



THE MARYLAND-NATIONAL CAPITAL  
Park and Planning Commission

# COMMISSION MEETING

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**April 20, 2022**

10:00 a.m. – 12:00 noon

*via teleconference*

*and live-streamed by*

**Department of Parks and Recreation,  
Prince George's County**

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**MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
MEETING AGENDA  
Wednesday, April 20, 2022**

**Via videoconference live-streamed by  
The Department of Parks and Recreation, Prince George’s County**

**10:00 a.m. – 12 noon**

		<u>ACTION</u>	
		Motion	Second
1.	<b>Approval of Commission Agenda (10:00 a.m.)</b>	(+*) Page 1	
2.	<b>Approval of Commission Minutes (10:05 a.m.)</b>		
	a) Open Session – March 16, 2022	(+*) Page 3	
	b) Closed Session – March 16, 2022	(++*)	
3.	<b>General Announcements (10:05 a.m.)</b>		
	a) Stress Awareness Month		
	b) Alcohol Awareness Month		
	c) Arab-American Heritage Month		
	d) National Prevention Week (Mental and/or Substance Use Disorders) – May 8-14		
	e) Financial Disclosure Filing Requirement Reminder – April 30		
4.	<b>Committee Minutes/Board Reports (For Information Only) (10:10 a.m.)</b>		
	a) Executive Committee Meeting – April 6, 2022 Open Session	(+)	Page 9
	b) Employees Retirement Association Board of Trustees Regular Meeting – March 1, 2022	(+)	Page 13
5.	<b>Action and Presentation Items (10:10 a.m.)</b>		
	a) Resolution 22-04 Perpetual Drainage Easement to Prince George’s County at Calvert Hills Park, located in College Park, Maryland (Sun)	(+*)	Page 17
	b) Resolution 22-05 Bowie-Mitchellville and Vicinity Plan (Lester/Rowe)	(+*)	Page 29
	c) Resolution 22-06 Appointment of Peter Shapiro to the ERS Board of Trustees (Rose)	(+*)	Page 67
	d) Resolution 22-07 Appointment of Theodore Russell to the ERS Board of Trustees (Rose)	(+*)	Page 69
	e) Reallocation of FY22 Salary Lapse: Legal Department (Borden)	(+*)	Page 73
	f) Amendments to Practice 1-30 Organization and Functions of the Office of the Secretary-Treasurer and Department of Finance (Chiang-Smith/Beckham)	(+*)	Page 75
	g) Sign-on and Referral Bonus Programs (Chiang-Smith/Beckham)	(+)	Page 87
	h) 2 <sup>nd</sup> Quarter Report of Budget Transfers (Kroll) (for information only)	(+)	Page 91
6.	<b>Officers’ Reports (10:40 a.m.)</b>		
	<u>Executive Director’s Report</u>		
	a) Late Evaluation Report, March 2022 (for information only)	(+)	Page 95
	<u>Secretary Treasurer</u>		
	No report scheduled		
	<u>General Counsel</u>		
	b) Litigation Report (for information only)	(+)	Page 97
	c) Legislative Update (discussion only)		

***To be read by the Commission Chair prior to Closed Session:***

*Pursuant to Maryland General Provisions Article of the Annotated Code of Maryland, Section 3-305(b) (9), a closed session is proposed. The purposes for closing this meeting generally are to protect and promote the public interest by: (i) preserving privileged and confidential deliberations needed to manage ongoing collective bargaining negotiations.*

*The topics to be discussed include a) Collective Bargaining Update (Chiang-Smith)*

**7. Closed Session (11:00 a.m.)**

- a) Collective Bargaining Update (Chiang-Smith)

(+) Attachment

(++) Commissioners Only

(\* ) Vote

(H) Handout

(LD) Late Delivery



## THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

Commission Meeting  
Open Session Minutes  
March 16, 2022

The Maryland-National Capital Park and Planning Commission met via videoconference with the Chair initiating the meeting at the Wheaton Headquarters Building in Wheaton, Maryland. The meeting was broadcast by the Montgomery Planning Department.

PRESENTMontgomery County Commissioners

Casey Anderson, Chair  
Gerald Cichy  
Carol Rubin  
Tina Patterson  
Partap Verma

Prince George's County Commissioners

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

NOT PRESENT

A. Shuanise Washington

Chair Anderson called the meeting to order at 10:09 a.m.

## ITEM 1

APPROVAL OF COMMISSION AGENDA

ACTION: Motion of Vice Chair Hewlett to approve the agenda  
Seconded by Commissioner Geraldo  
9 approved the motion

## ITEM 2

APPROVAL OF COMMISSION MINUTES

Open Session – February 16, 2022  
Closed Session – February 16, 2022  
ACTION: Motion of Vice-Chair Hewlett to approve the minutes  
Seconded by Commissioner Bailey  
9 approved the motion

## ITEM 3

GENERAL ANNOUNCEMENTS

- a) Women's History Month
- b) St. Patrick's Day
- c) National Colorectal Cancer Awareness Month
- d) National Nutrition Month
- e) International World Down Syndrome Day, March 21
- f) Upcoming Stress Awareness Month
- g) Upcoming Alcohol Awareness Month
- h) Financial Disclosure Filing Requirement Reminder

## ITEM 4

COMMITTEE MINUTES/BOARD REPORTS (For Information Only)

- a) Employees' Retirement System Board of Trustees Regular Meeting, February 1, 2022  
*March 2022 Executive Committee cancelled*

ITEM 5

ACTION AND PRESENTATION ITEMS

a) Resolution 22-03 Appreciation for Elizabeth M. Hewlett (Anderson)

Chair Anderson introduced the resolution, which he said conveyed many of the high points of Vice-Chair Hewlett’s career and accomplishments at the M-NCPPC and added she will always be a part of the M-NCPPC’s family and hopes she stays in touch. He said Prince George’s and Montgomery Counties are lucky to continue the work she has done. Commissioner Geraldo added Vice Chair Hewlett’s work indeed has reached the entire state. Commissioners thanked her and wished her the best.

Vice Chair Hewlett thanked her colleagues on the Commission and noted the Prince George’s County Council has not voted on her successor, so she will still be serving for another week or two.

ACTION: Motion of Commissioner Geraldo to adopt Resolution 22-03  
Seconded by Commissioner Rubin  
8 approved the motion  
(Hewlett abstained)

b) Open Meetings Act Compliance Status Report (Borden)

Deputy General Counsel Borden told Commissioners the Legal Department has developed a working list of committees, groups, and taskforces across the agency to address Open Meetings Act compliance. These groups have been divided between the two Land Use teams since the majority of the groups identified come under the planning department. The teams will determine which of these groups/committees are subject to the Open Meetings Act (OMA) for compliance. For those who are subject to the OMA, the teams will be reaching out to them for compliance, review, and training. They anticipate the process should be complete over the next couple of months.

She added since the February Commission meeting, the agency has received three additional OMA complaints.

Chair Anderson noted a major OMA complaint has also been filed against Montgomery County Government. This is not simply an issue with the M-NCPPC, but it is widespread. He said the complaints would be sorted, findings complied with, and the agency will carry on openly and transparently.

ITEM 6

OFFICERS’ REPORTS

Executive Director’s Report

a) Late Evaluation Report (February 2022) (For information only)

Secretary-Treasurer’s Report

b) 2<sup>nd</sup> Quarter MFD report (For information only)

General Counsel’s Report

c) Litigation Report (For information only)

d) Legislative Update (Borden)

Deputy General Counsel Borden and Counsel Caleen Kufera provided updates to HB1057, The Recreation Authority Bill. Since the February Commission meeting, the bill was heard by the General Assembly's Environmental & Transportation Committee on March 8, during which it was indicated amendments were forthcoming. On Friday, March 11, the Prince George's County House Delegation submitted proposed amendments to the bill which changed several key aspects of the legislation. Ms. Kufera detailed the major changes and provided a handout highlighting them. Some changes included:

- Removal of the provision that authorized the County to establish a Recreation Authority;
- Modification of the Blue Ribbon Workgroup:
  - Adding to the group membership, the Director of Parks and Recreation appointee and an expert in visual and performing arts;
  - Citing that each member of the work group must have knowledge and experience pertinent to the purpose of the workgroup
- Requirements for Public Disclosure:
  - A 14-day notice of meetings
  - A minimum number of meetings to collect public feedback
  - A webpage

Ms. Kufera noted staff have identified some drafting issues in the bill and noted them as reflected in the handout. She said the original bill provided assurances of the employment, benefits and retirement of any M-NCPPC employee who would transfer to the new Recreation Authority. The amendments seem to strike this assurance. Moreover neither the original nor the amended bill addresses the concern of how the recreation authority would accomplish this. M-NCPPC Legal staff recommend to support an amendment to add legislative assurance that the bill would address this concern for staff and retirees who may be disrupted.

Commissioners provided input.

Commissioner Geraldo asked why a union representative is part of the group. Chair Anderson suggested that the bill be more specific about the qualifications of the members, that they should not merely be stakeholders but should have relevant subject matter expertise in Parks and Recreation management, and the finance or operations of recreation programs. For example, the union representative should have a background in recreation. Commissioner Geraldo supported the suggestion.

Commissioner Rubin asked to clarify the purpose of the Blue Ribbon Workgroup, noting the original intent was to determine how to transfer the responsibilities of recreation from M-NCPPC to the Recreation Authority. The current purpose is to determine what the fiscal and operational issues and impacts would be. Deputy General Counsel Borden agreed the amendment removes the foregone conclusion of the formation of the Recreation Authority. She offered that the Workgroup could make suggestions on how the Department of Parks and Recreation (DPR) could do their business better or may recommend it would be done better by another entity. The M-NCPPC is interpreting the amendments to mean the current purpose of the Workgroup is to gather evidence and make recommendations, noting that the county does not have to go to the state to form such a Workgroup, and posited the legislation may no longer be needed. She said if the legislation does move forward, a true and unbiased study is required, particularly if the Workgroup makes recommendations that would impact employees and the pension system. The Workgroup would need to study the impact it would have on those groups and develop plans or strategies to minimize the impact it may have before they make their recommendation. Deputy General Counsel Borden said that condition

should be embedded in the language of the formation of the Blue Ribbon Workgroup. Commissioner Rubin said it should be clear that the Workgroup may conclude and recommend that we maintain the status quo. She asked if there would be opportunities for the public to share their input with the Workgroup. Deputy General Counsel Borden replied that part of the new amendments indicated there would be several opportunities for the public to engage.

Vice-Chair Hewlett noted the proposed amendments went before the Prince Georges County Council on Monday, March 14, and the Council voted 9-0 to support, with the amendments, but also recommend some of their own. She said she presented before the Council yesterday that a bill was no longer needed, since the study group can be formed without going through the MD General Assembly.

Commissioner Cichy asked if the M-NCPPC could take over a retirement fund for the Recreation Authority to provide continuity and asked would it be appropriate for the agency to analyze and manage that. Executive Director Chiang-Smith said M-NCPPC Employee Retirement System (ERS) Administrator Andrea Rose is looking at that. Currently, the ERS can only accept contributions from M-NCPPC employees, so it poses a big question.

Commissioner Doerner noted the quick turnaround of the formation of this bill, and the lack of transparency or the ability for the public to have had the opportunity to discuss it. He said the Workgroup's discussions should be subject to the Open Meetings Act, rather than developed behind closed doors with no transparency and suggested inserting language about the Open Meetings Law and transparency. Vice-Chair Hewlett agreed, noting those who are accusing the M-NCPPC of lacking in transparency need to adopt a level of transparency as well, suggesting, for example, the same level the M-NCPPC provides the public when the agency presents its budget. Commissioner Rubin agreed, adding a lack of transparency may allow an appointed Workgroup to operate in the same fashion that introduced the original bill, especially if they perform the study without a legislative framework.

Vice Chair Hewlett noted the County Executive has 3 appointments, the County Council has 3 appointments, and said the M-NCPPC should have 3 appointments to the Workgroup as well, who might be experts in arts programs and/or disability services.

Chair Anderson noted the supporters of this bill seem to be focusing on the notion that Prince George's Recreation program ought to be putting more focus on developing elite-level athletes. He said this issue is not just about elite sports – it does not include or address arts programs, inclusion programs for the disabled, or programs for seniors. Proponents of the bill say we want to prepare kids for Division I sports, or compete in the Olympics, but ignore that it would come at the expense of everyone else in the county. The agency should frame the message that the supporters of the bill want to build a program where elite athletes win, but where everyone else loses. These issues should be confronted directly.

Chair Anderson said the proponents of the bill need to support their claims. They are promising more with no more resources. They need to explain and document how they are going to do better. This Workgroup should be given a mandate to provide an analysis exploring these important details.

Chair Anderson suggested asking for clarification on why this legislation is still necessary and further suggest the County hire an independent study Workgroup, with professional expertise in this matter, and enable them to perform a rigorous evaluation on the impact on the delivery of services, continued operation of the DPR, impact on retirees, etc. If they insist



on going forward with state legislation to form the study group, at a minimum, the agency should propose the following amendments:

1. Propose amendments that include calling for greater specificity in the qualifications of the appointees to the Workgroup.
2. Suggest an amendment that directs this Workgroup to procure an expert financial analysis of the impact of the proposal to create a new Recreation Authority; an actuarial evaluation of the impact on employee benefits, including the M-NCPPC's retirement system and other issues related to the economics of this concept;
3. Ensure that whatever process is enacted for this Workgroup clearly is subject to the Open Meetings Act, but comports with higher standards of procedural regularity, notice, and transparency that were missing from the early stages of this initiative.

ACTION: Motion of Commissioner Geraldo to proceed as described above by Chair Anderson  
Seconded by Commissioner Cichy  
9 approved the motion

*Pursuant to Maryland General Provisions Article of the Annotated Code of Maryland, Section 3-305(b) (7) (9) and (15) a closed session is proposed on the following topics. The purposes for closing this meeting generally are to protect and promote the public interest by: (i) preserving privileged and confidential deliberations needed to manage ongoing litigation and collective bargaining negotiations; (ii) preventing disclosure of recommended changes to agency IT resources/systems to prevent bad actors from attempting to interfere with or exploit them.*

Chair Anderson noted the agenda and asked for a motion to move to closed session. Vice-Chair Hewlett read the applicable provisions of the Open Meetings Act and so moved; Commissioner Geraldo seconded. Commissioners in attendance voted for the measure and the meeting moved to closed session at 10:54 a.m. The meeting reconvened in a separate virtual meeting platform and the following topics were discussed: (1) the CIO's report and update on the situation with the Kronos payroll system; and (2) The Executive Director and General Counsel's collective bargaining update.

8 Commissioners voted (Patterson absent for vote; Washington absent from meeting).

The following individuals were present (via videoconference):

PRESENT

Montgomery County Commissioners

Casey Anderson, Chair  
Gerald Cichy  
Tina Patterson  
Carol Rubin  
Partap Verma

Prince George's County Commissioners

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

NOT PRESENT

A. Shuanise Washington

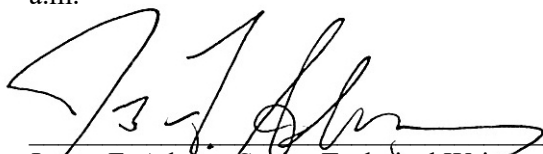
Also present (by videoconference):

Asuntha Chiang-Smith, Executive Director  
Gavin Cohen, Secretary-Treasurer

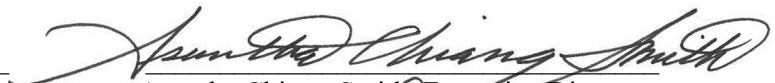
Debra Borden, Deputy General Counsel for General Counsel Adrian Gardner  
Andree Checkley, Director, Prince George's Planning  
Christian Gabriel, Deputy Director, Prince George's Parks and Recreation for Director Bill Tyler  
Mike Riley, Director, Montgomery Parks  
Gwen Wright, Director, Montgomery County Planning  
James Adams, Senior Technical Writer  
Michael Beckham, Acting Corporate Policy and Management Operations (CPMO) Director  
Derick Berlage, Deputy Director, Prince George's Planning  
Gary Burnett, Acting Deputy Director, Montgomery Parks  
Steve Carter, Deputy Director, Prince George's Parks and Recreation  
Mazen Chilet, Chief Information Officer  
Suzann King, Deputy Director, Prince George's Planning  
John Kroll, Corporate Budget Director  
Robert Kronenberg, Deputy Director, Montgomery Parks  
Wanda Ramos, Deputy Director, Prince George's Parks and Recreation  
William Spencer, Corporate Human Resources Director  
Tanya Stern, Deputy Director, Montgomery Planning

Staff updated Commissioners with IT security and collective bargaining matters. Direction was given to counsel and staff on how to proceed.

There being no further business to discuss, Chair Anderson adjourned the meeting from closed session at 11:35 a.m.



James F. Adams, Senior Technical Writer



Asuntha Chiang-Smith, Executive Director



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

**EXECUTIVE COMMITTEE MEETING MINUTES**  
**April 6, 2022**

On April 6, 2022, the Maryland-National Capital Park and Planning Commission’s Executive Committee met via teleconference. Present were Chair Casey Anderson, Vice-Chair Peter Shapiro, and Executive Director Asuntha Chiang-Smith. Also present were:

Department Heads

- Andree Checkley, Director, Prince George’s County Planning (PGPL)
- Gavin Cohen, Secretary-Treasurer
- Debra Borden, Deputy General Counsel for General Counsel Adrian Gardner
- Mike Riley, Director, Montgomery County Parks (MCPK)
- Bill Tyler, Director, Prince George’s County Parks and Recreation (PGPR)
- Gwen Wright, Director, Montgomery County Planning (MCPL)

Presenters/Staff

- James Adams, Senior Technical Writer
- Michael Beckham, Acting Corporate Policy and Management Operations (CPMO) Director
- Mazen Chilet, Chief Information Officer
- Michael Doaks, Policy Analyst, CPMO
- John Kroll, Corporate Budget Director
- William Spencer, Corporate Human Resources (CHR) Director

Chair Anderson convened the meeting at 10:03 a.m., welcoming the newly-appointed Chair of the Prince George’s County Planning Board and Executive Committee member, Mr. Peter Shapiro. Vice-Chair Shapiro thanked him, and all of the staff with whom he has worked over the past few days who have been very helpful, gracious, and supportive. He looks forward to working with everyone as a team.

**ITEM 1a – APPROVAL OF EXECUTIVE COMMITTEE AGENDA**

Discussion	Executive Director Chiang-Smith said there would be no closed session for this meeting.
ACTION	All agendas passed, with amendments (see 1a). Executive Director Chiang-Smith moved, Vice Chair Shapiro seconded. Approved unanimously.

**ITEM 1b – APPROVAL OF COMMISSION MEETING AGENDA for February 16, 2022**

Discussion	No discussion
ACTION/Follow-up	See item 1a

**ITEM 1c – ROLLING AGENDA FOR UPCOMING COMMISSION MEETINGS**

Discussion	No discussion
ACTION/Follow-up	See item 1a

**ITEM 2 – EXECUTIVE COMMITTEE MEETING MINUTES**

Discussion	February 2, 2022 Open Session February 2, 2022 Closed Session
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ACTION	Executive Director Chiang-Smith moved, Chair Anderson seconded. Vice Chair Shapiro abstained. Approved 2-0.
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**ITEM 3 – DISCUSSION/PRESENTATION ITEMS**

Discussion	<p><u>3a. Amendments to Administrative Practice 1-30, Organization and Functions of the Office of the Secretary-Treasurer and Department of Finance (Chiang-Smith/Beckham)</u></p> <p>Acting CPMO Director Beckham introduced Policy Analyst Michael Doaks to provide a high-level review of amendments to Administrative Practice 1-30, <u>Organization and Functions of the Office of the Secretary-Treasurer and Department of Finance</u>, as reflected in the packet.</p> <p>Mr. Doaks said there were substantial updates to reflect the current organizational functions of the Department of Finance and the updated duties of the Secretary-Treasurer. Once revisions are approved, policy staff will present them to the full Commission for final approval. Revisions to the practice were made in conjunction with the Secretary-Treasurer and Department of Finance staff.</p> <p>Major changes fall within three broad categories:</p> <ul style="list-style-type: none"> <li>• Additional functions of the Secretary-Treasurer</li> <li>• Revisions to Accounting and Financial Reporting standards</li> <li>• Changes in the Department’s organizational structure</li> </ul> <p>Mr. Doaks asked the Executive Committee to review the amendments and recommend forwarding them to the Commission for approval.</p> <p>Vice Chair Shapiro asked if there were budget implications; Chair Anderson confirmed there is no impact, since the position of Secretary-Treasurer is not a Merit position, which might open it up for Classification and Compensation issues. Since the Secretary-Treasurer is an appointed at-will position, there should be no budget or compensation impact. Acting CPMO Director Beckham confirmed.</p> <p>The Executive Committee agreed to forward the amendments to the Commission for final approval. Executive Director Chiang-Smith thanked the policy team, the Secretary-Treasurer, and the Finance staff who worked on this major update.</p>
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ACTION/follow-up	The Executive Committee recommended forwarding the amended policy to the full Commission for approval.
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Discussion	<p><u>3b. Referral and Sign-on Bonuses for Hard-to-Fill Seasonal/Intermittent Positions (Chiang-Smith/Beckham)</u></p> <p>Executive Director Chiang-Smith provided background on the item and the situation that is necessitating a temporary change in the procedures that govern awarding employment referrals and sign-on bonuses. She said to address the large number of vacancies throughout the agency, she will work with the policy office to update the Administrative Procedures and issue a Notice to designate all M-NCPPC vacancies as “hard to fill” through the rest of calendar year 2022. She will also provide operating departments with more tools to address the vacant positions. These provisions will also cover seasonal/intermittent positions.</p>
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	<p>Resolutions 06-04 and 19-19 charge the Executive Director to develop Administrative Procedures that address the terms and conditions of awarding these bonuses. Those Procedures (8-01 and 08-02) define criteria for “hard-to-fill” Merit positions and provide guidance on bonus amounts and employment duration. Revisions to the procedures will allow seasonal/intermittent positions to be designated as hard-to-fill as well, provide a different set of bonus incentives, and bonus payment provisions.</p> <p>Acting CPMO Director Beckham reviewed the current rates for Merit Employee bonuses, which will remain unchanged, and defined the bonuses for seasonal/intermittent employees to include up to a \$500 sign-on bonus and a \$100 referral bonus, requiring the seasonal employee to work for at least 30 days in the position for the referral or sign-on bonus to be given.</p> <p>Vice Chair Shapiro asked if there were exceptions to the early departure reimbursement, such as medical reasons. Acting CPMO Director Beckham said the Procedures have the provisions to waive the reimbursement at the Department Head’s discretion. Chair Anderson asked if the reimbursement is pro-rated for departing employees who may have worked for part of the required time. Acting CPMO Beckham replied that the intent of the procedure is for the departing seasonal employees to repay a pro-rated amount as well.</p> <p>Chair Anderson said this item should be presented to the Commission as an informational/non-voting item at their next meeting.</p>
ACTION/follow-up	The Executive Director and Policy staff will brief the Commission on the changes to the Administrative Procedures at their April 20 meeting.
Discussion	<u>3c. February 2022 Investment Report (Cohen) (information item only)</u> No discussion.
ACTION/Follow-up	

*Closed session cancelled.*

With no further business to discuss, the meeting adjourned from Closed Session at 10:25 a.m.

