjourned at 9:40 am.

Respectfully Submitted,


Claudia Stalker



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

**REGULAR BOARD OF TRUSTEES MEETING
MINUTES**

Tuesday, November 7, 2017; 10:00 A.M.
ERS/Merit Board Conference Room

The regular meeting of the Board of Trustees convened in the ERS/Merit Board Conference Room on Tuesday, November 7, 2017 at 10:00 a.m. Voting members present were: Khalid Afzal, Patricia Barney, CPA, Howard Brown, Gerald R. Cichy, Pamela F. Gogol, Dr. Alicia Hart, Amy Millar, Sheila Morgan-Johnson, Barbara Walsh and Joe Zimmerman, CPA. Elizabeth M. Hewlett was absent.

ERS staff present were: Andrea L. Rose, Administrator; Heather D. Brown, Senior Administrative Specialist; Sheila S. Joynes, Accounting Manager; Eleanor Dagirmanjian, Retirement Benefits Analyst; Lisa Butler, Senior Retirement Benefits Analyst; Antonia Lanier, Member Relations Manager; and, Ann McCosby, Systems Manager.

Others present included: M-NCPPC Staff – John Kroll, Corporate Budget Manager and Anju Bennett, Chief of Corporate Policy & Management Operations and Wilshire Associates - Bradley A. Baker, Vice President (via conference call).

Presentations by Boomershine Consulting Group- David S. Boomershine, Senior Consulting Actuary and President; and, M-NCPPC Legal Department - LaTonya Reynolds, Senior Counsel.

In the absence of the Chairman, VICE CHAIRMAN CICHY opened the meeting.

1. CONSENT AGENDA

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

- A. Approval of the November 7, 2017 Board of Trustees Meeting Agenda
- B. Minutes of Regular Meeting, September 5, 2017
- C. Disbursements Granted Reports – August and September 2017

The November 7, 2017 Board of Trustees Meeting Agenda was revised to include Section 3-305(b)(7) to consult with legal counsel to Item 7 Closed Session.

MS. BARNEY made a motion, seconded by MS. WALSH to approve the Consent Agenda which includes the revision to the November 7, 2017 Board of Trustees Meeting Agenda. The motion PASSED unanimously (10-0). (Motion #17-52)

2. CHAIRMAN'S ITEMS

- A. Board of Trustees Conference Summary
- B. 2017 Public Pension Funding Forum Report by Andrea Rose and Patricia Barney, CPA

3. MISCELLANEOUS

No miscellaneous reported.

4. REPORTS/PRESENTATIONS

A. Boomershine Consulting Group

Presentation by David S. Boomershine, Senior Consulting Actuary and President

- i. M-NCPPC Trustee Education November 2017
- ii. Actuarial Valuation Review as of July 1, 2017
 - a. Recommendation to Approve an Employer Contribution of \$24,792,093 Payable July 1, 2018
- iii. Report: Annual Review and Actuarial Valuation as of July 1, 2017

David Boomershine conducted an actuarial educational session covering the mechanics and risks of pension funding and the role of the trustee.

Mr. Boomershine reviewed the results of the July 1, 2017 Actuarial Valuation which shows the funded ratio of the actuarial value of assets to the actuarial accrued liability for benefits was 90.7%, which was up from 90.2% in 2016.

To meet the funding objectives, a recommended employer contribution of \$24,792,093 (16.44% of covered payroll) is payable July 1, 2018 for fiscal year 2019 a slight decrease from \$24,822,301 (17.3% of covered payroll) for fiscal year 2018, primarily due to an actuarial gain.

The July 1, 2017 Actuarial Valuation includes a change in the investment return assumption from 7.00% to 6.95%, which was approved earlier this year following a review by Boomershine Consulting Group and Wilshire Associates.

MS. GOGOL made a motion, seconded by MS. BARNEY to approve an employer contribution of \$24,792,093 (16.44% of covered payroll) payable July 1, 2018 for fiscal year 2019. The motion PASSED unanimously (9-0). MS. WALSH was out of the room. (Motion #17-53)

MS. MORGAN-JOHNSON requested consideration of an actuarial audit every 5 years which is considered a best practice, as well as, consideration to change the Experience Study from every 5 years to every 2-3 years. The Board agreed these recommendations should be considered and requested the Administration & Personnel Oversight Committee add them to its work program.

B. M-NCPPC Legal Department

Presentation by LaTonya Reynolds, Senior Counsel

- i. Memorandum dated October 13, 2017 re: Plan Document Amendments: I. Plan C Purchase of Credited Service for Military Service and II. Plans B and E Addition of the New Inspector General as an Appointed Official
 - a. Recommendation to Approve Plan Amendments effective October 1, 2017

LaTonya Reynolds presented plan amendments that are required because of changes approved by the Maryland-National Capital Park and Planning Commission ("Commission") as the Plan Sponsor and recommended the Board adopt the revised Plan Document effective October 1, 2017 incorporating the following amendments:

The amended language in Sections C-3.1 Credited Service and C-3.5 Purchase of Credited Service allows Participants in Plan C the opportunity to purchase a maximum of two years Credited Service for time served in the U.S. military as previously approved by Commission Resolution 17-26, "Adoption of Amended Collective Bargaining Agreement with the Fraternal Order of Police Lodge No. 30", and Resolution 17-28, "Purchase of Military Service – Pass through to Park Police Command Staff and Candidates". Participants must pay the entire actuarial value of the Credited Service to be purchased during a specified window of time from the adoption of the plan amendments, at hire or immediately prior to retirement.

The amended language in Plans B and E recognize the new position of Inspector General and require the position to participate in the Employees' Retirement System as a condition of employment as previously approved by Commission Resolution 17-29, "Amendments to the Maryland-National Capital Park and Planning Commission Employees' Retirement System – Inclusion of the Inspector General in Plans B and E". Since Plan B is closed to new members, only a person who is a Member or Participant in Plan B would be able to continue to accrue Credited Service in Plan B after appointment to the position of Inspector General. Plan E is modified to allow the Inspector General, who can serve no more than two 4-year terms, to vest in five years rather than ten years.

MS. BARNEY made a motion, seconded by MS. WALSH to adopt the Plan Document effective October 1, 2017 incorporating amendments to Plan C for purchase of credited service for military service and Plans B and E for the addition of the new Inspector General as an appointed official, as recommended by legal counsel. The motion PASSED unanimously (10-0). (Motion #17-54)

C. Andrea L. Rose, ERS Administrator

- i. Memorandum dated October 24, 2017 re: Amendment to Investment Management Agreement for Earnest Partners
 - a. Recommendation to Approve an Amendment to the Investment Management Agreement for Earnest Partners to Revise Exhibit B - Annual Fee Schedule
- ii. Memorandum dated October 24, 2017 re: Resolution for the Contingency of the Extended or Emergency Absence of the Administrator
 - a. Recommendation to Approve a Resolution for the Contingency of the Extended or Emergency Absence of the Administrator

At its September 5, 2017 meeting, the Board approved a new tiered fee schedule for Earnest Partners. Therefore, an Amendment to the Investment Management Agreement between the ERS and Earnest Partners which includes a revised Exhibit B - Annual Fee Schedule was prepared by legal counsel. Andrea Rose presented the Amendment for the Board's review and approval.

MS. MORGAN-JOHNSON recommended specifying a retroactive effective date for the new fee schedule, clarifying the fee terms and specifying that fees are based on the market value at the end

of each quarter. The Board agreed and asked legal counsel, LaTonya Reynolds, to revise the Amendment with the recommendations prior to finalizing.

MS. BARNEY made a motion, seconded by MS. MILLAR to Approve the Amendment to the Investment Management Agreement for Earnest Partners which includes a revised Exhibit B - Annual Fee Schedule and recommended changes. The motion PASSED unanimously (10-0). (Motion #17-55)

Ms. Rose recommended approval of a Resolution for the Contingency of the Extended or Emergency Absence of the Administrator which authorizes the Secretary-Treasurer to instruct the custodian bank and investment managers and exercise signature authority in the absence of the Administrator or in emergency situations when the Administrator is unavailable.

VICE CHAIRMAN CICHY told Ms. Rose to ensure the Secretary-Treasurer was bonded in this capacity.

MS. BARNEY made a motion, seconded by MS. WALSH to approve the Resolution for the Contingency of the Extended or Emergency Absence of the Administrator which authorizes the Secretary-Treasurer to instruct the custodian bank and investment managers and exercise signature authority in the absence of the Administrator or in emergency situations when the Administrator is unavailable. The motion PASSED (9-0-1) MS. MORGAN-JOHNSON abstained. (Motion #17-56)

MS. MORGAN-JOHNSON abstained because she preferred expansion/clarification of the definition of emergency. Ms. Rose agreed to clarify/expand the definition of an emergency and present a revised Resolution at the December board meeting.

5. REPORT OF THE ADMINISTRATOR

Presentation by Administrator, Andrea L. Rose

A. Administrator's Report dated October 23, 2017

Andrea Rose presented the Administrator's Report dated October 23, 2017.

Due to the middle market direct lending presentations at the December 5, 2017 Board meeting, Ms. Rose recommended the meeting start at 9:00 a.m. The Board agreed with this recommendation.

Ms. Rose presented the Comprehensive Annual Financial Report (CAFR) and the Popular Annual Financial Report ("Annual Report") which are available on the ERS' website at <http://ers.mncppc.org>. Hard copies are available upon request. Heather Brown, Senior Administrative Specialist, and Sheila Joynes, Accounting Manager, were recognized for the preparation of these reports.

Ms. Rose informed the Board of SB & Company's (SB) self-assessment services which includes a Board Self-Assessment Tool that could be adapted to the specific needs of the Board. The Board agreed to have the Administration & Personnel Oversight Committee explore the self-assessments provided by SB and Pamela Gogol, Board Member, and make a recommendation for a workplan, timeline, and self-assessment questionnaire, as well as, SB's role as an independent third party.

6. COMMITTEE REPORTS/RECOMMENDATIONS

A. Audit Committee

Presentation by Committee Chairman, Barbara Walsh

- i. Regular Report of October 17, 2017

MS. WALSH presented the regular report for the Audit Committee meeting of October 17, 2017.

The Audit Committee met with SB & Company ("SB") for the results of the June 30, 2017 audit. William Seymour, Engagement Partner, explained that the Scope of Services with SB included an audit of the June 30, 2017 financial statements; review of the Comprehensive Annual Financial Report (CAFR); recommendations and observations noted during the audit process; and, year-round discussions on accounting and auditing issues. As of June 30, 2017, and June 30, 2016, the ERS had a Fiduciary Net Position Restricted for Pensions of \$868,155,816 and \$776,338,424, respectively. During 2017 the Fiduciary Net Position Held in Trust for Pension Benefits increased by \$91.8 million due to investment gains. SB issued a clean opinion on the financial statements. There were no material weaknesses or instances of fraud identified and SB received full cooperation from management.

B. Investment Monitoring Group Committee

Presentation by Committee Chairman, Sheila Morgan-Johnson

- i. Regular Report of September 19, 2017
- ii. Regular Report of October 17, 2017

MS. MORGAN-JOHNSON presented the regular reports for the Investment Monitoring Group meetings of September 19 and October 17, 2017.

At its September 19, 2017 meeting, the IMG met with Eaton Vance for a performance review. Eaton Vance discussed significant changes to the diversified fixed income team. Vishal Khanduja, CFA and Brian Ellis, CFA assumed co-portfolio management responsibility for the core bond strategy in which the ERS is invested. Mr. Khanduja and Mr. Ellis have industry experience of 12 years and 11 years, respectively, and less than one year at Eaton Vance since they came from the newly acquired Calvert Group. The IMG agreed to monitoring Eaton Vance in the coming quarters; changing the guidelines to allow BB securities, as requested by Eaton Vance; and awaiting a response on a request for a fee reduction. In addition, Wilshire Associates will be updating the Core Fixed Income Analysis to include C.S. McKee and others in the core fixed income space.

At its October 17, 2017 meeting, the IMG met with C.S. McKee for a performance review and discussed two revisions to the investment guidelines, including removal of the allowed use of derivatives and modification of the timeframe for corrective action for a downgraded security.

7. CLOSED SESSION

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

MS. GOGOL made a motion, seconded by MS. MILLAR to go in to Closed Session under authority of the General Provisions Article of the Annotated Code of Maryland Section 3-305(b)(5) and 3-305(b)(7) for

investment of public funds and to consult with legal counsel. The motion PASSED unanimously (10-0). (Motion #17-57)

The Board of Trustees meeting of November 7, 2017 adjourned at 12:15 p.m.

Respectfully,



Heather D. Brown
Senior Administrative Specialist



Andrea L. Rose
Administrator



December 21, 2017

MEMORANDUM

TO: The Maryland-National Capital Park and Planning Commission

VIA: Andree Green Checkley, Planning Director
Scott Rowe, AICP, CNU-A, Acting Division Chief, Community Planning Division *BSA*
Frederick Stachura, J.D., Supervisor, Neighborhood Revitalization Section, *FS*
Community Planning Division

FROM: Daniel Sams, Planner Coordinator, Neighborhood Revitalization Section, *P.S.*
Community Planning Division

SUBJECT: **The Maryland-National Capital Park and Planning Commission Resolution
M-NCPPC No. 17-37 to certify the *East Riverdale-Beacon Heights Sector Plan***

Attached for your review and approval is the draft Full Commission Resolution M-NCPPC No. 17-37 to certify the *Approved East Riverdale-Beacon Heights Sector Plan*. A draft Certificate of Adoption and Approval is also attached for your approval. We have also attached for your information a copy of the *Approved East Riverdale-Beacon Heights Sector Plan*. The approved plan consists of the preliminary sector plan; Prince George's County Planning Board Resolution PGCPB No. 17-118 dated September 14, 2017; And Prince George's County Council Resolution CR-95-2017 dated November 14, 2017.

RECOMMENDATION

Staff recommends that the Full Commission approve the resolution of adoption.

Attachments

1. Full Commission Resolution No. 17-37
2. Draft Certificate of Adoption and Approval
3. Prince George's County Council Resolution CR-95-2017
4. Prince George's County Planning Board Resolution PGCPB No. 17-118
5. Approved Preliminary Plan

M-NCPPC No. 17-37

RESOLUTION

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

WHEREAS, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission, held a duly advertised joint public hearing with the Prince George's County Council, sitting as the District Council, on June 20, 2017 to consider the Preliminary East Riverdale-Beacon Heights Sector Plan, being also a replacement for the 1994 *Approved Master Plan for Planning Area 68* and the 1994 *Approved Master Plan for Bladensburg-New Carrollton and Vicinity (Planning Area 69)* and an amendment to the 2014 *Plan Prince George's 2035 Approved General Plan*, the 2001 *Approved Anacostia Trails Heritage Area Management Plan: A Functional Master Plan for Heritage Tourism*, the 2008 *Approved Public Safety Facilities Master Plan*, 2009 *Approved Countywide Master Plan of Transportation*, the 2014 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space*, and the 2017 *Approved Resource Conservation Plan*; and

WHEREAS, the Prince George's County Planning Board on September 14, 2017, after due deliberation and consideration of the public hearing testimony, adopted the sector plan with revisions, as described in Prince George's County Planning Board Resolution PGCPB No. 17-118, and transmitted the plan to the District Council on September 28, 2017; and

WHEREAS, the Prince George's County Council, sitting as the District Council for the portion of the Maryland-Washington Regional District lying within Prince George's County, held a work session on October 17, 2017, to consider hearing testimony and the Planning Board's resolution; and

WHEREAS, upon consideration of the testimony received through the hearing process, the District Council on November 14, 2017, determined that the adopted plan should be approved as the sector plan for the East Riverdale-Beacon Heights (portions of Planning Area 68 and 69) for Prince George's County, Maryland, subject to the modifications and revisions set forth in Resolution CR-95-2017.

NOW, THEREFORE, BE IT RESOLVED, that The Maryland-National Capital Park and Planning Commission does hereby adopt said sector plan for East Riverdale-Beacon Heights (portions of Planning Areas 68 and 69) as an amendment to the General Plan for physical development of the Maryland-Washington Regional District within Prince George's County as approved by the Prince George's County District Council in the attached Resolution CR-95-2017; and


BE IT FURTHER RESOLVED, that the Recitals are hereby incorporated into this Resolution by reference; and

BE IT FURTHER RESOLVED, that copies of said amendment shall be certified by The Maryland-National Capital Park and Planning Commission and filed with the Clerk of the Circuit Court of Prince George's and Montgomery Counties, as required by law.

* * * * *

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 the motion of Commissioner X, seconded by Commissioner X, with Commissioners X, X, X, and X and Commissioner X being absent, at its regular meeting held on January 17, 2017 in Silver Spring, Maryland.

Patricia Colihan Barney
Executive Director


APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPC Legal Department
Date 12/13/17

CERTIFICATE OF ADOPTION AND APPROVAL

This *Approved East Riverdale-Beacon Heights Sector Plan* replaces the 1994 *Approved Master Plan for Planning Area 68* and the 1994 *Approved Master Plan for Bladensburg-New Carrollton and Vicinity (Planning Area 69)* and amends the 2014 *Plan Prince George's 2035 Approved General Plan*, the 2001 *Approved Anacostia Trails Heritage Area Management Plan: A Functional Master Plan for Heritage Tourism*, the 2008 *Approved Public Safety Facilities Master Plan*, the 2009 *Approved Countywide Master Plan of Transportation*, the 2014 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space*, and the 2017 *Approved Resource Conservation Plan* for the portions of Planning Areas 68 and 69 within the Sector Plan boundaries. The Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the sector plan by Resolution No. 17-118 on September 14, 2017. The Prince George's County Council approved the sector plan by Resolution No. CR-95-2017 on November 14, 2017, after duly advertised public hearings held on June 20, 2017 and October 17, 2017.

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Elizabeth M. Hewlett, Esq
Chairman

Casey Anderson
Vice Chairman

Joseph C. Zimmerman
Secretary-Treasurer

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2017 Legislative Session

Resolution No. CR-95-2017
Proposed by The Chairman (by request – Planning Board)
Introduced by Council Members Davis, Lehman, Franklin and Taveras
Co-Sponsors _____
Date of Introduction November 14, 2017

RESOLUTION

1 A RESOLUTION concerning

2 The East Riverdale-Beacon Heights Sector Plan

3 For the purpose of approving, with certain non-substantive revisions set forth herein, as an Act of
4 the County Council of Prince George’s County, Maryland, sitting as the District Council for that
5 part of the Maryland-Washington Regional District in Prince George’s County, the 2017 *East*
6 *Riverdale-Beacon Heights Sector Plan*, approving therein certain new visions, goals, policies,
7 and strategies to guide land use and development policies for the future growth and
8 redevelopment within portions of Planning Areas 68 and 69, including part of the incorporated
9 municipal boundaries of the Town of Riverdale Park located to the east of the Northeast Branch
10 of the Anacostia River, the unincorporated residential communities of East Riverdale and
11 Beacon Heights, and the area generally bounded by Good Luck Road to the north; the Northeast
12 Branch of the Anacostia River to the west; Carters Lane, Greenvale Parkway, Furman Parkway,
13 and Freeport Street to the south; and Veterans Parkway (MD 410), Briers Mill Run, and the
14 Baltimore-Washington Parkway (U.S. Route 295) to the east.

15 WHEREAS, on October 13, 2015, the County Council of Prince George’s County,
16 Maryland, sitting as the District Council (“District Council”), adopted CR-63-2015, thereby
17 initiating preparation of a new sector plan to amend the 2014 General Plan for the physical
18 development of the County, *Plan Prince George’s 2035*, by defining the boundaries of the
19 Riverdale Park and Beacon Heights Neighborhood Centers and to replace the 1994 *Master Plan*
20 *for Planning Area 68* and the 1994 *Master Plan for Bladensburg-New Carrollton and Vicinity*

1 *(Planning Area 69)* for the portions of Planning Areas 68 and 69 within the Sector Plan
2 boundaries; and

3 WHEREAS, the 2017 *East Riverdale-Beacon Heights Sector Plan* will amend the 2001
4 *Anacostia Trails Heritage Area Management Plan: A Functional Master Plan for Heritage*
5 *Tourism*, the 2008 *Public Safety Facilities Master Plan*; the 2009 *Countywide Master Plan of*
6 *Transportation*; the 2014 *Formula 2040: Functional Master Plan for Parks, Recreation and*
7 *Open Space*; and the 2017 *Countywide Resource Conservation Functional Plan* for those
8 portions of Planning Areas 68 and 69 within the designated Sector Plan boundaries herein; and

9 WHEREAS, in the development of this sector plan in consultation, as supplemental
10 policy guidance, with the approved land use and development policies adopted by the District
11 Council within the 2008 *Central Kenilworth Avenue Revitalization Study* and the 2013 *Purple*
12 *Line Transit-Oriented Development Study*; and

13 WHEREAS, it is the finding of the District Council that the authority for adoption of this
14 legislative act to approve a comprehensive plan resides in the local zoning laws of the County
15 and the Regional District Act within the Land Use Article, Annotated Code of Maryland; and

16 WHEREAS, it is the further finding of the District Council that neither Part 13 of the
17 local zoning laws nor Title 21 of the RDA require concurrent approval of a sectional map
18 amendment; accordingly, zoning for properties within the sector remains the same; and

19 WHEREAS, in particular, the sector plan area includes two planned Maryland Mass
20 Transit Administration (“MTA”) Purple Line Stations that are intended to provide light rail
21 service with connections to employment centers in Prince George’s and Montgomery Counties,
22 as well as the broader Metrorail system serving the Washington, D.C., Metropolitan Region; and

23 WHEREAS, the District Council, via its adoption of CR-63-2015, also endorsed certain
24 specified Goals, Concepts, Guidelines, and a Public Participation Program for those areas of the
25 Regional District so designated within the sector plan boundaries, pursuant to the Land Use
26 Article and Sections 27-641 and 27-643 of the Zoning Ordinance; and

27 WHEREAS, as part of the Public Participation Program approved by the District Council
28 for this project, the staff of the Planning Department of the Maryland-National Capital Park and
29 Planning Commission held numerous community work sessions and informational meetings with
30 a broad spectrum of stakeholders, including community leaders and residents, business and

1 property owners, non-profit organizations, developers, as well as other municipal, County, State,
2 and regional agencies; and

3 WHEREAS, on May 4, 2017, the Prince George's County Planning Board of the
4 Maryland-National Capital Park and Planning Commission granted permission to print the 2017
5 *Preliminary East Riverdale-Beacon Heights Sector Plan* in accordance with the prescriptions of
6 Part 13 of the local zoning laws; and

7 WHEREAS, the District Council and the Planning Board held a duly-advertised joint
8 public hearing on the Preliminary East Riverdale-Beacon Heights Sector Plan on June 20, 2017;
9 and

10 WHEREAS, pursuant to Section 27-645(b) of the Zoning Ordinance, the County
11 Executive and the District Council reviewed the public facilities element of the *Preliminary East*
12 *Riverdale-Beacon Heights Sector Plan* in order to identify inconsistencies between the proposed
13 public facilities recommended within the preliminary sector plan and existing County or State
14 public facilities, as embodied in CR-61-2017; and

15 WHEREAS, on July 27, 2017, and September 14, 2017, respectively, the Planning Board
16 held public work sessions to consider the transcript analysis compiled from comments received
17 in the June 20, 2017 joint public hearing record and staff recommendations thereon; and

18 WHEREAS, on September 14, 2017, the Planning Board, based on the array of joint
19 public hearing testimony, adopted the Sector Plan in Prince George's County Planning Board
20 Resolution via adoption of PGCPB No. 17-118, and transmitted same to the District Council on
21 September 28, 2017, in accordance with procedures prescribed by County local zoning laws; and

22 WHEREAS, on October 17, and November 7, 2017, respectively, the District Council
23 convened in its capacity as the Committee of the Whole to examine the digest of joint public
24 hearing record testimony, to include the resolution adopted by Planning Board as to the subject
25 comprehensive plan; the analysis of testimony prepared by the technical staff; and the array of
26 exhibits and other testimony within the record of public hearing testimony for the proposed
27 minor amendment; and

28 WHEREAS, after respective procedural and substantive presentations by legal counsel to
29 the Council and Planning Board staff, as well as questions and other discussion regarding the
30 record of hearing testimony for the adopted sector plan by members of the District Council, the
31 Committee of the Whole voted favorably on November 7, 2017, to direct staff to prepare a

1 Resolution of Approval to the 2017 *East Riverdale-Beacon Heights Sector Plan*; and

2 WHEREAS, upon approval by District Council, this Sector Plan will amend the 2014
3 General Plan for the County, *Plan Prince George's 2035*, by defining the boundaries of the
4 Riverdale Park and Beacon Heights Neighborhood Centers and will replace the 1994 *Master*
5 *Plan for Planning Area 68* and the 1994 *Master Plan for Bladensburg-New Carrollton and*
6 *Vicinity (Planning Area 69)* for the portions of Planning Areas 68 and 69 within the Sector Plan
7 boundaries; and

8 WHEREAS, the East Riverdale-Beacon Heights Sector Plan will amend the 2001
9 *Anacostia Trails Heritage Area Management Plan: A Functional Master Plan for Heritage*
10 *Tourism*; the 2008 *Public Safety Facilities Master Plan*; the 2009 *Countywide Master Plan of*
11 *Transportation*; the 2014 *Formula 2040: Functional Master Plan for Parks, Recreation and*
12 *Open Space*; and the 2017 *Countywide Resource Conservation Plan* for the portions of Planning
13 Areas 68 and 69 within the Sector Plan boundaries.

14 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
15 County, Maryland, sitting as the District Council for that part of the Maryland-Washington
16 Regional District in Prince George's County, Maryland, that the 2017 *East Riverdale-Beacon*
17 *Heights Sector Plan*, as adopted by Planning Board and embodied within the resolution adopted
18 on September 14, 2017, PGCPB No. 17-118, as set forth in Attachment A, attached hereto and
19 incorporated as if restated fully herein, be and the same is hereby APPROVED, subject to the
20 following, non-substantive revisions, in accordance with law:

21 **REVISION NUMBER 1:**

22 On Page 6, within "Section 1: A Blueprint for Tomorrow," add a new bullet point within
23 the "Celebrate" portion of the "Overall Goals" section of the adopted sector plan, as follows:
24 "Maintain the character of established single-family neighborhoods in order to ensure continued
25 neighborhood stability and to preserve homeownership."

26 **REVISION NUMBER 2:**

27 On Page 12, within "Section 2: Defining the Context," add a new text box that describes
28 the applicable Aviation Policy Areas and associated relevant regulations applicable thereto.

REVISION NUMBER 3:

On Page 38, within “Section 2: Defining the Context”, add language to the “Public Facilities: Public Schools” section of the adopted sector plan, as follows: “Addition of a new middle school adjacent to the sector plan area.”

REVISION NUMBER 4:

On Page 57, within “Section 2: Defining the Context”, add a new paragraph within the “Opportunities” section, as follows: “Public-private partnerships should assist with financing this infrastructure as redevelopment moves forward.”

REVISION NUMBER 5:

On Page 68, within “Section 3: Elements—Land Use” of the adopted Sector Plan, add a new Land Use Policy, “LU1.6,” as follows:
“Additional townhouses and single-family attached dwellings aligned with Strategy HN 4.1 within Section 3: ‘Elements—Housing and Neighborhoods’ of the adopted sector plan.”

REVISION NUMBER 6:

On Page 68, within “Section 3: Elements—Land Use,” replace verbiage within the text box entitled “Goals,” as follows:

“[Existing single-family neighborhoods that retain their character and are better connected to amenities within Neighborhood Centers.] Retain the character of single-family neighborhoods and strengthen the connection of these neighborhoods to amenities within Neighborhood Centers.”

REVISION NUMBER 7:

On Page 69, within “Section 3: Elements—Land Use” of the adopted plan, amend “Map 22. Future Land Use” to remove 6010 Carters Lane and 6110 Carters Lane within the designated Residential Medium—High land use area of the adopted sector plan. Revise Map 22 to place 6010 Carters Lane and 6110 Carters Lane instead within the designated Residential—Medium land use area of the adopted sector plan.

REVISION NUMBER 8:

On Page 79, within “Section 3: Elements—Land Use,” add the following verbiage to the text box entitled “Goal,” as follows: “, while at the same time preserving the quality of the nearby, established single-family residential neighborhood character”.

REVISION NUMBER 9:

On Page 73, in Table 7 within “Section 3, Elements—Land Use” of the adopted plan, remove the Parcel Assembly Area Nos. 5 and 6 for property consolidation, given that said properties are classified within the R-55 Zone of the County. Revise Map 24 on Page 73 in accordance with removal of Parcel Assembly Area Nos. 5 and 6, in accordance with the approval of the policy revisions stated herein.