  
James F. Adams, Senior Technical Writer

  
Asuntha Chiang-Smith, Executive Director

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

**BOARD OF TRUSTEES MEETING MINUTES**  
**Tuesday, March 1, 2022; 10:00 a.m.**  
**Upper Marlboro, MD**  
**(Due to COVID -19 Attend via Microsoft Teams)**

Due to COVID-19, the Maryland-National Capital Park and Planning Commission (“Commission”) Employees’ Retirement System (“ERS”) Board of Trustees (“Board”) met virtually through Microsoft Teams with CHAIRMAN HEWLETT leading the call in Upper Marlboro, Maryland on Tuesday, March 1, 2022. The meeting was called to order at 10:01 a.m. by CHAIRMAN HEWLETT.

**Board Members Present**

Elizabeth M. Hewlett, Board of Trustees Chairman, Prince George’s County Commissioner  
Gerald R. Cichy, Board of Trustees Vice Chairman, Montgomery County Commissioner  
Howard Brown, FOP Represented Trustee  
Asuntha Chiang-Smith, M-NCPPC Executive Director, Ex-Officio  
Gavin Cohen, CPA, M-NCPPC Secretary-Treasurer, Ex-Officio  
Pamela F. Gogol, Montgomery County Public Member  
Caroline McCarthy, Montgomery County Open Trustee  
Amy Millar, MCGEO Represented Trustee  
Sheila Morgan-Johnson, Prince George’s County Public Member  
Elaine A. Stookey, Bi-County Open Trustee

**Board Members Absent**

Vacant, Prince George’s County Open Trustee

**ERS Staff Present**

Andrea L. Rose, Administrator  
Sheila S. Joynes, ERS Accounting Manager

**Presentations**

M-NCPPC Legal Department – Tracey Harvin, Senior Counsel  
Wilshire Advisors LLC – Bradley A. Baker, Managing Director, and Martell McDuffy, Senior Analyst

**ITEM 1 APPROVAL OF THE MARCH 1, 2022 CONSENT AGENDA**

**ACTION:** MS. GOGOL made a motion, seconded by MS. MILLAR to approve the Consent Agenda. The motion PASSED (10-0). (Motion #22-09)

**ITEM 2 CHAIRMAN’S ITEMS**

Chairman Hewlett reminded trustees of the requirement and importance of attending training and conferences.

**ITEM 3 MISCELLANEOUS**

VICE CHAIRMAN CICHY thanked CHAIRMAN HEWLETT for her leadership, dedication, and service to on the Board of Trustees. VICE CHAIRMAN CICHY and MS. ROSE read a Resolution in honor of Elizabeth M. Hewlett.

**ACTION:** MS. MILLAR made a motion, seconded by MS. STOOKEY to approve the Resolution in Honor of Elizabeth M. Hewlett. The motion PASSED (9-0-1). Ms. Hewlett abstained. (Motion #22-10)

#### **ITEM 4 MANAGER REPORTS/PRESENTATIONS**

##### **A. Wilshire Advisors LLC**

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

Brad Baker provided a Quarterly Executive Summary for the quarter ending December 31, 2021 and reported on the fund's performance. The ERS' total fund return was 4.87% (net of fees) for the quarter, outperforming the target policy index return of 3.37%. For the one, three, five, and ten-years ended December 31, 2021 the ERS fund return was 15.77%, 13.24%, 10.51%, and 9.02%, respectively, compared to the target policy return of 9.82%, 12.25%, 9.32%, and 8.21%, respectively. The total market value through December 31, 2021 was \$1.2 billion. In terms of market performance, the U.S. stock market was up 9.6% with nearly all sectors in positive territory. Large-cap outperformed small-cap while growth outperformed value within the large-cap segment of the market. Rising inflation will be remembered as the economic story of 2021. Increases in CPI reached rates not seen in 40 years. While food and energy prices were up, the major "core" CPI items of automobiles and apparel were up as well.

As of December 31, 2021, the ERS took considerably less risk than its peers. While the ERS' performance was strong on an absolute basis, the ERS' underperformance relative to peers is indicative of its conservative stance. The ERS is less risky than 95% of other pension plans and ranked in the top quartile in terms of return per unit of risk. The decision to take less risk was intentional as the ERS consistently lowered the investment return assumption.

#### **ITEM 5 COMMITTEE REPORTS/RECOMMENDATIONS**

##### **A. Investment Monitoring Group**

Presentation by Committee Chair, Sheila Morgan-Johnson

##### **i. Regular Report of February 15, 2022**

MS. MORGAN-JOHNSON reported that a performance review was conducted with VOYA at the Investment Monitoring Group's ("IMG") February 15, 2022 meeting after identifying VOYA's underperformance at its January 19, 2021 meeting. The ERS has \$44.6 million invested in VOYA's commingled senior bank loan strategy (the "strategy") which has assets of approximately \$25 billion as of December 31, 2021. VOYA's team confirmed the disappointment in performance and admitted the strategy has not work in a risk-on environment. VOYA was positioned conservatively and too much risk was taken off the table. VOYA was unable to capture returns given the snapback in the market which left a mark on VOYA's track record. Since inception, April 1, 2014, the strategy returned 3.49% versus 3.93% for the S&P/LSTA Leverage Loan Index and ranked in the 78<sup>th</sup> percentile versus Wilshire's Bank Loan Universe. The strategy underperformed for the quarter, one-year, three years, and five years ending December 31, 2021. VOYA offered the ERS a 25% permanent fee reduction.

A performance review was also conducted with Neuberger Berman. The ERS has \$44.3 million invested in Neuberger Berman's commingled High Income Fund ("Fund"). Neuberger Berman discussed the Fund's lag relative to the Merrill Lynch U.S. High Yield Constrained Index over the 1-year, 3-years, 5-years and 10-years and since inception, April 2010, as of December 31, 2021. For 2021, lower quality securities outperformed their higher quality counterparts which Neuberger Berman did not own due to disciplined credit underwriting standards. Wilshire's Brad Baker did not make a formal recommendation to place Neuberger



Berman on the Watch List; however, discussions will continue as the IMG considers aspects of its Manager Monitoring Policy, including the Watch List.

Wilshire's Brad Baker confirmed VOYA's conservative position for the last 10 years in a risk-on environment. One of VOYA's strengths has been protecting in down markets; therefore, the underperformance is not surprising. While VOYA performed well relative to other managers in a broadly syndicated loan market, managers in the lower to middle market who were more opportunistic performed in the top quartile. Given the ERS is paying for active management, there is an expectation for active management performance. Mr. Baker recommended a search for alternatives in this space, including active and passively managed options. The IMG concurred with Wilshire.

**ACTION:** VICE CHAIRMAN CICHY made a motion, seconded by MS. CHIANG-SMITH to approve a Bank Loan Manager Search, as recommended by Wilshire Advisors LLC. The motion PASSED (10-0). (Motion #22-11)

- B. Administration & Personnel Oversight Committee
  - Presentation by Andrea L. Rose, Administrator
    - i. Regular Report of February 15, 2022

Ms. Rose reported that Gavin Cohen, CPA replaced Melissa Ford as Chairman of the Personnel Committee. The Personnel report contained the required Statement of Fiduciary Net Position, Statement of Changes in Fiduciary Net Position and Budget vs. Actual as of December 31, 2021. Staff reported to the Personnel Committee that an FY2022 Operating Budget Amendment would be required for capital outlay related to the pension software project that was budgeted in FY2021 but paid in FY2022. The software deliverables were delayed due to COVID and required fees were not paid until delivered in accordance with the contract.

#### **ITEM 6 ADMINISTRATOR'S ITEMS**

- Presentation by Andrea L. Rose, Administrator
  - A. Administrator's Report dated February 15, 2022
  - B. Memorandum re: LIBOR Transition dated February 17, 2022

The Prince George's County Open trustee vacancy on the Board will be announced in the March edition of Update. Candidates who are presently members of the ERS and work as Merit System employees in the Prince George's County offices of the Commission have until March 18, 2022 at 5:00 p.m. to apply.

Ms. Rose summarized the Memorandum dated February 4, 2022 related to the implications of a transition from the London Interbank Offered Rate ("LIBOR") to the Secured Overnight Financing Rate ("SOFR"). LIBOR is the basic rate of interest used in lending between global banks and used as a reference for setting the interest rate on other loans. One-week and two-month LIBOR maturities and non-USD LIBOR maturities ceased immediately after December 31, 2021 with remaining USD LIBOR maturities ceasing immediately after June 30, 2023. After considering guidance from the Securities and Exchange Commission's Staff Statement, questions were posed to certain investment managers of the ERS. In summary, the ERS' investment managers established working groups or committees to handle the transition; no action is required by the ERS; the managers expect little, if any, valuation risk; and no operational complexities were reported.

#### **ITEM 7 CLOSED SESSION**

At 11:40 a.m. CHAIRMAN HEWLETT requested a motion to go into Closed Session under authority of the General Provisions Article of the Annotated Code of Maryland Section 3-305(b)(2) to protect the privacy or reputation of individuals concerning a matter not related to public business; Section 3-305(b)(5) for the investment of public funds and Section 3-305(b)(7) to consult with legal counsel.

**ACTION:** VICE CHAIRMAN CICHY made a motion, seconded by MS. CHIANG-SMITH to go into Closed Session under authority of the General Provisions Article of the Annotated Code of Maryland Section 3-305(b)(2) to protect the privacy or reputation of individuals concerning a matter not related to public business; Section 3-305(b)(5) for the investment of public funds and Section 3-305(b)(7) to consult with legal counsel. The motion PASSED (10-0). (Motion #22-12)

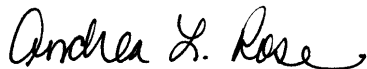
During Closed Session, the following action was taken:

1. Approved a Side Letter and Proceeding with Investment in GCM Grosvenor Customized Infrastructure Strategies III, L.P.
2. Approved an Investment Consulting Agreement Amendment with Wilshire Advisors LLC.
3. Adopted a Restatement of the MissionSquare Retirement Governmental Money Purchase Adoption Agreement effective January 1, 2022.
4. Approved a Second Amendment to the Revocable Trust Agreement with VOYA Investment Trust Company.
5. Resolved two member appeals.

**ACTION:** VICE CHAIRMAN CICHY made a motion, seconded by MS. CHIANG-SMITH to ratify the actions taken in Closed Session. The motion PASSED (10-0). (Motion #22-19)

The Board meeting of March 1, 2022 adjourned at 12:55 p.m.

Respectfully,



Andrea L. Rose  
Administrator



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks and Recreation

6600 Kenilworth Avenue Riverdale, Maryland 20737

## MEMORANDUM

DATE: March 24, 2022

TO: The Maryland-National Capital Park and Planning, Full Commission

FROM: Paul J. Sun, Land Acquisition Specialist *PJS*  
Park Planning and Development Division  
Department of Parks and Recreation

SUBJECT: **PGCPB Resolution No. 2022-22 (M-NCPPC No. 22-04), for Full Commission**

---

Attached, please find the above referenced Resolution regarding the conveyance of a perpetual drainage easement to Prince George's County at Calvert Hills Park, located in College Park, Maryland.

The Commission agrees to grant this easement to The Prince George's Department of the Environment (DOE), as part of the County's Watershed Implementation Plan. DPIE proposes to construct an underground storage vaults for the detention of the storm water on Park Property.

There are no monetary considerations for the granting of the proposed easement.

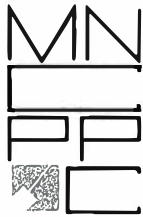
We request that the Prince George's County Planning Board Resolution be scheduled for adoption by the Full Commission on April 20, 2022.

Thank you for your attention to this matter.

Attachment:

- M-NCPPC Resolution No. 2022-22

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks and Recreation

6600 Kenilworth Avenue Riverdale, Maryland 20737

PGCPB No. 2022-22

MNCPPC No. 2022-04

**RESOLUTION**

**WHEREAS**, The Maryland-National Capital Park and Planning Commission (“Commission”) is authorized under the Annotated Code of Maryland, Land Use §17-205 to transfer any land held by it and deemed by the Commission not to be needed for park purposes or other authorized purposes; and

**WHEREAS**, the Commission owns Calvert Hills Park in College Park, approximately 6.62 acres, known as Parcel 71 (tax account 2363562) and further identified as Tax Map 42, Grid D-1; and

**WHEREAS**, in connection with its Watershed Implementation Plan, Prince George’s County, Maryland (“the County”) has requested that the Commission grant to it, for no monetary consideration, a 98,329 ± square foot (2.2573 ± acre) perpetual storm drainage easement for the installation of a subsurface public storm drainage system and stormwater management facility (underground storage vaults), to be located under the diamond-shaped ballfield at Calvert Hills Park, to alleviate flooding in the City of College Park and the neighborhood surrounding Calvert Hills Park; and

**WHEREAS**, the County would assume the duty of functionally maintaining, repairing, reconstructing, operating, and inspecting the subsurface public storm drainage system and stormwater management facility (underground storage vaults); and

**WHEREAS**, the Commission would retain the right to perform fill and excavation work to convert the land above the underground storage vaults from a ballfield to a parking lot, per drawings under permit # 46390-2019-0; and

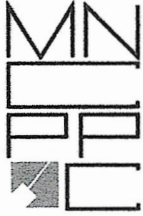
**WHEREAS**, for the benefit of the public, the Commission desires to grant to the County, for no monetary consideration, such 2.2573 ± acre perpetual storm drainage easement as requested by the County.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Board hereby approves the grant of the above-referenced easement to the County, subject to the approval of the full Commission.

**BE IT FURTHER RESOLVED**, that, in connection with the transactions contemplated herein, the Executive Director is authorized to execute and deliver, on behalf of the Commission, any and all such certificates, documents, and/or instruments, and to do or cause to be done, any and all such acts, as the Executive Director deems necessary or appropriate to make effective or to implement the intended purposes of the foregoing resolution, without limitation, and the taking of such actions shall be deemed conclusively to be authorized hereby.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken 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 Washington, Geraldo, Hewlett, Bailey, and Doerner voting in favor of the motion, during open session at its regular meeting on Thursday, February 17, 2022.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks and Recreation

6600 Kenilworth Avenue Riverdale, Maryland 20737

PGCPB No. 2022-22

Page 2 of 2

Adopted by the Prince George's County Planning Board this 10th day of March, 2022.

APPROVED AS TO LEGAL SUFFICIENCY

Shirley V. Mansueti  
M-NCPPC Legal Department

Date 3/18/22

Elizabeth M. Hewlett  
Chair

By: Jessica Jones  
Jessica Jones  
Planning Board Administrator

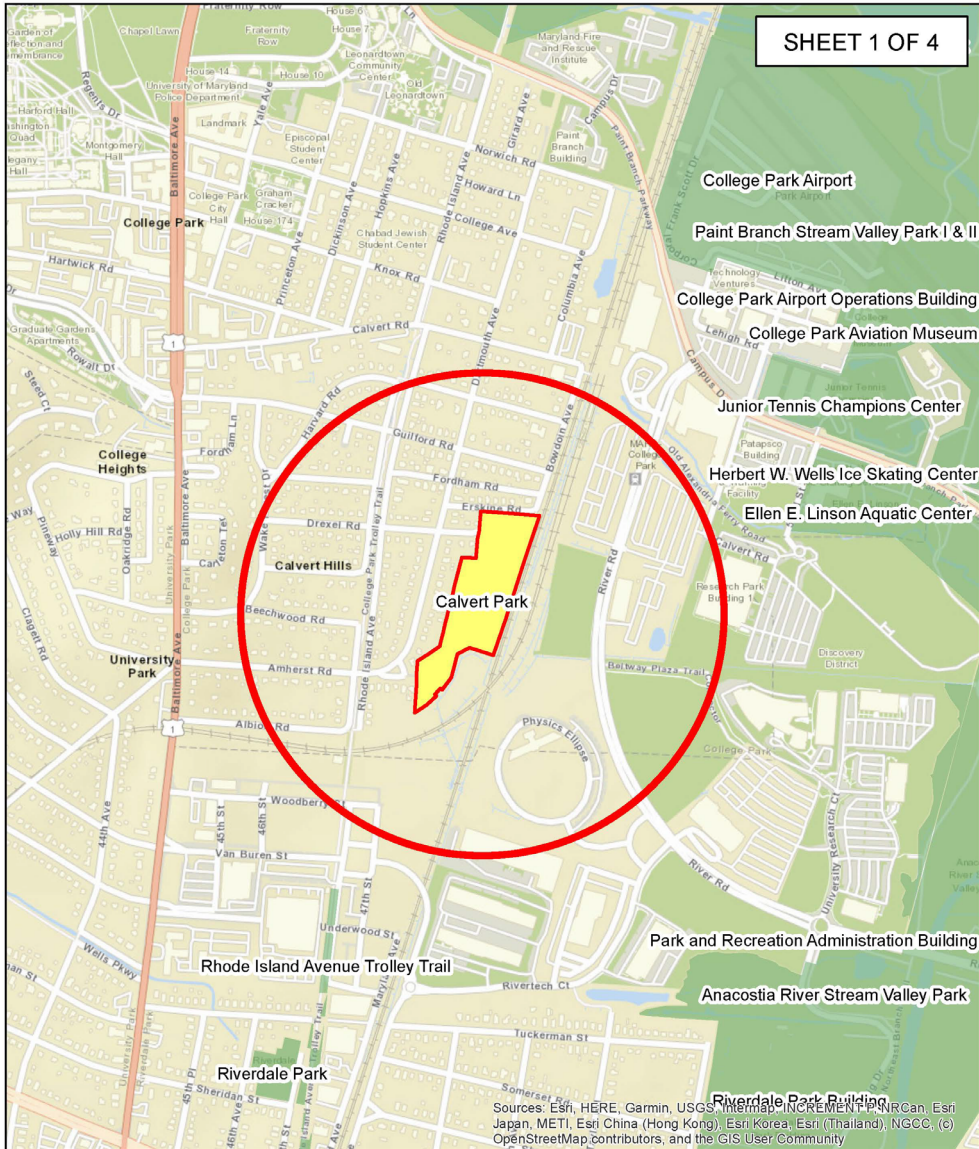
# Prince George's County Planning Board

February 17, 2022

Item #

Proposed Storm Drain  
Easement

Property of The  
Maryland-National  
Capital Park and  
Planning Commission  
(M-NCPPC)



**Property of  
M-NCPPC**

**Calvert Hills  
Park**

**Tax Map: 42  
Grid: D1  
Parcel: 71**

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



**N31 - Calvert Park  
Storm Drain Easement**

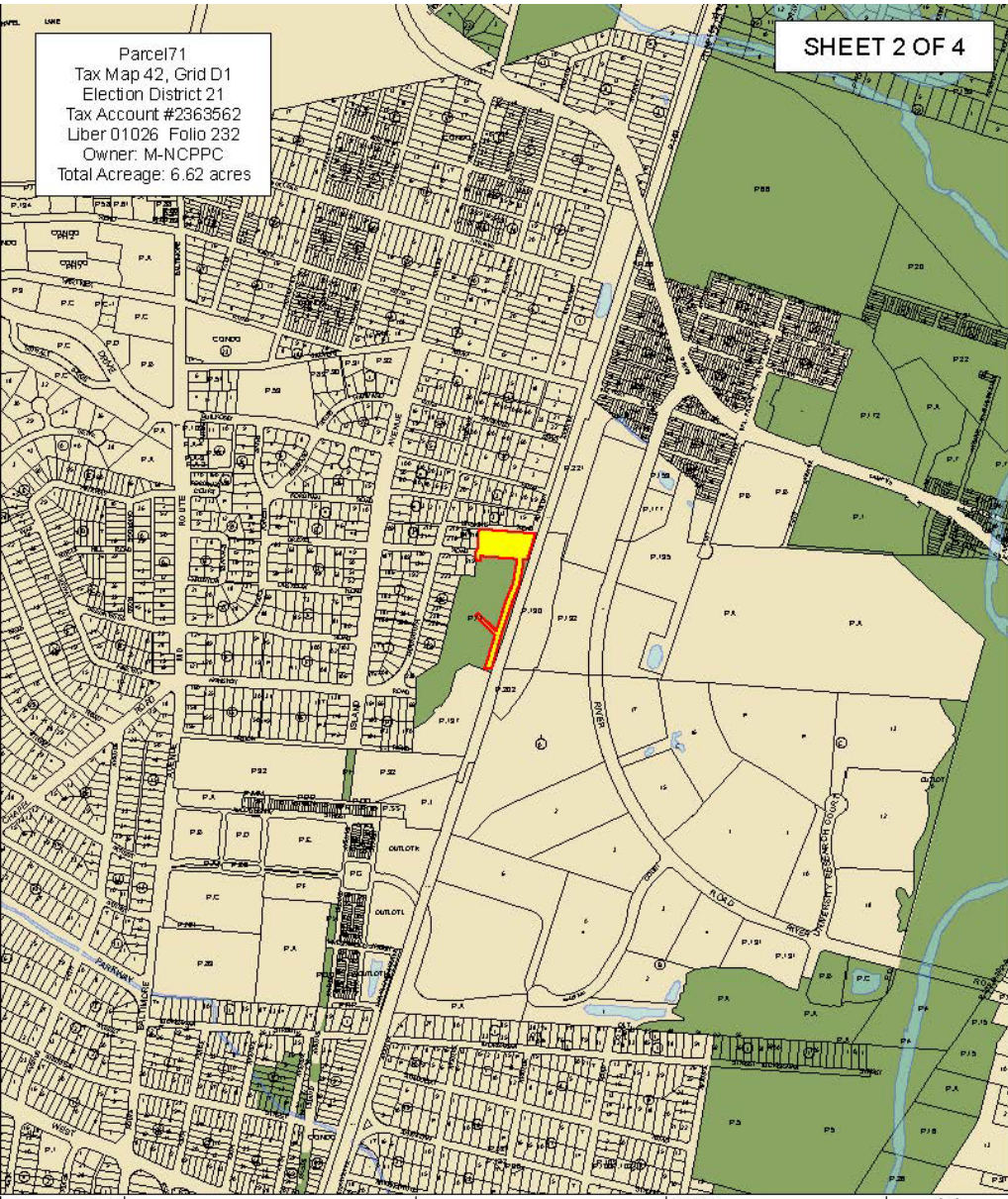
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DATE: 2/4/2022  
SCALE: 1 inch = 765 feet





Parcel 71  
Tax Map 42, Grid D1  
Election District 21  
Tax Account #2363562  
Liber D1026 Folio 232  
Owner: M-NCPPC  
Total Acreage: 6.62 acres



# Property of M-NCPPC

## Calvert Hills Park

Tax Map: 42  
Grid: D1  
Parcel: 71



N31 - Calvert Park  
Storm Drain Easement

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DATE: 02/08/2021

SCALE: 800 Feet

23





SHEET 4 OF 4

Storm Drain Easement  
98,329 sf  
2.25 ac.