REVISION NUMBER 10:

On Page 89, within “Section 3: Economic Prosperity”, add a new strategy, “EP1.5,” as follows:

“Explore opportunities for private sector support to incorporate identified public facilities and needs in the consideration of redevelopment projects within the sector plan area, including the incorporation of sidewalks, parks, schools, community spaces, and new roads for purposes of improving connectivity.”

REVISION NUMBER 11:

On Page 84, within “Section 3: Elements—Land Use,” revise the text of LU16, as follows: “[To p] Preserve affordable housing options [, retain and maintain existing multifamily housing] in this Character Area. See Also Policy HN3.

REVISION NUMBER 12:

Delete Strategy LU16.1 on Page 84, within “Section 3: Elements—Land Use.” Add a new Policy LU18 on Page 84, along with associated strategies for implementation, as follows:

“Ensure that the revitalization and redevelopment of the Kenilworth South Character Area protects existing and future residents and businesses from stormwater impacts, while preserving a range of workforce housing, office, and retail options.”

“Strategy LU18.1: Further evaluate the impact of stormwater and flooding outside of the levee system on existing properties and buildings, in order to explore and identify potential solutions.”

“Strategy LU18.2: Conduct a property-by-property analysis of the existing multifamily complexes in this Character Area; identify property-specific renovation, revitalization, and/or redevelopment concepts; and work with property owners and other stakeholders to implement the resultant recommendations.”

REVISION NUMBER 13:

On Page 90, within “Section 3: Elements—Economic Prosperity,” add the “Riverdale Triangle” to Map 26, “Strategic Opportunities,” as a Redevelopment Opportunity site.

REVISION NUMBER 14:

On Page 110, within “Section 3: Elements—Transportation and Mobility,” revise the text of Policy TM10 as follows:

“Implement multiple bicycle, pedestrian, and transit connections to the Purple Line stations, schools, parks, the regional network, and connections between neighborhoods that are safe, are intuitive and easy to use, so as to provide opportunities for users of all skill levels to travel between destinations. Sidewalks and/or trails close gaps in the pedestrian network and provide safe routes to schools, parks, community institutions, and transit access. Prioritize the construction of segments that connect multiple activity points or travel groups , and multimodal access to Purple Line transit stations. Create opportunities for pedestrians to easily and safely walk between neighborhoods and to stations, schools, parks, and shopping. Prioritization of proposed projects is recommended in Table 14 and in Section 4 of this sector plan.”

REVISION NUMBER 15:

On Page 121, within “Section 3: Elements—Transportation and Mobility,” revise Map 32 as to Recommended Sidewalk Improvements to include sidewalk improvements listed within Tables 9 and 11 of the adopted sector plan.

REVISION NUMBER 16:

On Page 147, within “Section 3: Elements—Housing and Neighborhoods,” revise the text of Policy HN1, as follows: “Encourage the formation of partnerships with private enterprises, institutions, nonprofits, and/or the Prince George’s County Department of Housing and Community Development to identify and seek funding for housing rehabilitation, lead abatement, energy efficiency and age-in-place retrofits, acquisition/demolition of vacant and substandard housing, and new construction of workforce housing. Support implementation of the Countywide Housing Strategy in the sector plan area, and align neighborhood housing priorities with those identified through the strategic planning process.”

REVISION NUMBER 17:

1
2 On Page 147, within “Section 3: Elements—Housing and Neighborhoods,” add a new
3 Strategy HN1.9, as follows: “Following completion of the Countywide Housing Strategy,
4 identify opportunity sites for the construction of new, affordable housing, including units
5 affordable to the workforce, seniors, and families. Key opportunity sites may include, but are
6 not limited to, the following: (1) Former Park Policy Headquarters; (2) Riverdale Plaza; (3) East
7 Pines Shopping Center; and (4) Other sites identified via the strategy planning process.”

REVISION NUMBER 18:

8
9 On Page 131, within “Section 3: Elements—Natural Environment,” add a new policy
10 NE3.3, as follows: “Utilize, where appropriate, public-private partnerships to address
11 stormwater management needs within the sector plan area.”

REVISION NUMBER 19:

12
13 On Page 156, within “Section 3: Elements—Community Heritage and Culture,” replace the
14 text of Policy CH4 as follows: “Preserve the parkway-like character of the Baltimore-
15 Washington Parkway as an important segment of the Star-Spangled Banner Trail of the National
16 Scenic Byways Program and as included within the Star-Spangled Banner Trail Comprehensive
17 Management Plan.”

REVISION NUMBER 20:

18
19 On Page 177, within “Section 3: Elements—Public Facilities,” replace the text of Strategy
20 PF1.3, as follows: “[Relocate] Explore moving the headquarters of the Maryland-National
21 Capital Park and Planning Commission to a more centrally-located and transit-accessible
22 location in the County. (CIP #EC001254)”

REVISION NUMBER 21:

23
24 On Page 171, within “Section 3: Elements—Healthy Communities,” add a new Strategy
25 HC2.5, as follows: “Support existing community gardens at the Center for Educational
26 Partnership and explore locations for new community gardens.”

REVISION NUMBER 22:

27
28 On Page 184, within “Section 3: Elements—Parks and Recreation,” add a new Strategy
29 PR3.5, as follows: “Maintain Center for Educational Partnership as a community resource which
30 provides space for public and private organizations to provide needed resources, programming,
31 and activity space to the community.”

REVISION NUMBER 23:

On Page 193, within “Section 4: Implementation,” remove the reference to Strategy LU13.1, calling for proposed action steps to “Direct Class A office and large institutional development within this submarket to nearby Regional Transit Districts.” Remove Strategy LU113.1 on page 83 of the adopted sector plan.

REVISION NUMBER 24:

On Page 177, within “Section 3: Elements—Public Facilities,” substitute the text of PF1.2, as follows: “[Amend the 2008 *Approved Public Safety Facilities Master Plan* to relocate the Riverdale Heights Fire/Emergency Medical Services Station, Station 813, to a location MD 201 (Kenilworth Avenue) or MD 410.] Identify a central location for a fire station that support the Riverdale communities with career and volunteer staffing along the MD 201 or MD 410 Corridors of the sector plan area. (CIP #LK571123)”

REVISION NUMBER 25:

On Page 149, within “Section 3: Elements—Housing and Neighborhoods,” add a new bullet point to Strategy HN4.1, as follows: “Additional townhouse and/or single-family attached development aligned with Policy HN4 should also be considered at Carters Lane immediately across the street from Templeton Elementary.”

REVISION NUMBER 26:

Rename the “Beacon Heights Station” within the text of the adopted sector plan as the “Beacon Heights-East Pines Station,” *passim*.

REVISION NUMBER 27:

Rename “Brier Ditch” within the text of the adopted sector plan as “Brier’s Mill Run,” *passim*.

REVISION NUMBER 28:

On Page 131, within “Section 3: Elements—Natural Environment,” remove the final two paragraphs of verbiage within the text box entitled “Development in Floodplains.”

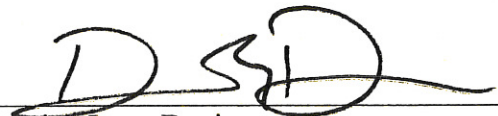
BE IT FURTHER RESOLVED that the staff of the Planning Department is hereby authorized to make certain appropriate textual and graphical revisions to the sector plan, for the purposes of correcting identified errors, reflecting updated information and revisions, and to otherwise incorporate the changes reflected within this Resolution.

1 BE IT FURTHER RESOLVED that the provisions of this Resolution are severable. If any
2 provision, sentence, clause, section, zone, zoning map, or part thereof is held illegal, invalid,
3 unconstitutional, or unenforceable, such illegality, invalidity, unconstitutionality, or
4 unenforceability shall not affect or impair any of the remaining provisions, sentences, clauses,
5 sections, zones, zoning maps, or parts hereof or their application to other zones, persons, or
6 circumstances. It is hereby declared to be the legislative intent that this Resolution would have
7 been adopted as if such illegal, invalid, unconstitutional, or unenforceable provision, sentence,
8 clause, section, zone, zoning map, or part had not been included therein.

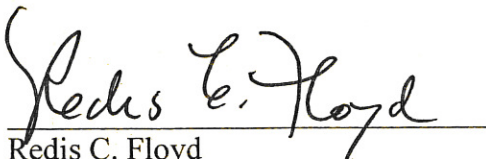
Adopted this 14th day of November, 2017.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

BY: _____


Derrick Leon Davis
Chairman

ATTEST:


Redis C. Floyd
Clerk of the Council

PGCPB No. 17-118

RESOLUTION

WHEREAS, the *East Riverdale-Beacon Heights Sector Plan* was initiated by the Planning Board on September 24, 2015 and authorized by the District Council on October 13, 2015; and,

WHEREAS, permission to print the *Preliminary East Riverdale-Beacon Heights Sector Plan* was granted by the Planning Board on May 4, 2017; and,

WHEREAS, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission, in conjunction with the Prince George's County Council, sitting as the District Council, held a duly advertised public hearing on the *Preliminary East Riverdale-Beacon Heights Sector Plan* pursuant to Section 27-644 of the Zoning Ordinance of Prince George's County on June 20, 2017; and,

WHEREAS, the *East Riverdale-Beacon Heights Sector Plan* will amend the 2014 Prince George's 2035 Approved General Plan by defining the boundaries of the Beacon Heights and Riverdale Park Neighborhood Centers, and will replace the 1994 *Approved Master Plan for Planning Area 68* and the 1994 *Approved Master Plan for Bladensburg-New Carrollton and Vicinity (Planning Area 69)* for the portions of Planning Areas 68 and 69 within the Sector Plan boundaries; and,

WHEREAS, the *East Riverdale-Beacon Heights Sector Plan* will amend the 2001 *Approved Anacostia Trails Heritage Area Management Plan: A Functional Master Plan for Heritage Tourism*, the 2008 *Approved Public Safety Facilities Master Plan*, 2009 *Approved Countywide Master Plan of Transportation*, the 2014 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space*, and the 2017 *Approved Resource Conservation Plan* for the portions of Planning Areas 68 and 69 within the Sector Plan boundaries; and,

WHEREAS, additional policy guidance for this plan was derived from the 2008 *Central Kenilworth Avenue Revitalization Study* and the 2013 *Purple Line Transit-Oriented Development Study*; and,

WHEREAS, this sector plan does not include a concurrent sectional map amendment; accordingly, zoning for properties within the sector remains the same; and,

WHEREAS, the plan area is located in the northern part of Prince George's County, centering largely around the intersection of MD 410 (East-West Highway/Riverdale Road/Veterans Parkway) and the Baltimore-Washington Parkway, and includes MD 201 (Kenilworth Avenue) and Good Luck Road, major arterials through the sector plan area; and,

WHEREAS, the plan area is comprised of the portion of the Town of Riverdale Park located to the east of the Northeast Branch of the Anacostia River, and the unincorporated residential communities of East Riverdale and Beacon Heights; and,

WHEREAS, the plan area also includes two planned Maryland Mass Transit Administration (MTA) Purple Line Stations that will provide light rail service with connections to employment centers in Prince George's and Montgomery Counties, as well as the broader Metrorail system serving the Washington, DC, metropolitan region; and,

WHEREAS, the *East Riverdale-Beacon Heights Sector Plan* provides a new vision to guide future growth and redevelopment in proximity to the planned Riverdale Park and Beacon Heights Purple Line stations; and

WHEREAS, on July 27, 2017, the Planning Board held a public work session on the *Preliminary East Riverdale-Beacon Heights Sector Plan* to examine the transcript analysis related to the Joint Public Hearing and all the exhibits received; and

WHEREAS, the Prince George's County Planning Board hereby amends the *Preliminary East Riverdale-Beacon Heights Sector Plan* in response to staff recommendations and public testimony considered on July 27, 2017, and adopts the sector plan, and transmits the plan with amendments and deletions, and incorporates the recommended staff changes as follows:

Plan-wide – Throughout the plan document: revise maps, text, road names, locations, and links to provide accurate, up-to-date information.

Section 2: Defining the Context

Page 38 – Revise text to read: “There are [16] 17 public schools (~~[9]~~11 elementary, [4] ~~three~~ middle, [and 3] ~~two~~ high schools, and one regional school) that serve the sector plan area. Three of these (Beacon Heights Elementary, William Wirt Middle, and Parkdale High) are located within the sector plan boundaries. Fifteen of the [16]17 schools are at, or above, enrollment capacity (PGCPS recommends 80-95% capacity as optimal as per the Board-approved FY 17 EFMP). [The 2017-2022 Capital Improvement Program (CIP) contains funding for several renovations, replacements, and capacity enhancement, as well as construction of new schools to serve the northern part of the County. The 2016 Prince George's County Public Schools Master Plan Support Project] The FY17 EFMP recommends the following improvements to public schools that serve the sector plan area:

- Replacement of William Wirt Middle School
- Full renovation or replacement with addition to:
 - Beacon Heights Elementary School
 - Hyattsville Elementary School
 - Lamont Elementary School
 - Riverdale Elementary School
 - Templeton Element School
 - Woodridge Elementary School
 - Hyattsville Middle School
 - Parkdale High School
 - Margaret Brent Regional School
- Limited renovation with addition to Cooper Lane Elementary School
- Systems replacement with addition to Rogers Heights Elementary School
- Limited renovation to Paint Branch Elementary School.
- Addition to Bladensburg High School
- Additions and boundary changes to adjacent area schools”

- [Renovate Rogers Heights Elementary School.
- Replace and add capacity to:
 - »Beacon Heights Elementary School
 - »Lamont Elementary School
 - »Riverdale Elementary School
 - »Templeton Elementary School
 - »Woodridge Elementary School
 - »Charles Carroll Middle School
 - »Hyattsville Middle School
 - »Parkdale High School
- Convert Margaret Brent Regional School to a neighborhood elementary school.
- Construct a new elementary school in PGCPB Planning Area 12, just south of the sector plan area.]

Page 41 – Add the following text: “As redevelopment occurs around the Riverdale Park and Beacon Heights Purple Line stations, it will be important to implement key policy recommendations in Formula 2040 regarding new urban parks. Integrating and adopting the Formula 2040 Urban Park Typology will support the County’s parks and recreation goals. Parks and plazas constructed at the time of redevelopment will create dynamic new public spaces that integrate seamlessly into the fabric of the community. New parks should meet the Urban Park Typology and Guidelines found in Formula 2040. Clarifying ownership and management arrangements for publicly and privately-owned, managed, and maintained parks will ensure public access and benefit residents and visitors to the area.”

Page 53 – Revise text as follows: “ACCESS TO PARKS, TRAILS, AND WATERWAYS: [This was identified at the community design charrette as the leading positive attribute of the area.] The East Riverdale community’s proximity to parks, trails, open space, and waterways is one of the key assets of the area. The community overwhelmingly identified parks as the leading positive attribute of the area. The sector plan area is bordered by regional and national parks. These parks provide a variety of natural and suburban park experiences, and are accessible by vehicle, bicycle, and foot. The Anacostia Stream Valley Park and Northeast Branch Trail border the Sector Plan area’s western side, and provide local and regional trail connectivity to nearby transit districts, including College Park, the University of Maryland, Hyattsville, and Riverdale Park. Greenbelt Park and a host of County parks serve as prime gathering places for families, community groups, and the general public.”

Page 55 – Add the following text: “BICYCLE/PEDESTRIAN ACCESS TO PARKS: Although the East Riverdale/Beacon Heights community is proximate to a variety of local and regional parks, enhanced bicycle and pedestrian connectivity, improved accessibility, and added programming would benefit community residents and support increased park usage. Many of the neighborhood’s parks would benefit from new and improved trails, and sidewalk connections. Local residents and visitors to the area would benefit from improved signage and wayfinding to guide users to and through parks.”

Page 57 – Add the following text: “OPPORTUNITIES: Area parks present incredible opportunities to strengthen and improve the overall health and wellness of the community. Parks provide opportunities to reflect a community’s collective desires for identity, recreation, and leisure. A well-used park can strengthen the sense of place, and provide needed public gathering spaces to promote community interaction and expression.

Improved bicycle and pedestrian connectivity to and within the parks, together with additional park programming, recreational amenities, and wayfinding, can increase park usage. In addition, there are opportunities to formalize the existing trail network and strengthen the quality and frequency of trail connections.”

Section 3: Elements-Land Use

Page 67 – Revise text to read: “The Beacon Heights Core is centered on the Purple Line station, and includes all properties north of Riverdale Road and east of the Baltimore-Washington Parkway within the Sector, [the former Maryland-National Capital Park Police Headquarters Facility at 6700 Riverdale Road, the New Carrollton Woods Apartments,]East Pines Terrace Apartments, East Dale Apartments, East Pines Shopping Center, [the Wildercroft Shopping Center], and commercial properties along 66th Avenue.”

Page 67 – Recommend change to Map 21. Beacon Heights Core and Edge to reflect additional properties (as shown below).



Underline indicates new language
 [indicates deleted text]

Page 69 – Amend Map 22. Future Land Use to include 6010 Carters Lane and 6110 Carters Lane in the Residential Medium-High land use area.

Page 72 – Revise Policy 5 strategies as follows:

“LU5.2: As opportunities arise, assemble or combine [the following] parcels as described in Table 7, increasing opportunities for development at scales appropriate for location and/or zoning.”

“LU5.4: Concentrate the tallest and highest-density buildings along MD 201 (Kenilworth Avenue), MD 410, and/or at Purple Line Stations within designated Centers.”

Page 72 – Add the following properties to Table 7. Recommended parcel Assembly Area 7 in the Tax Account column: 2139780, 2139772, 2139798.

Page 73 – Revise Map 24. Potential Property Consolidation to reflect properties added to Table 7.

Page 75 – Revise strategy LU8.3 to read: “LU8.3: In the mid- to long-term, acquire the property at 5600 Riverdale Road and integrate it into the proposed public plaza, including seating, gathering space, public art, daylighting and restoration of Captain John’s Branch, and, as needed, a water feature that serves to help manage stormwater. Work with the property owner to relocate the existing restaurant to another location within the sector plan area. See also Strategy LU5.2. Partner with the Department of Parks and Recreation to ensure that site design meets the Formula 2040 Urban Park Typology guidelines.”

Page 78 – Revise text as follows: “Phase 1 (5-10 years): In Phase 1, the Riverdale Plaza Shopping Center is redeveloped with a mix of multifamily buildings, perhaps with supportive ground-floor retail and services, and townhouses. Construction begins on the proposed greenway along Captain John’s Branch. Vistas of the St. Bernard’s Church are preserved and celebrated. Phase 1 should address placemaking for the public realm to the greatest extent possible.”

Page 79 – Revise text as follows: “LU10.2: Redevelop the north side of Riverdale Road between Auburn Avenue and the Baltimore-Washington Parkway with a mix of multifamily and supportive commercial uses. Encourage townhouse development in the rear of properties along Riverdale Road, but discourage townhouses fronting Riverdale Road. If possible, consolidate properties to integrate the development potential of the property at 6700 Riverdale Road and surrounding properties. This redevelopment should include a signature [public open space feature] urban park, such as a plaza, green, or common, that meets the Urban Park Guidelines in Formula 2040.”

Page 80 – Revise text as follows: “Redevelop the Wildercroft Shopping Center with commercial and/or residential uses along Riverdale Road, with the Briers Mill Run East Commons/Green [stream valley park] recommended in [Strategy PR1.1] Table 14 in the rear.”

Page 81 – Revise text as follows: “Phase 1 (5-10 years): In phase 1, properties north of the station are redeveloped with multifamily buildings, perhaps with ground-floor retail, fronting Riverdale Road, and with townhouses behind. This development includes a central common or green at a terminus of an extended Veterans Parkway. Phase 1 should include a signature urban park that meets the Urban Park Guidelines in Formula 2040.”

Section 3: Economic Prosperity

Page 89 – Revise Strategy EP1.1 as follows: “EP1.1: Conduct outreach to property owners to encourage engagement and participation in redevelopment planning and implementation. Initial outreach should target owners of properties located in designated Core areas of Neighborhood Centers and those who express a desire to redevelop in the near term. Include public agency representatives to participate in redevelopment planning and implementation when significant impacts to public facilities are anticipated due to development.”

Section 3: Elements-Transportation and Mobility

Page 99 – Revise Strategy TM2.3 as follows: “Wayfinding signage at the station should include directions to residential and retail development, institutions, station platforms, parks and trails, and other points of interest.”

Page 103 – Add the following strategy to Policy TM4: “TM 4.3: Ensure student safety while walking to schools by encouraging construction of sidewalks on both sides of streets in the areas that are within 1.5 miles of an elementary school, and within 2 miles of a middle or high school. Prioritize pedestrian safety measures along these routes as identified in Policy TM 4.”

Page 103 – Add the following strategy to Policy TM4: “TM4.4: Support SHA efforts to complete design, right-of-way and construction phases of roadway improvements on MD 410 from MD 201 (Kenilworth Avenue) to Mustang Drive, including:

- Lane reduction from six lanes to four lanes
- Separated bicycle lanes
- New sidewalk along eastbound MD 410
- Installation of new crosswalks and signals at the following intersections:
 - Riverdale Road/58th Avenue
 - Mustang Drive
 - 62nd Avenue”

Page 110 – Revise Policy TM10 as follows: “Implement multiple bicycle, pedestrian, and transit connections to Purple Line stations, schools, parks, and the regional network, and connections between neighborhoods, that are safe and easy to use, providing opportunities for users of all skill levels to travel between community destinations and Greenbelt Park. Sidewalks and/or trails close gaps in the pedestrian network and provide for safe routes to schools, parks, community institutions, and transit. Prioritize construction of segments that connect multiple activity points or travel groups. Create opportunities for pedestrians to easily and safely walk between neighborhoods and to stations, schools, parks, and shopping. Prioritization of proposed projects is recommended in Table 14 in Section 4 of this sector plan.”

Page 117 – Revise Strategy TM10.3 as follows: “TM10.3: To implement the vision and goals of this sector plan, construct the trail facilities identified in Table 10 [9] and Map 32. These recommendations amend the 2009 *Approved Master Plan of Transportation*.”

Page 117 – Add the following trail connections to Table 10:

Trail/Street Name	From	To
NE Branch Trail Bridge	Northeast Branch Trail	Briers Mill Run Trail
Serjio Trail Bridge	Parkdale High School	William Wirt Middle School
Quesada Trail Bridge	Northeast Branch Trail	Quesada Street
Greenvale Canal	Mustang Drive	Greenvale Parkway
Browning Grove Loop Trail	60 th Avenue	Browning Grove Loop Trail
Fletcher’s Field Trail	Greenway Drive	Tanglewood Drive
60 th Avenue	Longfellow Street	Carters Lane
Madison Hill Park Culvert	Briers Mill Run	Auburn Avenue
Greenvale Canal Culvert	Greenvale Canal	Greenvale Parkway

Page 123 – Add the following strategy to Policy TM14: “TM 14.3: Encourage and support collaborative efforts between the Prince George’s County Public Schools and the Department of Public Works and Transportation to combine school bus stops with public transportation bus stops in order to improve rider comfort, and explore possible routes that can connect residents to schools using public transportation.”

Section 3: Elements-Natural Environment

Page 129 – Revise Strategy NE1.1 as follows: “Regularly survey and map the one-percent (100-year) floodplain, tracking and reporting changes to the floodplain, to best inform the community, policymakers, regulators and the private sector. Require the use of current data when planning and approving development in the sector plan area.”

Page 130 – Add the following strategy to Policy NE2: “NE2.8: Partner with DOE, the Town of Riverdale Park and DPW&T to evaluate flood risks due to ponding behind levees. Based on evaluation, identify location for mitigation strategies, such as high-capacity pumps and upstream storage, to facilitate drainage and reduce risks and impacts of non-riverine flooding.”

Page 130 – Add the following strategy to Policy NE2: “NE2.9: Evaluate the feasibility and cost of an underground stormwater management facility in the Captain John’s Branch storage area upstream of MD 201 (Kenilworth Avenue) and its potential to reduce flood risk west of MD 201 (Kenilworth Avenue).”

Section 3: Elements-Housing and Neighborhoods

Page 147 – Revise Policy HN1 text as follows: “Encourage the formation of partnerships with private enterprises, institutions, nonprofits and/or the Prince George’s County Department of Housing and Community Development to identify and seek funding for housing rehabilitation, lead abatement, energy-efficiency and age-in-place retrofits, acquisition/demolition of vacant and sub-standard housing, and new construction of workforce housing and senior housing.”

Page 147 – Revise Strategy HN1.3 as follows: “HN1.3: Work closely with the Department of Housing and Community Development to engage stakeholders in programs that assist with neighborhood stabilization, rental assistance, age-in-place, and energy efficiency and weatherization upgrades.”

Page 147 – Revise Strategy HN1.4 as follows: “HN1.4: Promote State and County programs that provide assistance to repair health and safety hazards in the dwellings of low- and moderate- income homeowners, and seniors.”

Underline indicates new language
[indicates deleted text]

Page 147 – Add new strategy to Policy HN1: “HN1.9: Explore the adoption of an inclusionary zoning ordinance to require market-rate housing projects set aside a percentage of units for low and moderate-income households to create mixed-income communities. Units should be distributed within individual projects and the larger community to maximize their contributions to diversity and quality of life.”

Page 148 – Add new strategy to Policy HN3: “HN3.10: Partner with property owners to support the provision of housing units affordable to seniors proximate to Purple Line stations.”

Page 148 – Add the following strategy to Policy HN3: “HN3.4: Replace existing residential units within identified floodplains on a one-to-one basis with similarly affordable housing in non-flood-prone areas, preferably within, or in the vicinity of, East Riverdale. Until this occurs, retain [Retain] existing zoning, or equivalent, for multifamily properties west of MD 201 (Kenilworth Avenue), and discourage redevelopment that will result in a net loss of units affordable to low and moderate-income workforce households.”

Page 148 – Revise the text as follows: “HN3.8: Work with property owners, the County, Town of Riverdale Park, the State and others to ensure adequate and fair relocation of residents in flood-prone areas, or displaced by renovation or redevelopment. Ensure that residents are relocated to comparable or better housing in a transit-supported location.”

Section 3: Community Heritage and Culture

Page 156 – Review Strategy CH4.3 as follows: “Link Historic Sites and Resources with the County’s trails, sidewalk system and wayfinding efforts, where appropriate. Identify planning, design and interpretation projects that are eligible for Maryland Heritage Areas Authority (MHAA) grants throughout the Certified Heritage Area (CHA).”

Page 156 – Add new strategy to Policy CH4: “CH4.4: Support efforts to preserve the parkway-like character of the Baltimore-Washington Parkway as an important segment of the Star-Spangled Banner Trail of the National Scenic Byways Program, as well as its role as a major route linking Baltimore and Washington, DC.”

Section 3: Elements-Healthy Communities

Page 171 – Add new strategy to Policy HC2: “HC2.5: Partner with Prince George’s County Public Schools to provide opportunities for community members to help maintain school gardens.”

Page 172 – Revise Strategy HC4.3 text as follows: “HC 4.3: Cultivate a network of school and community gardens within the sector plan area.”

Page 173 – Add new Policy HC7 and Strategies HC7.1, HC7.2, HC7.3 and HC7.4:

“Policy HC7

Promote programs and facilities that support and contribute to the social, physical, and mental health of community residents.

STRATEGIES:

HC7.1: Activate parks and public spaces with programming. Facilitate partnerships with M-NCPPC, Department of Parks and Recreation, Northern Area Operations and local organizations to improve access and frequency of programming within the sector plan area.

HC7.2: Evaluate program demand and adjust offerings based on community feedback on a regular basis. Undertake a demand and level of service analysis of existing programs offered by DPR and program partners in Prince George’s County.

HC7.3: Implement best practices in program life cycles to maintain a culture of equality and quality program delivery. Continue to monitor recreation trends and national best practices that incorporate new and innovative recreational park programming.

HC7.4: Diversify and increase availability of senior programming to serve active and multilingual seniors. Promote and increase the availability of programming that caters to diverse cultures, ages, interests, and skill levels.”

Section 3: Elements-Public Facilities

Page 177 – Revise Strategy PF1.1 text as follows: “Replace William Wirt Middle School on-site, as programmed in the [FY 2017-2012 Capital Improvement Program (CIP #AA770483)] FY 2017-2022 and FY 2018-2023 Capital Improvement Programs.”

Page 177 – Revise Strategy PF1.4 text as follows: “Replace and add capacity to Beacon Heights Elementary School and Parkdale High School, as recommended in the Prince George’s County Public Schools Approved 20-year FY 2017 Educational Facilities Master Plan [Master Plan Support Project].”

Page 177 – Revise Strategy PF2.3 text as follows: “Replace and add capacity to Lamont, Riverdale, Templeton, and Woodridge Elementary Schools, and Charles Carroll and Hyattsville Middle Schools, as recommended in FY 2017 Educational Facilities Master Plan.” [the Prince George’s County Public Schools Master Plan Support Project. The Hyattsville Middle School replacement is CIP #AA777210. The Riverdale Elementary School replacement is CIP #AA777220).]

Page 178 – Revise Strategy PF2.4 text as follows: “Keep Glenridge Elementary School open until the completion of the planning study as recommended by the FY 2017 Educational Facilities Master Plan.” [Strategy PF1.7 is implemented, as recommended by the PGCPB Master Plan Support Project.]

Page 178 – Replace Strategy PF2.6 as follows: “PF 2.6: Conduct a planning study as recommended by the FY 2017 Educational Facilities Master Plan to consider the possibility of converting Margaret Brent Regional School into a neighborhood school.” [PF2.6: Convert Margaret Brent Regional School into a neighborhood school, as recommended by PGCPB Master Plan Support Project. (CIP #AA770073)]

Page 178 – Revise Strategy PF2.7 text as follows: “Construct new middle and high schools recommended in the northwest section of Prince George’s County, as recommended by the FY 2017 Educational Facilities Master Plan.” [by PGCPB Master Plan Support Project. (CIP #AA777202, AA770024, AA770025)]

Page 178 – Revise Strategy PF2.8 text as follows: “PF2.8: Renovate Rogers Heights Elementary School as recommended by the FY 2017 Educational Facilities Master Plan.” [(CIP #AA777221)]

Section 3: Elements-Parks and Recreation Element

Page 183 – Revise Goals as follows:

“GOALS

Residents and visitors celebrate culture, nature and public life in the area’s open spaces.

Natural areas and new parklands connect people to the land and each other.

The park network is known for multimodal connectivity that knits together new and existing neighborhoods, and contributes to a sense of place and pride in the community.”

[Residents and visitors are connected to parks, community centers, and recreation opportunities.

Greenbelt Park is a recognized and celebrated regional amenity and is heavily utilized by area, and the region’s, residents.]

Page 183 – Revise Strategy PR1.2 text as follows: “PR1.2: Pursue opportunities to create new parks and plazas within redevelopment occurring around the Purple Line stations. New parks and plazas should create linear connections between urban and open spaces as part of an integrated, accessible public space network that maximizes neighborhood connectivity. New parks and plazas should meet the Urban Park Typology and Urban Park Guidelines found in Formula 2040: Functional Master Plan for Parks, Recreation and Open Space.” [PR1.2: Search for land and opportunities to increase green and other public open space within the sector area boundary (see Table 13). Identify potential spaces for a new multigenerational center within close proximity of the Sector Plan boundary.]

Page 183 – Add new strategy: “PR1.3: Include park and trail access planning in transportation planning efforts in order to identify sufficient connectivity and accessibility to major parks, trails, and public facilities.”

Page 183 – Revise Strategy PR1.4 as follows: “PR1.4[3]: Assess connectivity to the existing 11 parks in the Sector Plan boundary and the existing recreation amenities in and near the sector plan boundaries. Look for ways to strengthen connections and build safer shared pedestrian and bicycle access routes.” [PR1.4: Explore opportunities to add plazas and greenspaces around the Purple Line Stations.]

Page 183 – Add new strategy: “PR1.5: Work closely with MTA to mitigate impacts of the Purple Line operations on park facilities.” [PR1.5: Work with the National Park Service to identify ways to improve access to Greenbelt Park from Good Luck Road].

Page 183 – Add new strategy: “PR1.6: Incorporate new privately-owned public spaces (POPS) into mixed-use developments that meet the Urban Park Typology in Formula 2040. Prioritize public access to POPS through public-use easements and maintenance agreements.”

Page 183 – Add new strategy: “PR1.7: Evaluate the potential to restore the channelized Captain John’s Branch and Briers Mill Run (formerly Brier Ditch) tributaries to their natural state as part of a larger linear park and trail concept.”

Page 183 -- Add new strategy: “PR1.8: Construct the park, recreation, and open space recommendations in Table 14.”

Page 183 – Revise Policy PR2 text as follows: “Prince George’s County residents [should] have access to programming and facilities that promote healthy lifestyles and contribute to wellness.”

Page 183 – Remove Strategy PR2.1 and replace with PR2.2 as follows: “PR2.1 [2]: Identify the existing M-NCPPC programs and facilities offered in, and proximate to, the Sector Plan boundary. Determine the current programming needs by identifying the areas where existing parks and recreation facilities need to be improved, or added, in order to provide a reasonable mix of amenities to the community.” [PR2.1: Work closely with MTA to mitigate impacts of the Purple Line operations on park facilities.]

Page 183 – Add new Strategy PR2.2: “Evaluate opportunities to program new and existing parks with a lively and diverse mix of activities, such as structured and informal recreation, children’s play, community gardens and community canine areas. Partner with the Department of Parks and Recreation, Northern Area Operations, Sports Health and Wellness Division, and the Natural and Historical Resources Division to improve programming offered in the Sector Plan Area.”

Page 183 – Revise Strategy PR3.1 text as follows: “Add urban parks and plazas in strategic, highly-visible locations at, and between, Purple Line stations in order to feature green space as a unique identifying element of the community [and green space at each Metro Stop to make the sites a positive site feature and a unique identifying element for the community].”

Page 183 – Combine strategies PR3.2 and PR3.3 into a new strategy PR3.2 as follows: “PR3.2: Identify potential sites for acquisition near the intersection of Old Landover Road (MD Route 450) and Veterans Highway (MD Route 410) to build a multigenerational center. [PR3.3] Once a site is secured, develop concepts for the multigenerational center that are eye-catching and appealing. The design should indicate a community centerpiece and be inviting and easily identifiable to the residents and visitors alike.”

Page 184 – Renumber Strategy PR3.4 and revise to read: “PR3.3: Search for infill land acquisition opportunities that expand the urban park network, enhance the Countywide Green Infrastructure Network and other natural systems and waterways, and improve park and trail connectivity within the sector plan area.” [PR3.4: Consider and improve appropriate signage to existing parks and recreation amenities. Look into new technologies to include information on existing parks and recreation opportunities and look to partner with other agencies, like Metro to identify long-distance trails and unique historic sites, museums and recreational facilities on regionally produced maps etc.]

Page 184 – Add new strategy: “PR3.4: Consider reconfiguring, or adding amenities to, public spaces that support flexible programming for different age groups and diverse interests.”

Page 184 – Add new Policy PR4 and Strategies PR4.1, PR4.2, PR4.3, PR4.4, and PR4.5 as follows:

“Policy PR4: Explore opportunities to improve access and connectivity to existing regional trails and parks, with particular focus on the Northeast Branch Trail and the Anacostia River Stream Valley Park.

Strategy PR4.1: Work closely with the Department of Parks and Recreation and the Department of Public Works and Transportation to implement the recommended trail facilities found in Table 10 and Strategy TM10.3.

Strategy PR4.2: Improve connectivity to the Anacostia Stream Valley Park. Explore the feasibility of adding bicycle and pedestrian bridges over the Northeast Branch to the Northeast Branch Trail and retrofitting the culverts under the Baltimore Washington Parkway to form an east-west trail network through Madison Hill Park. This trail should ultimately provide a connection from Auburn Ave. to Parkdale High School, and east to the Northeast Branch Trail (See Table 10, and Strategy TM10.3).

Strategy PR4.3: Evaluate bicycle and pedestrian connectivity and accessibility to the 11 local parks and, where appropriate, improve entrances that connect the street and sidewalks to the trail network. Formalize and pave the existing trails within the following parks:

- Fletchers Field Park
- Browning Grove Park
- Riverdale Hills Park
- Briers Mill Run Park

Strategy PR4.4: Partner with the National Park Service and the Department of Public Works and Transportation to identify measures to improve pedestrian and bicycle access to Greenbelt Park from Good Luck Road.

Strategy PR4.5: Evaluate needed improvements at Riverdale Hills Park, and work with stakeholders to discuss community adoption of the park. Support the addition of amenities and trail connections to enhance the park.”

Page 184 – Add new Policy PR5 and Strategies PR5.1 and PR5.2 as follows:

“Policy PR 5: Ensure that wayfinding and signage guiding residents and visitors to, and through, the area include parks and trail destinations.

Strategy PR5.1: Identify funding for park and trail wayfinding along the Anacostia Tributary Trail. Partner with the Department of Parks and Recreation to phase, design and install a wayfinding system that integrates with, and supports, Purple Line wayfinding measures. Wayfinding destinations should include the following:

- Existing and future neighborhood parks
- Regional parks
- Anacostia Tributary Trail System
- Town of Riverdale Park
- City of College Park
- University of Maryland
- Other destinations as needed to facilitate efficient multimodal navigation

Strategy PR5.2: Facilitate partnerships with the Department of Parks and Recreation, WMATA, the National Park Service, and other agencies to identify regional and local trails, historic and cultural sites, museums, and recreational facilities on regionally-produced maps, print publications, websites and applications, and any new communications technologies, as appropriate.”

Page 184 – Add new Policy PR6 and strategies PR6.1, PR6.2, PR6.3 and PR6.4 as follows:
“Policy PR6: Redevelopment on parcels adjacent to the Anacostia River Stream Valley Park and adjacent parkland should be designed to promote an active and healthy relationship between the built and natural environments.

Strategy PR 6.1 Ensure that redevelopment site design sensitively engages and integrates the park and trail system, while improving flood functions and enhancing natural systems. Integrating future low-impact development with the trail and park system is a placemaking strategy that will support the Department of Parks and Recreation’s primary goals of connectivity, health and wellness, and economic impact.

Strategy PR 6.2 Evaluate the feasibility of creating a new bicycle and pedestrian bridge over the Anacostia River to provide a direct connection between Quesada Road and the Northeast Branch Trail, and to encourage future trail-oriented development. Include a new non-motorized gateway leading from Riverdale Community Park to the Northeast Branch Trail. (see TM10.3)

Strategy PR 6.3 Require that redevelopment on parcels adjacent to parkland include low-impact and environmentally-sensitive site design. Building designs should increase visibility and access to the park, and encourage safe and regular park use.

Strategy PR 6.4 Ensure that all parks meet or exceed the Urban Park Typology and Guidelines found in the Department of Parks and Recreation Master Plan, Formula 2040, Appendix F and G.”

Page 184 – Delete [Table 14. Proposed Public Open Space Improvements] and replace with a new “Table 14. Proposed Parks, Recreation and Open Space Improvements.”

<u>Park Name and Typology</u>	<u>Location</u>	<u>Ownership</u>	<u>Comments</u>
<u>Multi-Generational Center</u> <u>60-80,000 square feet</u>	<u>Near a major transportation route and served by public transportation</u>	<u>M-NCPPC</u>	<u>This new, custom-designed multi-generational center should offer flexible multipurpose spaces, and an array of program and recreational opportunities.</u>
<u>Captain John’s Branch</u> <u>Greenway/ Linear Park</u> <u>Size varies</u>	<u>Riverdale Park Station area, between MD 201 (Kenilworth Avenue) and the Greenvale Parkway</u>	<u>TBD</u>	<u>The greenway should support placemaking, strengthen neighborhood identity and connectivity, and catalyze economic development in East Riverdale. Design measures to improve flood control and revitalize natural habitats should be incorporated wherever possible.</u>

Underline indicates new language
 [indicates deleted text]

<u>Riverdale Park Station Plaza</u> <u>.25-1 Acre</u>	<u>The intersection of Riverdale Road and MD 410 (East-West Highway)</u>	<u>Private ownership and maintenance agreements, with public easement or dedication in fee simple</u>	<u>This plaza should incorporate the non-transit-related public open space at the Riverdale Triangle (see Policy LU8).</u>
<u>Beacon Heights Station Plaza</u> <u>.25-1 Acre</u>	<u>Intersection of Riverdale Road and 67th Avenue</u>	<u>Private ownership and maintenance agreements, with public easement or dedication in fee simple</u>	<u>This plaza should be located at, or immediately south of, the Beacon Heights Station.</u>
<u>Briers Mill Run East Commons/Green</u> <u>1+ Acres</u>	<u>North of Riverdale Road, south of Briers Mill Run</u>	<u>Private ownership and maintenance agreements, with public easement or dedication in fee simple</u>	<u>This common should serve as a focal point for the anticipated redevelopment of New Carrollton Woods and Prince Georgetown Apartments.</u>
<u>Madison Hill Park Community Park</u> <u>3-10 Acres</u>	<u>Along Briers Mill Run, between the Baltimore/Washington Parkway and MD 201 (Kenilworth Avenue)</u>	<u>M-NCPPC</u>	<u>This community park provides woodland conservation and floodplain protection, and is recommended to include a multi-use trail that will ultimately serve as a connection between the sector plan area, Autumn Drive, and the Anacostia River Trail network (see TM10.3).</u>
<u>Riverdale Hills Park Neighborhood Park</u>	<u>61st Place</u>	<u>M-NCPPC</u>	<u>This park provides value to the community. M-NCPPC should work with the community to adopt and enhance the park.</u>
<u>East Riverdale Community Park</u> <u>3-10 Acres</u>	<u>East of MD 201 (Kenilworth Avenue)</u>	<u>TBD</u>	<u>Locate and develop concepts, either through partnership with PGCPB, or other property owners, to locate additional community park lands.</u>
<u>Beacon Heights Commons</u> <u>1 or more acres</u>	<u>North of Riverdale Road, east of the Baltimore/Washington Parkway</u>	<u>Private ownership and maintenance agreements, with public easement or dedication in fee simple</u>	<u>This commons should provide open space with a recreational and social focus for a mixed-use neighborhood as redevelopment occurs in Beacon Heights.”</u>

Page 184 – Add “Figure 3. Recommended Characteristics of Future Urban Parks

Captain John’s Branch Greenway/Linear Park	
<u>Size (Approximate)</u>	Varies
<u>Unique Adjacencies</u>	Riverdale Park Purple Line Station, MD 201 (Kenilworth Avenue), and 57 th Avenue
<u>Access</u>	The Purple Line Station, MD 201 (Kenilworth Avenue)
<u>Programs and Amenities</u>	<ul style="list-style-type: none"> • <u>Recreation and Trails</u> • <u>Picnic and Seating Areas</u> • <u>Water detention and infiltration</u>
<u>Program Criteria</u>	Captain John’s Branch Greenway/Linear Park should create a unique recreational amenity that physically joins the natural and built environments. Redevelopment adjacent to the greenway should front the park with entrances to promote pedestrian and bicycle activity. Design measures to improve flood control and revitalize natural habitats should be incorporated wherever possible.
<u>Ownership/Management</u>	Private ownership and maintenance agreement, with public easement or dedication in fee simple
<u>Implementation</u>	With site redevelopment
Riverdale Park Station Plaza	
<u>Size (Approximate)</u>	¼ acre to 1 acre
<u>Unique Adjacencies</u>	Purple Line Station, MD 201 (Kenilworth Avenue), and 57 th Avenue
<u>Access</u>	The Purple Line Station, Greenway, MD 201 (Kenilworth Avenue)
<u>Programs and Amenities</u>	<ul style="list-style-type: none"> • <u>Festivals, markets and live music</u> • <u>Outdoor dining and retail, public gathering space</u> • <u>Flexible lawn space</u>
<u>Program Criteria</u>	Riverdale Park Station Plaza should be highly visible, and designed to accommodate markets, festivals and public gatherings. Adjacent buildings should front on, and provide direct access to, the plaza. The plaza will connect to the Purple Line station, 57 th Avenue, and the Captain John’s Branch Greenway. Uses surrounding the plaza should support pedestrian and bicycle activity.
<u>Ownership/Management</u>	Private ownership and maintenance agreement, with public easement or dedication in fee simple
<u>Implementation</u>	Concurrent with site redevelopment
Beacon Heights Station Plaza	
<u>Size (Approximate)</u>	¼ acre to ½ acre
<u>Unique Adjacencies</u>	Former M-NCPPC Park Police Headquarters, Riverdale Road, 67 th Avenue
<u>Access</u>	Riverdale Road, 67 th Avenue
<u>Programs and Amenities</u>	<ul style="list-style-type: none"> • <u>At-grade plaza that includes a focal point</u> • <u>Outdoor dining and retail, public gathering space</u>
<u>Program Criteria</u>	The Beacon Heights Station Plaza should connect to the adjacent station and surrounding uses. Adjacent buildings should front on the plaza, and provide active ground floor uses that promote activation. Uses surrounding the plaza should support pedestrian and bicycle activity.
<u>Ownership/Management</u>	Private ownership and maintenance agreement, with public easement or dedication in fee simple
<u>Implementation</u>	With site redevelopment

Underline indicates new language
[indicates deleted text]

Beacon Heights Commons	
Size (Approximate)	1+ Acre
Unique Adjacencies	<u>Beacon Heights Purple Line station, Riverdale Road, Briers Mill Run</u>
Access	<u>67th Avenue, Riverdale Road</u>
Programs and Amenities	<ul style="list-style-type: none"> • <u>Central Programmable Lawn</u> • <u>Streetscape Enhancements</u> • <u>Trail System Connections</u> • <u>Street front Access</u>
Program Criteria	<u>This commons should be a large, flexible open space that provides a recreational and social focus for a mixed-use neighborhood. Surrounding housing and retail uses can activate and compliment public use of the commons. The commons should provide space for a variety of public gatherings, including markets, performances, and special events. The commons should include trail connectivity, play spaces, and shade structures.</u>
Ownership/Management	<u>Private ownership and maintenance agreement, with public easement or dedication in fee simple</u>
Implementation	<u>With site redevelopment”</u>

Section 4: Implementation

Section-wide – Revise implementation tables to reflect policy and strategy changes above.

Page 202 – Revise Table 17 to include new Strategies TM4.3 and TM4.4.

Page 205 – Revise timeframe for Strategies TM9.1 to [Long-Term] Short-Term.

Page 210 – Add the Department of Parks and Recreation as the Lead for implementation of the Captain John’s Branch Greenway Trail (Strategy TM10.3).

Page 212 - Add the Department of Parks and Recreation as the Lead for implementation of formal pedestrian connections between neighborhoods (Strategy TM10.8).

Page 217 – Add the Department of Parks and Recreation as a Potential Party Involved for implementation of concrete channelization removal (Strategy NE4.1).

NOW, THEREFORE, BE IT RESOLVED, that the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission does hereby adopt the *East Riverdale-Beacon Heights Sector Plan*, incorporating therein amendments, deletions, and additions in response to the public hearing record; and

NOW, THEREFORE, BE IT RESOLVED, that the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission does hereby adopt the *East Riverdale-Beacon Heights Sector Plan*, amending the 2014 Prince George’s 2035 Approved General Plan by defining the boundaries of the Beacon Heights and Riverdale Park Neighborhood Centers; replacing the 1994 *Approved Master Plan for Planning Area 68* and the 1994 *Approved Master Plan for Bladensburg-New Carrollton and Vicinity (Planning Area 69)* for the portions of Planning Areas 68 and 69 within the

Underline indicates new language
[indicates deleted text]

Sector Plan boundaries; and amending the 2001 *Approved Anacostia Trails Heritage Area Management Plan: A Functional Master Plan for Heritage Tourism*, the 2008 *Approved Public Safety Facilities Master Plan*, 2009 *Approved Countywide Master Plan of Transportation*, the 2014 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space*, and the 2017 *Approved Resource Conservation Plan* for the portions of Planning Areas 68 and 69 within the Sector Plan boundaries; and,

BE IT FURTHER RESOLVED that the adopted sector plan comprises the *Preliminary East Riverdale-Beacon Heights Sector Plan* text as amended by this resolution; and

BE IT FURTHER RESOLVED that in accordance with Section 27-645(c)(2) of the Zoning Ordinance of Prince George’s County, the adopted plan, consisting of this resolution to be used in conjunction with the *Preliminary East Riverdale-Beacon Heights Sector Plan*, shall be transmitted to the County Executive and each municipality whose territorial boundaries are in and within one-half mile of the sector plan area; and

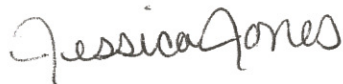
BE IT FURTHER RESOLVED that an attested copy of the adopted plan, and all parts thereof, shall be transmitted to the District Council of Prince George’s County for its approval pursuant to the Land Use Article, Annotated Code of Maryland; and

BE IT FURTHER RESOLVED that the Prince George’s County Planning Board finds that the plan recommendations, as heretofore described, are in conformance with the principles of orderly comprehensive land use planning and staged development, and with consideration having been given to the applicable County Laws, Plans, and Policies.

This is to certify that the foregoing is a true and correct copy of a resolution, as revised, adopted by the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, Hewlett and Doerner voting in favor of the motion, and with Commissioner Washington absent, at its regular meeting held on Thursday, September 14, 2017.

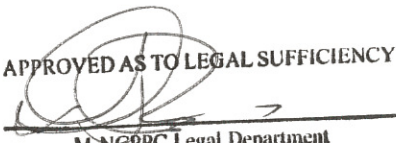
Adopted by the Prince George’s County Planning Board this 14th day of September 2017.

Elizabeth M. Hewlett
Chairman



By Jessica Jones
Planning Board Administrator

APPROVED AS TO LEGAL SUFFICIENCY



M-NEPPC Legal Department

Date 9/19/17



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

M-NCPPC

Item No.

Date: 01/17/18

Resolution of Adoption of the White Flint 2 Sector Plan



Nkosi Yearwood, Senior Planner, Area 2 Division, Nkosi.Yearwood@montgomeryplanning.org, 301.495.1332



Nancy Sturgeon, Supervisor, Master Plan Team, Area 2 Division, Nancy.Sturgeon@montgomeryplanning.org, 301.495.1308



Carrie Sanders, Chief, Area 2 Division, Carrie.Sanders@montgomeryplanning.org, 301.495.4653

Completed: 1/3/18

Staff Recommendation

Approve the Resolution of Adoption.

Summary

Attached for your review and approval is M-NCPPC Resolution Number 18-01 to adopt the White Flint 2 Sector Plan. The Montgomery County Council, sitting as the District Council, approved the White Flint 2 Sector Plan by Resolution Number 18-979 on December 5, 2017. The Montgomery County Planning Board is scheduled to approve the adoption of the White Flint 2 Sector Plan, Resolution Number 17-130, on January 11, 2018.

Attachments:

1. Montgomery County Planning Board Resolution Number 17-130; M-NCPPC Resolution Number 18-01
2. Montgomery County Council Resolution Number 18-979

ATTACHMENT 1



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

MCPB NO. 17-130
M-NCPPC NO. 18-01

RESOLUTION

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

WHEREAS, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, pursuant to procedures set forth in the Montgomery County Code, Chapter 33A, held a duly advertised public hearing on January 12, 2017 on the Public Hearing Draft White Flint 2 Sector Plan, being also an amendment to the Approved and Adopted 2010 *White Flint Sector Plan*, as amended; the Approved and Adopted 1992 *North Bethesda/Garrett Park Master Plan*, as amended; the *Countywide Bikeways Functional Master Plan*, as amended, *The General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District within Montgomery and Prince George's Counties*, as amended; and the *Master Plan of Highways and Transitways*, as amended.

WHEREAS, the Montgomery County Planning Board, after said public hearing and due deliberation and consideration, on July 13, 2017, approved the Planning Board Draft White Flint 2 Sector Plan, recommended that it be approved by the District Council, and forwarded it to the County Executive for recommendations and analysis; and

WHEREAS, the Montgomery County Council sitting as the District Council for the portion of the Maryland-Washington Regional District lying with Montgomery County, held a public hearing on September 19, 2017, wherein testimony was received concerning the Planning Board Draft White Flint 2 Sector Plan; and

WHEREAS, the Montgomery County Executive reviewed and made recommendations on the Planning Board Draft White Flint 2 Sector Plan and forwarded those recommendations and analysis to the District Council on September 20, 2017; and

WHEREAS, the District Council, on December 5, 2017, approved the Planning Board Draft White Flint 2 Sector Plan subject to the modifications and revisions set forth in Resolution No. 18-979.

NOW, THEREFORE BE IT RESOLVED, that the Montgomery County Planning Board and The Maryland-National Capital Park and Planning Commission do hereby adopt the said White Flint 2 Sector Plan, together with the *General Plan for the Physical Development of the Maryland-Washington Regional*

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPC Legal Department

Date

12/26/17

District within Montgomery and Prince George's Counties, as amended, and as approved by the District Council in the attached Resolution No. 18-979; and

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

This is to certify that the foregoing is a true and corrected copy of Resolution No. 17-130 adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission at its regular meeting held on Thursday, January 11, 2018 in Silver Spring, Maryland on motion of Commissioner _____, seconded by Commissioner _____, with a vote of ___ to ___, Commissioners _____, _____, _____, _____, and _____ voting in favor of the motion.

Casey Anderson, Chair
Montgomery County Planning Board

This is to certify that the foregoing is a true and correct copy of Resolution No. 18-01, adopted by The Maryland-National Capital Park and Planning Commission on motion of Commissioner _____, seconded by Commissioner _____, with Commissioners _____, _____, _____, _____, _____, _____, and _____ voting in favor of the motion, at its meeting held on Wednesday, January 17, 2018 in Silver Spring, Maryland.

Patricia Colihan Barney
Executive Director

ATTACHMENT 2

Resolution No.: 18-979
Introduced: December 5, 2017
Adopted: December 5, 2017

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Approval of July 2017 White Flint 2 Sector Plan

1. On August 8, 2017, the Montgomery County Planning Board transmitted to the County Executive and the County Council the July 2017 Planning Board Draft White Flint 2 Sector Plan.
2. The July 2017 Planning Board Draft White Flint 2 Sector Plan contains the text and supporting maps for an amendment to portions of the approved and adopted 1992 North Bethesda/Garrett Park Master Plan and portions of the 2010 White Flint Sector Plan, as amended. It also amends The General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery and Prince George's Counties, as amended; the Master Plan of Highways and Transitways, as amended; and the Countywide Bikeways Functional Master Plan, as amended.
3. On September 19, 2017, the County Council held a public hearing on the July 2017 Planning Board Draft White Flint 2 Sector Plan. The Sector Plan was referred to the Council's Planning, Housing, and Economic Development Committee for review and recommendations.
4. On September 20, 2017, the Office of Management and Budget transmitted to the County Council the Executive's Fiscal Impact Statement for the July 2017 Planning Board Draft White Flint 2 Sector Plan.
5. On October 9, October 23, October 30, and November 6, 2017, the Planning, Housing, and Economic Development Committee held worksessions to review the issues raised in connection with the Planning Board Draft White Flint 2 Sector Plan.
6. On November 14, 2017, the County Council reviewed the Planning Board Draft White Flint 2 Sector Plan and the recommendations of the Planning, Housing, and Economic Development Committee.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following resolution:

The Planning Board Draft White Flint 2 Sector Plan, dated July 2017, is approved with revisions. County Council revisions to the Planning Board Draft White Flint 2 Sector Plan are identified below. Deletions to the text of the Plan are indicated by [brackets], additions by underscoring. All page references are to the July 2017 Planning Board Draft White Flint 2 Sector Plan.

Page 2: Add a new sentence at the end of the fourth paragraph as follows:

The Plan recommends up to 6,000 new residential dwelling units, primarily focused along Rockville Pike, the Executive Boulevard office park and some areas east of the CSX rail tracks. Development potential from the Guardian and Willco properties of approximately 1,800 dwelling units and 750,000 square feet of non-residential development is added to the phase one staging limits in the 2010 White Flint Sector Plan. Development potential from a portion of the Wilgus property (Parcels N208, N279, N174, and N231) of up to 700 residential dwelling units and 180,000 square feet of non-residential development is added to the phase two staging limits of the 2010 White Flint Sector Plan.

Page 2: Revise Table 1 per the Council decision.

Page 3: Revise Map 1: “White Flint 2 Concept Plan” per the Council decision.

Pages 20-21: Modify the last bullet on page 20 as follows:

- Encourage 15 percent Moderately Priced Dwelling Units (MPDUs) as the highest priority public [amenity] benefit for new residential development under the optional method of development, subject to section 11.1.4.

Page 26: Modify the first paragraph under “5.1.4 Open Spaces” as follows:

Most of the open spaces discussed in this Plan will be provided during the regulatory process as part of the public open space requirement. Because of their location or development potential, key properties that can make significant contributions to this network are identified on Map 11. Expanding the interconnected network of open spaces envisioned by prior planning efforts is an important priority of this Plan. The Plan also seeks to preserve existing natural areas and make them accessible as open space for existing and emerging communities. New open spaces should:

Page 29: Update Map 10: “White Flint 2 Proposed Overall Zoning” to reflect the Council-recommended zoning changes.