Parcel: 071  
Tax Account: 2363562  
Liber: 01026 Folio:232  
Tax Map 042, Grid D1  
Election District 21  
Acreage:6.62

# Property of M-NCPPC Calvert Hills Park

Tax Map: 42  
Grid: D1  
Parcel: 71



N31 - Calvert Park  
Storm Drain Easement

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DATE: 2/4/2022

SCALE: 1 inch = 213 feet



M-NCPPC, M-NCPPC

**Property of  
M-NCPPC**

**Calvert Hills  
Park**

**Tax Map: 42  
Grid: D1  
Parcel: 71**

- The Prince George’s Department of the Environment (DOE), as part of the County’s Watershed Implementation Plan, proposes to construct an underground storage vaults for the detention of the storm water on Park Property.
- The goal of the project is to alleviate flooding in the City of College Park and the neighborhood surrounding Calvert Hills Park.
- The underground storage vaults are being constructed under the existing diamond field at the park, with outlets to the public storm drain system.



Property of  
M-NCPPC

Calvert  
Hills Park

Tax Map: 42  
Grid: D1  
Parcel: 71

- The DOE is requesting that M-NCPPC grant a 98,329 ± square foot (2.2573 ± acres) perpetual drainage easement to allow for the construct of the underground vaults and storm drain system.
- There will be no monetary consideration for the granting of the proposed easement.

**Property of  
M-NCPPC**

**Calvert  
Hills Park**

**Tax Map: 42  
Grid: D1  
Parcel: 71**

# STAFF RECOMMENDATION

## Approval

(Tyler/Gabriel/  
Stesney/Ewing/Sun)

**Property of  
M-NCPPC**

**Calvert Hills  
Park**

**Tax Map: 42  
Grid: D1  
Parcel: 71**



April 20, 2022

**MEMORANDUM**

TO: The Maryland-National Capital Park and Planning Commission

VIA: Andree Green Checkley, Planning Director, Prince George's County Planning Department  
Derick Berlage, AICP, Acting Deputy Planning Director of Operations  
Kipling Reynolds, AICP, Division Chief, Community Planning Division<sup>kee</sup>  
Kierre McCune, Planning Supervisor, Master Plans and Studies Section, Community Planning Division<sup>KM</sup>  
Scott Rowe, AICP, CNU-A, Planner IV, Master Plans and Studies Section, Community Planning Division<sup>BSR</sup>

FROM: Thomas Lester, Planner III, Master Plans and Studies Section, Community Planning Division<sup>TEL</sup>

SUBJECT: **The Maryland-National Capital Park and Planning Commission Resolution M-NCPPC No. 22-05 to certify the 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan*.**

Attached for your review and approval is the draft Full Commission Resolution M-NCPPC No. 22-05 to certify the *Approved Bowie-Mitchellville and Vicinity Master Plan*; a draft Certificate of Adoption and Approval; and a copy of the *Preliminary Bowie-Mitchellville and Vicinity Master Plan*. The approved plan consists of the preliminary master plan; the Prince George's County Planning Board Resolution of Adoption PGCPB No. 2021-142 dated December 16, 2021; and the Prince George's County Council Resolution CR-018-2022 as amended dated March 8, 2022.

**RECOMMENDATION**

Staff recommends that the Full Commission approve Resolution M-NCPPC No. 22-05, and the Certificate of Adoption and Approval.

## Attachments:

1. Draft Certificate of Adoption and Approval
2. 2021 Preliminary Bowie-Mitchellville and Vicinity Master Plan (separate companion item)
3. Prince George's County Planning Board Resolution of Adoption No. 2021-142/MNCPPC Resolution No. 22-05 (Resolution attachments are separate companion item)
4. Prince George's County Resolution CR-018-2022

CERTIFICATE OF ADOPTION AND APPROVAL

This 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* supersedes the 2006 *Approved Master Plan for Bowie and Vicinity for Planning Areas 71A, 71B, 74A, and 74B* and the 2010 *Approved Bowie State MARC Station Sector Plan* and amends the 2014 *Plan Prince George's 2035 Approved General Plan*, the 2018 *Prince George's County Water and Sewer Plan*, the 2009 *Approved Countywide Master Plan of Transportation*, and the 2014 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space*, for Planning Areas 71A, 71B, 74A and 74B within the Master Plan boundaries. The Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the master plan by Resolution No. 2021-142 on December 16, 2021. The Prince George's County Council approved the master plan by Resolution No. CR-18-2022 on March 8, 2022, after a duly advertised joint public hearing held on October 4, 2021.

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

---

Casey Anderson  
Chairman

---

Peter A. Shapiro  
Vice Chairman

---

Gavin Cohen  
Secretary-Treasurer



PGCPB No. 2021-142  
MNCPPC No. 2022-05

**RESOLUTION**

WHEREAS, the *Bowie-Mitchellville and Vicinity Master Plan* was initiated by the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission on January 23, 2020, and authorized by the Prince George’s County Council, sitting as the District Council, pursuant to CR-5-2020 on February 18, 2020; and,

WHEREAS, the *Preliminary Bowie-Mitchellville and Vicinity Master Plan* was released for public review and comment by the Planning Board on July 29, 2021; and,

WHEREAS, the Planning Board, in conjunction with the County Council, pursuant to Section 27-644 of the Zoning Ordinance of Prince George’s County, held a duly advertised joint public hearing on the *Preliminary Bowie-Mitchellville and Vicinity Master Plan* on October 4, 2021; and,

WHEREAS, the *Bowie-Mitchellville and Vicinity Master Plan* will amend the 2014 Prince George’s 2035 Approved General Plan by defining the boundaries of the Bowie Local Town Center and Bowie State University MARC Campus Center, and expanding the Rural and Agricultural Area; and,

WHEREAS, the *Bowie-Mitchellville and Vicinity Master Plan* will replace the 2006 *Approved Master Plan for Bowie and Vicinity* and replace the 2010 *Approved Bowie State MARC Station Sector Plan* in their entirety; and,

WHEREAS, the *Bowie-Mitchellville and Vicinity Master Plan* will amend the 2009 *Approved Countywide Master Plan of Transportation and Formula 2040: Functional Master Plan for Parks, Recreation and Open Space* for Planning Areas 71A, 71B, 74A, and 74B; and,

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

WHEREAS, the master plan area is located in the northeastern part of Prince George’s County, adjacent to the Anne Arundel County and the Potomac River, centering largely around the confluence of MD 450 (Annapolis Road), MD 197 (Laurel Bowie Road), US 50 (John Hanson Highway) and US 301/MD 3 (Robert Crain Highway), and includes MD 214 (Central Avenue) and MD 564 (Lanham-Severn Road), two major thoroughfares through the plan area; and,

WHEREAS, the plan area is served by the Bowie State MARC Station and is comprised of the City of Bowie and portions of the unincorporated residential communities of Mitchellville and Collington, and vicinity; and,

WHEREAS, the plan area also includes Collington Local Employment Area, a key employment area in the County and the Washington, D.C. metropolitan region; and,

WHEREAS, the *Bowie-Mitchellville and Vicinity Master Plan* provides a new vision to guide future growth and redevelopment at Bowie Local Town Center, which includes the Bowie Corporate Center, Bowie Town Center, Bowie Gateway, and Melford; and the Bowie State University MARC Campus Center; and provides strategies to expand opportunity at critical commercial areas along MD 450 (Annapolis Road), the commercial properties along 9th Street in Old Town Bowie, and the Collington Local Employment Area; and,

WHEREAS, on December 9, 2021 the Planning Board held a public worksession on the *Preliminary Bowie-Mitchellville and Vicinity Master Plan* to examine the transcript analysis of the Joint Public Hearing and all the exhibits received that constitute the hearing record; and

WHEREAS, the Prince George's County Planning Board agrees to amend the *Preliminary Bowie-Mitchellville and Vicinity Master Plan* based on its review of the record of the joint public hearing, including the documentation accepted by the Board into the record from the Office of the County Executive, as considered by the Board on December 9, 2021 including deletions and additions from the staff errata provided at the Joint Public Hearing on October 4, 2021 as Exhibit 2, and updated December 1, 2021 (**See Attachment A: Preliminary Bowie-Mitchellville and Vicinity Master Plan Errata Sheet**) and incorporate the recommended staff changes as outlined;

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 *Bowie-Mitchellville and Vicinity Master Plan*, incorporating therein amendments, deletions, and additions in response to the public hearing record; as follows:

Underline indicates language added to the preliminary plan.

[Brackets] indicate language deleted from the preliminary plan.

***Please note all Attachments are contained in supplemental material outside the packet.***

### **Section I: Blueprint for Tomorrow**

1. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Map 1. Bowie-Mitchellville and Vicinity Boundary (p. 7) to show the updated boundaries of the Rural and Agricultural Area, based on Amendments 7(b) below. **See Attachment B: Replacement Map 1. Bowie-Mitchellville and Vicinity Boundary.**

## Section V: Land Use

2. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising the paragraph in the Sustainability and Climate Change text box (p. 31) to include the recommended text:
  - a. The Prince George’s County Council established The Prince George’s Climate Action Commission with Council Resolution CR-07-2020 to develop a Climate Action Plan for Prince George’s County and to prepare for and build resilience to regional climate change impacts, and to set and achieve climate stabilization goals. The Bowie City Council approved a Climate Action Plan 2020-2025 to reduce greenhouse gas emissions and to enhance community resilience. Climate stabilization and community sustainability are impacted by all elements that define this master plan. Consequently, comprehensive planning is necessary to fully achieve the outcomes of this plan while also achieving climate action and sustainability goals.
  
3. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising the paragraph in the Sustainability and Climate Change text box (p. 51) with suggested edits and corrections:
  - a. Land use, sustainability, and climate change are closely connected. Land use decisions [Deciding what land uses should go where] across the plan area have [is] a key role [component] in sustainable development, resource protection, and mitigating [protecting resources and developing in a sustainable manner that mitigates the possible] the impacts [on] of climate change. Directing development to specific locations [certain areas], such as the Plan 2035 centers and the plan-defined focus areas, can [help] preserve undeveloped land [open space] and protect sensitive environmental features such as streams, forested areas, habitat, and open space.

4. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Strategy LU 3.1 (p. 53) as follows:
  - a. [Redevelop the former Freeway Airport property at 3600, 3702, and 3900 Church Road (Tax ID 0801290) into single-family housing appropriate for its Agricultural-Residential (AR) zoning except permitted by law as of the effective date of this Plan.] Should Freeway Airport be unable to redevelop pursuant to Preliminary Plan of Subdivision 4-20006, and should it cease operation as an airport, the properties located at 3600, 3702, and 3900 Church Road (Tax ID 0801258, 0801357, 0801290, 0801340, 0801241, 0801274, 0801233, 0801282, and 0728741) should be redeveloped with single-family housing appropriate for its Agricultural-Residential (AR) zoning at densities not to exceed 0.5 dwelling units per acre. Uses other than aviation, single-family housing, or rural or agricultural uses do not conform with this master plan. Map 16. Future Land Use, designates this property in the Rural and Agricultural land use category.
  - b. Revise Table 35. Land Use Implementation Matrix (p. 182) with updated text for LU 3.1. **See Attachment C: Freeway Airport**
5. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by adding a new Strategy LU 3.2 (p. 53):
  - a. Support the development of single-family attached housing at 0 Mitchellville Road (Tax ID 0681619). Map 16. Future Land Use, designates this property in the Residential Medium-High land use category.
  - b. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by adding LU 3.2 to Table 35. Land Use Implementation Matrix (p. 182), Lead Entity: Property Owner(s), Anticipated Time Frame: Mid-term
6. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by deleting LU 4 and LU 4.1 (p. 53).
  - a. [Policy LU 4 Support maximum commercial development potential at Six Flags America.]
  - b. [LU 4.1 Map 16. Future Land Use, recommends commercial land uses for Six Flags America (see Policy CZ 3).]

7. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Strategy LU 2.3 (p. 53) as follows:
  - a. [Carry forward the recommendation of the 2006 Approved Master Plan for Bowie and Vicinity to a] Add the properties identified in Table 6. Rural and Agricultural Area Additions Policy Amendments–Jesuit Property, north and south of MD 450 (Annapolis Road) and west of MD 3 (Robert Crain Highway) to the Rural and Agricultural Area. Designate these properties for Rural and Agricultural land uses except for the properties that are Institutional land use (Tax IDs 0801563, 0692756, 0796425, 0712588, 0710434, and 0663195), commensurate with the property’s Agricultural-Residential (AR) Zoning, its existing historic and institutional uses, and its critical areas of preserved environmental resources. ([s]See Table 6. Rural and Agricultural Area Additions Policy Amendments–Jesuit Property), Strategy PF 16.1, Map 25. Plan 2035 Growth Policy Map Amendments, and Appendix B. Plan 2035 and Functional Master Plan Amendments).
  - b. Update Map 18. MD 3 and MD 450—Policy Area Amendment (p. 54) identifying the new properties identified above. **See Attachment D: Replacement Map 18. MD 3 and MD 450— Plan 2035 Growth Policy Area Amendment**
  - c. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by adding the properties at 16200 Annapolis Road (Tax IDs 1594761 and 1594753) to the Rural and Agricultural Area as shown in Table 6. Rural and Agricultural Area Additions Policy Amendments–Jesuit Property (p. 56).
  - d. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by adding the properties at 16200 Annapolis Road (Tax IDs 1594761 and 1594753) to the Rural and Agricultural Area on Map 25. Plan 2035 Growth Policy Map Amendments (p. 67). **See Attachment E: Replacement Map 25. Plan 2035 Growth Policy Map Amendments.**
  - e. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by adding the properties at 16200 Annapolis Road (Tax IDs 1594761 and 1594753) to the Rural and Agricultural Area on Appendix B. Plan 2035 and Functional Master Plan Amendments, specifically Table 2: Rural and Agricultural Area Additions Policy Amendments–Jesuit Property (p. 232).
8. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by adding a strategy under Policy LU 5 (p. 57):
  - a. LU 5.6 As part of the Plan 2035 Five-Year Evaluation (see Section XV of this Plan at page 224), monitor and evaluate density and FAR of new development in the Bowie Local Town Center according to guidelines in the 2018 Zoning Ordinance and the recommendations set forth in Plan 2035 (see Plan 2035 Table 16, page 108); once those goals have been met on average for the Center, future expansion of the Bowie Local Town Center boundary may be considered.
  - b. Add LU 5.6 to Table 35. Land Use Implementation Matrix (p. 182), Lead Entity: M-NCPPC, Anticipated Time Frame: Long-term

9. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by adding a strategy under Policy LU 8 (p. 60):
  - a. LU 8.5 As part of the Plan 2035 Five-Year Evaluation (see Section XV of this Plan at page 224), monitor and evaluate density and FAR of new development in BSU MARC Campus Center according to guidelines in the 2018 Zoning Ordinance and the recommendations set forth in Plan 2035 (see Plan 2035 Table 16, page 108); once those goals have been met on average for the Center, future expansion of the BSU MARC Campus Center boundary may be considered.
  - b. Add LU 8.5 to Table 35. Land Use Implementation Matrix (p. 182), Lead Entity: M-NCPPC, Anticipated Time Frame: Long-term
  
10. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by adding the following strategy under Policy LU 9 (p. 61):
  - a. LU 9.4: Ensure that development in the Bowie State University MARC Campus Center includes appropriate buffers and transitions to minimize impacts to the Fran Uhler Natural Area and other sensitive environmental features.
  - b. Add LU 9.4 to Table 35. Land use Implementation Matrix (p. 183), Lead Entity: Property Owner(s), Anticipated Time Frame: Mid-term
  
11. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Strategy LU 14.2 (p. 68) as follows:
  - a. Add limited retail, service, and eating and drinking establishments within Collington Local Employment Area [to supplement those proposed at South Lake] to serve employees within the employment center. This is intended to acknowledge the need for convenient retail and dining options within walking distance to jobs; such retail complement, and not replace, additional retail options at South Lake.

The Legacy Comprehensive Design (LCD) Zone (the former Employment and Institutional Area Zone) applicable to the Collington Local Employment Area does not permit the range of eating and drinking and convenience service/retail establishments necessary to maximize [this area's] the Collington Local Employment Area's regional competitiveness. CZ 9.1 recommends reclassification of this property to the Industrial [Employment (IE)], Heavy (IH) Zone.
  - b. Revise Table 35. Land Use Implementation Matrix (p. 183) with updated text for LU 14.2.
  
12. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Strategy LU 17.3 (p. 72) as follows:
  - a. LU 17.3 After completing a feasibility study, and as redevelopment along [redevelop] Superior Lane occurs, transform the thoroughfare into [as] an active and lively tree-lined boulevard, with infill linear retail (restaurants and specialty shops in one- to two-story buildings) in the adjacent parking lots that stretches from Stonybrook Drive and extends northward toward Bowie Marketplace and crosses MD 450 into Free State Shopping Center (see Figure 7. Free State Shopping Center and Bowie Marketplace Concept Plan).
  - b. Revise Table 35. Land Use Implementation Matrix (p. 185) with updated text for LU 17.3.

## Section V: Land Use – Map 16. Future Land Use (p. 50)

**Make the following changes to Map 16. Future Land Use:**

13. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Map 16 to show the property located at 8201 Laurel Bowie Road (Tax ID 1649292) as Parks and Open Space.
14. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Map 16 to show the property located at 9351 Lemons Bridge Road (Tax ID 3079654) as Institutional.
15. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Map 16 to show the properties located east of Adnell Woods (Parcels 220, 221, and 273, tax IDs 1577253, 1630656, 1617513) as Residential Low.
16. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Map 16 to show the properties located south of 12th Street and east of Myrtle Avenue (Tax IDs 1678457, 1706399, 1626985, 5688375, and Unknown [Parcel D]) as Residential Low.
17. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Map 16 to show the properties between Old Town Bowie, adjacent to the PEPCO property, north and south of MD 564 as Residential Low. **See Attachment H: East Old Town Bowie Tax IDs, which includes a full list of Tax IDs.**
18. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Map 16 to show the properties located at 15222 and 15300 Old Chapel Road (1657014 and 1657022) as Commercial.
19. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Map 16 to show the properties of Princeton Square Townhouse Community (Tax IDs 0710210, 0709675, 0691071, 0709667 0691089, 0690370, 0690362, 0819805, and 0819144) and the all the associated townhouse properties within as Residential Medium. **See Attachment I: Princeton Square Townhouse Community Tax IDs which includes full list of tax IDs.**
20. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Map 16 to show the property located at 14201 Old Stage Road (Tax ID 5526056) as Institutional.
21. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Map 16 to show the property located at 3635 Elder Oaks Boulevard (Tax ID 2921773) as Residential High.
22. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Map 16 to show the property located at 15901 Fred Robinson Way (Tax ID 3065489) as Institutional.
23. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Map 16 to show the property located at Mitchellville Road (Parcel 40, Tax ID 0681619) as Residential Medium High.
24. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Map 16 to show the property located at 3560 Mitchellville Road (Tax ID 0756387) as Institutional.

25. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Map 16 to show the properties located at Covington 5 Townhouse Community (Tax IDs 3116571, 3117215, and 3118163) and the all the associated townhouse properties as Residential Medium High. **See Attachment J: Covington 5 Townhouse Community Tax IDs, which includes full list of tax IDs.**
26. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Map 16 to show the property located at 7 SE Robert Crain Highway (Tax ID 0731372) as Commercial.

**See Attachment F: Replacement Map 16. Future Land Use and Attachment G: Property Identification Maps – Amendments 15-28.**

## **Section VI: Comprehensive Zoning**

27. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by adding a new Strategy CZ 2.2 (p. 78):
  - a. CZ 2.2 Reclassify the properties at 16200 Annapolis Road (Tax IDs 1594761 and 1594763) to the Agricultural Residential (AR) Zone to support rural, agricultural, and institutional uses within its existing woodland setting.
  - b. Add map to Appendix F. Zoning Recommendations (p. 253) that identifies the subject properties: **(See Attachment K: Added Map CZ 2.2)**
28. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by deleting Policy CZ 3 and Strategy CZ 3.1 (p. 78) and deleting Table 11. CZ 3.1 Zoning Recommendations—North of MD 214, West of Church Road (p. 79).
  - a. [Policy CZ 3 Ensure the Six Flags properties are classified under the appropriate zoning to support an amusement park and ancillary commercial operations. Reclassify properties listed in Table 11.]
  - b. [CZ 3.1 Zoning Recommendations—North of MD 214, West of Church Road into the Commercial Service (CS) Zone (see Appendix F. Zoning Recommendations). The CS Zone permits Amusement Parks as a Special Exception use that allows for a range of uses an accessory uses customarily associated with an amusement park, including motorized and non-motorized rides, booths for the conduct of sporting events or games, constructed land features such as lakes, hills, or trails, office, and retail and other commercial uses.]
  - c. Delete Table 11. CZ 3.1 Zoning Recommendations—North of MD 214, West of Church Road (p. 79).



29. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by replacing Strategy CZ 3 and CZ 3.1, and adding CZ 3.2 (p. 78).
  - a. Policy CZ 3 Ensure that properties in the Established Communities are classified under the most appropriate zoning to support the recommended land uses.
  - b. CZ 3.1 Reclassify the property at 0 Mitchellville Road (Tax ID 0681619) to the Residential Single Family-Attached (RSF-A) Zone to support the recommended single-family attached residential development; Map 16. Future Land Use, designates this property in the Residential Medium-High land use category.
  - c. Add map to Appendix F. Zoning Recommendations (p. 253) that identifies the subject properties: **(See Attachment L: Added Map CZ 3.1)**
  - d. CZ 3.2 Reclassify the property at 7 SE Robert Crain Highway (Tax ID 0731372) as Commercial Service (CS) to support the recommended Commercial land use category.
  - e. Add map to Appendix F. Zoning Recommendations (p. 253) that identifies the subject properties: **(See Attachment M: Added Map CZ 3.2)**
  
30. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Strategy CZ 7.1 (p. 81).
  - a. Revise recommendations to rezone the properties to Industrial, Heavy (IH) Zone rather than [Industrial, Employment (IE) Zone].
  - b. Update Table 18. CZ 7.1 Zoning Recommendations—Collington Local Employment Area Expansion (p. 82) to show the recommended zone as Industrial, Heavy (IH) Zone rather than [Industrial, Employment (IE) Zone].
  
31. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising the last row, Tax ID column in Table 20. CZ 9.1 Zoning Recommendations—Leeland Road (p. 83), to 3466240, and delete [0713990] since it is duplicated from the row above.
  - a. Add map to Appendix F. Zoning Recommendations (p. 253) that identifies the subject properties: **(See Attachment N: Added Map CZ 9.1)**
  
32. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Table 21 CZ 10.1 Zoning Recommendations—Old Town Bowie Neighborhood Mixed-Use (p. 83) by removing the following properties from the list.
  - a. Tax IDs: [1587302, 1656982, 1684042, 1657865, 1657832, 1627496, 1627546 and 1652817], but retain 1667997, 1622547, 1652965, and 1658145.
  - b. Add map to Appendix F. Zoning Recommendations (p. 253) that identifies the subject properties: **(See Attachment O: Added Map CZ 10.1)**

## Section VII: Economic Prosperity

33. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by adding the following text box to Section VII: Economic Prosperity (p. 86).
- a. RETAIL ATTRACTION The Prince George’s County Retail Marketability and Competitiveness Study (2016) notes that: Two factors related to a retailer’s initial location analysis from the first look business standpoint complicate the identification of the ideal County sites to attract high-quality retail.
    - Prince George’s County has a disparity between where above-average household density is located and where median-household incomes are high.
    - The County’s prime retail locations must compete with the Baltimore-Washington region’s super prime locations with higher population densities and some of the highest incomes and education levels in the United States. (page 4).
34. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising the Sustainability and Climate Change text box (p. 88) as follows:
- a. [Sea-level effects on coastal cities and storm damage to regional transportation and energy infrastructure could cause health and economic impacts to area residents. While the Washington, D.C. metropolitan area’s economy continues to grow, greenhouse gas (GHG) emissions have remained relatively flat, signaling that the grid has become more efficient. The challenge of reducing GHG emissions while maintaining economic growth is an important objective in state and regional planning. Reducing commercial energy consumption and increasing the use of renewable energy sources in the commercial sector will be essential to combat climate change.] Economic prosperity is essential to the vitality of sustainable communities and to the quality of life of its citizens. Maintaining economic prosperity while converting to renewable energy sources and reducing greenhouse gas emissions is an important challenge for local and regional planning. Investments in a zero-carbon economy also can be investments in a future workforce, the wellbeing of future generations, and the resilience of our infrastructure and public spaces. Creative approaches to establishing new jobs and commercialization around renewable energy, housing energy efficiency, and carbon-free transportation technology will be essential to combat climate change while maintaining economic prosperity. Finding sustainable and equitable solutions in the face of increasing heat waves, storm damage, and flooding threats is imperative for ensuring healthy and economically viable communities.

35. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by adding a new Strategy under Policy EP 3 (p. 90):
- EP 3.4 Revitalize or redevelop the West Bowie Village Shopping Center located at 13611-13637, 13701, 13711, 13801 and 13811 Old Annapolis Road (Tax IDs 0657106, 0822510, 0821579, 0822528, 0822536, 0821587, 0821660, 0821595, 0821652, 0821603, 0821611, 0821645, 0821629, 0821637, 0821561, 0800375, 0821249, and 0816942) to support economically viable uses.
  - See Attachment P: West Bowie Village.**
  - Add EP 3.4 to Table 36. Economic Prosperity Implementation Matrix (p. 186), Lead Entity: Property Owner(s), Anticipated Time Frame: Long-term

### Section VIII: Transportation and Mobility

36. Amend the Bowie-Mitchellville and Vicinity Master Plan by revising Map 27, Master Plan Transportation and Trail Recommendations (p. 97), Appendix D. Recommended Master Plan Transportation Facilities (p. 247), and Appendix G. Public Facilities Report by adding all recommendations of the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) not explicitly identified in Section VIII of the preliminary master plan, Map 27, Appendix D, or Appendix G. If there is a conflict between this master plan and the 2009 MPOT, this master plan is applicable. See Attachment A: Preliminary Bowie-Mitchellville and Vicinity Master Plan Errata Sheet for additional details.
37. Amend the Bowie-Mitchellville and Vicinity Master Plan by revising the Sustainability and Climate Change text box (p. 98) with following language:
- Gasoline-powered [A]automobile dependency increases carbon emissions that contribute to climate change [and] while the many miles of roadway and acres of parking space detrimentally impact stormwater management and increase runoff pollution and the heat island effect. Supporting alternative transportation options is paramount to a climate-conscious, resilient community. This plan prioritizes increased public transit, bicycling, walking, and micro-transit (ride- and bikeshares, electric scooters, and on-demand transit) options to mitigate carbon emissions and limit transportation's impact on their environment. This plan also encourages policies that accelerate adoption of electric vehicles and deployment of charging infrastructure.
38. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by adding a new Strategy under Policy TM 7 (p. 108) as follows:
- TM 7.7 Connect the WB&A Trail to Anne Arundel County. (Anne Arundel County CIP Project #P393600)
  - Add TM 7.7 to Table 37. Transportation and Mobility Implementation Matrix (p. 191), Lead Entity: Anne Arundel County; Anticipated Timeframe: Short-Term

39. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan to add shared-use path T-208 to Appendix D. Recommended Master Plan Transportation Facilities (p. 247) and Appendix G. Public Facilities Report.
  - a. New/Existing: New  
ID: T-208  
Facility Name: TBD  
From: Church Road  
To: Northview Drive  
Min. ROW: 20'  
ROW Type: Shared-Use Path  
Multimodal Elements: 12-foot-minimum Shared-Use Path.  
Notes: Shared-Use Path connection between Church Road and Northview Drive on the former PT-1 (Public Transportation) Corridor
  - b. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by adding a cost estimate for T-208 Facility to Appendix G. Public Facilities Report. Anticipated Timeframe, In Current County/CIP /State CTP Y/N N, Short-Term Cost Estimate \$1,181,600; With 20% contingency - \$1,417,920.
  - c. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by adding T-208 to Map 27. Master Plan Transportation and Trail Recommendation (p. 97). **See Attachment Q: Replacement Map 27. Master Plan Transportation and Trail Recommendations.**
40. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan to add the following strategy TM 6.13 (p. 106) and associated implementation action item as follows:
  - a. TM 6.13 Evaluate the potential for commuter bus service connecting Annapolis and Bowie via the Northview Park-and-Ride Lot.
  - b. Add TM 6.13 to Table 37. Transportation and Mobility Implementation Matrix, Lead Entity: MTA; Anticipated Timeframe: Mid-Term
41. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising TM 11.4 (p. 117) as follows:
  - a. TM 11.4 Evaluate the feasibility of parking districts as per Section 21A-306, and Parking Permit Areas as per Subtitle 26, Division 9, of the County Code in Bowie Local Town Center, BSU MARC Campus Center, and Old Town Bowie.
  - b. Revise Table 37. Transportation and Mobility Implementation Matrix (p. 197) with updated text for TM 11.4.
42. Amend Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising TM 15.4 (p. 119) as follows:
  - a. TM 15.4 If feasible, [C]create a 12-foot-wide shared-use path from Loganville Street to Old Church Road, crossing the utility corridor.
  - b. Revise Table 37. Transportation and Mobility Implementation Matrix (p. 198) with updated text for TM 15.4.
  - c. Revise Appendix G. Public Facilities Report with updated text for TM 15.4.

43. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by adding strategy TM 15.5 under policy TM 15 (p. 119) as follows.
  - a. TM 15.5 Direct driveway access away from Church Road or consolidate driveways, wherever possible.
  - b. Add TM 15.5 to Table 37. Transportation and Mobility Implementation Matrix (p. 198), Lead Entity: DPW&T, Property Owner(s); Anticipated Timeframe: Mid-Term
44. Amend the Preliminary Bowie-Mitchellville and Vicinity by revising the last paragraph (p. 119) as follows:
  - a. See the text box on the following page for more details about the future of Church Road. See Appendix D. Recommended Master Plan Transportation Facilities for complete details of Transportation and Mobility recommendations.
45. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by deleting TM 22 and TM 22.1 (p. 123).
  - a. [Policy TM 22 Support a complete street network in Old Town Bowie.]
  - b. [TM 22.1 Construct New Road-F from 11th Street to Railroad Avenue as a shared street with a 20-foot right-of-way. See Appendix D. Recommended Master Plan Transportation Facilities for additional details.]
  - c. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by deleting UC-315 from Map 27. Master Plan Transportation and Trail Recommendations (p. 97) and from Appendix D. Recommended Master Plan Transportation Facilities (p. 249).
  - d. Delete TM 22.1 from Table 37. Transportation and Mobility Implementation Matrix (p. 201) and the Appendix G. Public Facilities Report.
46. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising strategy TM 26.1 (p. 125) as follows.
  - a. TM 26.1 [Replace sidewalks with] Install 12-foot-wide shared-use paths along MD 197 (Collington Road) from US 50 to Old Annapolis Road.
  - b. Revise Table 37. Transportation and Mobility Implementation Matrix (p. 202) with updated text for TM 26.1.
47. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising strategy TM 29.4 (p. 127) as follows.
  - a. TM 29.4 Construct [Evaluate the potential for] partial access [points] at [Governor's Bridge Road, Mill Branch Crossing, and] Leeland Road.
  - b. Revise Table 37. Transportation and Mobility Implementation Matrix (p. 204) with updated text for TM 29.4.
  - c. Revise Appendix G. Public Facilities Report with updated text for TM 29.4.
48. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by adding the following new strategy TM 29.11 to Policy TM 29 (p. 127).
  - a. TM 29.11 Maintain the plan's recommended land use and regional traffic pattern by not constructing any interchanges on US 50 (John Hanson Highway) between MD 704 (Martin Luther King, Jr. Highway) and MD 197 (Collington Road).

### Section IX: Natural Environment

49. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan to add a Sustainability and Climate Change text box (p. 131, approximately) with the following language:
  - a. SUSTAINABILITY AND CLIMATE CHANGE Preservation of streams, forested areas, wetlands and other habitats are imperative for protecting natural ecosystems. Protecting the natural environment not only requires protection of the water, soil, and air resources required for human survival, but also the ecosystem functions required to support the diversity of life on this planet. Preservation of native species is essential to supporting the complex food webs native to this region. Mature forest ecosystems also play an essential role in removing carbon from the atmosphere and reversing the effects of climate change.

### Section X: Housing and Neighborhoods

50. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising the Sustainability and Climate Change text box (p. 143) with suggested edits:
  - a. Mixed-use, well-connected, and walkable neighborhoods can reduce carbon emissions while providing a greater range of services as well as affordable housing options for all income levels. In these neighborhoods, there is less incentive to drive and instead residents have active transportation alternatives such as biking, and walking. Policies and programs that support energy retrofits for housing in older neighborhoods and carbon-neutral standards for new housing developments can significantly reduce energy use and greenhouse gas emissions while increasing home values. [are resilient communities with minimal carbon emissions.]
51. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Strategy HN 6.3 (p. 146) as follows:
  - a. Work with property owners [the City of Bowie] and the Prince George's County Housing Authority to leverage the Bond Finance Program to assist with constructing affordable multifamily housing at the BSU MARC Campus Center
  - b. Delete the [City of Bowie] as the Lead Entity from Table 39 Housing and Neighborhoods Implementation Matrix (p. 208) for HN 6.3.
52. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising HN 7.1 (p. 146) as follows:
  - a. HN 7.1 In Old Town Bowie, construct new infill housing at several locations[, including on City-owned property.]
    - i. [The property owned by City of Bowie on 10th Street, adjacent to the railroad tracks (Tax ID: 5606455; 1587278; 2832251).]
    - ii. Retain the 8th Street properties and other properties stated.
  - b. Revise Table 39. Housing and Neighborhoods Implementation Matrix (p. 208) with updated text for HN 7.1.

## Section XI: Community Heritage, Culture, and Design

53. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising the Sustainability and Climate Change text box (p. 149) with suggested additions and deletions:
  - a. The preservation, restoration, and adaptive reuse of historic properties can create vibrant communities that attract economic activity, provide a range of housing options, and reduce greenhouse gas emissions. Reuse and recycling of building materials preserves local cultural heritage while supporting sustainable construction practices. Minimal site disturbance during renovations leads to less environmental disruption and a lower [lead to a reduction in climate emissions with the recycling of building materials and minimal environmental impact through demolition. The minimal site development leads to less environmental disruption. Walkable communities have less of a ]carbon footprint.
  
54. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Strategy HD 3.1 (p. 150) as follows:
  - a. The City of Bowie, in partnership with Prince George’s Arts and Humanities Council, should consider installation of public art at [the following] strategic locations and sites, which could include, but are not limited to:
    - Murals on City of Bowie-owned buildings
    - Utility wrap on utility boxes owned by the City of Bowie
    - Social justice mural or sculpture in a City of Bowie park [(location to be determined)]
  - b. Revise Table 40. Community Heritage, Culture and Design Implementation Matrix (p. 210) with updated text for HD 3.1.
  
55. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Strategy HD 11.1 (p. 155) as follows:
  - a. In partnership with the Prince George’s Arts and Humanities Council and the City of Bowie, Arts Committee install public art at the bus stop located on MD 197 and Kenhill Drive.
  - b. Revise Table 40. Community Heritage, Culture and Design Implementation Matrix (p. 212) with updated text for HD 11.1.

## Section XII: Healthy Communities

56. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising the Sustainability and Climate Change text box (p. 159) with suggested edits:
- a. The master plan supports healthy communities by increasing equitable access to healthy food and by developing infrastructure that promotes active lifestyles. Accessibility to fresh, locally grown food supports local agriculture producers, promotes a healthier diet for consumers, and reduces energy requirements for food distribution. An active lifestyle can increase quality of life and wellbeing while promoting active transportation modes that minimize vehicle emissions. Taking action to curtail climate change will ensure the health of future generations by reducing the life-threatening impacts of future temperature extremes, storm damage, flooding, fire, and other hazards. [Healthy Communities are indispensable in climate change-conscious communities. Not only do healthy communities support active, car-free lifestyles but they promote healthy food and access to greenspaces and the natural environment. The Preliminary Bowie-Mitchellville and Vicinity Master Plan recommends Healthy Communities with increased active transportation and multi-mobility options to facilitate residents' active lifestyles as well as the creation of a built environment conducive to active lifestyles. Active lifestyles are less carbon emission intensive because there is less car usage, and communities are well connected by active transportation alternatives such as bicycling and walking.]
57. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Strategy HC 1.4 (p. 159) as follows:
- a. HC 1.4 [Expand] Continue to [the operation] operate the local [City of Bowie's] food pantry to distribute fresh produce that meets the needs of the community. [ more than three times per week during peak season.]
  - b. Revise Table 41. Healthy Communities Implementation Matrix (p. 214) with updated text for HC 1.4. Delete [City of Bowie] as the Lead Entity and replace with Nonprofit Organizations.
58. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Strategy HC 6.2 (p. 162) as follows:
- a. HC 6.2: Attract a public or private recreation and wellness anchor at Bowie Gateway near 4400 Mitchellville Road (Tax ID 2976868) as part of a larger wellness and recreation trail to provide amenities for residents and draw regional visitors. This anchor should complement, but not compete with, nearby city and Commission facilities.
  - b. Revise Table 41. Healthy Communities Implementation Matrix (p. 215) with updated text for HC 6.2.



### Section XIII: Public Facilities

59. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising the Sustainability and Climate Change text box (p. 168) with suggested additions and deletions:
  - a. Public facilities are the foundation of a sustainable community and are key to its resiliency. Climate change will lead to greater threats from heat waves, storm damage, and flooding potential in this area. Emergency planning and preparedness that addresses the populations most vulnerable to these threats are the hallmark of a resilient community. The plan supports a diverse array of public facilities [and recommendations to] that will strengthen neighborhood services, ensure public safety in emergencies, and provide for community needs. Upgrades to public works facilities for handling waste, water, sewage, and backup power availability can both ensure rapid response to emergency situations and reduce energy and emissions that impact climate change [Public facilities designed to facilitate active transportation in mixed-use, connected neighborhoods are essential in a climate change conscious community.] Climate change resiliency can be further supported through retrofitting existing public facilities to be low-carbon buildings.
  
60. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by adding Strategy PF 4.2 (p. 169) of PF 4:
  - a. PF 4.2: Amend the 2018 Prince George's County Water and Sewer Plan by reclassifying the properties at 16200 Annapolis Road (Tax IDs 1594761 and 1594753) into Water and Sewer Category 6.
  
61. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by deleting Strategy PF 7.2 (p. 171):
  - a. [PF 7.2 Construct a public recreation facility on the City of Bowie's property at 4151 Church Road (Tax ID 3665791).]
  - b. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by deleting PF 7.2 from Table 33. Recommended Parks, Recreation, and Open Space Improvements (p. 176).
  - c. Revise Table 42. Public Facilities Implementation Matrix (p. 218) by deleting PF 7.2.
  
62. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by updating Map 49. Recommended Public Facilities (p. 175) with the items missing on the map but listed in Table 33. Parks, Recreation, and Open Space Improvements (p. 176). Do not include PF 7.2, which has been deleted under amendment 61. **See Attachment R: Replacement Map 49. Recommended Public Facilities.**

### Appendix F. Zoning Recommendations

63. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Appendix F. CZ 1.2 Zoning Recommendations (p. 254) to remove [16200 Whitemarsh Drive (Tax ID 0722157)] from the table.

64. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by adding a series of maps to show the boundary of each of the properties listed in the tables in Comprehensive Zoning section and Appendix F (p. 253-258). **See Attachment S: Added Maps CZ X.X - Appendix F. Zoning Recommendations.**

**Table 42. Public Facilities Implementation Matrix**

65. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Table 42. Public Facilities Implementation Matrix (p. 217), from [Short-Term] to Long-Term for strategy PF 6.1.

**Appendix G. Public Facilities Report**

66. Amend the Preliminary Bowie-Mitchellville and Vicinity Master Plan by revising Appendix G. Public Facilities Report to include cost estimates. **See Attachment T: Public Facilities Report – Cost Estimates.**

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission does hereby adopt the *Bowie-Mitchellville and Vicinity Master Plan*, amending the 2014 Prince George’s 2035 Approved General Plan by defining the boundaries of the Bowie Local Town Center and Bowie State University MARC Campus Center and expanding the boundary of the Rural and Agricultural Area, and will replace the 2006 *Approved Master Plan for Bowie and Vicinity* and replace the 2010 *Approved Bowie State MARC Station Sector Plan* in their entirety; and, will amend the 2009 *Approved Countywide Master Plan of Transportation and Formula 2040: Functional Master Plan for Parks, Recreation and Open Space* for the Planning Areas 71A, 71B, 74A, and 74B; and

BE IT FURTHER RESOLVED that the adopted master plan comprises the *Preliminary Bowie-Mitchellville and Vicinity Master Plan* document 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 Bowie-Mitchellville and Vicinity Master Plan*, shall be transmitted to the County Executive and each municipality whose territorial boundaries are in and within one-half mile of the master 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

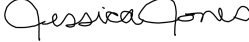
BE IT FURTHER RESOLVED that the Prince George’s County Planning Board finds that the plan recommendations, as heretofore described, are in conformance with the principles of orderly comprehensive land use planning and staged development, and with consideration having been given to the applicable County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

BE IT FURTHER RESOLVED that Prince George's County Planning Board staff is authorized to make appropriate text and graphical revisions to the master plan to correct errors, reflect updated information and revisions, and incorporate the changes reflected in this Resolution.

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, December 9, 2021, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 16<sup>th</sup> day of December 2021.

Elizabeth M. Hewlett  
Chairman

  
By Jessica Jones  
Planning Board Administrator

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner  
M-NCPPC Legal Department  
Date: December 15, 2021

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL  
2022 Legislative Session**

Resolution No. CR-018-2022  
Proposed by Council Members Davis and Turner  
Introduced by Council Members Turner, Davis, Harrison, Franklin, and Hawkins  
Co-Sponsors \_\_\_\_\_  
Date of Introduction March 8, 2022

**RESOLUTION**

1 A RESOLUTION concerning

2 The Bowie-Mitchellville and Vicinity Master Plans

3 For the purpose of approving, with certain revisions herein that are based on the joint public  
4 hearing record of testimony, as an Act of the County Council of Prince George's County, sitting  
5 as the District Council for that part of the Maryland-Washington Regional District in Prince  
6 George's County, the Bowie-Mitchellville and Vicinity Master Plan, approving therein a new  
7 vision to guide future growth and redevelopment for Planning Areas 71A (Bowie and Vicinity),  
8 71B (City of Bowie), 74A (Mitchellville and Vicinity), and 74B (Collington and Vicinity); an  
9 area generally defined by the Patuxent Research Refuge to the north, MD 193 (Enterprise  
10 Road/Watkins Park Drive) to the west, Leeland Road/Queen Anne Road to the south, and the  
11 Patuxent River to the east, including the entire City of Bowie and the portions of the  
12 unincorporated communities of Mitchellville and Collington. The Master Plan includes the Plan  
13 Prince George's 2035 (Plan 2035)-designated Bowie Local Town Center and Bowie State  
14 University MARC Campus Center, Old Town Bowie, the Collington Local Employment Area,  
15 and the MD 450, MD 197, and US 301/MD 3 corridors.

16 **WHEREAS**, on February 18, 2020, the County Council of Prince George's County,  
17 Maryland, sitting as the District Council, adopted Council Resolution No. CR-5-2020, thereby  
18 directing the initiation and preparation of a new master plan by the Planning Board of the  
19 Maryland-National Capital Park and Planning Commission to amend the 2014 General Plan,  
20 *Plan Prince George's 2035*, by defining the boundaries of the Bowie Local Town Center, the  
21 Bowie State University MARC Campus Center, and the Rural and Agricultural Area and County

1 Growth Boundary; replacing the 2006 *Master Plan for Bowie and Vicinity*, and the 2010 *Bowie*  
2 *State MARC Station Sector Plan* in their entirety; and

3 **WHEREAS**, this Master Plan does not include a concurrent sectional map amendment;  
4 accordingly, zoning for properties within the Master Plan area will remain the same upon  
5 approval of this Master Plan; and

6 **WHEREAS**, the District Council, by way of its adoption of CR-5-2020, and pursuant to  
7 the prescriptions of Sections 27-641 and 27-643 of the County Zoning Ordinance, also endorsed  
8 Goals, Concepts, Guidelines and a Public Participation Program to guide the preparation of the  
9 plan, and to establish master plan area boundaries for the Bowie-Mitchellville and Vicinity  
10 Master Plan area; and

11 **WHEREAS**, as part of the approved Public Participation Program, the Planning staff of  
12 the Maryland-National Capital Park and Planning Commission held numerous community  
13 meetings with a broad spectrum of stakeholders, including community leaders and residents,  
14 business and property owners, nonprofit organizations, developers, as well as other municipal,  
15 County, State, and regional agencies; and

16 **WHEREAS**, on July 29, 2021, the Planning Board granted permission to print the  
17 Preliminary Bowie-Mitchellville and Vicinity Master Plan and release it to the public; and

18 **WHEREAS**, the District Council and the Planning Board held a duly-advertised joint  
19 public hearing on the Preliminary Bowie-Mitchellville and Vicinity Master Plan on October 4,  
20 2021; and

21 **WHEREAS**, pursuant to Section 27-645(b) of the Zoning Ordinance, the County Executive  
22 and the District Council reviewed the Public Facilities and Transportation and Mobility elements  
23 of the Preliminary Bowie-Mitchellville and Vicinity Master Plan in order to identify  
24 inconsistencies between the proposed public and transportation facilities recommended within  
25 the preliminary Master Plan and existing County or state public and transportation facilities, as  
26 embodied in CR-134-2021; and

27 **WHEREAS**, on December 9, 2021, the Planning Board held a public work session to  
28 consider the transcript and testimony analysis compiled from comments received in the October  
29 4, 2021, joint public hearing record and in written testimony received prior to the close of the  
30 public record on October 19, 2021, and staff recommendations thereon; and

31 **WHEREAS**, on December 16, 2021, the Planning Board, in response to the public hearing

1 testimony, adopted the Bowie-Mitchellville and Vicinity Master Plan with revisions in Prince  
2 George's County Planning Board Resolution PGCPB No. 2021-142, and transmitted the adopted  
3 Master Plan to the District Council on January 10, 2022; and

4 **WHEREAS**, on January 25, 2022, and February 17, 2022, respectively, the District  
5 Council held duly advertised public work sessions, convened as the Committee of the Whole, to  
6 examine the Planning Board adopting resolution, the analysis of testimony prepared by the staff,  
7 as well as the array of exhibits and other testimony within the record of public hearing testimony;  
8 and

9 **WHEREAS**, after respective procedural and substantive presentations by legal counsel to  
10 the Council and Planning Board staff, as well as questions and other discussion regarding the  
11 record of hearing testimony for the adopted Master Plan by members of the District Council, the  
12 Committee of the Whole voted favorably on February 17, 2022, to direct staff to prepare a  
13 Resolution of Approval of the Bowie-Mitchellville and Vicinity Master Plan; and

14 **WHEREAS**, on March 3, 2022, the Planning Board reviewed the revisions contained in  
15 this resolution and transmitted their comments to the District Council; and

16 **WHEREAS**, upon approval by District Council, this Master Plan will amend the 2014  
17 General Plan, *Plan Prince George's 2035*, by defining the boundaries of the Bowie Local Town  
18 Center, Bowie State University MARC Campus Center, the Rural and Agricultural Area and the  
19 County Growth Boundary; and it will replace the 2006 *Master Plan for Bowie and Vicinity* and  
20 the 2010 *Bowie State MARC Station Sector Plan* in their entirety; and

21 **WHEREAS**, upon approval by the District Council, the Bowie-Mitchellville and  
22 Vicinity Master Plan will amend the 2009 *Countywide Master Plan of Transportation* and 2013  
23 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space* for Planning  
24 Areas 71A, 71B, 74A, and 74B.