Page 30: Update Map 11: “Overall Height and Density Recommendations” to reflect the Council decisions.

Page 34: Amend the last sentence of the second paragraph as follows:

This Plan recommends the retention of the southern and western forested areas to contribute to the Plan’s environmental and tree canopy goals, and to [maintain a transitional area to establish a wooded buffer and facilitate a compatible relationship with the existing Luxmanor residential community.

Page 34: Amend the first bullet under “A. Land Use and Zoning Recommendations” as follows:

Rezone 6000 Executive Boulevard from the EOF 0.75 H100T to the CR [2.0] 2.5, [C1.0 R1.5] C 1.5, R 2.0, H200 Zone to promote redevelopment opportunities, including new public benefits that [support] further the Sector Plan recommendations. Development on this property must transition from a maximum of 200 [foot building heights] feet high at the northeastern corner of the property to 70 feet at the southern portion of the property. A minimum 50-foot wide landscape area must be retained on the southern portion of the property[. This landscape] that will include preserved and new trees, the pedestrian-bike path called for in this Plan, and required utility easements. Public open space on this property should consist of a combination of an urban greenway, plazas or pocket greens.

Page 34: Modify the second bullet under “A. Land Use and Zoning Recommendations” as follows:

Rezone the 6006 Executive Boulevard and 6010 Executive Boulevard properties from the EOF 0.75 H100T Zone to the CR 2.0 C1.0 R1.5 H150 Zone to promote infill development and support the Sector Plan’s recommended public benefits, including housing options and amenities. [The existing water and sewer easement must be retained and the recommended path must be located outside of this easement.]

Pages 34-35: Modify the third bullet under “A. Land Use and Zoning Recommendations” as follows:

Rezone the properties at 6100 Executive Boulevard, 6110 Executive Boulevard, 6116 Executive Boulevard, and 6120 and 6130 Executive Boulevard from the EOF 0.75 H100T Zone to the CR 1.5 C1.5 R1.0 H100 Zone to promote infill development, including new public benefits that advance the Sector Plan recommendations. [The existing water and sewer easement must be retained and the recommended path must be located outside of this easement.]

Page 35: Revise Maps 18 and 19 to reflect the Council decisions.

Page 35: Amend the fourth bullet under “B. Design and Connectivity Recommendations” as follows:

Create a pedestrian-bike path along the northern edge of the Old Farm-Neilwood Creek area with potential mid-block connections to Luxmanor Local Park to the south and Executive Boulevard to the north. Extend the path along the western edge of the wooded area to Montrose Parkway (Map 19). This path should utilize ecologically sensitive materials for pedestrians and bicyclists. The exact alignment of the path will be determined during the development review process in accordance with the Planning Board’s *Environmental Guidelines*.

Page 37: Revise the last sentence of the first full paragraph as follows:

[A] At least 1.25[-acre] acres of open space should be provided on the Wilgus property when it is developed, either on the area south of the existing townhomes and/or as a neighborhood green [must be provided] on the central or eastern portion of the Wilgus property[, while a landscaped area must be provided adjacent to]. If the area south of the Cherington townhouses is developed with residential units, there should be appropriate transitions between the two communities, including landscaping.

Page 37: Amend the last sentence of the second bullet as follows:

Density from this property could be transferred to the two vacant properties to the east and commercial uses should be concentrated to the east.

Page 37: Modify the third and fourth bullets under “A. Land Use and Zoning Recommendations” as follows:

- Rezone the vacant property (Parcel N279) from the R-200 Zone to the CR 2.0 C0.25 R1.75 H-75 Zone to permit new mixed-use development that is predominantly residential, contributes to the Plan’s public benefits, and maintains compatibility with the existing residential townhouses to the west. No commercial development is permitted directly south of the Cherington residential community. Density from this property could be transferred to the two vacant properties to the east.
- Rezone the vacant property (Parcel N273) from the R-200 zone to the CRN 0.75 C0.0 R0.75 H50 Zone [to promote]. During the development review process, pursue options for preserving all or a portion of the wooded area along Montrose Parkway for passive use. Ensure that new residential development [that] is compatible with the adjacent townhouse community.

Page 37: Modify the sixth bullet under B. Design and Connectivity Recommendations as follows:

- Create open spaces, including an area with a minimum 1.25[-acre neighborhood green] acres, for public use that are connected to the overall open space network. The location of open space should be defined during the development review process and may include wooded areas and/or a neighborhood green.

Page 42: Insert a new paragraph after the second paragraph under “5.4.5 Sub-area: Jewish Community Center” as follows:

The Morgan Apartments is a multi-family residential development where all residential units are two-bedroom units. There are 20 MPDUs for which the original control period has expired, but they are continuing as income-restricted units through an agreement with the Department of Housing and Community Affairs (DHCA) that will expire in 2022. The rents in all other units are affordable to households earning about 110% of the area median income (AMI). If the property is redeveloped, the developer must provide 17.5% MPDUs and 2.5% Workforce Housing, capped at 100% of AMI, or 20% MPDUs. DHCA may agree to allow the developer to meet some or all of their MPDU or Workforce Housing requirements by designating existing two-bedroom units as MPDUs or Workforce Housing, if DHCA determines it benefits the County’s affordable housing stock.

Page 42: Modify the third paragraph under “5.4.5 Sub-area: Jewish Community Center” as follows:

This Plan supports the floating Commercial Residential Town (CRT) Zone, via a Local Map Amendment, for potential redevelopment of the Hebrew Home property. The extension of Hubbard Drive onto the Hebrew Home property, along with another new north-south road from Montrose Road, will provide greater connectivity to surrounding streets. These roads are not required unless and until the existing uses for the entire campus are relocated off-site and the site thereafter is either completely redeveloped or the buildings are repurposed for other uses under the existing R-200 or the CRT floating zones. New development should be primarily residential rather than non-residential.

Page 42: Modify the second, third, and fourth bullets and add a new bullet under “A. Land Use and Zoning Recommendations” as follows:

- Support a floating CRT 1.0 C0.25 R1.0 H-100 Zone for the JCC property. Redevelopment of the campus in its entirety must provide for new public roadway connections to Rockville Pike and Montrose Road.
- Rezone the Verizon office building from the R-200 Zone to the [EOF 1.0 H75] CRT-3.0, C-3.0, R-2.5, H-120 Zone [to align the existing use with an office zone and other office zones in the area] to provide flexibility for redevelopment and to support the Sector Plan’s recommended public benefits.
- [Confirm the EOF 3.0 H-100 Zone for the offices] Rezone the office buildings at 6001 Montrose Road and 6101 Montrose Road (Map 33) from the EOF-3.0, H-100 Zone to the CRT-3.0, C-3.0, R-2.5, H-120 Zone to provide flexibility for redevelopment and to support the Sector Plan’s recommended public benefits.
- Rezone the Morgan Apartments from the R-20 Zone to the CRT-1.5, C-0.25, R-1.5, H-120 Zone to promote the Sector Plan’s public benefits, including a greater percentage of MPDUs and dwelling unit mix.

Page 42: Modify the third sub-bullet under “B. Design and Connectivity Recommendations” as follows:

- Provide additional internal streets to improve connectivity throughout and to provide better access for all modes of transit between East Jefferson Street, Rockville Pike, and Montrose Road. These internal streets are not required unless and until the existing uses for the entire campus are relocated off-site and the site thereafter is either completely redeveloped or the buildings are repurposed for other uses under the existing R-200 or the CRT floating zones.

Page 43: Revise Maps 33 and 34 to reflect the Council decisions.

Pages 46-47: Modify the fifth paragraph starting on page 46 as follows:

This Plan recommends an overlay zone to retain the light industrial uses while recognizing the need for [limited] some residential uses [in the district] at the Randolph Hills Shopping Center area. The proposed overlay zone will be similar in concept to the existing Twinbrook Overlay Zone, but it will be more expansive in its residential potential since, unlike the Twinbrook Overlay Zone, the residential development in this overlay zone will be not be limited to a certain percentage of the existing non-residential floor area on a property] (Map 42). Major elements of the proposed White Flint 2 Overlay Zone [are] should be the following:

- Maximum FAR of 1.5;
- [Maximum Residential FAR of 1.0:]
- Maximum Building Height of 75 feet;
- Non-residential uses limited to those allowed in the Light Industrial I-L Zone;
- Residential uses to be allowed with the balance between light industrial and residential to be determined when the Overlay zone is developed[: Multi-unit];
- [Ground floor to be used only for non-residential uses allowed in the base I-L Zone;]
- Minimum Public Use Space of 10 percent required for mixed-use developments;
- Design guidance in the Plan and separate Urban Design Guidelines; and
- Site Plan for developments that include residential uses [per the overlay zone].

Page 47: Delete the second paragraph as follows:

[This Plan also recommends that a future zoning text amendment should be introduced that will comprehensively examine both the Twinbrook and White Flint 2 industrial areas to determine how to balance the retention of light industrial zones with residential development.]

Page 47: Delete the third bullet under “A. Land Use and Zoning Recommendations” as follows:

- [Create an overlay zone for this area that would permit residential uses, while retaining industrial uses.]

Page 48: Delete the third bullet under “A. Land Use and Zoning Recommendations” as follows:

- [Create an overlay zone for this area that would permit residential uses, while retaining industrial uses.]

Page 48: Modify the third paragraph under “5.5.3 Area 3: Randolph Hills Shopping Center” as follows:

Both the Randolph Hills Shopping Center and the Pickford property offer the opportunity to create a mixed-use, neighborhood-serving center that complements the industrial character of the area. Both properties could [redeveloped, either] redevelop through the recommended overlay industrial zone [or a floating CRT Zone]. [A pedestrian-bike bridge across the CSX tracks should be funded either through the county's capital improvements program, or a public-private partnership, or the public benefits of the CRT Zone. Both properties are suitable for a floating CRT 1.5 H-75 Zone. A Floating CRT with 2.0 FAR and a maximum height of 75 feet should be supported only if the redevelopment contributes towards funding of a MARC station at this location, if MDOT determines that a MARC station will be located here.]

Page 48: Amend “A. Design and Connectivity Recommendations” as follows:

If the recommended [floating CRT zones or] industrial overlay zone is implemented, redevelopment on this location should create a unique center for the Randolph Hills community that would:

- Provide work spaces and complementary amenities that are aligned with the unique needs of creative and new economy businesses.
- [Create high-density housing that] Consider housing types that serve families with young children and other households.
- Mix uses to promote collaboration and communication among businesses, residents, and the community.
- Incorporate innovative adaptive reuse techniques and sustainable practices to build new structures, retrofit existing structures, and reduce impervious surfaces.
- Locate a minimum $\frac{3}{4}$ acre neighborhood green on the Randolph Hills Shopping Center property.
- Locate new residential development to support the neighborhood center envisioned by the Randolph Hills community, and to transition adequately to the abutting single-family neighborhood. Mixed-use development in this area should:
 - Concentrate light industrial and new mixed-use development that includes multi-family residential development on areas furthest from existing single-family detached residential use (including the existing shopping center/surface parking lot area, or the adjacent Pickford property). The recommended neighborhood green should be located within the Randolph Hills Shopping Center surface parking area.
 - Consider residential uses along the Wyaconda Road frontage and adjacent to the existing single-family residential development, to establish a compatible relationship with the single-family dwellings to the south and east.
 - Reserve areas along the CSX tracks for industrial space and any required access to it.

Pages 48-49: Delete the second paragraph under “5.5.4 Area 4: Nicholson Court” as follows:

[The 2010 *White Flint Sector Plan* confirmed the light industrial zone for this area until the *White Flint 2 Sector Plan* can evaluate both sides of the CSX rail tracks. The 2010 Sector Plan also recommended a MARC station at Nicholson Court. Maryland Transit Administration (MTA) is in the process of creating standards for new infill MARC stations, along the Brunswick Line in Montgomery County. This Plan’s recommended staging plan requires that MTA conduct a feasibility study in Phase 1 to determine if and where an infill station would be located in the Plan area.]

Page 49: Modify the second and third bullets under “A. Land Use and Zoning Recommendations” as follows:

- [Create an overlay zone for this area that would permit residential uses while retaining industrial uses.]
- Support [a floating Commercial Residential Town (CRT) Zone with up to 1.5 FAR with the provision of] a pedestrian-bike crossing of the rail tracks. [The maximum FAR can be up to 2.0 if a MARC station is funded by the development.]

Page 49: Update Map 42 to reflect the Council decision to limit the area covered by the Overlay zone to the Randolph Hills Shopping Center area.

Page 51: Amend the fifth bullet under “A. Land Use and Zoning Recommendations” as follows:

- [Confirm the R-60 zone for] Rezone the Montgomery County owned property (Parcel No. P268) from the R-60 zone to the CRT-1.0, C-0.25, R-1.0, H-65 Zone.

Page 58: Modify the last sentence on the page as follows:

To increase the supply of affordable housing in the Plan area, this Plan recommends that each optional method development in the CR and CRT zones should provide 15 percent MPDUs as the highest priority to earn their public [amenity] benefit points, subject to section 11.1.4.

Page 59: Amend the first bullet as follows:

- Require 15 percent MDPU as the highest priority public [amenity] benefit for all [optional method projects] new residential development, unless the property is required to dedicate land for a school site or athletic fields that can be used by MCPS and approximate the size of a local park.

Page 70: Amend the first bullet under “8.1.1 Street Network” as follows:

- Extend Hubbard Drive as a business street (B-1) westward from Rockville Pike (MD 355) from its current terminus onto the Hebrew Home property, when the property completely redevelops or the buildings are repurposed for other uses, as noted in Section 5.4.5, to

provide greater vehicular and pedestrian connectivity through this large property (Map 57 and Table 2).

Page 71: Add a new bullet at the end of the “8.1.1 Street Network” recommendations as follows:

- Extend Hubbard Drive as a public business street from Rockville Pike (MD 355) eastward to Chapman Avenue on the Montrose Crossing property.

Page 71: Amend the first, second and third paragraphs under “8.1.2 Transportation Standards” as follows:

This Plan recommends modifying the Local Area Transportation Review (LATR) congestion standard [for the Plan area] by raising the Highway Capacity Manual (HCM) standard [in the western and northern segments of the Plan area—the Executive Boulevard District and Montrose North-Rockville Pike Districts-] for three properties—Guardian, Willco and a portion of the Wilgus property (Parcels N208, N279, N174, and N231)—from its current average intersection delay threshold of 71 seconds/vehicle to 120 seconds/vehicle. This recommendation recognizes that the existing and planned mixed-use development for [the Executive Boulevard and Rockville Pike-Montrose North Districts] these three properties are in character with the 2010 *White Flint Sector Plan*, and that new infrastructure from the 2010 *White Flint Sector Plan* area will benefit these [districts] properties since [both] all are near the White Flint [and Twinbrook] Metro [Stations] Station. Adjusting the HCM standard for these [two districts] three properties will be consistent with the County’s transportation policy of accepting higher levels of traffic congestion in urban areas, which are areas near existing and future transit.

The [area east of the CSX] congestion standard for the remaining segments of the Plan area should remain at 71 seconds/vehicle (the broader North Bethesda policy area congestion standard) because [the Plan area east of the CSX tracks will have less new development than the area west of the tracks, and it is] these areas are relatively less accessible [by] to Metro [compared to the northern and western segments of the Plan area].

Unique to the 2010 *White Flint Sector Plan* area, Local Area Transportation Review (LATR) and Transportation Policy Area Review (TPAR) requirements are eliminated and replaced with the White Flint Special Taxing District, which funds transportation infrastructure required for the staging recommendations in the Plan. This Plan recommends expanding the existing White Flint Special Taxing District to include [the Executive Boulevard and Rockville Pike-Montrose North Districts] the Guardian and Willco properties and a portion of the Wilgus property (Parcels N208, N279, N174, and N231).

Page 72: Revise Map 57: “Existing and Proposed Street Network” to reflect the Council revisions.

Pages 73-74: Update Table 2: “Roadway Classifications” to reflect the Council revisions.

Page 75: Revise the last bullet under “8.1.3 Bicycle and Pedestrian Network” and add a new bullet as follows:

- All intersections should be [designed] considered as protected intersections to provide the safest crossings for bicyclists and pedestrians.
- Consider building a pedestrian-bike trail over the CSX tracks to connect the Randolph Hills Neighborhood with White Flint.

Pages 75 and 79: Amend the third and fourth paragraphs under “8.1.4 Transit Network” as follows:

[The 2010 *White Flint Sector Plan* recommended a MARC Station at Nicholson Court and this Plan supports this recommendation. It also recommends that the Maryland Transit Administration (MTA) conduct a feasibility study to establish new standards for an infill MARC station along the Brunswick Line]. In the long-term, a new MARC station is desired for the Plan area. This future station must not derogate service then current at the Garrett Park MARC station.

The County’s BRT network recommended in the 2013 *Countywide Transit Corridors Functional Master Plan* includes three corridors that are within the Plan area: North Bethesda Transitway, Rockville Pike, and Randolph Road. The Rockville Pike BRT route in the Plan area will be within the dedicated lanes of Rockville Pike, and it will link to the multiway boulevard in the City of Rockville. The Maryland Department of Transportation and the Montgomery County Department of Transportation are conducting a BRT corridor planning study that will more specifically define BRT on Rockville Pike. The North Bethesda Transitway and Randolph Road BRT routes are anticipated to run in mixed traffic within the rights-of-way of Old Georgetown Road (MD 187) and Randolph Road, respectively (Map 60). The Old Georgetown Road route is one of two possible routes for the North Bethesda Transitway, the other being via Tuckerman Lane to the Grosvenor-Strathmore Metro Station.

Page 76: Update Map 59: “Existing and Proposed Bikeway Network” to reflect the Council revisions.

Page 77: Update Table 3: “Bikeway Facilities” to reflect the Council revisions.

Page 79: Modify the first full paragraph and second paragraph as follows:

The 2013 *Countywide Transit Corridors Functional Master Plan* and the preliminary Rockville BRT study recommend BRT stations in the Plan area at Hubbard Drive and Rockville Pike in the Montrose North-Rockville Pike district; at the intersection of Old Georgetown Road and Executive Boulevard to serve the Executive Boulevard district; and another station near Loehmann’s Plaza. The transit recommendations are the following:

- Support the 2010 *White Flint Sector Plan* recommendation to construct a second White Flint Metro Station entrance on the southeast corner of the intersection of Rockville Pike and Old Georgetown Road.

- Support the alignments and character of both the MD 355 South (Corridor 4) and Randolph Road (Corridor 7) BRT corridors through the Plan area, as recommended in the 2013 *Countywide Transit Corridors Functional Master Plan*.
- Support the recommendation that Maryland Department of Transportation [Administration] conduct a feasibility study for an infill MARC station in the Plan area.
- Implement a circulator or shuttle that provides local service for residents and businesses in the Plan area and adjacent Planning areas, including the White Flint Metro Station.

A shuttle or circulator is recommended [in the staging plan as an infrastructure project that will] to increase [contribute towards increasing] the mobility options in the Plan area, and to contribute towards achieving the recommended NADMS goal. The shuttle service [can] could begin as a developer initiative [limited to a few properties] and expand to be a public/private service for the larger plan area, or it [can] could be funded entirely as a public shuttle/circulator for the area.

Page 80: Update the second and third paragraphs under “8.1.6 Transportation Demand Management” as follows:

This Plan recommends [a higher NADMS goal for properties in the Executive Boulevard and Rockville Pike-Montrose North districts, while areas east of the CSX tracks will have lower NADMS goal] that the Guardian, Willco and a portion of the Wilgus properties (Parcels N208, N279, N174, and N231) will be subject to the NADMS goals in the White Flint Sector Plan’s (April 2010) staging, depending upon the staging phase.

[The higher NADMS goal for the Executive Boulevard and Rockville Pike-Montrose North districts mirrors the 2010 White Flint Sector Plan area NADMS recommendations since these districts are between two Metro Station areas, adjacent to recommended and new transportation infrastructure of the 2010 *White Flint Sector Plan*, and will be served by future BRT routes. Unlike the 2010 Sector Plan, each phase of the staging plan requires NADMS goals for both residents and employees.] This Plan recommends a blended average NADMS goal of 40 percent at buildout for all other properties in this Plan. The area east of the CSX tracks has relatively less accessibility to Metrorail due to the limited areas for crossing the CSX tracks. As a result, the area east of the CSX tracks will likely have an NADMS at buildout lower than 40 percent, and the area north and west of the CSX tracks will likely have an NADMS at buildout higher than 40 percent.

[In addition, these NADMS goals are consistent with the urbanizing character of this portion of North Bethesda. They] NADMS goals will be [achievable] achieved through a combination of land use (density, diversity and design) and zoning requirements, transit improvements, and supportive TDM programs[, such as shuttles and bike-sharing,] managed by the North Bethesda Transportation Management District.

Page 80: Modify the two paragraphs under “8.1.8 East Jefferson Street” as follows:

East Jefferson Street provides western access to the City of Rockville. It is classified as an arterial with five travel lanes, including a turn lane for a segment of the roadway. This Plan

recommends the reclassification of East Jefferson Street to a business street with [a protected bikeway] either a separated bikeway or standard bike lanes to link the proposed bikeway network between Executive Boulevard and the City of Rockville[. To implement the bikeway recommendation, the Plan recommends modifying the existing number of travel lanes to two travel lanes in each direction with a center turning lane] (Figure 4).

Page 81: Update Figure 4: “East Jefferson Street with Protected Bikeway” to reflect the Council decision.

Page 88: Modify the fourth bullet under “C. Create green parks when development occurs within the Plan area” as follows:

Create a minimum 1¼-acre [Neighborhood Green Urban Park] open space area for public use at the Wilgus Property when it redevelops. This [park should] area could include neighborhood amenities, including a flexible green gathering place, picnic areas, and play features or maybe a wooded area with passive recreation. It should be linked to the Montrose Parkway bikeway by a trail connection.

Page 92: Modify the paragraph under “10.1.3 Libraries” as follows:

A public library is recommended in the 2010 *White Flint Sector Plan*. The Montgomery County Department of Public Libraries [endorses] notes the recommendation for a public library in the Metro East or Metro West Districts in the 2010 *White Flint Sector Plan* area, but acknowledges that delivery of library services is an evolving practice. [This] Any future library [, along with] or delivery of library services should be considered in the context of other libraries in the greater North Bethesda vicinity[, including Twinbrook and Rockville, will provide sufficient library services for the White Flint 2 Plan area]. Evaluating the delivery of services in the future should include consideration of non-traditional methods such as self-service options, MCPL outreach programs at non-library facilities and internet-based programming.

Page 93: Remove the symbol for the single site identified as a Proposed White Flint 2 Sector Plan school, since the Sector Plan includes a process for evaluating numerous potential sites for schools.

Page 94: Update Table 4 to include enrollment forecasts for 2046 in the Superintendent’s Recommended FY 2019 Capital Budget, and enrollment generated by the residential development in the Council-approved White Flint 2 Sector Plan.

Page 95: Delete the last sentence of the first full paragraph as follows:

[This Plan’s recommended staging indicates that a new elementary school be built by the third stage of the phasing plan.]

Page 96: Add a new paragraph directly under “10.1.8 Walter Johnson Cluster” as follows:

Residential development in the Rock Spring, White Flint, White Flint 2, and Grosvenor-Strathmore master and sector plans have the potential to impact school enrollment. Several potential means of adding school capacity are noted in the sections below. In addition, if there is a major development or redevelopment within these planning areas, several sites or a combination of sites may be appropriate for consideration of a public school. Each and every development application should be thoroughly evaluated for a potential school site, notwithstanding any previous development approvals. It is this Plan’s direction that the Planning Department will negotiate for maximum dedication of land for a school and that this be the top priority benefit under the review process of projects proceeding under these plans.

Page 96: Revise the second sentence in the paragraph entitled “Facility Planning at the Walter Johnson Cluster” as follows:

The Board of Education is addressing enrollment capacity issues in the Cluster through several actions, including [utilizing] future utilization of an annex facility at Garrett Park Elementary and [convening a roundtable discussion to include] the completion of a study group that included representatives from the Downcounty Consortium high schools and the Walter Johnson, Whitman, and Bethesda-Chevy Chase high school [cluster] clusters.

Page 96: Revise the last sentence in the first bullet under “A. Elementary Schools” as follows:

Therefore, all Cluster schools will be at the high end of the range of student enrollment with capacities ranging from [729] 714 to [881] 777; no further expansions will be considered.

Page 97: Revise the first full bullet as follows:

- Construct a new middle school. There [are two] is one future middle school [sites] site in the vicinity of the Walter Johnson Cluster[.]: [The] the Brickyard Middle School site [is] in the Winston Churchill Cluster [and the King Farm Middle School site is in in the Richard Montgomery Cluster]. If building a new school at [these locations] this location is considered infeasible, then the purchase of a middle school site or co-location with a park[,] could be considered.

Page 97: Revise the first bullet under “C. High Schools” as follows:

- Build an addition at Walter Johnson High School. The high school [currently has an enrollment] had a capacity in the fall of 2017 of [2,335] 2,330 students. [Long range enrollment projections indicate 3,500 students by 2045 not counting any students generated by this Plan and other North Bethesda plans currently underway.] However, long-term enrollment projections for the school developed in the fall of 2017 anticipate enrollment reaching 4,010 students by 2032, including some, but not all, of the students that would be generated by the North Bethesda plans. [If the high school capacity was increased to 3,500 students or more, it may be possible to accommodate the build-out of this Plan.]

Page 97: Revise the second bullet under “C. High Schools” as follows:

- [Reopen] The Board of Education has requested funds to reopen the former Woodward High School. Reopening this facility and expanding it over time will accommodate projected enrollment increases from this Plan, the 2010 *White Flint Sector Plan*, and the *Rock Spring Master Plan* currently underway. An addition at Woodward could take the school up to 2,400 students, which, when combined with Walter Johnson capacity, could total up to 4,400 students. An expanded Woodward may also contribute to [alleviate] alleviating overcrowding at [Bethesda-Chevy Chase or Whitman] adjacent high schools.

Page 97: Delete the last bullet under “C. High Schools” as follows:

- [Beyond the approaches noted above, reassign students from the Walter Johnson Cluster to high schools with available enrollment capacity, or expand their capacities. Currently, most high schools adjacent to the Walter Johnson Cluster are projected to have enrollments greater than their capacities, and will already be built out to the high end of the desired enrollment size of 2,400 students each. The exception is Rockville High School. Although this school is projected to be fully enrolled in the next six years, with a capacity of 1,570, it is relatively small for a high school by current standards. An addition at this high school, with reassignment of students from this Plan area, could be considered in the future.]

Page 98: Add a bullet under “B. Middle Schools” as follows:

- Consider locating a middle or high school site on the Rocking Horse Road Center facility in the Randolph Hills neighborhood.

Page 98: Amend the second sub-bullet under the last bullet under “C. Middle Schools” as follows:

- Construct a new middle school by either purchasing a new site or collocating with a park [since there are no recommended middle school sites in the Downcounty Consortium].

Page 99: Revise the first sub-bullet as follows:

[Reopen the former Woodward High School in the Walter Johnson Cluster, currently under consideration as a part of the community roundtable discussion process (described under “Walter John Cluster School Facilities” in this Plan). The Board of Education has requested funds to reopen the former Woodward High School in the Walter Johnson Cluster. This [option would] may require reassignment of students from the Downcounty Consortium portion of the White Flint 2 Sector Plan area [from Walter Johnson cluster] to this high school.

Page 99: Amend the second sub-bullet under the first bullet as follows:

- Construct a new high school by either purchasing a new site or co-locating with a park [as there are no recommended future high school sites in the Downcounty].

Page 102: Amend the third and fourth paragraphs under “11.1.2 Financing” as follows:

Due to the proximity of the northern and western portions of the White Flint 2 Plan area to the 2010 *White Flint Sector Plan* area, the Willco, Guardian, and a portion of the Wilgus (Parcels N174, N231, N208, and N279) properties in the Executive Boulevard and the Rockville Pike-Montrose North Districts would benefit substantially from the new transportation infrastructure improvements in the 2010 *White Flint Sector Plan*[, including the Western Workaround and the second Metro station entrance]. Balancing the considerations of equity and infrastructure benefits between these [areas] properties, this Plan recommends that these three properties in the [northwestern] western portion of the Plan area contribute towards the implementation and funding of these infrastructure improvements. [Therefore, the northwestern area of this Plan should have the same financing mechanism as the 2010 *White Flint Sector Plan* area]. [Subsequently] Consequently, the Willco and Guardian properties and a portion of the Wilgus property (Parcels N208, N279, N174, and N231) [properties in the Executive Boulevard and Rockville Pike-Montrose North districts] will have the same benefit of no LATR review for new developments.