25 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Prince George's  
26 County, Maryland, sitting as the District Council for that part of the Maryland-Washington  
27 Regional District in Prince George's County, Maryland, that the 2022 Bowie-Mitchellville and  
28 Vicinity Master Plan as adopted by Planning Board and embodied within the resolution adopted  
29 on December 16, 2021, PGCPB No. 2021-142, as set forth in Attachment A, which is attached  
30 hereto and incorporated as if restated fully herein, be and the same is hereby APPROVED,

1 subject to the following, non-substantive revisions, in accordance with express prescriptions of  
 2 law:

3 **REVISION NUMBER 1:**

4 **DESIGNATION OF THE BOWIE LOCAL TOWN CENTER BOUNDARY**

5 • **Digest of Testimony:** Item Nos. 32, 37, 47, 52, 58, and 59; Exhibits 4, and 29, and Speaker  
 6 7

7 • **Plan Elements:** Land Use (LU 5, LU 21), and Comprehensive Zoning (CZ 4 and CZ 5)

8 (a) Amend Strategy LU 5.4 as follows:

9 **LU 5.4:** Remove [all] certain properties east of US 301 (Robert Crain Highway) south of  
 10 US 50/US 301 (John Hanson Highway) from the Bowie Local Town Center and put into  
 11 the Established Communities policy area, so that limited mixed-use redevelopment , [can  
 12 be concentrated west of the future F-10 freeway and] automobile-oriented and service  
 13 uses can be located east of the freeway (see CZ 4.1[, 4.2, and 4.3]; Map 25. Plan 2035  
 14 Growth Policy Map Amendments; and Appendix B. Plan 2035 and Functional Master  
 15 Plan Amendments).

16 (b) Update Table 12. CZ 4.1 Zoning Recommendations-East of Bowie Local Town Center  
 17 in the Comprehensive Zoning chapter, accordingly.

18 (c) Revise Strategy **LU 5.5** In Map 15. Future Land Use, recommend Commercial,  
 19 Residential Medium-High, or Residential Low Land Uses east of US 301 (Robert Crain  
 20 Highway) south of US 50/301 (John Hanson Highway) on the properties removed from  
 21 Bowie Local Town Center to [strongly discourage] limit mixed-use development outside  
 22 of the Bowie Local Town Center.

23 (d) Revise Strategy LU 21.1 as follows:

24 **LU 21.1:** As US 301 is upgraded to a limited-access freeway (F-10), concentrate retail  
 25 and service commercial development on the west side of planned interchanges at Leeland  
 26 Road[,] and MD 214[, and MD 197] to reduce the burden on existing infrastructure and  
 27 conserve sensitive environments, such as woodland, wetlands, and farmland. Discourage  
 28 commercial land use elsewhere along the corridor.

29 (e) Update Map 16. Future Land Use and any other associated Tables, Appendices, and/or  
 30 Comprehensive Zoning policies in the plan, as appropriate, to reflect approved changes.  
 31 (See Attachment A, Amended Bowie Local Town Center Boundary Map).

**REVISION NUMBER 2:**

**3600, 3702, AND 3900 CHURCH ROAD BOWIE, MARYLAND**

- **Property Description:** Freeway Airport Property/Freeway Realty, LLC
- **Map/Parcel:** Tax Map 54/Parcels 7, 49, 50, 51, 57, 58, 59, and 60
- **Tax ID/Account:** 0801258, 0801357, 0801290, 0801340, 0801241, 0801274, 0801233, 0801282, and 0728741

• **Digest of Testimony Major Issue #4**

• **Plan Elements:** Land Use (LU 3), and Comprehensive Zoning (CZ 3)

(a) Revise LU 3.1, by substituting the following language for Strategy LU 3.1, under Land Use Policy 3:

**LU 3.1:** Should Freeway Airport be unable to redevelop pursuant to Preliminary Plan of Subdivision 4-20006, and should it cease operation as an airport, the properties located at 3600, 3702, and 3900 Church Road (Tax ID 0801258, 0801357, 0801290, 0801340, 0801241, 0801274, 0801233, 0801282, and 0728741) should be redeveloped with medium-density single-family, attached or detached, housing [appropriate for its Agricultural-Residential (AR) zoning at densities not to exceed 0.5 dwelling units per acre.] Uses other than aviation, single-family attached or detached housing, or rural or agricultural uses do not conform with this master plan. Map 16, Future Land Use, designates this property in the [Rural and Agricultural] Residential Medium land use category.

(b) Add a new Strategy CZ 3.3, under Comprehensive Zoning Policy 3, as follows:

**CZ 3.3** Reclassify the properties located at 3600, 3702, and 3900 Church Road (Tax ID 0801258, 0801357, 0801290, 0801340, 0801241, 0801274, 0801233, 0801282, and 0728741) known as Freeway Airport to the RSF-A (Residential, Single-Family-Attached) Zone.

(c) Revise Map 16. Future Land Use to reflect Residential Medium land use for the subject properties, Table 35. Land Use Implementation Matrix with updated text for LU 3.1, and associated Appendices, as appropriate, to reflect approved changes. (See Attachment B, 3600/3702/3900 Church Road Map (Freeway Airport Properties)).

**REVISION NUMBER 3:**

**12205, 12105 ANNAPOLIS ROAD/5015 ENTERPRISE ROAD, BOWIE, MARYLAND**



1 **Property Description:** Hawkins Property/Frank’s Nursery, located at the Southeast quadrant of  
 2 the intersection of MD 193 and MD 450

3 **Map/Parcel:** Tax Map 45/Parcels 5, 118, and 123

4 **Tax ID/Account:** Tax ID 0733741, 0733782, and 0817676

5 **Digest of Testimony** Item No. 26, Exhibit 17

6 **Plan Elements:** Land Use (LU 3) and Comprehensive Zoning (CZ 3)

7 (a) Revise Policy LU 18 regarding under MD 450 Corridor as follows LU 18: Create  
 8 strategic opportunities for infill [single-family housing] commercial land use along MD  
 9 450, served by existing infrastructure[rather than greenfields].

10 (b) Revise strategy LU 18.1 regarding Frank’s Nursery’s land as follows

11 LU 18.1: Redevelop the former Frank’s Nursery property at 12205 and 12105 Annapolis  
 12 Road (Tax ID 0733741 and 0733782) and 5015 Enterprise Road (Tax ID 0817676) into  
 13 [single-family housing pursuant to its RE (Residential Estate) zoning] commercial land  
 14 use. Map 16. Future Land Use, designates this property in the [Residential Low]  
 15 Commercial land use category.

16 (c) Add a new Strategy CZ 3.2 to Comprehensive Zoning Policy 3, as follows:

17 CZ 3.2: Reclassify the property known as Frank’s Nursery property located at 12205 and  
 18 12105 Annapolis Road (Tax ID 0733741 and 0733782) and 5015 Enterprise Road (Tax ID  
 19 0817676) to the CGO (Commercial, General, Office) Zone to support the recommended  
 20 commercial development.

21 (d) Update Map 16. Future Land Use Map and associated Appendices, as appropriate, to reflect  
 22 approved changes. (See Attachment C. 12205/12105 Annapolis Road/5015 Enterprise  
 23 Road Map (Hawkins Property/Frank’s Nursery)).

24 **REVISION NUMBER 4:**

25 **6513, 6517 NE ROBERT CRAIN HWY, BOWIE, MARYLAND**

- 26 • **Property Description:** TMC 450 LLC/KHM ROUTE 3 LLC Property, located between the
- 27 northbound and southbound lanes of MD 3 (Robert Crain Highway), just south of the
- 28 intersection of MD 3with MD 450 (Annapolis Road).
- 29 • **Map/Parcel:** Tax Map 38/Parcels 4, 78, and 79
- 30 • **Tax Account/ID:** 0822239, 5635696 and 5635708
- 31 • **Digest of Testimony** Item No. 29; Exhibit 23

- 1     • **Plan Elements:** Land Use (LU 2) and Comprehensive Zoning (CZ 2)
- 2     (a) Revise the text of Strategy LU 2.1 under Land Use Policy 2—Zoning Policy for Rural and
- 3         Agricultural Areas—to exempt these properties from that recommendation.
- 4     (b) **LU 2.1:** With the exception of the properties at 6513 and 6517 NE Robert Crain Highway
- 5         (Tax Accounts 0822239, 5635696, and 5635708) and all [Except for] institutional land
- 6         uses in existence on the date of approval of this master plan, recommended rural and
- 7         agricultural land uses for all properties in the Rural and Agricultural Area.
- 8     (c) Add a new Strategy under Comprehensive Zoning Policy 2—to recommend this property
- 9         to the CS (Commercial Service) Zone.
- 10    (d) Make associated revisions to Map 16. Future Land Use and Appendices, as appropriate, to
- 11         reflect the approved designations for Commercial development at these properties. (See
- 12         Attachment D, 6517/6513 Robert Crain Highway Map).

**REVISION NUMBER 5:**

**3412 NE ROBERT CRAIN HIGHWAY, BOWIE, MARYLAND**

- 15    • **Property Description:** Chiaramonte Property
- 16    • **Tax Account/ID:** 0817718 and 0817734
- 17    • **Map/Parcel:** Tax Map 55/Parcels 36 and 60
- 18    • **Digest of Testimony** Item No. 31; Exhibit 31
- 19    • **Plan Elements:** Land Use (LU 3) and Comprehensive Zoning (CZ 3)
- 20    (a) Revise LU 3 Map 16. Future Land Use recommends creating strategic opportunities for
- 21         infill housing and commercial land uses within Established Communities, served by
- 22         existing infrastructure [rather than in greenfields].
- 23    (b) Add a new strategy under Land Use Policy 3 as follows: LU 3.X In Map 16. Future Land
- 24         Use, designate the properties located at 3412 Robert Crain Highway/Mill Branch Road
- 25         (Tax IDs 0817718 and 0817734) as Commercial land use.
- 26    (c) Add a new Strategy under Comprehensive Zoning Policy 3—to recommend this property
- 27         to the CS (Commercial Service) Zone; and.
- 28    (d) Make associated revisions to Map 16. Future Land Use and Appendices, as appropriate, to
- 29         reflect the approved designations for Commercial development at these properties. (See
- 30         Attachment E, 3412 Robert Crain Hwy/Mill Branch Road Map E (Chiaramonte
- 31         Properties)).

**REVISION NUMBER 6:**

**1800 MITCHELLVILLE ROAD/1808 CRAIN HIGHWAY (BLAKE PROPERTIES)**

- **Property Description:** 1800 Mitchellville Road/1808 NE Robert Crain Highway, Bowie, Maryland (Blake Properties)
- **Tax Account/ID:** 0679738 and 0679746
- **Map/Parcel:** Tax Map 63/Parcels 81 and 82
- **Digest of Testimony** Item No. 57; Speaker Number 10
- **Plan Elements:** Land Use LU 3 and Comprehensive Zoning (CZ 3)
  - (a) Add a new strategy under Land Use Policy 3 as follows: LU 3.X In Map 16. Future Land Use, designate the properties located 1800 Mitchellville Road/1808 NE Robert Crain Highway (Tax IDs 0679738 and 0679746) as Commercial land use.
  - (b) Add a new Strategy under Comprehensive Zoning Policy 3—to recommend this property to the CS (Commercial Service) Zone.
  - (c) Revise Map 16. Future Land Use, to recommend this property for Commercial land use.
  - (d) Make associated revisions to Maps and Appendices, as appropriate, to reflect the approved designations for Commercial development at these properties. (See Attachment F, 1800/1808 Robert Crain Highway Map (Blake Properties)).

**REVISION NUMBER 7:**

**GOVERNOR BRIDGE ROAD BRIDGE REPLACEMENT PROJECT**

- **Digest of Testimony** County CIP Item; DPWT No. 4.66.0038
- **Plan Elements:** Transportation and Mobility Element (TM 12.4)
  - (a) Add a new Strategy TM 12.4 to Transportation and Mobility Policy 12, as follows:
    - TM 12.4: Construct a replacement for the Governor’s Bridge Road bridge (Historic Site PG:74B-001) over the Patuxent River. Explore the feasibility of preservation and adaptive reuse of the existing historic bridge structure.
  - (b) Make associated revision to Appendices.

**REVISION NUMBER 8:**

**BOWIE LOCAL TOWN CENTER NEW ROADWAYS**

- **Digest of Testimony** Item No. 102; Exhibit 4
- **Plan Elements:** Transportation and Mobility (TM 16)
  - (a) Revise the text of Strategies TM 16.2, TM 16.3, and TM 16.4 within Policy 16 of the

1 Transportation and Mobility Element of the master plan to add the phrase, “if determined  
2 to be feasible at the time of redevelopment,” before the word “construct”.

3 **REVISION NUMBER 9:**

4 **FUTURE ROADWAY BETWEEN MD 197 AND MD 424 NEAR BOWIE STATE**  
5 **UNIVERSITY**

- 6 • **Digest of Testimony** Item No. 74; Exhibit 4
- 7 • **Plan Elements:** Transportation and Mobility (TM 29)
- 8 (a) Add a new strategy TM 29.X to Policy TM 29 of the Transportation and Mobility element
- 9 of the plan to explore the feasibility of adding a future roadway between MD 197 and MD
- 10 424.

11 **REVISION NUMBER 10:**

12 **FUTURE INTERCHANGE ON ALONG US 50 BETWEEN MD 704 AND MD 197**

- 13 • **Digest of Testimony** Item No. 78; Exhibit. 4, (PGCPB Res. No. 2021-142, Amendment No.
- 14 48)
- 15 • **Plan Elements:** Transportation and Mobility (TM 29)
- 16 (a) Delete [TM 29.11 Maintain the plan’s recommended land use and regional traffic pattern
- 17 by not constructing any interchanges on US 50 (John Hanson Highway) between MD 704
- 18 (Martin Luther King, Jr. Highway) and MD 197 (Collington Road).]
- 19 Replace strategy TM 29.11 under Policy TM 29 of the Transportation and Mobility element of
- 20 the plan for the Maryland Department of Transportation (MDOT) to explore the feasibility of
- 21 adding a future interchange along US 50 between MD 704 and MD 197.

22 **REVISION NUMBER 11:**

23 **MD 450/MD 3 INTERSECTION**

- 24 • **Digest of Testimony:** Item No. 117; Exhibit No. 4
- 25 • **Plan Elements:** Transportation and Mobility (TM 29.1, TM 29.6, TM 29.7, TM 29.8, TM
- 26 29.9)
- 27 (a) Revise Strategy 29.1 of Transportation and Mobility Policy 29, as follows:
- 28 **TM 29.1:** Construct a limited access freeway (F10) to carry US 301/MD 3 traffic
- 29 from Charles County [to Belair Drive interchange in Bowie] to Anne Arundel
- 30 County. This freeway should be constructed generally within and to the east of the
- 31 current northbound right-of-way of US 301.

1 (b) Delete entirely the text of Strategies TM 29.6, TM 29.7, TM 29.8, and TM 29.9,  
2 respectively.

3 • [TM 29.6 Amend the Countywide Master Plan of Transportation (MPOT) to  
4 truncate F-10 at the north end of its interchange with Belair Drive.]

5 • [TM 29.7 Reclassify MD 3 (Robert Crain Highway) as an expressway north of  
6 this point.]

7 • [TM 29.8 Delete P-304, a proposed primary road that was intended to provide  
8 access to properties along existing southbound MD 3 were F-10 constructed, from  
9 the MPOT.]

10 **REVISION NUMBER 12:**

11 **NATURAL ENVIRONMENT FUNDING COSTS**

12 • **Digest of Testimony** Item No. 4

13 • **Plan Elements:** Natural Environment (NE 4.3)

14 Strike entirely the text of Strategy NE 4.3 [Increase City of Bowie’s Funding for the Emerald  
15 Ash Tree Borer Abatement Program.] within Policy 4 of the Natural Environment

16 **REVISION NUMBER 13:**

17 **BOWIE GATEWAY RECREATION**

18 • **Digest of Testimony** Item Nos. 150, 151, 152, 161; Exhibit 4; (PGCPB Res. No. 2021-142,  
19 Amendment No. 58)

20 • **Plan Elements:** Economic Prosperity; Healthy Communities (HC 4.1, 6.2); Public Facilities  
21 (PF 9.1)

22 (a) Add a text box in the Economic Prosperity Element of the master plan that acknowledges  
23 the potential to coordinate and market the MD 3/US 301 corridor as a regional sports,  
24 entertainment, and recreation corridor, referencing the opportunities created by existing  
25 and proposed facilities including Whitmarsh Park, Prince George’s Stadium, Green  
26 Branch Regional Park, and Liberty Sports Park.

27 (b) Revise the text of Strategy HC 4.1 within Healthy Communities Policy 4, as follows:

28 **HC 4.1:** Add active outdoor recreation infill uses from Bowie Gateway (in Bowie Local  
29 Town Center) to Prince George’s Stadium (in the Established Communities) (see PF 9.1).

30 The City of Bowie should evaluate the feasibility and desirability of recreation and  
31 wellness activities on City-owned property.

1 (c) Revise the text of Strategy PF 9.1 within the Public Facilities Policy 9, as follows:

2 PF 9.1: Determine the feasibility of creating a linear active recreation park from Bowie  
3 Gateway (in Bowie Local Town Center) to Prince George’s Stadium (in the Established  
4 Communities), including a pedestrian crossing of the F-10 freeway. This park [should]  
5 could include playgrounds, shared-use paths, exercise equipment, and other outdoor  
6 recreation uses, such as a climbing wall. This park [should] could include city-owned  
7 parcels at 16401 Harbour Way (Tax ID 0818773), 4220 Robert Crain Highway (Tax ID  
8 0818765), and 4400 Mitchellville Road (Tax ID 2976868) , if so desired by the City of  
9 Bowie, and a privately-owned parcel east of US 301 (Tax ID 3149275) (see Figure 2.  
10 Bowie Gateway Concept Plan and Table 33. Recommended Parks, Recreation, and Open  
11 Space Improvements).

12 REVISION NUMBER 14:

13 CHURCH ROAD RECREATION FACILITY

- 14 • **Property Description:** 4151 Church Road, Bowie, Maryland
  - 15 • **Tax Map/Parcel:** Tax Map 54/Parcel 78
  - 16 • **Digest of Testimony** Item No. 158, Exhibit No. 4 (PGCPB Res. No. 2021-142 Amendment  
17 No. 61)
  - 18 • **Plan Elements:** Public Facilities (PF 7.2)
- 19 (a) Amend/restore Strategy 7.2 within Policy 7 of the Public Facilities Element of the master  
20 plan concerning construction of a recreation facility at 4151 Church Road (Tax ID  
21 3665791), Bowie, MD, to provide for future recreational opportunities, upon appropriate  
22 review by the City of Bowie.
- 23 (b) Update Table 33 and Table 42, as well as Map 49, accordingly.

24 **BE IT FURTHER RESOLVED** that the planning staff is authorized to make appropriate  
25 textual and graphical revisions to the Master Plan to correct identified errors, reflect updated  
26 information and revisions, and otherwise incorporate the changes reflected in this Resolution.

27 **BE IT FURTHER RESOLVED** that the provisions of this Resolution are severable. If any  
28 provision, sentence, clause, section, zone, zoning map, or part thereof is held illegal, invalid,  
29 unconstitutional, or unenforceable, such illegality, invalidity, unconstitutionality, or  
30 unenforceability shall not affect or impair any of the remaining provisions, sentences, clauses,  
31 sections, zones, zoning maps, or parts hereof or their application to other zones, persons, or

1 | circumstances. It is hereby declared to be the legislative intent that this Resolution would have  
2 | been adopted as if such illegal, invalid, unconstitutional, or unenforceable provision, sentence,  
3 | clause, section, zone, zoning map, or part had not been included therein.

Adopted this 8<sup>th</sup> day of March, 2022.