[New infrastructure that is associated with properties east of the CSX tracks and are further away from new infrastructure in the 2010 *White Flint Sector Plan* could be financed via a Local Transportation Improvement Program or a Unified Mobility Program.]

Page 103: Update Map 64 to reflect the Council decisions.

Page 104: Modify the fourth full paragraph as follows:

An industrial mixed-use overlay zone is recommended for Light Industrial (IL) zoned properties [primarily east of the CSX tracks and at Nicholson Court] in the Randolph Hills Shopping Center area. The Plan’s objective of preserving the existing light industrial uses in the area east of the tracks while providing flexibility to create some residential use [on upper floors] will be implemented through the new overlay zone. This overlay zone [will be similar in concept to the existing Twinbrook Overlay Zone, but it will be more expansive in its residential potential, and] will be implemented through a zoning text amendment to the Zoning Ordinance.

Page 104: Add a bullet and amend the first two bullets under “11.1.4 Public Benefits in the EOF, CRT and CR Zones” as follows:

- Dedication of land for needed school sites as the highest priority public benefit.
- Fifteen (15) percent MPDUs as the highest priority public [amenity] benefit for new residential development, unless the property is required to dedicate land for a school site or athletic fields that can be used by MCPS and approximate the size of a local park.
- The provision of major public facilities other than school sites, including but not limited to:[, a dedicated elementary or middle school site;] land for school athletic fields; new neighborhood parks and open spaces; [bike share stations;] public transportation (new Metro Station entrance); and undergrounding of utilities.

Pages 104-106: Amend the “11.1.5 Staging of Development” section as follows:

Staging of development links new development with the provision of public infrastructure required to support the Plan recommendations. [Prior North Bethesda master plans, including the 1992 *North Bethesda-Garrett Park Master Plan* and 2010 *White Flint Sector Plan* required staging of new residential and non-residential development with required public infrastructure, especially transportation.] The 2010 *White Flint Sector Plan* established a three-phased staging plan that links new development with required mobility and transportation infrastructure to support new development and contribute to creating a new urban area.

This Plan’s [proposed] staging recommendation is influenced [by various factors, but] primarily by the adjacency of [the area] three properties to the 2010 *White Flint Sector Plan* area and its staging plan, and the common infrastructure improvements, such as [Rockville Pike BRT,] Executive Boulevard/Western [workaround] Workaround improvements, and the White Flint Metro Station[, that would be needed to support new development in both plan areas]. This Plan includes the Guardian and Willco properties and a portion of the Wilgus property (Parcels N208, N279, N174, and N231) within the staging limits in the 2010 *White Flint Sector Plan* by:

- increasing the Phase 1 cap from 3,000 dwelling units and 2 million square feet of non-residential development to 4,800 dwelling units and 2.75 million square feet of non-residential development; and
- increasing the Phase 2 cap from 3,000 dwelling units and 2 million square feet of non-residential development to 3,700 dwelling units and 2.18 million square feet of non-residential development.

[The proposed staging framework is guided by the following principles:

- Ensure an adequate level of development or tax contributions to help fund new infrastructure.
- Address the infrastructure needs for White Flint 2 while balancing the infrastructure needs of both White Flint plan areas.
- Limit the free-rider effect where properties in White Flint 2 could benefit disproportionately from new infrastructure in the 2010 *White Flint Sector Plan* area.
- Development in the core of the 2010 *White Flint Sector Plan*, which is near to the Metro Station and along Rockville Pike, should be prioritized before White Flint 2 properties are developed.]

[The Planning Board should take the following actions before the proposed staging plan takes effect.

- Expand the existing White Flint Sector Plan Implementation Advisory Committee to include the stakeholders from the *White Flint 2 Sector Plan* area.
- Expand the White Flint Sector Plan biennial monitoring report to include staging recommendations in this Plan.]

[Prior to approval of any new development in the Plan area, the] The following implementation actions must be taken:

- Within [six] three months of adopting the [Sectional Map Amendment] SMA, the County Council should amend the North Bethesda Policy Area to [create a new Local Area Transportation Review (LATR) Policy Area for the White Flint 2 area] reflect the expansion of the White Flint Metro Station Policy Area to include the Guardian, Willco, and a portion of the Wilgus (Parcels N208, N279, N174, and N231) properties.
- Within [12] six months of adopting the SMA, [determine if a public financing mechanism will be established to fund public infrastructure recommended by the Plan] extend the existing White Flint Special Taxing District to include the Willco, Guardian and a portion of the Wilgus (Parcels N208, N279, N174, and N231) properties.
- The Planning Board must [create a staging allocation procedure for new development in the Plan area or] modify the existing *White Flint Sector Plan Implementation Guidelines* to account for the Willco, Guardian, and a portion of the Wilgus (Parcels N208, N279, N174, and N231) properties.

[The recommended staging plan combines key staging transportation infrastructure requirements from the 2010 *White Flint Sector Plan* with new transportation and public facilities from this Plan. This combination approach acknowledges the relationship and infrastructure linkages between the two plan areas (Table 5).]

[The recommended zoning envelope has more potential density than what is permitted in the staging plan. The amount of development represents the desired mix of new development in White Flint 2 that will be predominately residential, approximately more than 60 percent, with the remaining development as non-residential. The recommended development is divided into three phases with the largest amount in the third phase. The NADMS goals further the County's investment in promoting transit and other non-automotive modes.]

[New development can occur anywhere in the Plan area. Infrastructure listed for each phase could be funded either through the Capital Improvements Program (CIP), Consolidated Transportation Program (CTP) for State projects, White Flint Special Taxing District, public-private partnership, or developer initiative or contribution. During each phase, the Planning Board may approve both residential and non-residential development until it reaches its maximum allowed limit, at which time any further development in that category (residential or non-residential, whichever has reached the allowed limit) will need to demonstrate that the staging requirements to proceed to the next phase have been met.]

Page 105: Delete Table 5 to reflect the Council decision.

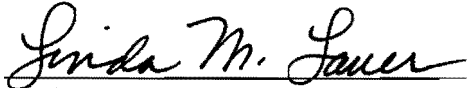
Page 107: Modify Table 6 per the Council decisions.

General

All illustrations and tables included in the Plan will be revised to reflect the District Council changes to the Planning Board Draft White Flint 2 Sector Plan (July 2017). The text and graphics will be revised as necessary to achieve and improve clarity and consistency, to update factual

information, and to convey the actions of the District Council. Graphics and tables will be revised and re-numbered, where necessary, to be consistent with the text and titles.

This is a correct copy of Council action.

A handwritten signature in cursive script that reads "Linda M. Lauer". The signature is written in black ink and is positioned above a horizontal line.

Linda M. Lauer, Clerk of the Council



Resolution of Adoption of the Approved Grosvenor-Strathmore Metro Area Minor Master Plan



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Completed: 1/3/18

Recommendation

Approve the Resolution of Adoption.

Summary

Attached for your review and approval is M-NCPPC Resolution Number 18-02 to adopt the Grosvenor-Strathmore Metro Area Minor Master Plan. The Montgomery County Council, sitting as the District Council, approved the Grosvenor-Strathmore Metro Area Minor Master Plan by Resolution Number 18-978 on December 5, 2017. The Montgomery County Planning Board is scheduled to approve the adoption of the Grosvenor-Strathmore Metro Area Minor Master Plan by Resolution Number 18-001 on January 11, 2018.

Attachments:

1. Montgomery County Planning Board Resolution No. 18-001; M-NCPPC Resolution No. 18-02
2. Montgomery County Council Resolution No. 18-978

ATTACHMENT 1



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

MCPB NO. 18-001
M-NCPPC NO. 18-02

RESOLUTION

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

WHEREAS, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, pursuant to procedures set forth in the Montgomery County Code, Chapter 33A, held a duly advertised public hearing on June 29, 2017 on the Public Hearing Draft Grosvenor-Strathmore Metro Area Minor Master Plan, being also an amendment to portions of the approved and adopted 1992 *North Bethesda/Garrett Park Master Plan*, *The General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District Within Montgomery and Prince George's Counties*, as amended; the *Master Plan of Highways and Transitways*, as amended; and the *Countywide Bikeways Functional Master Plan*, as amended.

WHEREAS, the Montgomery County Planning Board, after said public hearing and due deliberation and consideration, on July 27, 2017, approved the Planning Board Grosvenor-Strathmore Metro Area Minor Master Plan, recommended that it be approved by the District Council, and forwarded it to the County Executive for recommendations and analysis; and

WHEREAS, the Montgomery County Council sitting as the District Council for the portion of the Maryland-Washington Regional District lying within Montgomery County, held a public hearing on October 24, 2017, wherein testimony was received concerning the Planning Board Draft Grosvenor-Strathmore Metro Area Minor Master Plan; and

WHEREAS, the Montgomery County Executive reviewed and made recommendations on the Planning Board Draft Grosvenor-Strathmore Metro Area Minor Master Plan and forwarded those recommendations and analysis to the District Council on October 25, 2017; and

WHEREAS, the District Council, on December 5, 2017 approved the Planning Board Draft Grosvenor-Strathmore Metro Area Minor Master Plan subject to the modifications and revisions set forth in Resolution No. 18-978.

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPC LEGAL DEPARTMENT

12/27/17

NOW, THEREFORE BE IT RESOLVED, that the Montgomery County Planning Board and The Maryland-National Capital Park and Planning Commission do hereby adopt the said Grosvenor-Strathmore Metro Area Minor Master Plan, together with the *General Plan for the Physical Development of the Maryland-Washington Regional District within Montgomery and Prince George's Counties*, as amended, and as approved by the District Council in the attached Resolution No. 18-978; and

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

This is to certify that the foregoing is a true and correct copy of Resolution No. ____ adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission at its regular meeting held on Thursday, ____ in Silver Spring, Maryland on motion of Commissioner_____, seconded by Commissioner_____, with a vote of ___ to ___, Commissioners _____, _____, _____, _____, and _____, voting in favor of the motion.

Casey Anderson, Chair
Montgomery County Planning Board

This is to certify that the foregoing is a true and correct copy of Resolution No. 18-02, adopted by The Maryland-National Capital Park and Planning Commission on motion of Commissioner _____, seconded by Commissioner _____, with Commissioners _____, _____, _____, _____, _____, _____, _____, voting in favor of the motion, at its meeting held on Wednesday, January 17, 2018, in Silver Spring, Maryland.

Patricia Colihan Barney
Executive Director

ATTACHMENT 2

Resolution No.: 18-978
Introduced: December 5, 2017
Adopted: December 5, 2017

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Approval of July 2017 Grosvenor-Strathmore Metro Area Minor Master Plan

1. On September 12, 2017, the Montgomery County Planning Board transmitted to the County Executive and the County Council the July 2017 Planning Board Draft Grosvenor-Strathmore Metro Area Minor Master Plan.
2. The July 2017 Planning Board Draft Grosvenor-Strathmore Metro Area Minor Master Plan contains the text and supporting maps for an amendment to portions of the approved and adopted 1992 North Bethesda/Garrett Park Master Plan. It also amends The General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery and Prince George's Counties, as amended; the Master Plan of Highways and Transitways, as amended; and the Countywide Bikeways Functional Master Plan, as amended.
3. On October 24, 2017, the County Council held a public hearing on the July 2017 Planning Board Draft Grosvenor-Strathmore Metro Area Minor Master Plan. The Minor Master Plan was referred to the Council's Planning, Housing, and Economic Development Committee for review and recommendations.
4. On October 25, 2017, the Office of Management and Budget transmitted to the County Council the Executive's Fiscal Impact Statement for the July 2017 Planning Board Draft Grosvenor-Strathmore Metro Area Minor Master Plan.
5. On November 6 and November 13, 2017, the Planning, Housing, and Economic Development Committee held worksessions to review the issues raised in connection with the Planning Board Draft Grosvenor-Strathmore Metro Area Minor Master Plan.
6. On November 28, 2017, the County Council reviewed the Planning Board Draft Grosvenor-Strathmore Metro Area Minor Master Plan and the recommendations of the Planning, Housing, and Economic Development Committee.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following resolution:

The Planning Board Draft Grosvenor-Strathmore Metro Area Minor Master Plan, dated July 2017, is approved with revisions. County Council revisions to the Planning Board Draft Grosvenor-Strathmore Metro Area Minor Master Plan are identified below. Deletions to the text of the Plan are indicated by [brackets], additions by underscoring. All page references are to the July 2017 Planning Board Draft Grosvenor-Strathmore Metro Area Minor Master Plan.

Page 2: Delete the first paragraph and revise the second paragraph as follows:

[An area master plan, after approval by the County Council and adoption by The Maryland-National Capital Park and Planning Commission, constitutes an amendment to The General Plan (On Wedges and Corridors) for Montgomery County. Each area master plan reflects a vision of future development that responds to the unique character of the local community within the context of a County-wide perspective. Area master plans are intended to convey land use policy for defined geographic areas and should be interpreted together with relevant County-wide functional master plans.]

This [Minor Master] Plan [Amendment] contains text and supporting maps for a [minor] comprehensive amendment to portions of the approved and adopted 1992 North Bethesda/Garrett Park Master Plan, as amended. It also amends The General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery and Prince George’s Counties, as amended; the Master Plan of Highways and Transitways, as amended; and the Countywide Bikeways Functional Master Plan, as amended. Each area master plan reflects a vision of future development that responds to the unique character of the local community within the context of a countywide perspective. Area master plans are intended to convey land use policy for defined geographic areas and should be interpreted together with relevant countywide functional master plans. The minor amendment process provides an opportunity to reassess the Plan area and analyze alternative land use redevelopment, design, and zoning opportunities. The review considers existing development and reevaluates the area’s potential within the context of a changing market in the region, the intent and rationale of the 1992 North Bethesda/Garrett Park Master Plan, community input, and impacts to the surrounding land uses and transportation network.

Page 22: Add a bullet below the first bullet under “Metro site Recommendations” as follows:

- Allow a maximum height of 300 feet over the Metrorail tracks directly west of the Metro site.

Page 22: Amend the last bullet under “Metro site Recommendations” as follows:

- Provide 15 percent MPDUs on the Metro site as the highest priority public benefit.

Page 23: Update the map to reflect Council-recommended zoning changes.

Page 49: Revise the text of the “Goal” statement as follows:

Goal: Achieve a [45] blended 50 percent Non-Auto Driver Mode Share (NADMS) by 2040 for the Plan area.

Page 56: Modify the first bullet as follows:

- Create a new shared street that extends from the intersection of Strathmore Park Court and Strathmore Hall Street to the traffic light at Tuckerman Lane near the drop-off area for Strathmore Hall. Figure 24 shows the street alignment. The new street, which may be private, should be designed to maximize the segregation of pedestrians, bicyclists and vehicles, and slow traffic speeds. If constructed as a private street, it will be subject to the following conditions:
 - Public easements must be granted for the roadway and be reviewed by the Maryland-National Park and Planning Commission (M-NCPPC) and the Department of Transportation (MCDOT) for connectivity and consistency with this Plan prior to acceptance of the easement.
 - The design of the road must follow or improve the corresponding Road Code standard for a similar public road, unless approved by MCDOT and the Planning Board at the subdivision review stage or otherwise specified in the Sector Plan.
 - Installation of any public utilities must be permitted with such easement.
 - The road will not be closed for any reason unless approved by MCDOT.
 - Approval from the Department of Fire and Rescue must be obtained for purpose of fire access.
 - The public easement may be volumetric to accommodate uses above or below the designated easement area.
 - The County may require the applicants to install appropriate traffic control devices within the public easement, and the easement must grant the right to the County to construct and install such devices.
 - Maintenance and Liability Agreements will be required for each Easement Area. These agreements must identify the applicants’ responsibility to maintain all of the improvements within their Easement Area in good fashion and in accordance with applicable laws and regulations.

Page 56: Add the roadway classification map to the page after Table 6.

Page 74: Add the following sentences at the end of the paragraph as follows:

The 2010 White Flint Sector Plan recommended a future recreation center at Wall Local Park/Kennedy Shriver Aquatic Center. This site would permit the co-location of the existing

Aquatic Center, including an expansion, and an urban park. The Montgomery County Department of Recreation recommends that the Wall Park community center serve all of North Bethesda, including the Grosvenor-Strathmore Metro Area Minor Master Plan area.

Page 76: Add a new paragraph after the first paragraph under “Facility Planning in the Walter Johnson Cluster” as follows:

Residential development in the Rock Spring, White Flint, White Flint 2, and Grosvenor-Strathmore master and sector plans has the potential to impact school enrollment. Several potential means of adding school capacity are noted in the sections below. In addition, if there is a major development or redevelopment within these planning areas, several sites or combinations of sites may be appropriate for consideration of a public school. Each and every development application should be thoroughly evaluated for a potential school site, notwithstanding any previous development approvals. It is this Plan’s direction that the Planning Board will negotiate for maximum dedication of land for a school and that this be the top priority amenity under the review process for projects proceeding under these plans. This requirement is the same as requirements in the Rock Spring and White Flint 2 Sector Plans, which are in the same high school cluster; however, it is highly unlikely that a school site will be found on the limited area likely to develop/redevelop in the Grosvenor-Strathmore Metro Area Minor Master Plan area.

Page 76: Update the figure in the third sentence of the first bullet in the left column of the page as follows:

Ashburton Elementary School has an addition planned that will increase its capacity to [881] 770 students.

Page 76: Update the last sentence of the first bullet in the left column of the page as follows:

Therefore, all cluster schools will be at the high end of the range of student enrollment, with capacities ranging from [729] 714 to [881] 777, and no further additions will be considered.

Page 77: Revise the third sentence of the first bullet under “Middle Schools” as follows:

This increase will address projected enrollment through [2022-2023] 2023-2024.

Page 77: Modify the sub-bullet under the third bullet under “Middle Schools” as follows:

- Construct a new middle school. There [are two] is one future middle school [sites near] site in the vicinity of the Walter Johnson Cluster: the Brickyard Middle School site is in the Winston Churchill Cluster [; and the King Farm Middle School site is in the Richard Montgomery Cluster]. If building a new school at [these locations] this location is not considered feasible, then the purchase of a middle school site could be considered.

Page 77: Revise the first bullet under “High Schools” as follows:

- Build an addition at Walter Johnson High School. The high school [currently has] had a capacity in the fall of 2017 of [2,335] 2,330 students. [Long] However, long-term enrollment projections for the school show enrollment reaching [3,500] 4,010 students by the year [2045] 2032. This projected enrollment does not include [any of] all the students that would be generated by the White Flint 2, Rock Spring, or this Plan. [If the high school capacity was increased to 3,500 students or more, it may be possible to accommodate the build-out of the White Flint 2 and Rock Spring plans.]

Page 77: Revise the first sentence of the second bullet under “High Schools” as follows:

[A second approach being considered to address high school enrollment growth in the Walter Johnson Cluster is] The Board of Education has requested funding for the reopening of the former Woodward High School on Old Georgetown Road, located between the Rock Spring and White Flint 2 plan areas.

Page 77: Delete the bulleted third paragraph under “High Schools” as follows:

- [Beyond the approaches mentioned above, reassignment of students from the Walter Johnson Cluster to high schools with available capacity, or with the ability to have their capacities increased, could be considered. Currently, most high schools adjacent to the Walter Johnson Cluster are projected to have enrollments above their capacities, and will already be built out to the high end of the desired enrollment size of 2,400 students. The exception to this situation is Rockville High School. Although this school is projected to be fully enrolled in the next six years, with a capacity for 1,570 students it is relatively small by current standards. If an addition could be built at this high school, then reassignment of students to the high school could be considered in the future.]

Page 81: Add the following bullets after the first sentence on the page as follows:

The following public benefit categories are priorities for this Plan area:

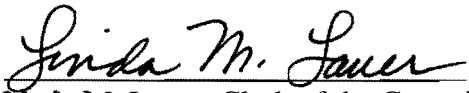
- Dedication of land for needed school sites is the highest priority public amenity for development and redevelopment in North Bethesda, but may not be feasible in the Grosvenor-Strathmore Metro planning area.
- Providing fifteen (15) percent Moderately Priced Dwelling Units (MPDUs) is the highest priority public benefit for new residential development, unless the property is required to dedicate land for a school or athletic fields that can be used by MCPS and approximate the size of a local park.
- Other than school sites, major public facilities include, but are not limited to, land for parks and school athletic fields, a library, recreation center, County service center, public transportation or utility upgrade. Major public facilities provide public services at a convenient location where increased density creates a greater need for civic uses and greater demands on public infrastructure.

Page 81: Update the map and table to reflect Council-recommended zoning changes.

General

All illustrations and tables included in the Plan will be revised to reflect the District Council changes to the Planning Board Draft Grosvenor-Strathmore Metro Area Minor Master Plan (July 2017). The text and graphics will be revised as necessary to achieve and improve clarity and consistency, to update factual information, and to convey the actions of the District Council. Graphics and tables will be revised and renumbered, where necessary, to be consistent with the text and titles.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council

2017 DIVERSITY COUNCIL YEAR END REVIEW

January 17, 2018
Presented by Gregory Gordon, Chair & Robert Feeley, Vice-chair, 2017
M-NCPPC Diversity Council



THE DIVERSITY COUNCIL

ITEM 6d

MANY
CULTURES
ONE
COMMISSION



MISSION & VISION

The **mission** of the M-NCPPC Diversity Council 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.

The **vision** of the M-NCPPC Diversity Council is to promote behavior in the workplace that contributes to understanding, respecting, and valuing all people.



DIVERSITY COUNCIL OUTREACH

Printed and distributed promotional rack card, new employee handout, and promotional roving banner, as constant promotion of the Council and its mission and participated and supported internal diversity programs



DIVERSITY COUNCIL

MANY CULTURES ONE COMMISSION



The Maryland-National Capital Park and Planning Commission



MISSION & VISION:

- MISSION** – 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.
- VISION AND VALUES** – promote behavior in the workplace that contributes to understanding, respecting, and valuing all people.

WHO WE ARE:

- The Diversity Council consists of Commission staff who have interest in supporting and implementing diversity initiatives in the workplace.
- Members are appointed for a two-year term by the Executive Director in consultation with the respective Department Directors.
- The Diversity Council is comprised of representatives from each department of the Commission.

For more information on the Diversity Council, visit: <http://mncppcc.org/People/Diversity.html>
Or e-mail: DiversityCouncil@mncppcc.org



The Maryland-National Capital Park and Planning Commission
DIVERSITY COUNCIL

MISSION & VISION:

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

DIVERSITY COUNCIL

The Commission believes that it is the individual responsibility of each employee to contribute to the Commission's diversity and inclusion efforts. This includes, but is not limited to, understanding and respecting differences in race, ethnicity, age, gender, national origin, age, religion, sexual orientation, gender identity, experience, education, and beliefs.

MISSION & VISION:

The Commission has a zero tolerance policy with regards to discrimination, harassment, or retaliation. The Diversity Council's primary role is to support and implement diversity initiatives in the workplace. Members are appointed for a two-year term by the Executive Director in consultation with the respective Department Directors. The Diversity Council is comprised of representatives from each department of the Commission.

WHO WE ARE:

The Diversity Council consists of Commission staff who have interest in supporting and implementing diversity initiatives in the workplace. Members are appointed for a two-year term by the Executive Director in consultation with the respective Department Directors. The Diversity Council is comprised of representatives from each department of the Commission.



DIVERSITY COUNCIL

MANY CULTURES ONE COMMISSION



The Maryland-National Capital Park and Planning Commission



MISSION & VISION:

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The Maryland-National Capital Park and Planning Commission
DIVERSITY COUNCIL

WOMEN'S HISTORY MONTH CELEBRATION

A Commission-wide celebration recognizing the contribution of women in the workplace. The 2017 Women's History Month theme was *Honoring Trailblazing Women in Labor and Business*.

Attendance: 200+

Keynote Speaker: Gracelyn Ashby McDermott

Activities: Tai Chi for Stress Reduction

M-NCPPC CELEBRATES

Women's HISTORY MONTH

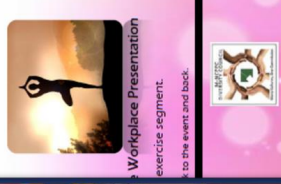
APRIL 7, 2017

LAUREL BELTSVILLE SENIOR CENTER
7120 Contee Road Laurel, MD 20707 1:00 p.m. - 3:00 p.m.

HONORING TRAILBLAZING WOMEN IN LABOR AND BUSINESS



Gracelyn Ashby McDermott, MBA, PMP

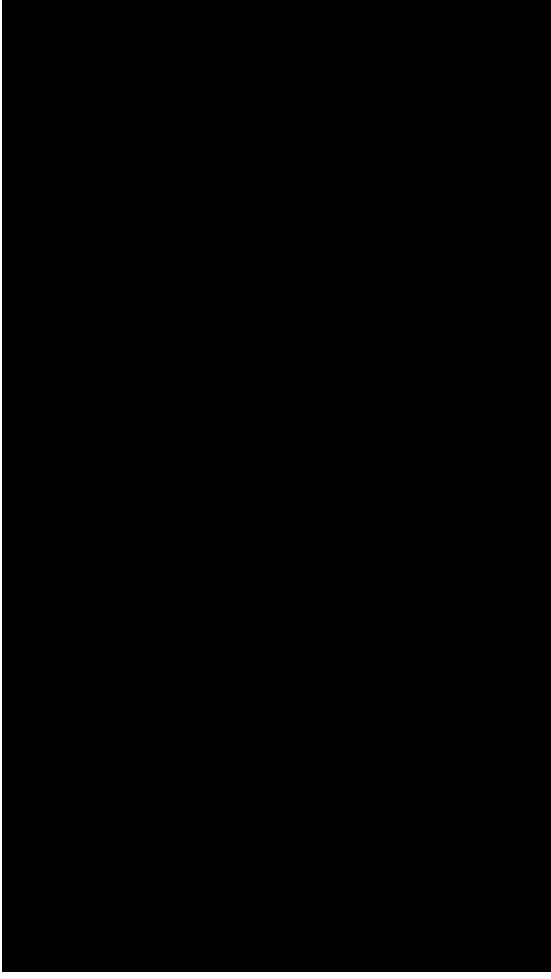


DIVERSITY & INCLUSION COMMISSION-WIDE SURVEY

Distributed and analyzed the 2017 Commission-wide Diversity and Inclusion Survey. The goal of the survey was to gather diversity statistics, understand perceptions around diversity and inclusion, and provide feedback for future Councils strategies and initiatives

Total Participants: 627 Employees

Overall Feedback: 90% of employees are comfortable with working with people of different ages, genders, ethnicities, religions, cultures, or sexual orientations.



MANY CULTURES 90 ONE COMMISSION

M-NCPPC
DIVERSITY COUNCIL
Many Cultures, One Commission
presents

Connect

A Diversity and Inclusion Celebration

Wednesday, August 23, 2017

9:00 a.m. - 12:00 noon

Clarice Smith Performing Arts Center

University of Maryland-College Park • 8270 Alumni Drive, College Park, MD 20742

Join us for an exciting event that will promote and celebrate diversity and inclusion. There will be enlightening speakers, exciting performances, a presentation on the diversity and inclusion survey results, giveaways and more! Continental breakfast will be served. Three hours of administrative leave plus up to one hour for travel has been approved. **Please RSVP by August 11, 2017.**

To register, visit: tinyurl.com/UniversityConnect17 • Questions? Email: diversity@mncppc.org

CONNECT: A DIVERSITY & INCLUSION CELEBRATION

A Commission-wide event designed to promote and celebrate diversity, diversity competency and to highlight diversity enriches our personal and professional lives. This event was held at the Clarice Performing Arts Center

Attendance: 600+

Keynote Speaker: Monique Johnson

Performers: Surrattsville High School JROTC, NOVA Arts Center, Strikeforce Drumline, and



OTHER ACCOMPLISHMENTS

- Continued the “Diversity Corner” articles for M-NCPPC employees in the *Update*
- Issued post-event evaluations to gauge impact of Diversity Council activities
- Held the 2nd Diversity Council new member orientation



2016 – 2018 STRATEGIC PLAN ACHIEVEMENTS

	Task/Action Item
✓	<p>Communicate with Department Directors and Planning Board Chairs regarding initiatives of the Council Members will meet and interview Planning Board Chairs and Directors to obtain input on Council's work program and initiatives</p>
	<p>Draft policy to require employees to accumulate a certain amount of hours of diversity training Research, discuss, develop and evaluate policy for submission and approval</p>
✓	<p>Establish and maintain consistent communication with Commission employees</p> <ul style="list-style-type: none"> ▪ Develop and submit articles for the employee newsletter, UPDATE ▪ Develop and submit "Year in Review" Report of Council accomplishments

2016 – 2018 STRATEGIC PLAN ACHIEVEMENTS

	Task/Action Item
✓	<p>Diversity Council Outreach</p> <ul style="list-style-type: none"> ▪ Develop promotional rack card for distribution to employees as constant promotion of the Council and its mission ▪ Design promotional roving banner for placement in work site locations and events ▪ Participate and support internal diversity programs
✓	<p>Conduct comprehensive employee survey to determine progress in promoting core values of diversity and inclusion</p> <p>Prepare and conduct survey for employees to complete and submit for analyzing and reporting results to Commission employees at the celebration on May 3, 2017</p>
✓	<p>Develop new member orientation for new Council members</p> <p>Develop appropriate and purposeful orientation for new members including mission, roles, responsibilities and review of operating procedures manual</p>

QUESTIONS? COMMENTS. THANK YOU!





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

January 10, 2018

TO: The Commission

VIA: Patricia C. Barney, Executive Director

FROM: Anju A. Bennett, Corporate Policy and Management Operations Division Chief
Mike Beckham, Corporate Policy Manager

SUBJECT: Proposed Amendments to M-NCPPC Administrative Practice 5-70A, *Financial Disclosure*

Requested Action

The Commission is asked to consider proposed amendments to Administrative Practice 5-70A, *Financial Disclosure*. Consistent with the Maryland Public Ethics Law and the agency's commitment to accountability, this policy explains requirements for completion of financial disclosure statements. More specifically, the policy requires designated positions to file an annual financial disclosure statement and states similar requirements placed on Commissioners by State law.

The Policy has been amended to:

- (i) Clarify State law on required filings by Commissioners;
- (ii) Clarify which employee positions are required to file a Financial Disclosure Statement; and,
- (iii) Require filing of financial disclosure statements by designated positions at the time of appointment/hire; when appointed to act in a covered position for 60-days or more; and at termination.

Policy amendments, as presented in Attachment B, were developed with input from Department Heads, comments received during the departmental review period, and the General Counsel's Office. The drafted amendments were presented to, and supported by the Executive Committee. Comments submitted during the general comment period are provided for informational purposes as Attachment C.

Upon adoption by the Commission, this Practice will be finalized and distributed, as appropriate.

Attachments:

- A. Summary Chart of Key Amendments to Administrative Practice 5-70A, Financial Disclosure
- B. Draft of Proposed Amendments to Administrative Practice 5-70A, Financial Disclosure (presented for adoption)
- C. Analysis of Submitted Departmental Comments on Revisions to Administrative Practice 5-70A, Financial Disclosure (information purposes only)

Summary Chart of Key Amendments to Administrative Practice 5-70A, Financial Disclosure

Attachment A

Policy Section	Existing Policy Provisions	Proposed Amendments
<p>Clarification: Policy [Statement] (See: Draft, pg. 3)</p>	<p>The current policy statement emphasizes the M-NCPPC's commitment to public accountability and transparency.</p>	<p>The statement has been expanded to remind individuals that notwithstanding the requirements of this Practice, individuals are expected to comply with responsibilities and requirements outlined in other applicable ethics standards and policies.</p>
<p>Clarification: Financial Disclosure Requirements for Department Heads & Identified M-NCPPC Positions (See: Draft Practice 5-70A, § II(A)(2), pg. 7)</p>	<p>The current policy lists specific employee positions like department heads and other senior-level positions required to file annual financial disclosures.</p>	<p>The list has been expanded to include <u>additional</u> positions that must regularly file due their decisions or policy recommendations pertaining to areas such as procurement/contracting, administering grants/subsidies, or planning. Please <u>Note</u>: Most added positions are already being asked to file, and are analogous to positions required to file in County agencies. These additional positions are:</p> <ul style="list-style-type: none"> • Deputy Department Head level positions; • Inspector General and Inspectors within the OIG; • The Chief Information Officer; • Division Chiefs; • Attorneys; and • Risk and Policy Managers.
<p>Clarification: Other M-NCPPC Positions Which May Be Designated by the Department Heads (See: Draft Practice 5-70A, § II(A)(3), pg. 10)</p>	<p>The current policy permits Department Heads to identify additional positions to file when he/she believes the position significantly influences M-NCPPC actions pertaining to:</p> <ul style="list-style-type: none"> • Planning • Budget, • Finance, • Land use, or • Land acquisition. 	<p>The list of responsibilities which trigger the financial disclosure filing has been clarified. Department Heads will designate any <u>position</u> which significantly influences M-NCPPC actions, through decisions or recommendations, pertaining to:</p> <ul style="list-style-type: none"> • Procurement or contracting; • Administering grants or subsidies; • Planning (or otherwise regulating land use) or zoning; • Policy or planning decisions which impact the financial interest(s) of third-parties. • Land acquisitions or dispositions, land development and facility planning of Commission assets, whether owned or managed; or • Other decisions with significant economic impact. <p>Designated positions may include those which are assigned to serve on a board or foundation, in their official capacity as a M-NCPPC employee, because of the nature of their work assignment.</p>

Policy Section	Existing Policy Provisions	Proposed Amendments
<p>New Requirement Recommended by Dept. Heads:</p> <p>Filing by Designated Positions at Time of Hire and Termination; and for Acting Assignments Lasting 60+ Days</p> <p>(See: Draft Practice 5-70A, § II(B), pg. 12)</p>	<p>Current policy <u>does not</u> require designated M-NCPPC employee positions to file a Financial Disclosure Statements at time of hire or at termination. It also does not address filing of disclosures by individuals in an acting capacity for a position which would otherwise be required to file a disclosure.</p>	<ul style="list-style-type: none"> • <u>Add Requirement for Designated M-NCPPC Employee Positions to File Financial Disclosure Statement at Time of Hire and at Termination</u> This requirement pertains to M-NCPPC employees and all Department Heads. If Disclosure is not completed at the time of separation, the individual's final pay check may be withheld, in appropriate circumstances. <u>Please note</u>: this does not apply to Commissioners, as they have separate requirements to conform with State law. • <u>Add Requirement for Filing of Disclosure Statement by M-NCPPC Employees Designated to Serve in an Acting Capacity</u>: Any employee appointed to a designated position for 60 days or more must file a Financial Disclosure Statement within 30 days after the appointment.
<p>Clarification:</p> <p>Financial Disclosure Requirements for Commissioners</p> <p>(See: Draft Practice 5-70A, § III(A), pg. 14)</p>	<p>The current policy states Commissioners must file their Financial Disclosure Statement on or before April 15th of each year with the following entities:</p> <ul style="list-style-type: none"> • State Ethics Commission; • Executive Director; and • Chief Administrative Officer of their respective county. 	<p>Incorporate State law requirements for required filings by Commissioners. Please note the first two bullets have been in place for some time, and are already being followed by Commissioners. The last item is based on more recent updates to State law.</p> <ul style="list-style-type: none"> • Commissioners shall file their Financial Disclosure Statement electronically with the State Ethics Commission by April 30th of each year. • Each Commissioner is to send a copy of the electronically filed Financial Disclosure Statement to the Chief Administrative Officer of the county from which the Commissioner is appointed. <p>In <u>Montgomery County Only</u>, each Commissioner must also submit a copy of the Financial Disclosures Statement to the County Council. (Requirement does not exist for Prince George's County)</p>
<p>Clarification:</p> <p>Filing for Newly Appointed Commissioners and Leaving Office</p> <p>(See: Draft Practice 5-70A, § III(B), pg. 15)</p>	<p>The current policy does not address the State law requirements pertaining to filing by newly appointed Commissioners, and those leaving their Office.</p>	<p>Requirements have been embedded. Additionally, the policy clarifies that Commissioners forward to the Executive Director a copy of the Financial Disclosure Statement which was completed:</p> <ul style="list-style-type: none"> • During the application process (30-day window provided); and • At the time of leaving Office (60-day window provided).

**Proposed Amendments to
Administrative Practice 5-70A, Financial Disclosure**

Key to Policy Amendments

Grey Highlights: Proposed amendments.

Strikeout: Proposed deletions.

Italics: Notes to Draft Reviewers.

Note to Draft Reviewer: "M-NCPPC" has been substituted for "Commission", when the intended application is to the agency rather than the governing body of the agency.

AUTHORITY This Practice was initially approved by the Commission on March 18, 1992. This Practice was last amended on [date to be inserted] by the [approving body to be inserted].

**PURPOSE &
BACKGROUND** The purpose of this Practice is to ensure compliance with the Maryland Public Ethics Law to prevent the potential for conflicts of interest and to communicate the Agency's commitment to public accountability. This Practice establishes specific rules for the disclosure of certain financial information by Commissioners and designated key Commission M-NCPPC personnel as required by State Law. This Practice establishes the individuals who are required to file Financial Disclosures, with whom the disclosures are required to be filed, and the uses to which the Financial Disclosures can be put once filed.

This Practice was initially implemented in 1992, when it replaced, rescinded, and consolidated This Practice rescinds former Administrative Practices 5-70, Financial Disclosure and 5-71, Financial Disclosure by Commission Officers, Department Heads, and Certain Other Employees.

Since its inception, this Practice has been amended as follows:

- March 18, 2015: Updated filing requirements for Commissioners to file online with the State Ethics Commission and send two (2) printed copies to the Executive Director's Office.
- [date to be inserted]: Updated to clarify filing requirements for those positions designated to file Financial Disclosure Statements, and incorporate other minor amendments and clarifications.

REFERENCES

- General Provisions Article 40A, Section 6-203, Title 5, Maryland Public Ethics Law, Subtitle 6, Financial Disclosure, Annotated Code of Maryland;
- Division II, Land Use Article, Article 28, Section 2-115, Annotated Code of Maryland;
- Relevant Conflict of Interest provisions include the following:
- M-NCPPC Administrative Practice 2-14, "Non-Commission Employment,"
- M-NCPPC Administrative Practice 2-24, Ethics
- M-NCPPC Administrative Practice 2-72, "Conditions for Acceptance of Awards from Outside the Commission,"
- M-NCPPC Administrative Practice 4- 10, "Purchasing," and

- Merit System Rules & Regulations, Chapter 1900 (Workplace Conduct and Discipline) 1625 and 1629.
- State of Maryland, State Ethics Commission, Financial Disclosure Form-

APPLICATION

This Practice applies to all Commissioners positions as described in this policy. Department Heads and High Level Management listed herein any employee required by his or her Department Head to file a Financial Disclosure and any other employee, whether required to file or not, who has an actual or perceived conflict of interest. (**Note to Draft Reviewer:** Text has been stricken as new language summarizes these positions more succinctly.)

Note to Draft Reviewer: The Definitions section has been moved up from its previous placement, to standardize formatting with other agency policies.

DEFINITIONS

For the purposes of this Practice, the following terms shall have the meanings indicated:

The Commission: The governing body of the Maryland-National Capital Park and Planning Commission, which is comprised of five members from each of the agency's two Planning Boards for Montgomery County and Prince George's County.

Commissioners: Members of the Commission.

The Maryland-National Capital Park and Planning Commission: The organizational entity. For purposes of this Practice, the terms "M-NCPPC" or "agency" shall be used to reference the organizational entity.

The Maryland State Ethics Commission: A 5-member Commission composed of private citizens who are appointed by the Governor and responsible for administering the Maryland Public Ethics Law with respect to all State officials. The State Ethics Commission oversees the Maryland State Financial Disclosure system and issues the Financial Disclosure Statement forms which are utilized by this agency.

~~(1)~~ **Conflict of Interest:** Shall include any circumstances which interfere with, appear to interfere with, or have the potential to interfere with, the impartiality and independent judgment of a Commissioner, Appointed Officer, Department Head, or employee. (**See also:** Maryland Code, Land Use Art., § 15-120, *et seq.*; and Maryland Code, General Provisions Art., §§ 5-501 and 5-502).

~~(2)~~ **Financial Interest** means the following

- (1) Ownership of any interest as the result of which the owner has received within the past three years, or is presently receiving, or in the future is entitled to receive, more than \$1,000 per year.

- (2) Ownership, or the ownership of securities of any kind representing or convertible into ownership, of more than 3 percent of a business entity.

(3) **Immediate Family** shall mean the spouse, parent, brother, sister, and children of an individual required to file under this practice.

(4) **Financial Disclosure Statement**: shall mean a financial disclosure statement prepared on the form provided completed annually to meet the requirements of this policy. by the Office of the Executive Director. It shall be available for public inspection if requested, under the Maryland Public Information Act. (**Note to Draft Reviewer**: this definition has been reworded for clarity, and the last sentence was stricken as it is covered under Section III, Maintenance of Financial Disclosure Records).

POLICY

The Commission, Consistent with the Maryland Public Ethics Law and our commitment to public accountability, the M-NCPPC along with the State of Maryland and Montgomery and Prince George's Counties, recognizes that our system of representative government is dependent in part upon the public maintaining the highest trust in their public officials and employees, and that the public have a right to know and be assured that the impartiality and independent judgment of people public officials and employees will be maintained. To help ensure accountability and awareness of conflicts of interest, this Practice outlines the requirements for completion of Financial Disclosure Statements by individuals whose employment or office puts them in a position of influencing decisions that might benefit parties doing business with, or seeking approval from, the M-NCPPC. (**Note to Draft Reviewer**: The preceding sentence incorporates existing provisions which have been reorganized.)

Notwithstanding the requirements of this Practice, individuals are expected to comply with responsibilities and requirements outlined in other applicable ethics standards and policies.

CONSTRUCTION

The Commission M-NCPPC intends that this Practice to be liberally construed to accomplish its purpose. The requirements of the this Practice shall in all respects be consistent with and no less stringent than the standards and requirements of the Maryland Public Ethics Law, General Provisions Article, Title 5; and Article 40A and Article 28 of the Division II of the Land Use Article, Annotated Code of Maryland. Therefore, this Practice should be construed in favor of disclosure. If there is any question as to whether or not an item is required to be disclosed, individuals the Commissioner or employee, as a matter of course, should include the item in their required Financial Disclosure Statement.

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1
2 **I. Financial Disclosure Requirements Generally**

3 This Practice identifies positions which must complete Financial Disclosure Statements. Specific
4 requirements on timing and submission of disclosures are outlined in the relevant sections below.

- 5
- 6 • Financial Disclosure Statements cover the calendar year immediately preceding the year of filing.
 - 7
 - 8 • ~~Every employee listed herein and every Commissioner shall complete a Financial Disclosure Statement~~
9 ~~on or before April 15th of each year on forms provided by the Executive Director.~~ (**Note to Draft**
10 **Reviewer:** Deleted text has been incorporated in the relevant sections on filing requirements.)
 - 11
 - 12 • The Executive Director shall issue instructions on the filling of annual Financial Disclosure Statements
13 ~~make appropriate forms~~ available no later than thirty days prior to the filing deadline of each year.
 - 14
 - 15 • The Financial Disclosure Statement for employees shall require disclosure of information and interests,
16 if known, for the applicable period pertaining to:
 - 17 ○ Interests in real property;
 - 18
 - 19 ○ Interests in corporations and partnerships;
 - 20
 - 21
 - 22 ○ Interests in business entities doing business with the State, the M-NCPPC, Montgomery County, or
23 Prince George’s County;
 - 24
 - 25 ○ Gifts;
 - 26
 - 27 ○ Employment by or interest in businesses entities doing business with the State, the M-NCPPC,
28 Montgomery County, or Prince George’s County;
 - 29
 - 30 ○ Indebtedness to entity doing business with the State, the M-NCPPC, Montgomery County, or
31 Prince George’s County;
 - 32
 - 33 ○ Family members employed by the State, the M-NCPPC, Montgomery County, or Prince George’s
34 County; and
 - 35
 - 36 ○ Sources of earned income.
 - 37
 - 38 • All Financial Disclosures are to be available for public inspection upon request. See: Section III,
39 Maintenance of Financial Disclosure Records.
 - 40
 - 41 • The filing of Financial Disclosure Statements does not relieve employees from other applicable
42 disclosures which may exist including, but not limited to:
 - 43 ○ The receipt of certain gifts pursuant to Administrative Practice 2-24, *Ethics (Gifts)*
 - 44

- Outside employment and participation in Non-Commission business pursuant to Administrative Practice 2-14, *Non-Commission Employment and Non-Commission Business*.

(Note to Draft Reviewer: The following deleted text has been incorporated within the Section titled, Maintenance of Financial Disclosure Records, below.) ~~The Executive Director shall maintain a list of the name and home and business addresses of all persons examining or copying such statements, as well as the name of the person whose statement was examined.~~

(Note to Draft Reviewer: The following sentence has been moved to the opening Policy statement, above.) ~~The purpose of this Practice is to provide a method for oversight of Commissioners and Commission employees whose employment puts them in a position of influencing decisions that might benefit individuals doing business with the Commission or seeking approval from the Commission.~~

(Note to Draft Reviewer: The following text has been incorporated in Section III, *Financial Disclosure Requirements for Commissioners*, below.)

WHO MUST FILE

NOTE: ~~Based on discussion during the March 18, 2015 Commission meeting, Commissioners are directed to complete a Financial Disclosure Form as provided online annually by the State Ethics Commission, and send two printed copies of their Form to the Executive Director's Office. The Executive Director's Office will forward the form to the Chief Administrative Officer for the respective County, and keep a copy for M-NCPPC records.~~

Recommended Clarification on Positions Required to File Financial Disclosure Statements

Department Heads were asked to consider whether the existing list of positions should be expanded based on the types of duties typically carried out.

Department Heads' Recommended:

Department Heads recommend adding the following positions for required filers of financial disclosures. Many of these positions already complete a disclosure and are consistent with positions typically required to file in County and State agencies.

- a. Deputy Department Head level positions,
- b. Inspector General and Inspectors within the OIG,
- c. The Chief Information Officer.
- d. Division Chiefs,
- e. Attorneys,
- f. Risk and Policy Managers, and
- g. Any position which makes policy or planning decisions which impact the financial interest(s) of third-parties.

The Executive Committee supported the recommendation.

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II. Financial Disclosure Requirements for Designated M-NCPPC Positions

A. Designated M-NCPPC Positions Officers, Department Heads, and High Level Management

The following individuals must complete a Financial Disclosure Statement Form as provided annually by the Executive Director:

1. Appointed Officers

Appointed Officers of the M-NCPPC include the Executive Director, Secretary-Treasurer, General Counsel.

- In-addition to filing with the Executive Director, All Appointed Officers and the Assistant Executive Director shall file their completed Financial Disclosure Statement Forms with the Chairman of the Commission Chair by April 30th of each year. (**Note to Draft Reviewer:** Text has been moved from its prior placement at the end of the new subsection A(2), below.)
- The Secretary-Treasurer and General Counsel shall also forward a copy of their completed Financial Disclosure Statement to the Executive Director by April 30th.
- Executive Director
- Secretary-Treasurer
- General Counsel

2. Department Heads and Identified Positions

The following positions shall file a Financial Disclosure Statement with the Executive Director by April 30th of each year:

- Department Heads and Deputy-Department Heads including:
 - ~~○ Assistant Executive Director~~
 - Director of Planning, Montgomery County
 - Deputy Director(s) of Planning, Montgomery County
 - Director of Planning, Prince George’s County
 - Deputy Director(s) of Planning, Prince George’s County
 - Director of Parks and Recreation, Prince George’s County
 - Deputy Director(s) of Parks and Recreation, Prince George’s County
 - ~~Associate Director(s) of Parks and Recreation, Prince George’s County~~
 - Director of Parks, Montgomery County
 - Deputy Director(s) of Parks, Montgomery County
 - ~~Associate Director(s) of Parks, Montgomery County~~
- Inspector General and Inspectors within the Office of the Inspector General
 - Chief Information Officer
 - Attorneys (as designated by the General Counsel)
 - Division Chiefs
 - Finance Manager (Audit) (**Note to Draft Reviewer:** The Audit Finance Manager has been absorbed by the Office of the Inspector General.)
 - Corporate Policy Manager
 - Risk Manager

~~Completed Financial Disclosure Statements for these individuals must be filed with the Executive Director on or before April 15th of each year. In addition to filing with the Executive Director, all Officers and the Assistant Executive Director shall file their completed Financial Disclosure Statements with the Chairman of the Commission.~~ (**Note to Draft Reviewer:** The paragraph immediately preceding has been stricken and incorporated into Section II(A)(1), Appointed Officers, above.)

Note to Draft Reviewer: The following section has been moved to new Section IV, below.

Employees' Retirement System

The following individuals shall complete a Financial Disclosure Form as provided annually by the Executive Director:

- Retirement System Administrator
- Voting members of the M-NCPPC Employees' Retirement System Board of Trustees
- Any other employee of the M-NCPPC Employee's Retirement System who, in the opinion of the Retirement System Administrator, is in a position to significantly influence any financial decision of the Employees' Retirement System

Completed Financial Disclosure Forms for these individuals must be filed with the Chairman and the Executive Director on or before April 15th of each year.

Recommended Clarification on Other Positions Which May be Designated by the Department Heads as Required to File Financial Disclosure Statements

Department Heads were asked to consider adding additional language to the responsibilities which trigger an employee to file a Financial Disclosure Statement.

Department Heads' Recommended:

Department Head's recommended clarifying responsibilities which trigger the financial disclosure an employee to file a Financial Disclosure Statement as follows:

Department Heads will designate any position which significantly influences M-NCPPC actions, through decisions or recommendations, pertaining to:

- Procurement or contracting;
- Administering grants or subsidies;
- Planning (or otherwise regulating land use) or zoning;
- Policy or planning decisions which impact the financial interest(s) of third-parties.
- Land acquisitions or dispositions, land development and facility planning of Commission assets, whether owned or managed; or
- Other decisions with significant economic impact.

Designated positions may include those which are assigned to serve on a board or foundation, in their official capacity as a M-NCPPC employee, because of the nature of their work assignment.

The Executive Committee supported the recommendation.

1 3. Other Positions Which May Be Designated by the Department Head

2 **Employees Required to File Annually**

3 ~~Employees whose position,~~ Certain positions may be designated by the Department Head as required
4 to file Financial Disclosure Statements. These positions are those which in the opinion of the
5 Department Head, significantly influences M-NCPPC ~~Commission~~ actions through decisions or policy
6 recommendations, pertaining to: ~~budget, finance, land use, or land acquisition:~~

- 7
- 8 • Procurement or contracting;
 - 9
 - 10 • Administering grants or subsidies;
 - 11
 - 12 • Planning, zoning or otherwise regulating land use;
 - 13
 - 14 • Policy or planning decisions which impact the financial interest(s) of third-parties. (**Note to**
15 **Draft Reviewer:** Provision was updated with input from Legal.)
 - 16
 - 17 • Land acquisitions or dispositions, land development and facility planning of Commission assets,
18 whether owned or managed; or
19 (**Note to Draft Reviewer:** Provision was updated with input from Legal.)
 - 20

- Other decisions with significant economic impact.

Designated positions may include those which are assigned to serve on a board or foundation, in their official capacity as an Commission employee. (Note: Notwithstanding the requirements of this Practice, an employee who serves on external boards or foundations, which are not related to their official capacity as a Commission employee, may still be required to disclose such activity, pursuant to Administrative Practice 2-14, *Non-Commission Employment and Non-Commission Business*.)

Individuals holding such designated positions shall file ~~must also complete~~ a Financial Disclosure Statement Form ~~as provided annually by the Executive Director~~ with their Department Head, by April 30th of each year.

~~Completed Financial Disclosure Forms for these individuals must be filed with the employee's Department Head on or before April 15 of each year.~~

Each Department Head shall submit to the Executive Director ~~within five (5) business days following~~ ~~or before~~ April 30th of each year:

- A list of the employees who have ~~submitted the required~~ Financial Disclosures ~~on file~~, as well as
- A list of employees ~~those from whom s/he has requested, but~~ who have not ~~submitted their completed~~ ~~received~~ Financial Disclosure Statement Forms.

~~**Employees' Retirement System**~~ - (~~**Note to Draft Reviewer:**~~ Content has been moved to a new section - Section IV, Financial Disclosure Requirements for Designated Employees' Retirement System (ERS) Positions - below.)

~~The following individuals shall complete a Financial Disclosure Form as provided annually by the Executive Director:~~

- ~~• Retirement System Administrator~~
- ~~• Voting members of the M-NCPPC Employees' Retirement System Board of Trustees~~
- ~~• Any other employee of the M-NCPPC Employee's Retirement System who, in the opinion of the Retirement System Administrator, is in a position to significantly influence any financial decision of the Employees' Retirement System~~

~~Completed Financial Disclosure Forms for these individuals must be filed with the Chairman and the Executive Director on or before April 15th of each year.~~

Recommended New Requirement on Filing by Designated Positions at Time of Hire/Termination; and for Acting Assignments Lasting 60+ Days

Department Heads were asked to consider additional language to address the filing of Financial Disclosure Statements by designated positions at the time of hire and termination; and for individual acting in a covered position or 60 or more days.

Department Heads' Recommended:

Department Heads supported the following amendments:

- Add Requirement for Designated M-NCPPC Employee Positions to File Financial Disclosure Statement at Time of Hire and at Termination

This requirement pertains to M-NCPPC employees and all Department Heads. If Disclosure is not completed at the time of separation, Department Heads recommended the individual's final pay check may be withheld, except in extenuating circumstances; however, the language was later modified to state the final paycheck may be withheld in appropriate circumstances.

Please note: this does not apply to Commissioners, as they have separate requirements to conform with State law.

- Add Requirement for Filing of Disclosure Statement by M-NCPPC Employees Designated to Serve in an Acting Capacity: Any employee appointed to a designated position for 60 days or more must file a Financial Disclosure Statement within 30 days after the appointment.

The Executive Committee supported the recommendation.

B. Required Filings for New Hires/Appointees, for Individuals Serving in Acting Positions, and Upon Termination

1. Newly-Hired/Appointed Individuals Holding Designated M-NCPPC Positions

Any newly-hired/appointed individual holding an M-NCPPC position designated as having to file a Financial Disclosure Statement pursuant to subsections I(B), above, shall file the statement with the appropriate office at the time of hire. This requirement shall be included in job advertisement, and communicated and monitored, by the hiring department.

2. Individuals Assigned to Serve in an Acting Role for 60 Days or More

Individuals placed in an acting role for an M-NCPPC position otherwise required to file a Financial Disclosure Statement pursuant to subsections I(B), shall file a Financial Disclosure Statement, when their acting assignment is anticipated to last 60 days or greater. The individual shall submit the completed Financial Disclosure Statement within 30 days of the acting assignment.

3. Individuals Leaving Designated M-NCPPC Positions

Any individual who leaves a position required to file a Financial Disclosure Statement pursuant to subsections I(B), above, shall file the statement with the appropriate office during the close-out process, prior to separation. Failure to file a required disclosure form upon separation may result in the delay or withholding of a final paycheck in appropriate circumstances. This requirement shall be

1 communicated and monitored by the hiring department.

2
3 ~~All Other Employees~~ Any employee, whether s/he has filed a financial disclosure or not, has an
4 ongoing responsibility to guard against real or perceived conflicts of interest and must immediately
5 report any real or potential conflict to the Department Head. (**Note to Draft Reviewer:** Subsection has
6 been removed as it is redundant with language found in (II)(D) Ongoing Obligations to Disclose Conflicts
7 of Interest; All Other Employees.)

8
9 **C. Ongoing Obligations to Disclose Conflicts of Interest** **EMPLOYEE OBLIGATIONS**

10 ~~Conflict of Interest~~ Designated positions a Commissioner or employee filing a Financial Disclosure
11 pursuant to this Practice shall have a continuing responsibility to guard against conflicts of interest,
12 whether real or perceived.

13
14 Filing a Financial Disclosure Statement shall not relieve an individual of the responsibility to immediately
15 disclose and provide appropriate notification as soon as a situation of actual or potential conflict arises.
16 (**Note to Draft Reviewer:** This is not a new concept; has been moved from Section II(C)(2), below.)

17
18 The following procedures shall apply:

19
20 1. Appointed Officers and Department Heads

21 Appointed Officers and Department Heads shall advise the Chairman of the Commission in writing
22 whenever a real or potential conflict of interest arises. The Department Heads shall also advise their
23 respective Planning Board Chair. The Commission shall then determine in executive session whether to
24 permit that individual to continue participation in the matter in question or to require the Appointed
25 Officer or Department Head to recuse himself or herself from further participation. The matter's
26 resolution shall be placed with the applicable Financial Disclosure Statement Form.