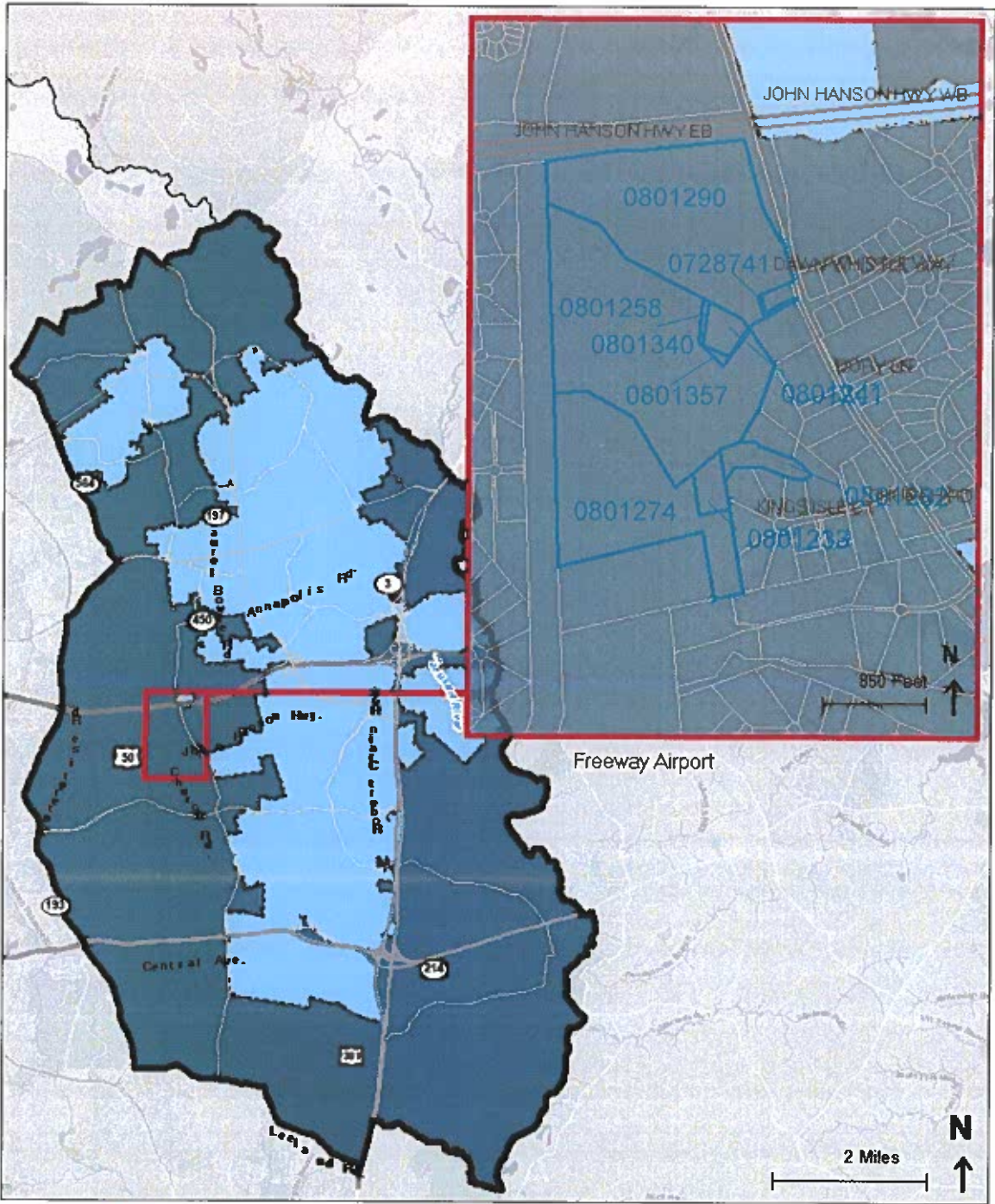
COUNTY COUNCIL OF PRINCE GEORGE'S  
COUNTY, MARYLAND, SITTING AS THE  
DISTRICT COUNCIL FOR THAT PART OF  
THE MARYLAND-WASHINGTON REGIONAL  
DISTRICT IN PRINCE GEORGE'S COUNTY,  
MARYLAND

BY: Calvin S. Hawkins, II  
Calvin S. Hawkins, II  
Chair

ATTEST:

Donna J. Brown  
Donna J. Brown  
Clerk of the Council

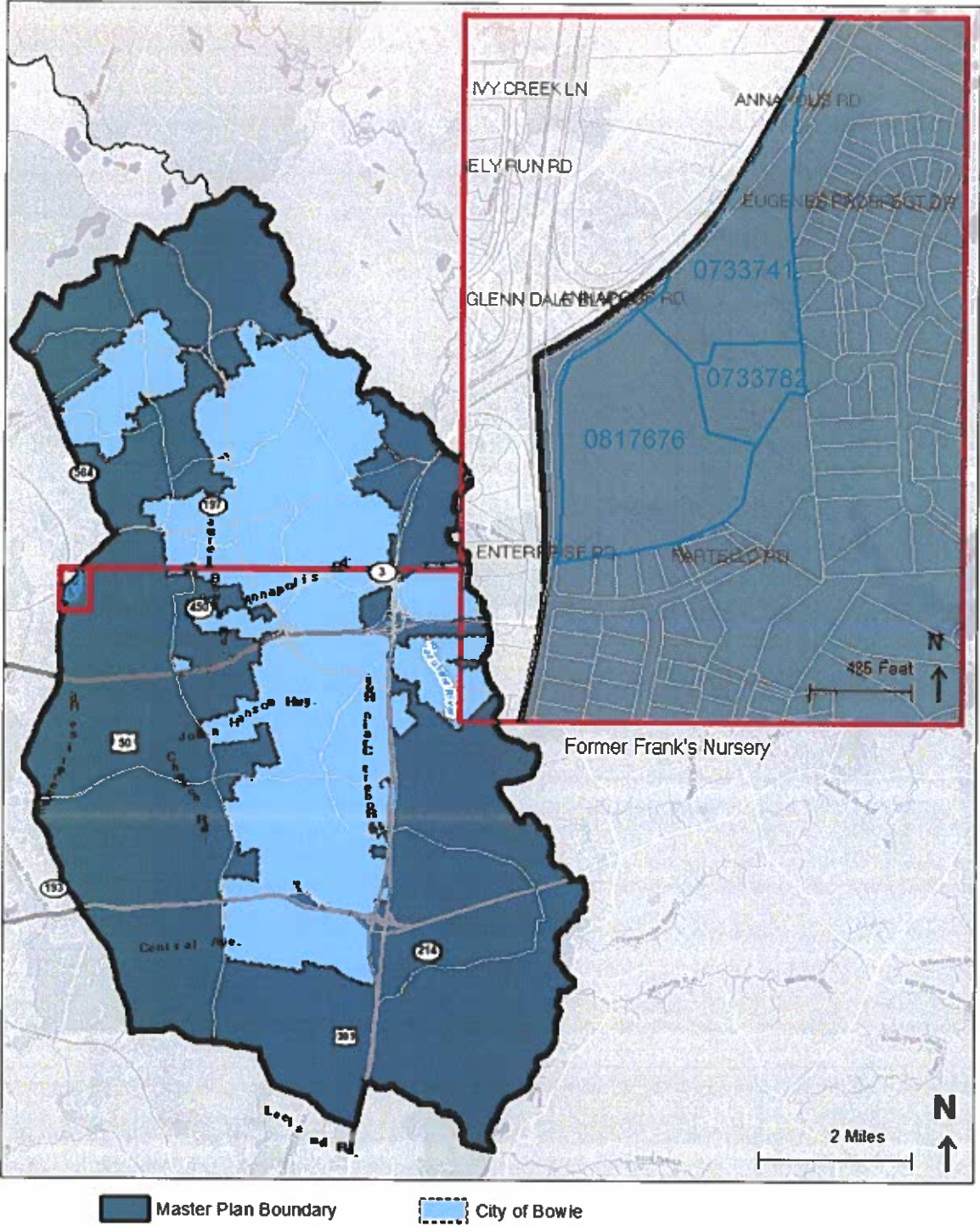
**Attachment B. Map 1. 3600/3702/3900 Church Road (Freeway Airport Properties)**



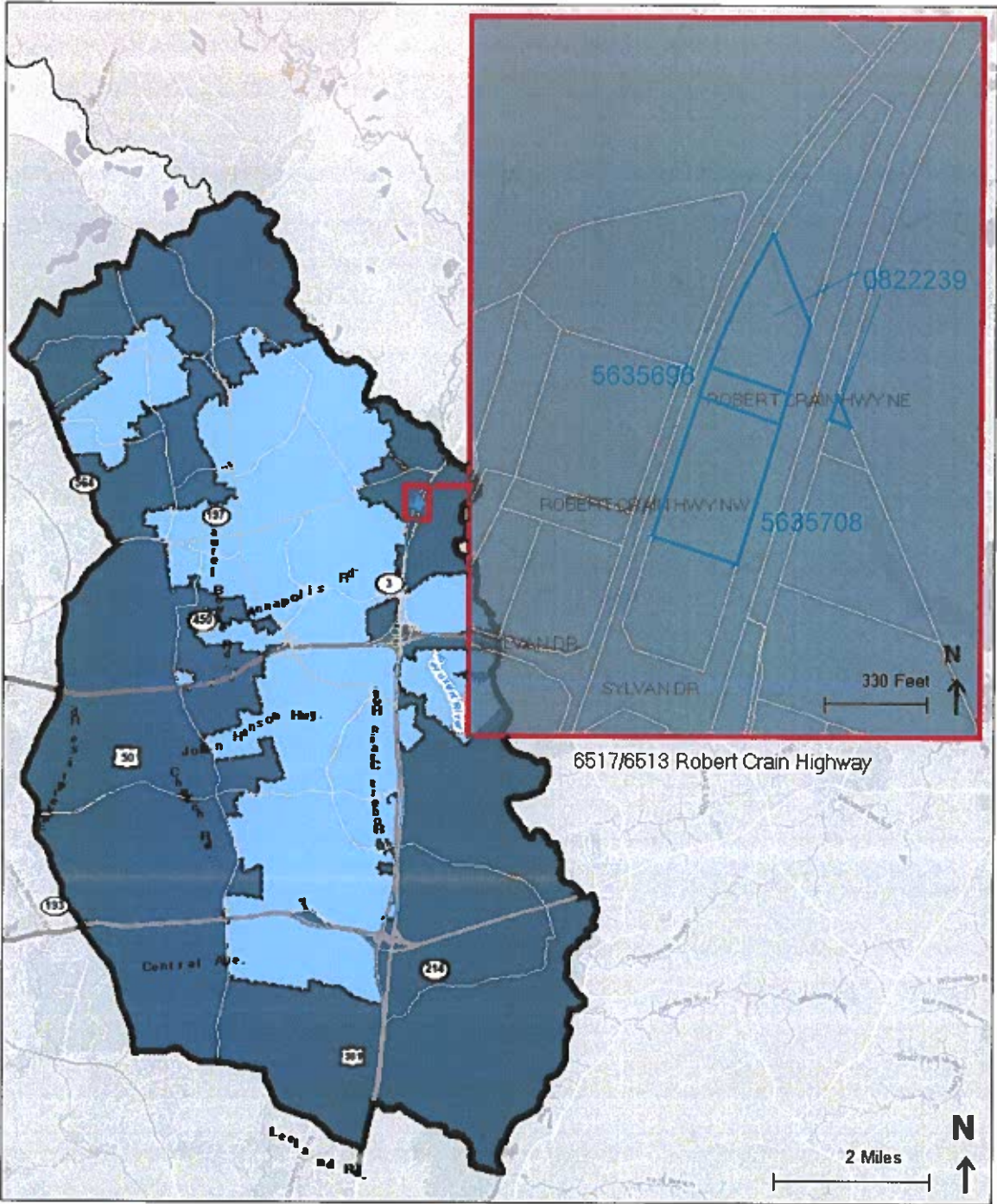
■ Master Plan Boundary      □ City of Bowie



**Attachment C. Map 3. 12205/12105 Annapolis Road/5015 Enterprise Road (Hawkin's Property/Former Frank's Nursery)**

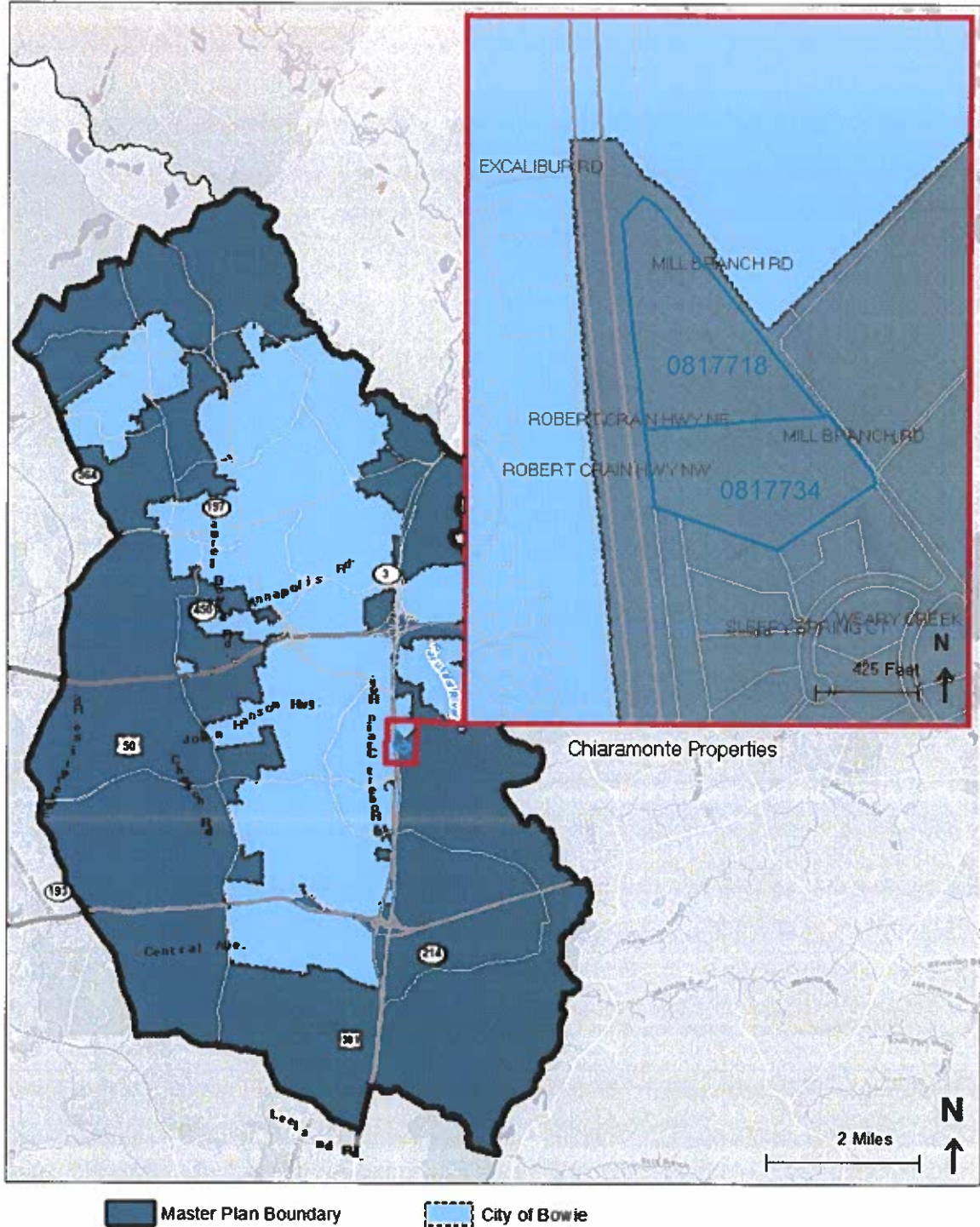


**Attachment D. Map 4. 6517/6513 Robert Crain Highway**

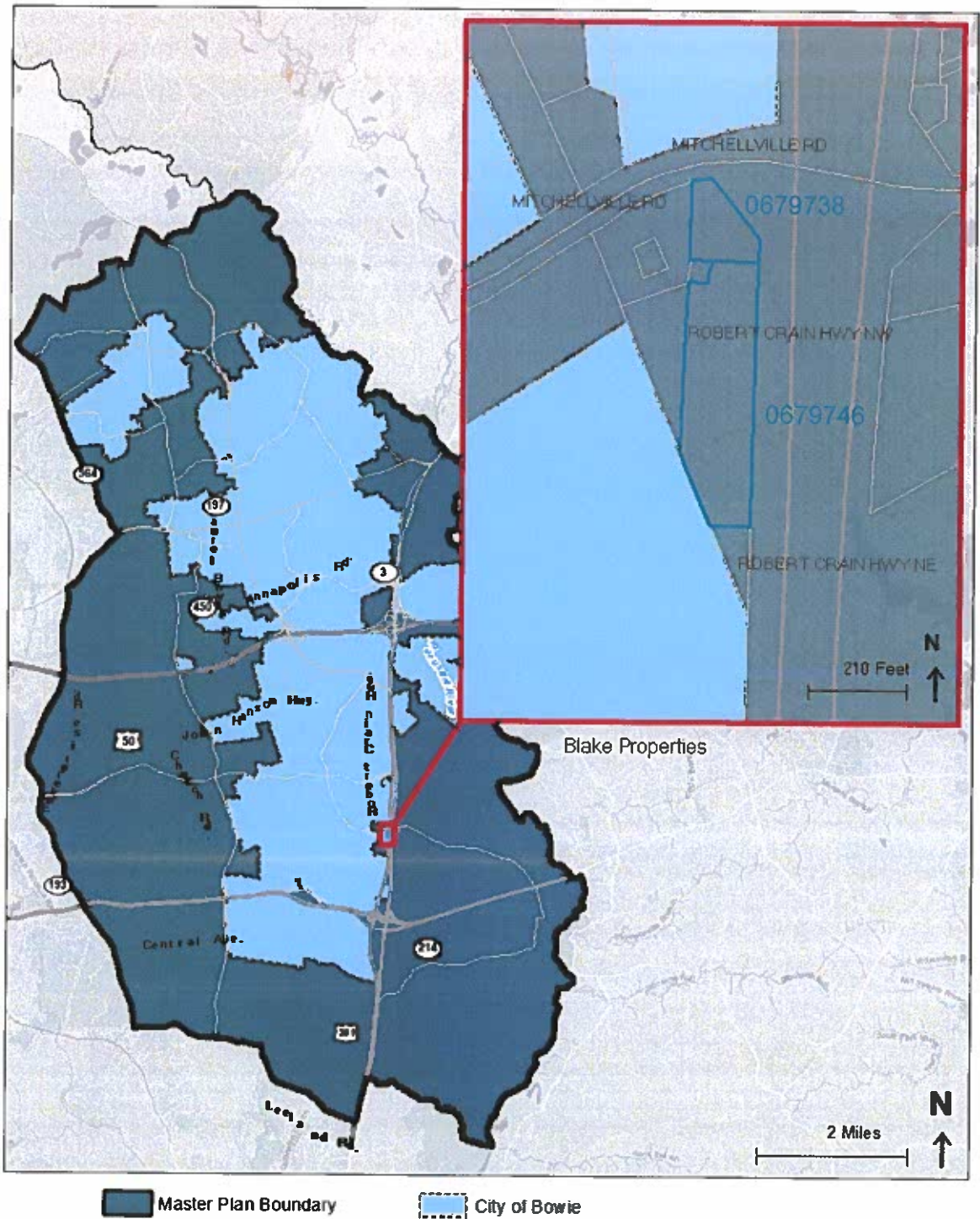


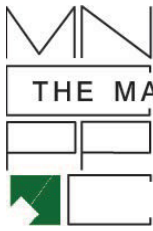
Master Plan Boundary City of Bowie

**Attachment E. Map 5. 3412 Robert Crain Highway/Mill Branch Road (Chiaromonte Properties)**



**Attachment F. Map 6. 1800/1808 Robert Crain Highway**





M-NCPPC RESOLUTION NO. 22-06

APPOINTMENT OF PETER SHAPIRO AS TRUSTEE TO THE BOARD OF TRUSTEES OF THE EMPLOYEES' RETIREMENT SYSTEM

WHEREAS, the Commission is Plan Sponsor of the Employees' Retirement System and Trust; and

WHEREAS, Section 2.1.1 of the Employees' Retirement System Plan mandates that the Board of Trustees include as members two Commissioners who "shall serve at the pleasure of the Commission," with one of those being a Prince George's County resident, and therefore a representative from the Prince George's County Planning Board; and

WHEREAS, the current term for appointment to the Board of Trustees for a Prince George's County Planning Board representative is effective July 1, 2019 through June 30, 2022; and

WHEREAS there is a current vacancy for a representative from the Prince George's County Planning Board, with the retirement of Elizabeth M. Hewlett.

WHEREAS, the Prince George's County Planning Board has approved the nomination of Peter Shapiro to serve as a member of the ERS Board of Trustees at its April 7, 2022 meeting; and

WHEREAS, the Commission approves of Peter Shapiro to serve as a member of the ERS Board of Trustees, for the remainder of the term ending June 30, 2022;

NOW THEREFORE, BE IT RESOLVED that the Maryland-National Capital Park and Planning Commission, as Plan Sponsor for the ERS Trust, does hereby appoint Commissioner Peter Shapiro to the Board of Trustees as the Appointed Trustee from the Prince George's County Planning Board, effective April 7, 2022, for the remainder of the three-year term commencing on that date.



This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Maryland-National Capital Park and Planning Commission on motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, with Commissioners \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ voting in favor of the motion, (note absence of any Commissioner), at its regular meeting held on \_\_\_\_\_, \_\_\_\_\_, 2022, at the \_\_\_\_\_ Auditorium in \_\_\_\_\_, Maryland.

\_\_\_\_\_  
Asuntha Chiang-Smith  
Executive Director

REVIEWED AND APPROVED FOR LEGAL SUFFICIENCY:  
s\ Debra S. Borden, Acting General Counsel  
M-NCPPC Legal Department

**MEMORANDUM****EMPLOYEES' RETIREMENT SYSTEM**

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

(301) 454-1415 - Telephone

(301) 454-1413 - Facsimile

<http://ers.mncppc.org>[ERSBoard@mncppc.org](mailto:ERSBoard@mncppc.org)

*Andrea L. Rose*  
*Administrator*

To: The Commission Date: April 5, 2022

Via: Gerald R. Cichy  
Vice Chairman, ERS Board of Trustees

From: Andrea L. Rose, Administrator *Andrea L. Rose*

**Subject:** *Acknowledge Theodore J. Russell, III as the Prince George's County Open Trustee for the remainder of the three-year term ending June 30, 2024*

**RECOMMENDATION**

On behalf of the Board of Trustees ("Board") of the Maryland-National Capital Park and Planning Commission ("Commission") Employees' Retirement System ("ERS"), I respectfully request the Commission acknowledge Theodore J. Russell, III as the Prince George's County Open Trustee for the remainder of the three-year term ending June 30, 2024.

**BACKGROUND**

The March edition of *Update* invited applications for the vacancy in the Prince George's County Open trustee seat on the Board of Trustees. Candidates must be members of the ERS and work as Merit System employees in the Prince George's County offices of the Commission. Applications were due no later than 5:00 p.m. on March 18, 2022. Theodore J. Russell, III applied for the vacancy and no other applications were received; therefore, Mr. Russell is determined to have won by acclamation.

Mr. Russell is the Cost Recovery Manager for the Prince George's County Parks and Recreation Department and has been with the Commission since 2017. Prior to employment with the Commission, Mr. Russell was the Director of Finance and Administration for the Housing Assistance Council in Washington, D.C. for more than 15 years. In this role, he monitored, reviewed, and discussed employee and employer 401(k) and 403 (b) contribution investments with Executive leadership, the Board of Directors and Plan portfolio managers. He also served as liaison amongst staff to address concerns and questions regarding plan documents, portfolio diversification and market fluctuations.

Thank you for your action.