27
28 2. All Other Employees Required to File Disclosures

29 An employee shall advise his/her Department Head, in writing, whenever she/he believes that such a
30 conflict of interest may exist or arise. ~~The filing of the Financial Disclosure statement shall not relieve~~
31 ~~the employee of the responsibility to notify the Department Head as soon as a situation of actual or~~
32 ~~potential conflict arises.~~ (**Note to Draft Reviewer:** The preceding sentence has been stricken and
33 incorporated into the opening of Section II, Ongoing Obligation to Disclose Conflicts of Interest, above.)

34
35 Once a Department Head has been apprised of a real or potential conflict of interest, the Department
36 Head shall determine whether that employee may continue to participate in the matter in question or
37 must excuse him or herself from further participation. Both the employee's notification and the
38 Department Head's determination shall be included with the Financial Disclosure Statement Form if
39 applicable, or in a separate file which must be made available for public inspection upon request.

40
41 **D. ENFORCEMENT**

42 ~~Employees~~ Any employee subject to the provisions of this Practice who is found to have violated its
43 provisions, either by failure to file or by engaging in prohibited activity is subject to disciplinary action by
44 his/her supervisor, including termination, suspension with or without pay, or other disciplinary action as
45 may be warranted.

Recommended Clarification on State Financial Disclosure Filing Requirements for Commissioners

Department Heads were asked to consider clarifying language on the Financial Disclosure Statement filing requirements for Commissioners to better reflect State ethics law.

Department Heads' Recommended:

Department Heads supported incorporating State law requirements for required filings by Commissioners to include:

Please note: The first two bullets have been in place for some time, and are already being followed by Commissioners. The last item is based on more recent updates to State law.

- Commissioners shall file their Financial Disclosure Statement electronically with the State Ethics Commission by April 30th of each year.
- Each Commissioner is to send a copy of the electronically filed Financial Disclosure Statement to the Chief Administrative Officer of the county from which the Commissioner is appointed.

In Montgomery County Only, each Commissioner must also submit a copy of the Financial Disclosures Statement to the County Council. (Requirement does not exist for Prince George's County)

Department Heads and the Executive Committee supported that the Planning Board Administrators is to assist with sending required copies to the appropriate County recipients and Executive Director.

The Executive Committee supported the recommendation.

27

28 **III. Financial Disclosure Requirements for Commissioners**

29

30 **Note:** This Section is set forth for the reader's convenience only as a restatement of the Maryland Code
 31 applicable as of the date this Practice was promulgated. It shall not be interpreted or deemed to impose any
 32 substantive legal standard, obligation or requirement, and readers are advised accordingly to consult the
 33 Maryland Code directly for a reading of the current law.

34

35 **A. Requirements for Filing Annual Financial Disclosure Statements by Commissioners**

36

37 All Commissioners must complete a Financial Disclosure Form as provided annually by the Executive Director.
 38 Commissioners' completed Financial Disclosure Forms shall be sent directly to the following offices on or
 39 before April 15 of each year:

40

41 • The Executive Director

42 • The State Ethics Commission

43 • The Chief Administrative Officer of the County from which the Commissioner was appointed.

44

1 State law requires the following Financial Disclosure submissions by April 30th of each year:

- 2
- 3 1. Each Commissioner: Financial Disclosure Statements must be filed electronically with the State Ethics
- 4 Commission.
- 5
- 6 2. Each Commissioner: A printed copy of the filed Disclosure Statement must be submitted to the Chief
- 7 Administrative Officer of the County from which the Commissioner is appointed.
- 8
- 9 3. For Montgomery County Commissioners only: A printed copy of the filed Disclosure Statement must be
- 10 submitted to the to the Montgomery County Council.
- 11

12 To assist with filing requirements, each Planning Board administrator shall compile copies of the completed

13 Financial Disclosure Statements from the respective Commissioners and forward complete sets to comply

14 with County submissions outlined above. One additional set shall also be forwarded to the Executive

15 Director within 5 business days of the April 30th deadline.

Recommended Clarification on State Filing Requirements for Newly Appointed Commissioners and Commissioners Leaving Office

Department Heads were asked to consider clarifying language on the Financial Disclosure Statement filing requirements for newly appointed Commissioners, and those leaving their Office, to better reflect State ethics law.

Department Heads' Recommended:

Department Heads supported incorporating State law requirements for required filings by Commissioners. Additionally, the policy clarifies that Commissioners forward to the Executive Director a copy of the Financial Disclosure Statement which was completed:

- During the application process (30-day window provided); and
- At the time of leaving Office (60-day window provided).

The Executive Committee supported the proposed amendments.

16

17 **B. Required Filings for Newly Appointed Commissioners and Commissioners Leaving Office**

18

19 1. Newly-Appointed Commissioners

20 Within 30-days of appointment to a Planning Board position, each Commissioner's Office is asked to

21 forward to the Executive Director a copy of the Financial Disclosure Statement which was completed

22 during the appointment process.

23

24 2. Commissioners Leaving Office

25 Within 60 days after leaving office, each Commissioner is to file a Financial Disclosure Statement for the

26 preceding year and any portion of the current calendar year during which the individual held office:

27

1 a) Each Commissioner: Financial Disclosure Statements must be filed electronically with the State Ethics
2 Commission.

3
4 b) Each Commissioner: A printed copy of the filed Disclosure Statement must be submitted to the Chief
5 Administrative Officer of the County from which the Commissioner is appointed.

6
7 c) For Montgomery County Commissioners only: A printed copy of the filed Disclosure Statement must
8 be submitted to the to the Montgomery County Council.

9
10 To assist with filing requirements, each Planning Board administrator shall forward completed Financial
11 Disclosure Statements to comply with County submissions outlined above. One additional set shall also
12 be forwarded to the Executive Director within 5 business days of the 60 day-deadline.

13
14 **Note to Draft Reviewer:** The following section has been amended to ensure consistency with State law and
15 recognize amendments as they occur.

16 **C. Ongoing Obligations to Disclose Conflicts of Interest by Commissioners**

17 Conflicts of interest shall be disclosed and handled pursuant to Maryland Code, Land Use Art., § 15-120(g).

18
19 A Commissioner is required by State Law to disclose a conflict of interest in a regular public meeting of the
20 Commission or the Planning Boards, and that disclosure shall appear in the minutes. A Commissioner shall
21 disqualify himself or herself and shall not participate in a decision or act which affects or appears to affect a
22 financial interest of the Commissioner.

23
24 **D. ENFORCEMENT**

25 ~~Commissioners~~ For Commissioners who fail to file a Financial Disclosure Statement, the State Ethics
26 Commission may issue a complaint against the Commissioner. Commissioners are subject to the provisions of
27 Maryland Code, Land Use Art., § 15-120(h) ~~Section 2-115, Article 28, Annotated Code of Maryland~~. The penalty
28 for violating that section of State Law is a misdemeanor conviction punishable by a fine of not more than
29 \$1,000 or six months in jail, or both, or by suspension from the Commission for not more than six months, or
30 by outright forfeiture and removal from office, or by any combination of these.

31
32 **IV. Financial Disclosure Requirements for Designated Employees' Retirement System (ERS) Positions (Note to Draft**

33 **Reviewer:** Section has been moved from its prior placement, above.)

34 The following positions shall complete a Financial Disclosure Statement Form as provided annually by the
35 Executive Director:

- 36
37
- Retirement System Administrator
 - Voting members of the M-NCPPC Employees' Retirement System Board of Trustees
 - Any other employee of the M-NCPPC Employee's Retirement System who, in the opinion of the Retirement System Administrator, is in a position to significantly influence any financial decision of the Employees' Retirement System
- 40
41
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1 Completed Financial Disclosure Statement Forms for these individuals must be filed by April 30th with the
2 Commission Chairman and the Executive Director on or before April 15th of each year.
3
4

5 **Note to Draft Reviewer:** Section V, titled "Maintenance of Financial Disclosure Records," incorporates the previous
6 "Records" and "Availability and Filing of Forms" sections.

7 V. Maintenance of Financial Disclosure Records

8 A. Availability for Review

9 All Financial Disclosure Statements filed pursuant to this Practice shall be maintained by the Executive
10 Director, and shall be made available for public inspection upon request during normal office hours for
11 examination and copying by the public, subject, however, to such reasonable fees as the Executive Director
12 may establish. (**Note to Draft Reviewer:** This paragraph has been moved from its prior placement within the
13 existing Availability and Filing of Forms section.)
14
15

16 Individuals wishing to examine or copy a statement must appear in person at the Executive Office Building
17 and register their names and home address, and the names of the persons whose statements they wish to
18 examine or copy.
19

20 A Commissioner or M-NCPPC employee who has a statement on file is entitled, upon request, to be notified
21 of the name and home address of anyone inspecting his/her Financial Disclosure Statement.
22

23 The Executive Director and Department Head shall maintain a list of the name and home and business
24 addresses of all persons examining or copying such statements, as well as the name of the person whose
25 statement was examined. (**Note to Draft Reviewer:** This paragraph has been moved from its prior placement
26 within the Requirements for Filing a Financial Disclosure Statement section.)
27

28 B. Preservation of Records

29 Any person individual subject to the provisions of this Practice shall obtain and preserve all accounts, bills,
30 receipts, books, papers, and documents necessary to complete and substantiate any reports, statements, or
31 records required to be made pursuant to this Practice for three years from the date of the filing of the
32 disclosure.
33

34 All Financial Disclosure Statements filed pursuant to this Practice shall be maintained by the Executive
35 Director or for employees required to file under Section II(A)(3), by the respective Department Heads with
36 whom they have filed.
37

38 The Executive Director and the Department Heads shall maintain records copies of the Financial Disclosures
39 with him/her for three years, at which time they shall be sent to Archives for permanent retention, pursuant
40 to the State-Approved Records Retention and Disposition Schedule. (**Note to Draft Reviewer:** The current
41 Records Retention and Disposition Schedule does indicate that Financial Disclosure Statements are to be
42 retained permanently. However, with upcoming revisions to the Retention Schedule, there is a potential
43 change in the retention time for statements. The word "permanent" in this sentence has been deleted to
44 indicate that, while the agency's Archives unit will retain statements, and the phrasing is ambiguous enough

1 to allow for revisions to the retention time.)

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~~**AVAILABILITY AND FILING OF FORMS**~~ All Financial Disclosure Statements filed pursuant to this Practice shall be maintained by the Executive Director, and shall be made available during normal office hours for examination and copying by the public, subject, however, to such reasonable fees as the Executive Director may establish. (**Note to Draft Reviewer:** Paragraph has been incorporated in the section titled Maintenance of Financial Disclosure Records, above.)

**Analysis of Submitted Departmental Comments on Revisions to
Administrative Practice 5-70A, *Financial Disclosure***

Following work sessions with Department Heads, proposed amendments were circulated for broader departmental comment. Policy Office responses are provided below. Comments did not result in the need for significant modifications to the draft Practice, however appropriate steps have been taken as indicated.

General

- 1. Comment/Question submitted by Montgomery Parks:** We recommend having the financial disclosure form in a digital format for easy access, submission and tracking. Paper copies take up space and are more prone to getting lost or landing in the hands of the wrong staff.

Policy Staff Response/Recommendation: The Policy Office will work with Legal and the Chief Information Officer to establish e-filing option for M-NCPPC employees who are required to file Financial Disclosure Statements.

I. Requirements for Filing Annual Financial Disclosure Statements

Subsection B. Designated M-NCPPC Positions

- 2. Comment/Question submitted by Montgomery Parks:** We recommend adding Executive Director of Park/Rec Foundations. This is different than someone being “assigned to service on a board or foundation” and as such, this person should submit his/her [Financial Disclosure Statement] to the ED.

Policy Staff Response/Recommendation: Pursuant to the State Ethics Law, the M-NCPPC can only require its own employees to file annual financial disclosure statements. Unless the executive director(s) of such foundations are M-NCPPC employees, the M-NCPPC lacks sufficient authority to require such disclosure. The amended Practice addresses the ability to require financial disclosures from our employees who are assigned to boards as part of their official duties with the MNCPPC.

I. Requirements for Filing Annual Financial Disclosure Statements

Subsection B. Designated M-NCPPC Positions

- 3. Comment/Question submitted by Montgomery Parks:** Clarify that the financial disclosures that aren’t required to be sent to the ED are kept with the Departments

Policy Staff Response/Recommendation:

The existing policy already explains disclosures are maintained by Department Heads. Please see below:

Section V(B), *Preservation of Records:*

All Financial Disclosure Statements filed pursuant to this Practice shall be maintained by the Executive Director or for employees required to file under Section II(A)(3), by the respective Department Heads with whom they have filed.

I. Requirements for Filing Annual Financial Disclosure Statements

Subsection D. Required Filings for New Hires/Appointees, for Individuals Serving in Acting Positions, and Upon Termination

4. **Comment/Question submitted by Montgomery Parks:** We recommend that [communicating and monitoring filings at the time of hire/when acting/at termination] be done during Commission orientation and filed/monitored at CAS. For those positions that are required to complete an FDS, this requirement should be included in the job advertisement.

Policy Staff Response/Recommendation:

Financial disclosures must be maintained by the department head who designates the positions which must file. Therefore, the appropriate office to administer this requirement is hiring department. Departments track employment decisions, ensure departmental on-boarding and the issuance of information technology, and conduct exit-interviews. The Department Heads agreed with this approach.

The hiring department should ensure that the filing requirement is placed in the job advertisement. This can be coordinated with the Recruitment and Selection Office. Language has been added to the Practice to explain this approach.

II. Ongoing Obligations to Disclose Conflicts of Interest

Subsection C. All Other Employees Required to File Disclosures

5. **Comment/Question submitted by Montgomery Parks:** Need clarification. Does this put the onus on all employees to advise the dept. head whether a conflict of interest has/may occur?

Policy Staff Response/Recommendation: The requirement pertains to employees who must file financial disclosures, as they have responsibilities where conflicts must be disclosed.

Other Agency policies cover general obligations all employees have regarding reporting known or suspected conflicts of interest. See, for example, Practice 3-31, *Fraud, Waste, and Abuse*, and Practice 2-14, *Non-Commission Employment and Non-Commission Business*.

III. Maintenance of Financial Disclosure Records

Subsection A. Availability for Review

6. **Comment/Question submitted by Montgomery Parks:** Home and business address or just home address? Page 13, line 42 just specifies home address.

Policy Staff Response/Recommendation: The comment pertains to the following text:

The Executive Director and Department Head shall maintain a list of the name and home and business addresses of all persons examining or copying such statements, as well as the name of the person whose statement was examined.

Pursuant to Maryland Code, General Provisions Article, § 5-827(b)(1), any person examining or copying a financial disclosure statement shall provide their home address alone, not their business address. The draft has

been modified to strike the words, “and business [address]”.

III. Maintenance of Financial Disclosure Records

Subsection B. Preservation of Records

- 7. Comment/Question submitted by Montgomery Parks:** It would be helpful to specify if these are original hard copies or if scanned/digital copies are sufficient.

Policy Staff Response/Recommendation: Individuals would forward their completed document. This may be an original or a copy (electronic or paper), based on specific requirements which pertains to different filers. The Practice has been amended to state “record” instead of “copies”.



ITEM 6f

ERP Upgrade

**Commission Briefing
Presented By: Reginald Dixon**

January 2018

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- Next Steps

Project Scope



The current ERP system for MNCPPC has been designated as end of life by the product vendor and is no longer supported. Therefore, the primary objective for the project is to remove the known critical risk of the operating ERP on an unsupported platform.

The scope for the ERP Upgrade project for MNCPPC is:

- Upgrade the Lawson 9.x ERP and all of its modules to Infor V10
- This will include the implementation of new modules that were either not available in Lawson 9.x or were not implemented during the initial implementation
- Re-engineering of business processes that are outdated due to changes in business needs and inefficiency.

Project Status



- RFP process complete; Vendor (RPI) selection complete
- Walker Drive lease agreement signature expected by January 12, 2017
- Onboarded two Business Analysts to the PMO team in December 2017
- Working with the Procurement team to execute the resource backfill plan
 - Interviews will begin by February 1, 2018
- Requested department subject matter expert (SME) resources from all four departments for requirements and testing
- Met with the Inspector General, Policy, and Legal departments to request SME help throughout the project lifecycle
- Targeting February 7, 2018 for project kickoff meeting

Scheduled Activities



- Round-1
 - Standardize templates and tools for information gathering
 - Meet w/ functional Subject Matter Experts (SME) from Finance, Procurement, and HR for requirements gathering
 - Analyze business processes
 - Identify process gaps and pain points
- Round-2
 - Meet w/ Dept. SME for requirement gathering
 - Review Round-1 analysis w/ Dept. SMEs
 - Validate and identify process gaps and pain points
- Round-3
 - Integrated project team performs requirements and process analysis
 - Develop “as-is” process model
 - Host requirements validation meeting with all stakeholders
 - Develop “to-be” process model

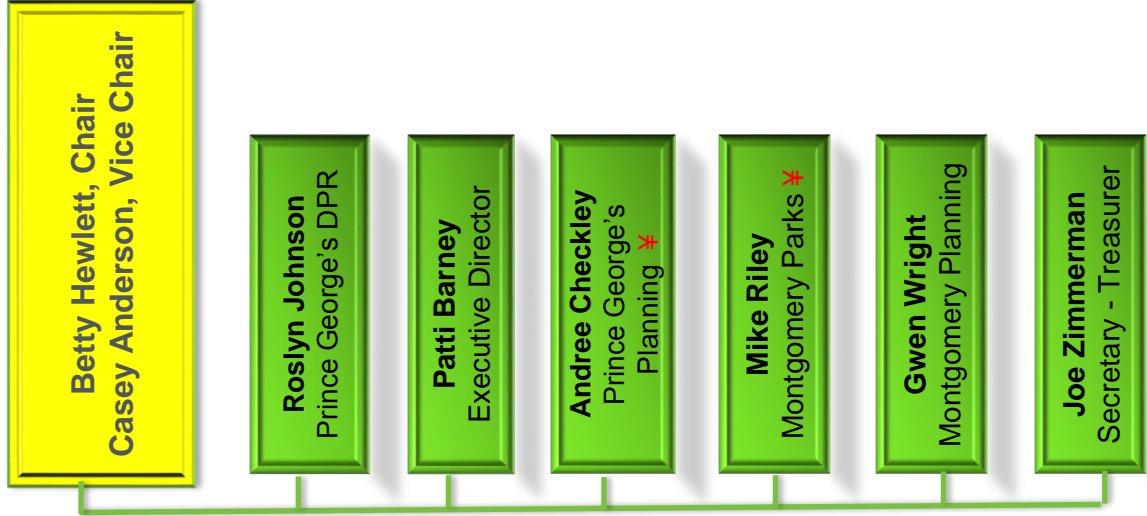
Project Risks



Risks / Issues	Impact	Action Proposed	Probability	Action Needed from Management
<p>Risk – Employee demographics (tenure & skillset) may present challenges to accepting newer technology and processes</p>	<ul style="list-style-type: none"> • Low user adoption • Continued or worsened inefficiencies around business process and technical understanding 	<ul style="list-style-type: none"> • Formalized and peer to peer training on new business processes and tools • Each department will identify functional SME to be trained 	High	<ul style="list-style-type: none"> • Champion department level training and cross training • Support efforts to standardize business process improvement
<p>Risk - Functional resources responsible for operations must be backfilled so that they can be dedicated to this effort during specified scheduled tasks</p>	<ul style="list-style-type: none"> • The project schedule will lag behind and completion dates will be missed if a project resource has to stop a project task to address an operational issue • Functional resources will not develop a working knowledge and understanding of the new tool or any new process 	<ul style="list-style-type: none"> • Develop a resource plan to cross-train current employees to help with backfill • Work with functional managers to give consideration to business cycles when developing the project scheduling • Investigate the feasibility of temporary resources to help maintain operational duties during the project lifecycles 	High	<ul style="list-style-type: none"> • Champion to the functional managers the idea of cross-training and the dedication of key resources to the project
<p>Risk - Decentralized organizational structure and culture leads to resistance to standardization of policy and procedures.</p>	<ul style="list-style-type: none"> • Inefficient processes and duplicative efforts • Inability to maximize value from Enterprise systems e.g. out-of-box features, requiring work-arounds 	<ul style="list-style-type: none"> • Coordinate similar functional areas across the Commission to identify opportunities for standardization related to the project <p>ERP Upgrade Project</p>	High	<ul style="list-style-type: none"> • Champion the project objectives of process standardization to Department Leadership and Functional Managers



Executive Sponsors



Y Confirmation forthcoming

1/10/2018

ERP Upgrade Project

Executive Sponsor Responsibilities



- Send out communications that raise awareness about the ERP Upgrade Project.
 - ERP Upgrade Project Newsletter
 - ERP Upgrade Project Status
- Speak at events to advocate for the ERP Upgrade Project and the future state of the Commission.
 - ERP Upgrade Project Kickoff
 - Department Staff Meetings
 - Commission Meeting
- Build and maintain a healthy coalition of leaders who support the ERP Upgrade Project.
 - Why is the ERP Upgrade Project necessary
 - Why now?
 - What happens if we do not do the project?
 - What are the consequences to the business or to me?

Next Steps

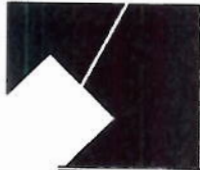


- Finalize punch list for Walker Drive
- Schedule interviews for backfill resources
- Develop and present a detailed project schedule following activities of Rounds 1-3
- Schedule Project Kickoff meeting for first week in February

**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
EMPLOYEE PERFORMANCE EVALUATIONS NOT COMPLETED BY DUE DATE
BY DEPARTMENT AS OF DECEMBER 2017**


	31 - 60 DAYS		61 - 90 DAYS		91 + DAYS		DEPARTMENT TOTALS	
	Nov-17	Dec 17	Nov-17	Dec 17	Nov 17	Dec 17	Nov-17	Dec-17
CHAIRMAN MONTGOMERY COUNTY	0	0	0	0	1	0	1	0
CHARIMAN, PRINCE GEORGE'S COUNTY	0	0	0	0	0	0	0	0
OFFICE OF CIO	0	0	0	0	0	1	0	1
INTERNAL AUDIT	0	0	0	0	0	0	0	0
EXECUTIVE COMMITTEE/CHAIRS	0	0	0	0	0	0	0	0
DEPT OF HUMAN RESOURCES & MGT	1	2	0	0	0	0	1	2
LEGAL DEPARTMENT	1	1	0	0	0	0	1	1
FINANCE DEPARTMENT	5	2	0	1	0	0	5	3
PRINCE GEORGE'S PLANNING	2	0	1	0	0	0	3	0
PRINCE GEORGE'S PARKS & RECREATION	8	7	6	5	0	0	14	12
MONTGOMERY COUNTY PARKS	6	4	1	4	0	0	7	8
MONTGOMERY COUNTY PLANNING	7	5	3	4	0	0	10	9
DEPARTMENT TOTAL BY DAYS LATE	30	21	11	14	1	1		
COMMISSION WIDE TOTAL							42	36

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

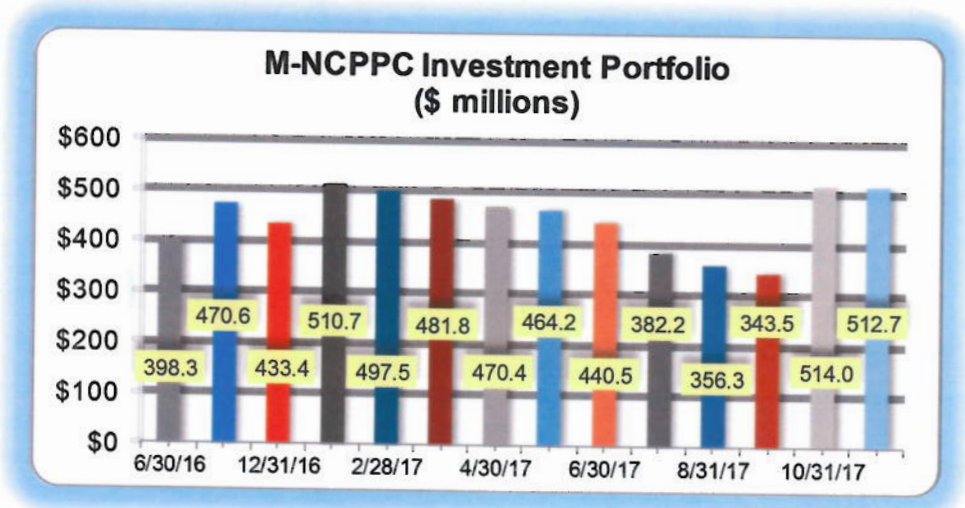


THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 TREASURY OPERATIONS, FINANCE DEPARTMENT
 6611 Kenilworth Avenue, Suite 302, Riverdale, MD 20737
 Telephone (301) 454-1541 / Fax (301) 209-0413

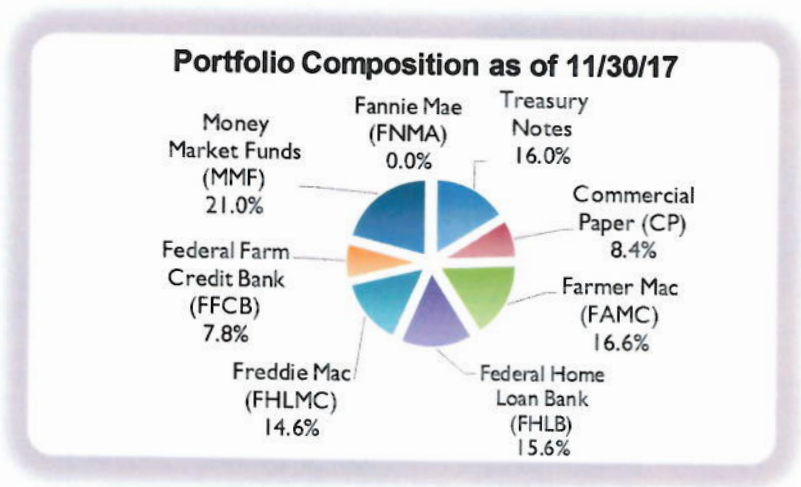
MEMO

TO: Commissioners
VIA: Joseph Zimmerman, Secretary-Treasurer
FROM: Abbey Rodman, Investment & Treasury Operations Manager 
DATE: 12/22/2017
SUBJECT: Investment Report – November 2017

The Commission’s pooled cash investment portfolio totaled \$512.7 million as of November 30, 2017, with a .3% decrease from October 31, 2017. Details are as follows:

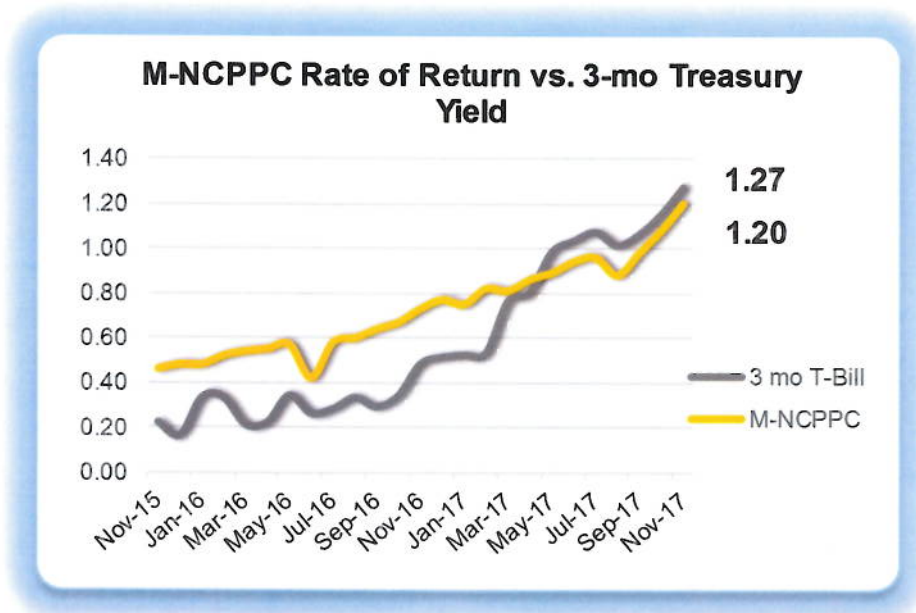


The composition of the pooled cash portfolio as of November 30, 2017 is summarized below:

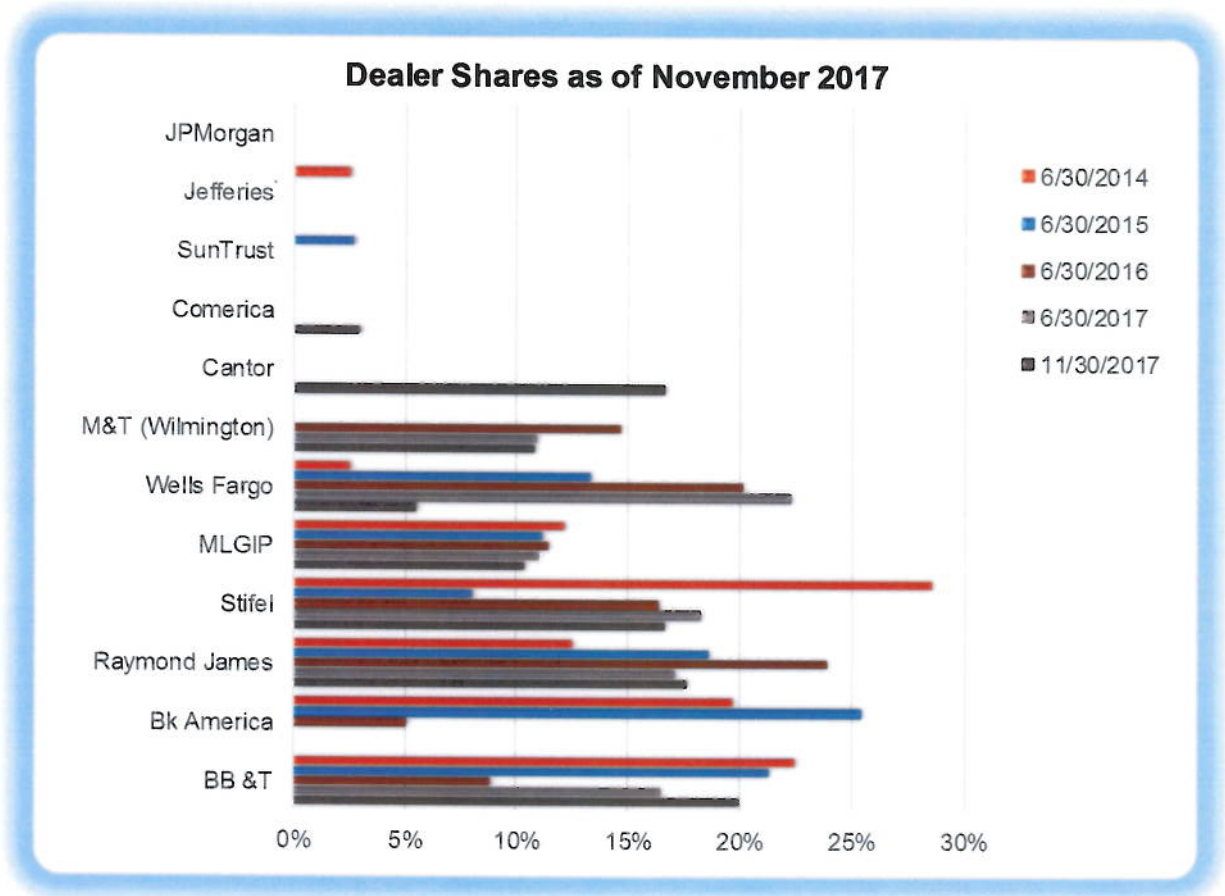


Current Investment Portfolio - November 2017				
Instrument	Policy Limit	Actual	Par Value	Wtd. Avg. Return (B/E)
Money Funds	25%	21%	\$ 107,728,386	n/a
Farmer Mac	20%	17%	85,000,000	1.23%
Treasury Notes	100%	16%	82,000,000	1.00%
Federal Home Loan Banks	20%	16%	80,000,000	1.29%
Freddie Mac	20%	15%	75,000,000	1.37%
Commercial Paper	10%	8%	43,000,000	1.73%
Federal Farm Credit Bureau	20%	8%	40,000,000	0.81%
Fannie Mae	20%	0%	-	
Certificates of Deposit	50%	0%	-	
Bankers Acceptances	50%	0%	-	
Repurchase Agreements	60%	0%	-	
			\$ 512,728,386	1.25%

The pooled cash portfolio complied with all policy limits with regard 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 - November 2017	
Prince George's County (PGC-2017A)	\$ 36,000,604
Montgomery County (MC-2017A)	4,140,541
	\$ 40,141,145

The Commission had debt service payments during the month totaling \$2,864,589, of which \$2,280,000 was principal and \$584,589 was interest.

Details by issue of debt outstanding as of November 30, 2017 appear below:

Debt Balances - November 2017					
	Initial Par	Amount Outstanding	% Outstanding	Issue Date	Maturity Date
Bi-County					
Total Bi-County	\$ -	\$ -	0%		
Prince George's County					
KK-2 (Refunded AA-2)	17,300,000	1,856,181	11%	Apr-08	May-18
NN-2 (Refunded Z-2)	14,080,000	5,465,000	39%	Mar-10	May-21
PGC-2012A (Refunded P-2, M-2, EE-2)	11,420,000	6,135,000	54%	Jun-12	Jan-24
PGC-2014A	26,565,000	23,385,000	88%	May-14	Jan-34
PGC-2015A (Refunded JJ-2)*	24,820,000	24,220,000	98%	Oct-15	Jan-36
PGC-2017A	33,000,000	33,000,000	100%	Jul-17	Jan-37
Total Prince George's County	\$ 127,185,000	\$ 94,061,181	74%		
Montgomery County					
LL-2	8,405,000	1,710,000	20%	May-09	Nov-20
MM-2	5,250,000	525,000	10%	May-09	Nov-19
MC-2012A (Refunded CC-2, FF-2)	12,505,000	10,045,000	80%	Apr-12	Dec-32
MC-2012B	3,000,000	2,505,000	84%	Apr-12	Dec-32
MC-2014A	14,000,000	12,495,000	89%	Jun-14	Jun-34
MC-2016A	12,000,000	11,140,000	93%	Apr-16	Nov-35
MC-2016B (Refunded FF-2, II-2, MM-2)	6,120,000	5,940,000	97%	Apr-16	Nov-28
MC-2016C (Refunded FF-2 ALA of 2004)	1,075,000	885,000	82%	Apr-16	Nov-24
MC-2017A	8,000,000	7,600,000	95%	Apr-17	Nov-36
Total Montgomery County	\$ 70,355,000	\$ 52,845,000	75%		
Total	\$ 197,540,000	\$ 146,906,181	74%		

ATTACHMENT A

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 REPORT ON COMPLIANCE TO INVESTMENT POLICY Approved March 21, 2012
 FISCAL YEAR 2018 - November 30, 2017

OBJECTIVES			Met Objective	Within Limits	Comments
Protection of principal			Yes		
Limiting types and amounts of securities	Limit			Yes	
US Government		100%			All securities purchases were within the limits established by the Investment Policy at the time of purchase of the investments. This monthly report is prepared for the Secretary-Treasurer to demonstrate compliance with investment policy objectives and limitations.
US Federal Agencies - combined		60%			
US Federal Agencies - each		20%			
Repurchase Agreements		60%			
CD's and Time Deposits		50%			
Commercial Paper		10%			
Money Market Mutual Funds		25%			
MD Local Gov't Investment Pool		25%			
Investing Bond Proceeds:					
State and local agency securities		100%			
Money Market Mutual Funds		10%			
Bond Proceeds:					T. Rowe Price managed all funds within limits
Highly-rated state / local agency securities					
Highly-rated money market mutual funds (Max. 10% in lower-rated funds)					
Pre-qualify financial institutions, broker/dealers, intermediaries and advisers				Yes	All firms must meet defined capital levels and be approved by the Secretary-Treasurer
Ensure competition among participants		30%		Yes	No dealer share exceeded 30%
Competitive Bidding				Yes	All purchases awarded competitively.
Diversification of Maturities					All maturities within limits
Majority of investments shall be a maximum maturity of one (1) year. A portion may be as long as two years.					
Require third-party collateral and safekeeping, and delivery-versus-payment settlement				Yes	M&T Investments serves as custodian, monitoring compliance daily
Maintain sufficient liquidity			Yes		Sufficient funds available for all cash requirements during period
Attain a market rate of return			No		Less than market by 7 basis points
The pro-rated rates of return for the portfolio and T-bills were 1.27% and 1.20%, respectively.					



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

Reply To

November 30, 2017

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

MEMORANDUM

TO: The Maryland-National Capital Park and Planning Commission

FROM: Adrian R. Gardner
 General Counsel

RE: Litigation Report for November 2017

Please find the attached litigation report we have prepared for your meeting scheduled on Wednesday, December 20, 2017. As always, please do not hesitate to call me in advance if you would like me to provide a substantive briefing on any of the cases reported.

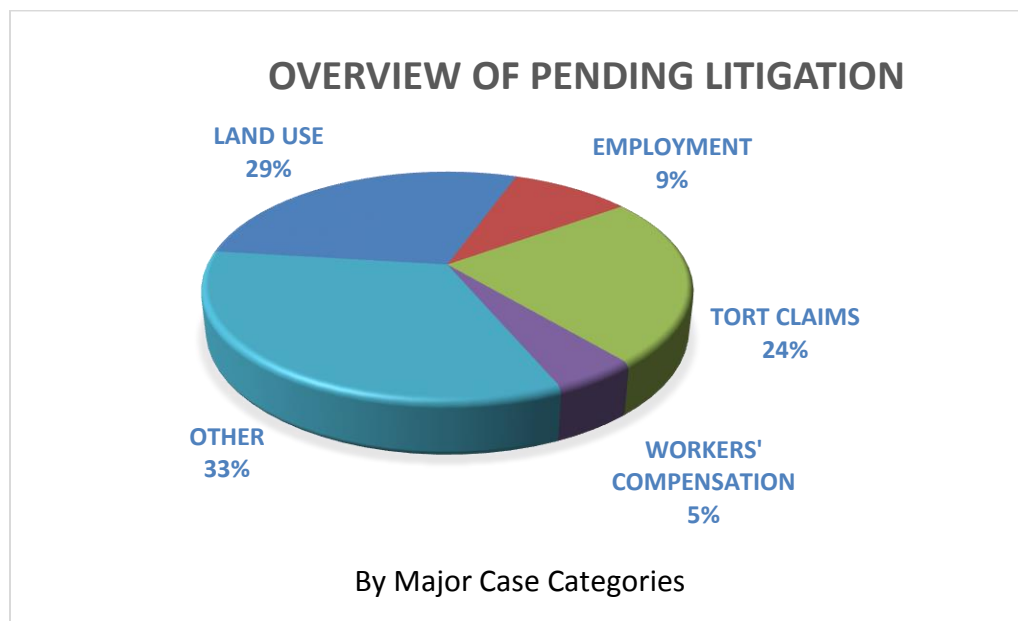
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November 2017 Composition of Pending Litigation

(Sorted By Subject Matter and Forum)

	State Trial Court	Federal Trial Court	Maryland COSA	Maryland Court of Appeals	Federal Appeals Court	U.S. Supreme Court	Subject Matter Totals
Admin Appeal: Land Use	2			1			3
Admin Appeal: Other							0
Land Use Dispute					1		1
Tort Claim	5						5
Employment Dispute	1	1					2
Contract Dispute	3			1			4
Property Dispute				2			2
Civil Enforcement							0
Workers' Compensation	1						1
Debt Collection							0
Bankruptcy							0
Miscellaneous	2				1		3
Per Forum Totals	14	1	0	4	2	0	21



November 2017 Litigation Activity Summary

	COUNT FOR MONTH			COUNT FOR FISCAL YEAR 2018			
	Pending In Oct 2017	New Cases	Resolved Cases	Pending Prior F/Y	New Cases F/YTD**	Resolved Cases F/YTD**	Pending Current Month
Admin Appeal: Land Use (AALU)	4		1	4		1	3
Admin Appeal: Other (AAO)	0			0			0
Land Use Disputes (LD)	0	1		1	1	1	1
Tort Claims (T)	8		3	6	3	4	5
Employment Disputes (ED)	2			1	1		2
Contract Disputes (CD)	4	1	1	2	3	1	4
Property Disputes (PD)	2			1	2*		2
Civil Enforcement (CE)	0			0			0
Workers' Compensation (WC)	1			2	1	2	1
Debt Collection (D)	0			0			0
Bankruptcy (B)	0			0			0
Miscellaneous (M)	4		1	5		2	3
Totals	25	2	6	22	11	11	21

*Please note that the Property Dispute calculation for October was inadvertently left out the Rounds Case (see Page 21) which was included but not counted in the October Litigation Report nor reported on the Index of YTD New Cases (See Page 3).

**INDEX OF YTD NEW CASES
(7/1/2017 TO 6/30/18)**

A. <u>New Trial Court Cases.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Moore v. Thompson, et al	PG	Tort	July 17
Evans v. Commission	MC	Tort	Aug 17
Gregg v. Commission	PG	ED	Sept 17
Commission v. McCoy	PG	CD	Oct 17
Commission v. Clean Air Mechanical, Inc., et al	MC	CD	Oct 17
Commission v. Carillo-Cruz	MC	WC	Oct 17
Bundu v. Bowman	PG	Tort	Oct 17

B. <u>New Appellate Court Cases.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Rounds v. Commission	MC	PD	Sept 17
Rounds v. Commission	MC	PD	Oct 17
Fort Myers Construction Corp v. Commission	MC	CD	Nov 17
Pulte Home Corp. v. Montgomery County, et al	MC	LD	Nov 17

**INDEX OF YTD RESOLVED CASES
(7/1/2017 TO 6/30/18)**

C. <u>Trial Court Cases Resolved.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Parker v. Commission	PG	WCC	July 2017
Commission v. Pollard	MC	WCC	Sept 2017
Pulte Home Corp., et al v. Mont. County, et al	MC	LD	Sept 2017
Green v. Commission	PG	Tort	Oct 2017
Swain v. Seay, et al	PG	Misc	Oct 2017
Shipe v. Louketis, et al	MC	Tort	Nov 2017
Tugwell v. Louketis, et al	MC	Tort	Nov 2017
Fort Myer Construction Corp v. Commission	MC	CD	Nov 2017
Rounds v. Commission, et al	MC	Tort	Nov 2017

D. Appellate Court Cases Resolved.

Cohn v. Commission	MC	Misc	Nov 2017
Friends of Croom Civic Assoc., et al v. Commission	PG	AALU	Nov 2017

Disposition of FY18 Closed Cases Sorted by Department

CLIENT	PRINCIPAL CAUSE OF ACTION IN DISPUTE	DISPOSITION
Employees Retirement System		
Finance Department		
Department of Human Resources & Management		
Montgomery County Department of Planning		
Rounds v. Commission, et al	Defense of claim for alleged slander of title regarding Farm Road easement.	08/25/17- Court grants Commission's Motion to Dismiss
Montgomery County Department of Parks		
Cohn v. Commission	Plaintiff appealed Circuit Court ruling granting the judgment in favor of the Commission and denying Plaintiff's request to restrain Commission's Archery Managed Deer Hunting Program in Montgomery County.	10/18/17- Court affirms decision of lower court that granted summary judgment in favor of Commission's authorization of bow hunting on its properties
Fort Myer Construction Corporation v. Commission	Plaintiff filed complaint for alleged delays and damages associated with the erection of a steel girder pedestrian bridge in Montgomery County	10/10/17- Court grants Commissions' Motion to Dismiss, case dismissed with prejudice
Montgomery County Park Police		
Shipe v. Louketis, et al	Defense of claim for assault & battery, intentional infliction of emotional distress, negligence, negligent hiring.	10/06/17 Voluntary dismissal in entirety with prejudice
Tugwell v. Louketis, et al	Defense of claim for assault & battery, intentional infliction of emotional distress, negligence, negligent hiring.	10/06/17 Voluntary dismissal in entirety with prejudice

Montgomery County Planning Board			
Pulte Home Corporation, et al v. Montgomery County, et al	Plaintiff filed complaint for alleged delays and damages associated with the construction of a residential development in Clarksburg, Maryland.	08/25/17- Court grants Defendants' Motion for Judgment on Pleadings; case dismissed	
Prince George's County Department of Parks and Recreation			
Commission v. Pollard	Employer is seeking de novo judicial review of the WCC's decision that the Claimant had suffered a 39% worsening of condition regarding his right hip since the last permanency award and found no cause for apportionment to preexisting conditions.	07/28/17- Joint Motion to Remand to WCC	
Green, et al v. Commission	Defense of claim for personal injury involving fall by minor child from playground equipment at Peppermill Recreation Center.	08/30/17-Case dismissed with prejudice	
Parker v. Commission	Claimant/employee is seeking de novo judicial review of the WCC's decision denying she has an occupational disease.	6/26/17-Case settled and remanded to WCC	
Swain v. Seay, et al	Plaintiff files to foreclose a statutory attorney's lien on property with a Historic Agriculture Resource Preservation Program Deed of Easement.	09/01/17-Case voluntarily dismissed	
Prince George's County Planning Department			
Prince George's County Planning Board			
Friends of Croom Civic Association, et al v. Commission	Defense against Administrative Appeal of decision by the Planning Board to approve Preliminary Plan 4-11004 in Stephen's Crossing at Brandywine.	05/08/17-Court affirmed judgment of Circuit Court for Prince George's County Planning Board	
Prince George's Park Police			

Office of Internal Audit			

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DISTRICT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Commission v. McCoy

Case #0502-0025950-2017 (CD)

Lead Counsel: Adams
Other Counsel:

Abstract: Complaint for property damage to Commission's golf cart.

Status: Case stayed.

Docket:

08/31/17	Complaint filed
11/17/17	Case stayed pending settlement negotiations

Milam v. Doe and Commission

Case No. 0502-0034226-2016(Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for personal injury involving vehicle owned by Commission.

Status: Pending trial.

Docket:

12/27/16	Complaint filed
02/03/17	Subpoena served on Commission
03/22/17	Court issues notice of service on Commission
05/01/17	Commission requests re-issue for dormant service
05/19/17	Motion to Quash Service filed by Commission
06/05/17	Notice of Service stricken
09/28/17	Amended Complaint filed
12/04/17	Trial date

Moore v. Thompson, et al

Case No. 0502-0026594-2016(Tort)

Lead Counsel: Adams
Other Counsel:

Abstract: Defense of claim for property damage involving vehicle owned by Commission.

Status: Complaint dismissed.

Docket:

09/30/16	Complaint filed
07/12/17	Summons served on Defendant Devillars
10/26/17	Case dismissed under Rule 3-506

CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Bundu v. Bowman
CAL17-28259 (Tort)

Lead Counsel: Adams
Other Counsel:

Abstract: Defense of claim for personal injury involving motor vehicle accident in Prince George's County.

Status: Complaint filed.

Docket:

10/12/17	Complaint filed
11/02/17	Service of complaint on Commission

Burnette v. Commission
CAL16-35180 (ED)

Lead Counsel: Adams
Other Counsel: Dickerson

Abstract: Former park police officer seeks judicial review of termination.

Status: Awaiting decision.

Docket:

09/08/16	Petition filed
09/23/16	Response to Petition filed by Commission
02/07/17	Pre-trial conference
03/24/17	Commission Memorandum of Law filed
10/30/17	Oral Argument held

Commission, et al v. The Town of Forest Heights
CAL 16-29110 (M)

Lead Counsel: Mills
Other Counsel:

Abstract: Commission filed a declaratory judgment action against the Town of Forest Heights.

Status: Awaiting decision.

Docket:

07/20/16	Complaint filed
08/31/16	Defendant filed Answer
09/20/16	Court returns Defendant's Answer failure to pay filing fees
09/27/16	Defendant files Answer

02/08/17	Pretrial conference
04/10/17	Defendant files Motion to Dismiss and/or Motion for Summary Judgment
04/19/17	Joint Response by Plaintiffs to Defendant's Motion to Dismiss and/or for Summary Judgment
06/21/17	Motions hearing; awaiting decision from Court

Grier, et al v. Commission
CAL17-10296 (AALU)

Lead Counsel: Johnson
Other Counsel: Borden

Abstract: Defense against Administrative Appeal of decision by the Planning Board to approve Preliminary Plan of Subdivision 4-16032 in Laurelind-orinan Estate.

Status: Pending disposition hearing.

Docket:

04/20/17	Petitioners' filed a Petition for Judicial Review
05/09/17	Commission filed Response to Petition
07/14/17	Status hearing conference
08/04/17	Petitioner filed Memorandum in Support of Judicial Review
09/13/17	Oral Argument held
10/27/17	Disposition hearing

O'Brien v. Sports & Learning Complex
CAL17-00241(Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for personal injury involving slip and fall at swimming pool.

Status: Pending trial.

Docket:

01/11/17	Complaint filed
03/03/17	Service of complaint on Commission
03/31/17	Amended Complaint filed
08/09/17	Pre-trial conference
04/10/18	Trial

Pletsch, et al v. Commission
CAL17-12150(AALU)

Lead Counsel: Mills
Other Counsel: Borden

Abstract: Defense against Administrative Appeal of decision by the Planning Board to approve Preliminary Plan of Subdivision 4-16006 Melford Village.

Status: Pending Argument.

Docket:

05/10/17	Petitioners' filed Petition for Judicial Review
06/09/17	Commission filed Response to Petition
01/19/18	Oral Argument

Price, et al v. Prince George's County, et al
CAE16-37806 (M)

Lead Counsel: Gardner
Other Counsel: Dickerson

Abstract: Plaintiffs file lawsuit for injunctive relief questioning validity of certain personal tax enactments involving the Commission and Prince George's County.

Status: Pending trial.

Docket:

09/30/16	Complaint filed
01/03/17	Motion to Dismiss or in the alternative, Motion for Summary Judgment filed by Defendant, P. G. County
01/06/17	Status Conference
01/31/17	Plaintiff's Opposition to Defendant, PG County's Motion to Dismiss
03/08/17	Defendant, PG County files answer to Complaint
04/24/17	Amended Complaint filed
05/03/17	Commission served with amended complaint
05/24/17	Commission files entry of appearance
06/13/17	Commission files Motion to Dismiss
06/30/17	Pretrial conference
07/07/17	Plaintiff's Opposition to Commission's Motion to Dismiss or in the alternative, Motion for Summary Judgment
09/19/17	Motions hearing; Motion to Dismiss denied by Court
10/02/17	Motion to Amend Judgment filed by County and County Council
10/16/17	Plaintiff's Opposition to Motion to Amend Judgment filed
10/23/17	Order of Court denying County and County Council's Motion to Amend Judgment
12/13/17	Trial

Sauer, Inc. v. Commission

CAL17-05868 (CD)

Lead Counsel: Dickerson
Other Counsel: Adams

Abstract: Plaintiff filed complaint for alleged delays and damages associated with the renovation and expansion of the Palmer Park Community Center in Prince George's County.

Status: Complaint filed.
Docket:

02/28/17	Complaint filed but improperly served; awaiting proper re-service
06/20/17	Complaint properly served and accepted by Commission
08/21/17	Line filed extending responsive pleadings deadline
09/29/17	Defendant's Motion to Dismiss filed
11/03/17	Line filed extending Plaintiff's deadline to respond to Motion to Dismiss until November 22, 2017
11/17/17	Plaintiff files Opposition to Motion to Dismiss

CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

Commission v. Clean Air Mechanical Inc., et al

Case No. 438017-V (CD)

Lead Counsel: Adams
Other Counsel:

Abstract: 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.

Status: Complaint filed.

Docket:

09/26/17	Complaint filed
07/12/18	Pretrial and settlement conference

Commission v. Carillo-Cruz

Case No. 439249-V (WC)

Lead Counsel: Foster
Other Counsel:

Abstract: Commission files petition for de novo review based on WCC's ruling that a compensable accident occurred on the grounds that driving a vehicle carries an increased risk of injury, without making a ruling on whether Claimant suffered an idiopathic condition.

Status: Petition filed.

Docket:

10/24/17	Petition for Judicial Review filed
11/03/17	Defendant's Response to Petition to Judicial Review
04/05/18	Status/Pretrial Conference

Evans v. Commission, et al
Case No. 435465-V(Tort)

Lead Counsel: Harvin
Other Counsel:

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

Status: Complaint filed.

Docket:

08/11/17	Complaint filed
08/22/17	Service of complaint on Commission
09/19/17	Commission files Answer to Complaint
11/09/17	Plaintiff files Motion for Default against Defendant, Melara
11/28/17	Defendant Melara files Answer to Complaint
05/24/18	Pre-trial/settlement conference

MARYLAND COURT OF SPECIAL APPEALS

Brooks v. Commisison

September Term 2016, No. 02295 (AALU)
(Originally filed under CAE16-25941 in Prince George's County)

Lead Counsel: Mills
Other Counsel: Borden

Abstract: Plaintiff appealed Planning Board ruling granting the departure from design standards in Prince George's County.

Status: Awaiting oral argument.

Docket:

01/06/17	Notice of Appeal filed
06/30/17	Appellant's Brief and Joint Record Extract filed
12/2017	Oral Argument

Fort Myer Construction Corporation v. Commission

September Term, No. 1684 (CD)
(Originally filed under 399804-V in Montgomery County)

Lead Counsel: MarcusBonsib, LLC (Bruce L. Marcus)
Other Counsel: Dickerson

Abstract: 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.

Status: Appeal noted.

Docket:

10/26/17	Notice of Appeal
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Rounds v. Montgomery County, MD, et al

September Term, 2016, No. 02501(PD)
(Originally filed under #350954-V in Montgomery County)

Lead Counsel: Gardner
Other Counsel: Dickerson
Harvin

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

Status: Awaiting argument.

Docket:

02/03/17	Notice of Appeal filed
01/09/18	Oral Argument

Rounds v. Montgomery County, MD, et al

September Term, 2017, No.1561 (PD)
(Originally filed under #350954-V in Montgomery County)

Lead Counsel: Gardner
Other Counsel: Dickerson
Harvin

Abstract: Appeal from dismissal of claim barred by res judicata concerning alleged Farm Road easement.

Status: Appeal filed.

Docket:

09/25/17	Notice of Appeal filed
10/19/17	Court issued show cause for inquiry as to why Pre-hearing Information Report not filed
11/15/17	Court accepts Pre-hearing Information Report for filing

MARYLAND COURT OF APPEALS

No Pending Cases

U.S. DISTRICT COURT OF MARYLAND

Gregg v. Commission

Case No. 8:17-cv-02111 (ED)

Lead Counsel: Dickerson
Other Counsel: Harvin

Abstract: Plaintiff filed complaint for alleged race and gender discrimination.

Status: Case dismissed.

Docket:

07/28/17	Complaint filed
09/28/17	Commission files request to Extend Time to Respond to Complaint
10/04/17	Court extends Commission's response time until after mediation is completed
11/01/17	Mediation hearing scheduled
11/06/17	Case settled and dismissed.

U.S. COURT OF APPEALS FOR THE FOURTH CIRCUIT

American Humanist Association, et al v. Commission

No. 15-2597 Case #8:14-cv550-DKC (M)

Lead Counsel: Dickerson
Other Counsel: Gardner
Adams

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

Status: Reversed and remanded.

Docket:

12/30/15	Notice of Appeal filed
02/29/16	Appellant's brief filed
04/04/16	Response brief by Appellees filed
03/07/16	Brief Amici Curiae filed by Freedom from Religion Foundation and Center for Inquiry in Support of Appellants
04/11/16	Brief Amici Curiae of The Becket Fund for Religious Liberty in Support of Appellees
04/11/16	Brief Amici Curiae Senator Joe Machin and Representatives Doug Collins, Vicky Hartzler, Jody Hice, Evan Jenkins, Jim Jordan, Mark Meadows and Alex Mooney in Support of Appellees
04/11/16	Brief Amici Curiae State of West Virginia and 24 Other States supporting Appellees
04/18/16	Appellant's Reply brief filed
12/07/16	Oral Argument held
10/18/17	Court reverses and remands case back to the U. S. District Court of Maryland holding that the display and maintenance of the cross violates the Establishment Clause.
11/01/17	Commission filed Petition for Hearing En Banc
11/01/17	American Legion filed Petition for Hearing En Banc
11/09/17	Court directed Plaintiffs file responses to Petitions for Hearing En Banc
11/20/17	Plaintiffs file their Response to Petitions for Hearing En Banc

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

Case No. 17-2112 (LD)

(Originally filed under Case No 8:14-cv-03955)

Lead Counsel: Outside Counsel-Whiteford Taylor and Preston
Other Counsel: Gardner/Dickerson/Adams

Abstract: 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.

Status:

Appeal filed.

Docket:

09/25/17	Notice of Removal and Complaint filed
10/10/17	Court files Briefing Order
11/20/17	Brief filed by Appellant Pulte Home Corporation
12/19/17	Response Brief due