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M-NCPPC RESOLUTION NO. 22-07

APPOINTMENT OF THEODORE J. RUSSELL, III AS AN OPEN  
TRUSTEE ON THE BOARD OF TRUSTEES OF THE  
EMPLOYEES' RETIREMENT SYSTEM

WHEREAS, the Commission is Plan Sponsor of the Employees' Retirement System and Trust; and

WHEREAS, Section 2.1.4 of the Employees' Retirement System Plan mandates that the Board of Trustees include as members three (3) Open Trustees; and

WHEREAS, a person is eligible to serve as an Open Trustee if they are employed by the Commission on a career basis; subject to the Commission's Merit System as provided by Maryland law; and are not a member or officer of the Commission; and

WHEREAS, there is a current unexpired term for the Prince George's Open Trustee effective July 1, 2021 through June 30, 2024; and

WHEREAS there is a current vacancy for an Open Trustee from the Prince George's County, with the resignation of Melissa Ford.

WHEREAS, the Prince George's County Planning Board has approved the nomination of Peter Shapiro to serve as a member of the ERS Board of Trustees at its April 7, 2022 meeting; and

WHEREAS, the ERS Administrator Andrea Rose recommends approval of the appointment of Theodore J. Russell, III as a member of the ERS Board of Trustees, for the remainder of the term ending June 30, 2024;

NOW THEREFORE, BE IT RESOLVED that the Maryland-National Capital Park and Planning Commission, as Plan Sponsor for the ERS Trust, does hereby appoint Theodore J. Russell, III to the Board of Trustees as the Open Trustee from Prince George's County, effective April 7, 2022, for the remainder of the three-year term commencing on the date stated above.

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Maryland-National Capital Park and Planning Commission on motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, with Commissioners \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ voting in favor of the motion, (note absence of any Commissioner), at its regular meeting held on \_\_\_\_\_, \_\_\_\_\_, 2022, at the \_\_\_\_\_ Auditorium in \_\_\_\_\_, Maryland.

\_\_\_\_\_  
Asuntha Chiang-Smith  
Executive Director

REVIEWED AND APPROVED FOR LEGAL SUFFICIENCY:  
s\ Debra S. Borden, Acting General Counsel  
M-NCPPC Legal Department



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


*Reply To*

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

April 8, 2022

**MEMORANDUM**

TO: The Maryland-National Capital Park and Planning Commission

FROM: Debra Borden   
 Acting General Counsel

VIA: Adrian Gardner  
 General Counsel

SUBJECT: **Request to Reallocate FY 2022 Legal Department Salary Lapse**

This memorandum is a request for your authorization to reallocate this year's expected salary lapse and miscellaneous savings for the Legal Department for the purposes described below, subject to revisions due to year-end budget adoption by the respective County Councils.

**Background**

The Legal Department has made great strides in filling vacant attorney positions this year, despite the Covid-19 pandemic. Minimal turnover has resulted in a projected salary lapse of approximately \$250,000.

The positive variance was caused in large part by vacancies that were filled at a lower than budgeted salary range.

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**Recommendations**

I am recommending, and requesting Commission approval, to reallocate and apply the savings from FY 2022 projected salary lapse (Personnel Services) and miscellaneous savings to the following non- personnel expenditure budget categories and uses:

**1. Office Construction Fees for expanded Legal suite.**

We have the opportunity to expand the legal suite due to ITC vacating the adjacent space. This will allow us to consolidate all EOB-based attorneys into one suite on the 2<sup>nd</sup> floor.

Construction/Electrical Acct: 31000/7335	\$60,000
Furniture/Carpet: 31000/7103	\$5,000
Moving Services: 31000/7356	\$5,000

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**2. Prefund Legal Fees for Outside Counsel**

This will provide supplemental funding to assist the Departments with fees for ongoing litigation matters that will continue into FY23.

Acct: 31000/7325 & 31000/7316	\$180,000
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Total Salary Savings Reallocation ➡	\$250,000
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**3. Miscellaneous Savings to Prefund Fees for Outside Counsel**

Communications, Other:	\$4,000
Courier	\$5,000
Catering	\$4,000
Memberships	\$12,000
Temp Agency Fees	\$30,000

Total Miscellaneous Savings Reallocation ➡	\$55,000
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To Acct: 31000/7325 & 31000/7316

\* \* \*

Thank you in advance for your consideration. Please do not hesitate to call me with any questions or comments.

cc: Corporate Budget Manager  
 Accounting Manager



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

April 20, 2022

To: The Commission

VIA: Asuntha-Chiang-Smith, Executive Director

From: Michael Beckham, Acting CPMO Director  
Areaya Abebe, Acting Policy Manager  
Michael Doaks, Senior Policy Analyst

Subject: Proposed Amendments to M-NCPPC Administrative Practice 1-30, Organization and Functions of the Office of the Secretary-Treasurer and Department of Finance

**Requested Action**

The Commission is asked to consider proposed amendments to Administrative Practice 1-30, (Attachment A), for approval. The amendments update the organizational structure and responsibilities of the Office of the Secretary-Treasurer and Department of Finance. Revisions to this Practice were made with the input and coordination of the Secretary-Treasurer who worked with staff in the Finance Department in updating specific details pertaining to the tasks and responsibilities of the Department.

The drafted amendments were presented to and supported by the Executive Committee at their April 6<sup>th</sup> meeting. Upon adoption by the Commission, this Practice will be finalized and promulgated.

**Background**

Originally issued in 1976, Practice 1-30 describes the core functions and responsibilities of the Secretary-Treasurer and Department of Finance. With changes in the structure and functions of the Department, the Practice requires updating.

**Summary of Changes**

Changes to the existing practice have been incorporated to reflect the following:

1. Additional functions assigned to the Secretary-Treasurer, including but not limited to:
  - a. Recommending and administering financial policies,
  - b. Developing, implementing, and monitoring compliance with financial policies and programs,
  - c. Protecting the agency's assets,
  - d. Advising the Commission and departments on capital project funding, and
  - e. Advising the Commission and departments on fiscal planning, along with the Executive Director and Corporate Budget Director.

2. Revisions in accounting and financial reporting standards, including but not limited to:
  - a. Addressing conformance with the Governmental Accounting Standards Board (GASB), the Governmental Finance Officers Association (GFOA), applicable laws, and best practices,
  - b. Recording and reporting financial transactions following Generally Accepted Accounting Practices (GAAP),
  - c. Providing Capital Improvement Program (CIP) accounting analysis, ad-hoc reporting and billing,
  - d. Preparing bond sales schedules and maintaining records for financial reporting, and
  - e. Preparing the Annual Comprehensive Financial Report (ACFR) and the Uniform Financial Report.
  
3. Changes in the department's organizational structure:

The proposed revisions reflect the current organizational structure with updated descriptions of the functions and responsibilities of the Secretary-Treasurer and each division and section of the Department of Finance.

**Attachment A:** Proposed Amendments to Administrative Practice 1-30, Organization and Functions of the Office of the Secretary-Treasurer and Department of Finance

**DRAFT AMENDMENTS TO ADMINISTRATIVE PRACTICE 1-30, ORGANIZATION AND FUNCTIONS OF THE  
OFFICE OF THE SECRETARY-TREASURER AND THE DEPARTMENT OF FINANCE**

**Key to revisions**

Shading: Recommended additions

Strikeout: Recommended deletions

*Italics: **Note to Draft Reviewer:** Comments & rationale for recommended changes*

**AUTHORITY** Article 28, Annotated Code of Maryland, Title 2 passim, especially Sections 2-106 and 2-113. This Administrative Practice was approved by the Commission at its meeting of May 12, 1976. Amendments were last adopted by the Commission on [TBA].

**APPLICATION** The provisions of this Practice apply to Commissioners, appointed officials, and all Commission employees.

**RESCISSION** All Commission issuances in any form that conflict with this Practice are hereby rescinded.

**PURPOSE/  
BACKGROUND** This Practice was established on May 12, 1976, to describe the organization and responsibilities of the Commission's Department of Finance as well as those of and the Office of the Secretary-Treasurer. Since the initial adoption, the Practice has been amended as follows:

- (Date TBD) Amended to identify changes in responsibilities arising from additional functions assigned by the Commission, revisions in accounting and financial reporting standards, and shifts in the department's organizational structure.

- REFERENCES**
- Division II of the Land Use Article, Annotated Code of Maryland, Section 15-109.
  - M-NCPPC Administrative Practice 1-10, Organization and Functions of Commission and Planning Boards.
  - M-NCPPC Administrative Practice 1-31, Organization and Functions of the Audit Committee and the Office of the Inspector General.
  - M-NCPPC Administrative Practice 2-21, Risk Management.
  - M-NCPPC Administrative Practice 3-10, Authorized Business Expenses.
  - M-NCPPC Administrative Practice 3-11, Administration of Cash Funds.
  - M-NCPPC Administrative Practice 3-13, Cash Receipts and Related Cash Transactions and accompanying Procedures 01-01.
  - M-NCPPC Administrative Practice 3-14, Capital Asset Policy and Accompanying Procedures 04-01.
  - M-NCPPC Administrative Practice 3-30, Delegation of Authority to Sign Documents.
  - M-NCPPC Administrative Practice 3-70, Professional Membership Payments.
  - Administrative Practice 4-10, Purchasing Policy and the M-NCPPC Procurement Manual.
  - Administrative Practice 5-80, Public Information and Records Management.

## POLICY

Pursuant to Division II of the Land Use Article, Annotated Code of Maryland, Section 15-109, "Executive Director, Secretary-Treasurer, and General Counsel", the Commission shall appoint a Secretary-Treasurer. The Secretary-Treasurer shall serve as the organization's Chief Financial Officer to manage its finances and advise the Commission on all financial matters. The Secretary-Treasurer also serves as the Director of the Department of Finance.

Under the direction of the Secretary-Treasurer, the Department of Finance shall administer the organization's financial systems to ensure fiscal stability, public accountability, and the overall integrity of fiscal activities. The Department shall provide efficient, effective, and comprehensive financial services and analysis, debt management, payroll, accounting, procurement, investments and treasury operations, internal controls, and information technology management, including administration of the enterprise resource program platforms. Specific departmental objectives shall reflect priorities established by the Commission and the Secretary-Treasurer.

The Department shall also provide financial expertise and guidance to M-NCPPC operating departments and serve as a technical resource to Montgomery and Prince George's County governments, and other relevant outside entities, to ensure a financially sound organization.

## MISSION

The Department of Finance's mission is to maintain a financially sound organization, including implementation of financial planning and controls, to support Commission programs, ensure fiscal accountability, and provide comprehensive financial services for Commission management. In carrying out this mission, the Department is responsible for maintaining strong internal controls and implementing and administering corporate management information systems by using advanced technologies.

## ORGANIZATION

The Department of Finance is organized into the following functional areas ~~divisions~~: (i) Corporate Accounting Services, (ii) Corporate Procurement Services, and (iii) Corporate Business Services and Finance Administration. ~~Accounting (including accounts payable and payroll), Auditing, Cash Management (including investments), Data Processing (Data Center), and Purchasing.~~ The Department is directed by the Secretary-Treasurer, guided by the Commission, ~~or by the Finance Committee as authorized by the Commission and monitored, but not directed,~~ by the Executive Director. (**Note to Draft Reviewer:** Reference to the Finance Committee is stricken as this body no longer exists. Additionally, language is updated to conform with Practice 1-20 (Organization and Functions of the Department of Human Resources and Management) which states that the Executive Director monitors, but does not direct, the activities of the Finance Department.)

## RESPONSIBILITIES/ FUNCTIONS

Departmental duties and responsibilities are directed by the Secretary-Treasurer to reflect the strategic priorities established by the Commission and the work program as approved in the annual budget. Staff assignments may include inter-divisional, inter-departmental and inter-agency teams.



A. **Functions Assigned to the Secretary-Treasurer**

The Secretary-Treasurer is the Commission's fiscal advisor and is appointed to serve at the pleasure of the Commission. The Secretary-Treasurer is the head of the Finance Department and is responsible for:

1. Planning, organizing, coordinating, and directing the activities of the Finance Department.
2. Recommending and administering financial policies of the Commission.
3. Directing financial matters such as coordinating financial activities, services, and reports for internal and external entities, including but not limited to, the Commission and the Planning Boards; the Executive Director; M-NCPPC departments; County Councils; County Executive offices; other local, state, and federal agencies; and external auditors.
4. Developing, implementing, and monitoring compliance with ~~2. Providing the Commission with effective and efficient~~ financial policies and programs in conformance with authoritative governmental accounting, auditing, financial reporting, procurement and investment standards including, but not limited, to those of the Governmental Accounting Standards Board (GASB), the Government Finance Officers Association (GFOA), applicable State and federal laws, and other government industry standards as appropriate. ~~(The standards followed are those of the Municipal Finance Officers Association and the National Committee on Governmental Accounting. "Certificates of Conformance" are issued to indicate maintenance of high standards.)~~
5. Exercising the fiduciary responsibility associated with managing public assets by protecting the agency's assets through the establishment of internal controls.
6. Advising the Commission and departments on funding approaches for capital projects.
7. Along with the Executive Director and the Corporate Budget Director, advising the Commission and the departments on proposed short-term and long-term strategic fiscal planning to protect the financial stability of the agency.
8. Recommending which entities should provide the agency with banking, credit, and lending services, to help manage cash, investment, and debt programs.
9. Executing agreements with providers.
10. Serving as the designated signatory on all M-NCPPC bank accounts, investment accounts and broker-dealer accounts.

11. Delegating authority to procure goods and services in accordance with Administrative Practice 4-10 and the Procurement Manual, including the authorization of procurement cards, credit cards when in the best interest of the M-NCPPC and revocation of same as necessary.
12. Reviewing proposed disbursements, identifying related violations or applicable waivers of M-NCPPC policy, and advising the Commission as to any appropriate remedial action.
13. Monitoring the agency's revenues and expenditures for compliance with Division II of the Land Use Article of the Annotated Code of Maryland and the agency's formally adopted budgets.
14. Ensuring that M-NCPPC departments do not exceed authorized available funding sources.
15. Certifying the availability of funds to satisfy M-NCPPC's contractual obligations. This task may be delegated by the Secretary-Treasurer to those qualified within the Department of Finance.
14. Reviewing prospective budget transfers and budget amendments, and determining whether their approval is appropriate, as provided for in Administrative Practice 3-60, Budget Adjustments.
15. ~~2-~~Preparing and issuing periodic financial records/reports to the Commission, Planning Boards, and to the respective departments, Audit Committee, and County/state agencies as needed. (**Note to Draft Reviewer:** This responsibility was relocated from the duties of the Department Finance.)
16. Reviewing Fraud, Waste and Abuse complaints and reporting any findings to the Office of the Inspector General and Executive Director, in accordance with Administrative Practice 3-31 (Fraud, Waste and Abuse) and its accompanying Administrative Procedures.
17. Pursuant to Administrative Practice 2-21, Risk Management, maintaining custody and management of the Intra-governmental Risk Management Fund. With the Executive Director, providing oversight regarding the Fund's fiscal adequacy and compliance with fund reserve policies.
18. Debt Issuance post-compliance procedures including continuing disclosure obligations and arbitrage calculations.
19. Ensuring the solvency and reserve adequacy of the Commission Internal Service Fund for employee group insurance in consultation with actuary.

20. ~~3. Keeping the following, as “Secretary”,:~~
  - a. All Commission contracts (custodian of originals).
  - b. The Corporate Seal.
  - c. Financial Records in accordance with the Commission’s Record Retention policy (Administrative Practice 5-80 Public Information and Records Management).
  - d. ~~The function of signing all record plats.~~
  
21. Attestation of the signature of the Executive Director after review and approval of financial terms and conditions of all contracts and agreements.
  
22. Signing all record plats.
  
23. ~~4. Serving as Ex- Officio on the Retirement Plan Board of Trustees and Ex-Officio on the 115 Other Post Employment Benefits (OPEB) Trust Fund.~~
  
5. ~~Serving ex officio on the Commission's Finance Committee. (Note to Draft Reviewer: This responsibility is removed as the policy related to the Finance Committee was rescinded.)~~

**B. Functions Assigned to the Department of Finance**

Under the direction of the Secretary-Treasurer, the Department of Finance carries out agency-wide financial duties in the service areas listed below.

**1. Corporate Accounting Services**

Corporate Accounting Services has three (3) work programs, and their respective responsibilities are as follows:

- a. General Accounting is responsible for:
  - Maintaining formal accounting records of all financial transactions of the Commission in accordance with the M-NCPPC’s records retention policy (Administrative Practice 5-80, Public Information and Records Management).
  - Recording and reporting financial transactions in accordance with Generally Accepted Accounting Principles (GAAP).
  - Establishing and determining proper Fund and related structures to account for Commission services.
  - Preparing financial statements and quarterly budget projections.
  - Providing Capital Improvement Program (CIP) accounting, analysis, ad- hoc reporting, and billings.
  - Generating grant and other billings.
  - Providing contract fund certifications.
  - Maintaining Capital Asset records and policy documentation.
  - Preparing ad-hoc reports and analysis for internal and external customers.

- Reviewing actual expenditure and budget data in the Accounting System.
- Performing account reconciliations of the Commission General Ledger.
- Preparing bond sale schedules and maintaining related records for financial reporting.
- Coordinating the annual external audit.
- Preparing the Annual Comprehensive Financial Report (ACFR) and the Uniform Financial Report for the State of Maryland, Single Audit Report, grant reporting and other financial reports as required.
- Developing and providing Commission-wide training and end-user functional support for the Enterprise Financial Management (EFM) system.
- Accounting structure maintenance and administering reorganizations.
- Facilitating EFM report requirements, module updates, test plans and business requirements.
- Providing administrator services for division ancillary software or financial systems.

b. Accounts Payable is responsible for:

- Processing and recording all vendor payments in accordance with Commission practices, policies, and procedures.
- Ensuring proper invoices including but not limited to accurate disbursement and accounting of transactions that comply with payment terms, ensuring that invoices have authorized payment approvals, and responding to questions pertaining to payments and invoices.
- Maintaining proper file management.
- Maintaining and managing proper vendor records.
- Complying with all IRS regulations as it relates to vendor disbursements such as preparing required 1099 Forms and submission to the IRS.

c. Treasury Operations is responsible for:

- Managing cash and investments in accordance with Commission Practices, which emphasize the protection of investment principal, sufficient liquidity to meet cash flow requirements, and maximum return on investments subject to the first two objectives.
- Financial reporting that provide historical and projected information on property tax collections and other revenue sources.
- Preparing investment reports to inform management of investment returns and compliance with investment policy.
- Processing revenue and cash transactions.
- Processing bond and debt payments.
- Processing bond proceeds, drawdowns for cashflow and initiating account set ups.
- Administering the Post-Retirement Insurance Benefits Program (115 Trust).

- Managing banking, collateral, credit card, investment, and other custodial relationships.
- Performing bank reconciliations of all major Commission accounts.
- Administering petty cash and conducting annual reviews regarding bank reconciliations of petty cash and other accounts managed by the operating departments.
- Managing, processing and submission of M-NCPPC's general tax filings.

## 2. Corporate Procurement Services

Corporate Procurement is responsible for:

- Overseeing the procurement operations of the Commission. As components of this primary function, the division is responsible for the development of procurement policy and procedures in accordance with Commission procedures and applicable state and federal laws, as well as contract review and processing.
- Administering ~~Coordinating~~ and monitoring the Commission's central procurement ~~purchasing~~ function, in compliance with Commission procurement policies and practices. (Reference - Administrative Practice 4-10, Purchasing Policy and the M-NCPPC Procurement Manual.) (**Note to Draft Reviewer:** this provision was moved from Sec. B. The Department of Finance, item 14 below.)
- Overseeing the procurement of all necessary commodities, supplies, equipment, and services that support the Commission's mission.
- Implementing the provisions of the Commission's Non-Discrimination Policy which promotes equal and fair competition between all vendors.
- Fostering and maintaining relationships between the community, vendors and Commission departments and ensure the equitable treatment of all regarding procurement of goods and services.
- Reviewing all contracts for availability of funds, compliance with bidding procedures, and financial acceptability of vendor. (**Note to Draft Reviewer:** this provision was moved from Sec. B. The Department of Finance, item 19 below.)

## 3. Corporate Business Services & Finance Administration

Corporate Business Services and Finance Administration has three (3) work programs, and their respective responsibilities are as follows:

a. Corporate Payroll is responsible for:

- Processing payroll in accordance with Merit System Rules and Regulations, collective bargaining agreements, and federal/state/local regulations.
- Reconciling employee deductions and their appropriate distribution.

- Complying with all IRS regulations as they relate to payroll including reconciliation and submission of all payroll taxes and regulatory reporting (e.g. W-2's, 941's).
- Providing payroll related reporting.
- Answering staff questions about wages, deductions, attendance, and time records.
- Maintaining confidentiality of employees' pay records.
- Appropriate taxation of take-home vehicles as it relates to Commission Practice 6-10 Vehicle Use Program.

b. Corporate ERP Business Operations is responsible for:

- Supporting payroll systems by:
  - Maintaining the absence management system.
  - Maintaining the time and attendance system.
  - Maintaining payroll system configurations.
  - Maintaining/developing payroll related reports.
  - Troubleshooting payroll system issues.
- Supporting Corporate ERP systems by:
  - Administering end-user security.
  - Providing audit data on system usage.
  - Administering business intelligence dashboards.
  - Maintaining and developing business reports.
  - Troubleshooting ERP system issues.
  - Overseeing the operations and functional support for the Commission's financial systems and human resources systems including the timekeeping system.
  - Liaising with the operating departments in support of their business operation needs relating to ERP usage.

c. Finance Administration is responsible for the Department's:

- Administration and management.
- Budget development.
- Budget monitoring.
- Procurement.
- Human resources.
- Policies and procedures.
- Property Tax Assessments.

- ~~1. Maintaining formal accounting records of all financial transactions of the Commission. (Note to Draft Reviewer: Text revised and moved to the Corporate Accounting Division.)~~
- ~~2. Preparing and issuing periodic financial reports to the Commission and to the respective departments. (Note to Draft Reviewer: This responsibility was relocated~~

to the duties of the Secretary-Treasurer.)

- ~~3. Developing and publishing a financial report of the Commission for each fiscal year (according to generally accepted accounting principles and standards such as those leading to the award of the "Certificate of Conformance").~~ **(Note to Draft Reviewer:** Financial reporting functions have been moved to the Corporate Accounting Division, General Accounting Section.)
- ~~4. Designing and implementing appropriate data processing systems and programs to provide accurate and timely information (primarily financial and administrative data).~~ **(Note to Draft Reviewer:** Financial reporting functions have been moved to the Corporate Accounting Division, General Accounting Section.)
- ~~5. Preparing and issuing monthly financial expenditure budget comparisons to the staff needing these data to facilitate management decisions.~~ **(Note to Draft Reviewer:** Financial reporting functions have been moved to the Corporate Accounting Division, General Accounting Section.)
- ~~6. Providing assistance in resolving finance related problems in line and staff departments, as necessary and practicable.~~ **(Note to Draft Reviewer:** The responsibility for addressing finance related problems is incorporated in the duties of the Secretary-Treasurer.)
- ~~7. Providing any financial information and advisory service to the Finance Committee and the Commission, as necessary and practicable.~~ **(Note to Draft Reviewer:** This responsibility is being removed as the policy related to the Finance Committee was rescinded.)
- ~~8. Preparing with the assistance of the Budget Office expenditure and revenue projections on a periodic basis and reporting the results to the Finance Committee and the Commission.~~ **(Note to Draft Reviewer:** This responsibility has been incorporated into the Secretary-Treasurer duties.)
- ~~9. Coordinating, designing, and implementing computerization of systems and procedures to provide other departments/divisions with financial and management data, as requested.~~ **(Note to Draft Reviewer:** Duties related to financial data usage and reporting are covered under the Corporate Business Services & Finance Administration.)
- ~~10. Conducting special audits and systems reviews as requested by the Commission and its Finance Committee, as proposed by operating or administrative units, or as required by new and changing activities.~~ **(Note to Draft Reviewer:** This responsibility is being deleted, as it rests under the Office of the Inspector General, as per Practice 1-31, Organization and Functions of the Audit Committee and the Office of the Inspector General.)
- ~~11. Continually reviewing and modernizing all finance related systems and procedures.~~ **(Note to Draft Reviewer:** The responsibility for maintaining up to date financial systems is incorporated in the duties of the Secretary-Treasurer.)
- ~~12. Administering and controlling the disbursement of funds in conformance with the Commission's adopted budget and appropriate Commission practices.~~ **(Note to Draft Reviewer:** Duties related to disbursement of funds are covered under the Corporate Accounting Division; General Accounting.)
- ~~13. Providing for an effective cash management program, including prompt investment~~

- ~~of idle funds, adequate internal controls, and constant monitoring of cash flows. (**Note to Draft Reviewer:** Duties related to cash management are covered under the Corporate Accounting Division; Treasury Operations.)~~
- ~~14. Coordinating and monitoring the Commission's central purchasing function in compliance with Commission procurement policies and practices. (**Note to Draft Reviewer:** Incorporated with updates under the Central Purchasing division)~~
- ~~15. Establishing and maintaining continuing programs of internal audits of Commission activities and operations, with special emphasis on revenue-producing facilities. (**Note to Draft Reviewer:** This responsibility is being deleted, as it rests under the Office of the Inspector General, as per Practice 1-31, Organization and Functions of the Audit Committee and the Office of the Inspector General.)~~
- ~~16. Assisting in the establishment and operation of enterprise fund accounting where appropriate. (**Note to Draft Reviewer:** Duties related to the enterprise fund accounting are covered under the Corporate Accounting Division; General Accounting.)~~
- ~~17. Controlling the Commission's agency's risk management program, including the adequacy, placement, and methodology of funding of all insurance, and insurance policies, and assisting the Executive Director in administering insurance and safety programs. (**Note to Draft Reviewer:** This responsibility has been incorporated into the Secretary-Treasurer duties.)~~
- ~~18. Supervising the financial aspects of the Commission's M-NCPPC's bond financing activities, working in coordination with the General Counsel. (**Note to Draft Reviewer:** At the request of the Secretary-Treasurer, this sentence has been modified and moved to the Corporate Accounting Division; General Accounting.)~~
- ~~19. Reviewing all contracts for availability of funds, compliance with, bidding procedures, and financial acceptability of vendor. (**Note to Draft Reviewer:** Text revised and moved to the Corporate Procurement Division.)~~





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

April 20, 2022

TO: The Commission

VIA: Asuntha Chiang-Smith, Executive Director

FROM: Michael Beckham, Acting Corporate Policy and Management Operations (CPMO) Director  
Areaya Abebe, Acting Corporate Policy Manager, CPMO  
Michael Doaks, Senior Policy Analyst, CPMO

SUBJECT: Expansion of the M-NCPPC Referral and Employment (Sign-On) Bonus Programs for “Hard-to-Fill” Seasonal/Intermittent Positions

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To address a large number of vacancies throughout the agency, the Commission is being informed of changes to the agency’s referral and sign-on bonus programs (Administrative Procedures 08-01 and 08-02, respectively). In particular:

- These programs are being expanded to make them available to help recruit for “hard-to-fill” Seasonal/Intermittent Contract positions, in addition to “hard-to-fill” Merit System positions that are already covered; and
- All vacant Merit System and Seasonal/Intermittent Contract positions will be temporarily designated as “hard-to-fill” through the end of the calendar year.

The drafted amendments were presented to and supported by the Executive Committee at their April 6<sup>th</sup> meeting.

**Background**

Both Montgomery County Department of Parks and Prince George’s County Department of Parks and Recreation are currently experiencing a high number of vacancies for Merit System positions (represented and non-represented), as well as Seasonal/Intermittent positions such as fitness instructors and lifeguards. With summer approaching, time is of the essence to fill these vacancies.

In 2006, the Commission adopted M-NCPPC Resolution 06-24, *Employment and Employee Referral Bonuses*, to attract applicants to the Commission during a time of high vacancies and limited human resources. In 2019, according to M-NCPPC Resolution 19-19, the referral bonus amount was increased to up to \$1,000 per newly hired employee and the sign-on bonus amount was increased to up to \$10,000 per newly hired employee. In both the original and more recently issued M-NCPPC Resolutions, the Executive Director has been charged with developing and distributing the administrative terms and conditions for the award of these bonuses.

When the Administrative Procedures (08-01 and 08-02) were issued to implement the programs, and later revised to increase the bonus amounts, the programs were made available to help fill only Merit System positions—not Seasonal/Intermittent contract positions.

**Proposed Changes**

**Use Criteria:** Currently, the referral and sign-on bonus programs define a “hard-to-fill” position as a Merit System position that meets one or more of the following criteria:

1. The position requires specialized skill, certification, and/or licensure, as defined by the hiring department based on the open position posting;
2. Two or more candidates were offered employment and declined acceptance within 30 days of an initial offer;
3. There is a shortage of available and qualified candidates possessing the competencies required for the position;
4. There is justification supporting the criticality of the position to operational/work program needs; or
5. The vacancy is a result of high turnover resulting from an increased number of employee separations in comparison to the prior fiscal year.

The designation of a Merit System position as “hard-to-fill” requires the approval of the Executive Director.

The two program Procedures (08-01 and 08-02) will be revised to define a “hard-to-fill” position as meaning *either a Merit System or Seasonal/Intermittent position* that meets one or more of the above criteria. Additionally, the designation of a Seasonal/Intermittent position as “hard-to-fill” will require approval of the respective Department Head only.

**Maximum Bonus Amounts & Length of Service Requirements:**

The referral bonus program allows an eligible employee (Merit System or Seasonal/Intermittent, Term, or Temporary Contract) to receive up to a \$1,000 bonus when a newly hired Merit System employee completes 30 days of service with the Commission. Those above a certain grade, responsible for recruitment, and within the line of supervision are ineligible for the referral bonus.

The referral bonus program will be modified to allow an eligible employee to receive up to a \$100 bonus when a newly hired Seasonal/Intermittent Contract employee completes 30 days of service with the Commission.

The sign-on bonus program allows newly hired Merit System employees to receive up to \$10,000, based on the following salary ranges:

Annual Salary Range	Maximum Bonus Cap
<= \$50,000	\$ 3,000
\$50,001-\$65,000	\$ 5,000
\$65,001-\$80,000	\$ 6,500
\$80,001-\$95,000	\$ 7,500
>=\$95,001	\$10,000

Presently, the sign on-bonus program requires a newly hired Merit System employee to complete two years of service. The bonus is paid in two installments: 50% upon hire and 50% upon completing one year of service. If the employee leaves the agency (voluntarily or involuntarily) before the end of the first year, the entire bonus amount given must be repaid. If the new employee leaves the agency after the first year but before completing the second, a prorated amount of the second installment must be repaid. *Repayment may be waived for extenuating circumstances, with the Executive Director's approval.*

The sign-on bonus program will be modified to allow newly hired Seasonal/Intermittent Contract employees to receive up to \$500, subject to the length of service requirement established by the hiring department. The bonus shall be paid no sooner than after completion of 30 days of employment, in one or more installments, as determined by the hiring department.

**Designation of All Vacant Merit System and Seasonal/Intermittent Positions as “Hard-to-Fill”:** Under the existing referral and sign-on bonus program Procedures, all hard-to-fill Merit System positions are approved by the Executive Director.

To facilitate recruitment for the vacant Merit System and Seasonal/Intermittent Contract positions throughout the agency, these positions are being designated as “hard-to-fill” by the Executive Director via M-NCPPC Notice, effective through the end of the calendar year.

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

**To:** Commissioners  
**From:** John Kroll, Corporate Budget Director *JRK*  
**Date:** April 20, 2022  
**Subject:** Report of Budget Transfers

**BACKGROUND:**

Commission Practice 3-60, Budget Adjustments (Amendments and Transfers), requires that a summary of all approved operating budget and capital project budget transfers and amendments will be prepared by the Corporate Budget Office and submitted to the Commission, quarterly.

**REPORT for Information Only – No Action Required:**

Report of Operating budget transfers attached for the third quarter of FY22. There were no Capital budget transfers during this period.

Following the requirements of the practice:

BA's 22-06, 22-08 and 22-09 were approved by the Secretary/Treasurer

BA's 22-07 and 22-10 were approved by the Montgomery County Planning Board

I would be happy to answer any questions relating to this report or individual budget adjustments.

Attachment

### Operating Budget Adjustment Log

Operating Budget Adjustment Log													
BA#	Date	Transfer From					Transfer To					Description	Approval
		Fund #	Fund Name	Department	Division	Amount	Fund #	Fund Name	Department	Division	Amount		
22-06	1/7/2022	202	MC Park	MC Parks	Employee Svcs & Development	34,800	202	MC Park	MC Parks	Info Tech & Innovation	10,000	Salary savings to operational needs	Sec/Treas
		202	MC Park	MC Parks	Data Analytics	10,000	202	MC Park	MC Parks	Data Analytics	34,800	Salary savings to operational needs	
22-07	2/24/2022	203	Prop Mgmt	MC Parks	Property Mgmt	127,000	203	Prop Mgmt	MC Parks	Property Mgmt	127,000	Salary savings to lighting upgrades - equestrian facilities	MCPB
		202	MC Park	MC Parks	Facilities Mgmt	820,805	202	MC Park	MC Parks	Facilities Mgmt	50,000	Sal savings to electric van	
		202	MC Park	MC Parks	Horticulture, Forestry, Envir Educ	190,000	202	MC Park	MC Parks	Facilities Mgmt	248,000	Sal savings to asphalt paver	
		202	MC Park	MC Parks	Mgmt Services	97,300	202	MC Park	MC Parks	Facilities Mgmt	380,000	Sal savings to rooftop solar	
		202	MC Park	MC Parks	Northern Parks	130,000	202	MC Park	MC Parks	Horticulture, Forestry, Envir Educ	20,000	Sal savings to electric mowers, blowers, trimmers	
		202	MC Park	MC Parks	Office of the Director	21,500	202	MC Park	MC Parks	Horticulture, Forestry, Envir Educ	80,000	Sal savings to Activation event supplies	
		202	MC Park	MC Parks	Park Development	165,480	202	MC Park	MC Parks	Horticulture, Forestry, Envir Educ	170,000	Sal savings to deer fencing	
		202	MC Park	MC Parks	Park Planning & Stewardship	68,400	202	MC Park	MC Parks	Information Technology & Innovation	75,480	Sal savings to switches, router	
		202	MC Park	MC Parks	Park Police	61,000	202	MC Park	MC Parks	Information Technology & Innovation	90,000	Sal savings to laptops, desktops, monitors, docking stations	
		202	MC Park	MC Parks	Public Affairs & Community Partnerships	128,400	202	MC Park	MC Parks	Mgmt Services	22,000	Sal savings to Innovation program software	
		202	MC Park	MC Parks	Southern Parks	460,000	202	MC Park	MC Parks	Northern Parks	130,000	Sal savings to electric trim crew equipment	
							202	MC Park	MC Parks	Park Police	57,000	Sal savings to in-car video systems	
							202	MC Park	MC Parks	Park Police	71,800	Sal savings to 2 patrol vehicles	
							202	MC Park	MC Parks	Park Police	170,205	Sal savings to body worn cameras	
							202	MC Park	MC Parks	Park Planning & Stewardship	68,400	Sal savings to natural surface trail equip - Skeeters	
							202	MC Park	MC Parks	Southern Parks	15,000	Sal savings to electric UTV	
							202	MC Park	MC Parks	Southern Parks	30,000	Sal savings to playground safety repairs	
							202	MC Park	MC Parks	Southern Parks	85,000	Sal savings to electric painter	
							202	MC Park	MC Parks	Southern Parks	130,000	Sal savings to Ventrac maint equipment	
							202	MC Park	MC Parks	Southern Parks	200,000	Sal savings to electric charging trailer w/ mowers	
							202	MC Park	MC Parks	Southern Parks / Facilities Mgmt	50,000	Sal savings to athletic field lighting bulb replacement	
22-08	3/30/2022	201	MC Admin	MC Planning	Director's Office	65,175	201	MC Admin	MC Planning	Support Services	65,175	Salary savings to temp agency fees	Sec/Treas
22-09	3/30/2022	201	MC Admin	MC Planning	Mgmt Services	39,064	201	MC Admin	MC Planning	Support Services	39,064	Salary savings to temp agency fees	Sec/Treas

### Operating Budget Adjustment Log

		Transfer From					Transfer To						
BA#	Date	Fund #	Fund Name	Department	Division	Amount	Fund #	Fund Name	Department	Division	Amount	Description	Approval
22-10	3/31/2022	202	MC Park	MC Parks	Mgmt Services	101,000	202	MC Park	MC Parks	Facilities Mgmt	25,500	Sal savings to upgrade shop heavy lifts	MCPB
		202	MC Park	MC Parks	Info Technology & Innovation	18,000	202	MC Park	MC Parks	Facilities Mgmt	47,000	Sal savings to new Ford Ranger truck	
		202	MC Park	MC Parks	Public Affairs & Community Partnerships	228,800	202	MC Park	MC Parks	Facilities Mgmt	113,158	Sal savings to replacement truck	
		202	MC Park	MC Parks	Park Development	284,100	202	MC Park	MC Parks	Facilities Mgmt	141,864	Sal savings to replacement bucket truck	
		202	MC Park	MC Parks	Park Planning & Stewardship	292,458	202	MC Park	MC Parks	Horticulture, Forestry, Envir Educ	12,000	Sal savings to replacement picnic tables	
		202	MC Park	MC Parks	Park Police	21,500	202	MC Park	MC Parks	Horticulture, Forestry, Envir Educ	15,000	Sal savings to removal of non native plants	
		202	MC Park	MC Parks	Horticulture, Forestry, Envir Educ	147,000	202	MC Park	MC Parks	Horticulture, Forestry, Envir Educ	60,000	Sal savings to Parks Activation supplies	
		202	MC Park	MC Parks	Facilities Mgmt	337,522	202	MC Park	MC Parks	Horticulture, Forestry, Envir Educ	80,000	Sal savings to replacement Case loader	
		202	MC Park	MC Parks	Northern Parks	816,600	202	MC Park	MC Parks	Horticulture, Forestry, Envir Educ	177,000	Sal savings to replacement hook lift truck	
		202	MC Park	MC Parks	Southern Parks	377,700	202	MC Park	MC Parks	Info Technology & Innovation	80,000	Sal savings to new PON equipment	
		202	MC Park	MC Parks	Support Services	20,000	202	MC Park	MC Parks	Mgmt Services	20,000	Sal savings to adaptive mountain bike	
		202	MC Park	MC Parks	Debt Service Transfers	292,599	202	MC Park	MC Parks	Mgmt Services	60,000	Sal savings to EAM consulting	
		202	MC Park	MC Parks	Non-Departmental	120,200	202	MC Park	MC Parks	Northern Parks	58,000	Sal savings to replacement Sandpro equipment	
							202	MC Park	MC Parks	Northern Parks	65,000	Sal savings to electric mower replacement, trimmers, etc	
							202	MC Park	MC Parks	Northern Parks	75,000	Sal savings to replacement skid steer	
							202	MC Park	MC Parks	Northern Parks	91,937	Sal savings to electric paint striper/drivers	
							202	MC Park	MC Parks	Park Development	70,000	Sal savings to Sligo Creek parking lot repairs	
							202	MC Park	MC Parks	Park Development	90,000	Sal savings to WSSC system development charge	
							202	MC Park	MC Parks	Park Development	276,762	Sal savings to legal settlement	
							202	MC Park	MC Parks	Park Planning & Stewardship	47,500	Sal savings to various consulting	
							202	MC Park	MC Parks	Park Planning & Stewardship	62,258	Sal savings to trail amenities	
							202	MC Park	MC Parks	Southern Parks	10,000	Sal savings to aerification tines, heads, etc	
							202	MC Park	MC Parks	Southern Parks	20,000	Sal savings to athletic field fertilizer	
							202	MC Park	MC Parks	Southern Parks	35,200	Sal savings to Hillandale equipment shed	
							202	MC Park	MC Parks	Southern Parks	50,000	Sal savings to turfgrass seed	
							202	MC Park	MC Parks	Southern Parks	50,000	Sal savings to organic pesticides	
							202	MC Park	MC Parks	Southern Parks	80,000	Sal savings to basketball court renovations	
							202	MC Park	MC Parks	Southern Parks	94,000	Sal savings to specialized mower	
							202	MC Park	MC Parks	Southern Parks	215,000	Sal savings to replacement dump truck	
							202	MC Park	MC Parks	Support Services	150,000	Sal savings to encumber add'l legal support	
							202	MC Park	MC Parks	Support Services	685,300	Sal, debt service, commuter subsidy, reclass marker savings to pre-pay CE ISF debt service, removing same from FY23 budget	

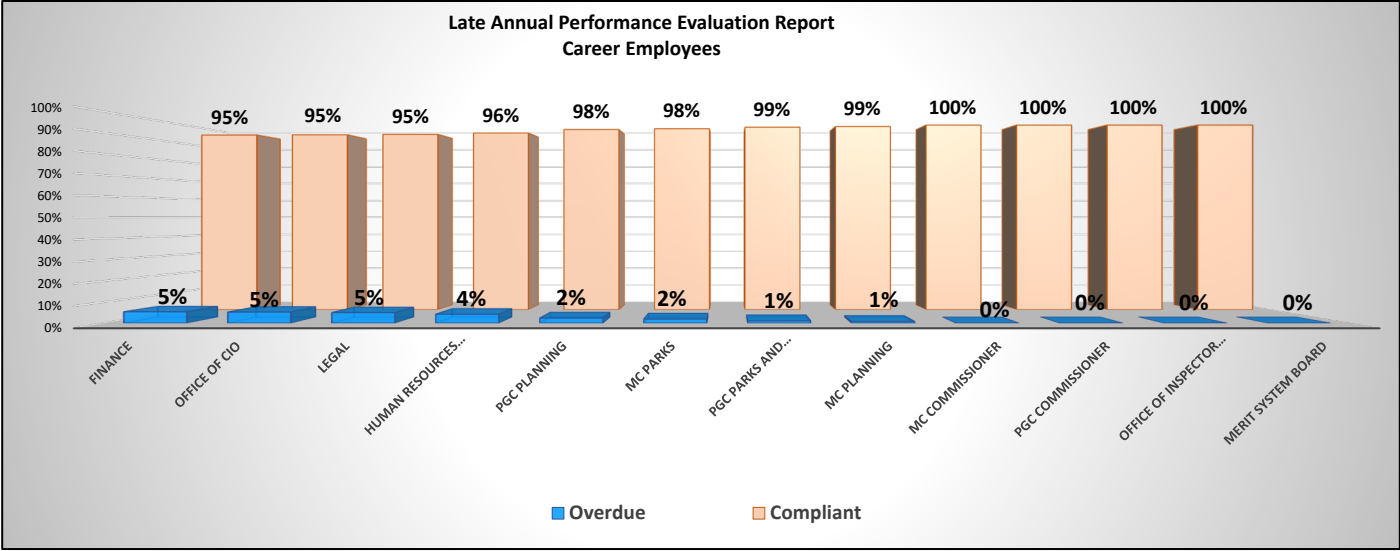
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**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
EMPLOYEE PERFORMANCE EVALUATIONS NOT COMPLETED BY DUE DATE  
BY DEPARTMENT AS OF MARCH 2022**

	<u>31 - 60 DAYS</u>		<u>61 - 90 DAYS</u>		<u>91 + DAYS</u>		<u>DEPARTMENT TOTALS</u>	
	Feb-22	Mar-22	Feb-22	Mar-22	Feb-22	Mar-22	Feb-22	Mar-22
CHAIRMAN, MONTGOMERY COUNTY	0	0	0	0	0	0	0	0
CHARIMAN, PRINCE GEORGE'S COUNTY	0	0	0	0	0	0	0	0
OFFICE OF CIO	0	0	0	0	1	1	1	1
OFFICE OF INSPECTOR GENERAL	0	0	0	0	0	0	0	0
EXECUTIVE COMMITTEE/CHAIRS	0	0	0	0	0	0	0	0
DEPT. OF HUMAN RESOURCES & MGT.	1	0	2	0	1	2	2	2
LEGAL DEPARTMENT	0	0	0	0	1	1	1	1
FINANCE DEPARTMENT	2	0	0	2	0	0	2	2
PRINCE GEORGE'S PLANNING	5	3	0	0	0	1	5	4
PRINCE GEORGE'S PARKS & RECREATION	13	7	2	2	0	2	15	11
MONTGOMERY COUNTY PARKS	14	8	1	3	2	2	17	13
MONTGOMERY COUNTY PLANNING	2	0	0	1	0	0	2	1
<b>**DEPARTMENT TOTAL BY DAYS LATE**</b>	<b>37</b>	<b>18</b>	<b>5</b>	<b>8</b>	<b>5</b>	<b>9</b>		
<b>COMMISSION-WIDE TOTAL</b>							<b>45</b>	<b>35</b>

\*\*DEPARTMENTS HAVE BEEN NOTIFIED OF LATE EVALUATIONS.



\*Data As Of March 31, 2022

Employee Count Department	Evaluation Status		Total Employees
	Overdue	Compliant	
Finance	2	35	37
Human Resources and Mgt	2	45	47
Legal	1	19	20
MC Commissioner		4	4
MC Parks	13	656	669
MC Planning	1	130	131
Merit System Board		1	1
Office of CIO	1	18	19
Office of Inspector General		3	3
PGC Commissioner		7	7
PGC Parks and Recreation	11	977	988
PGC Planning	4	161	165
<b>Total Employees</b>	<b>35</b>	<b>2,056</b>	<b>2,091</b>



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

*Reply To*

April 6, 2022

**Debra S. Borden**  
Acting 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:** Debra S. Borden  
Acting General Counsel  
**RE:** Litigation Report for March 2022 – FY 2022

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Please find the attached litigation report we have prepared for your meeting scheduled on Wednesday, April 20, 2022. 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.

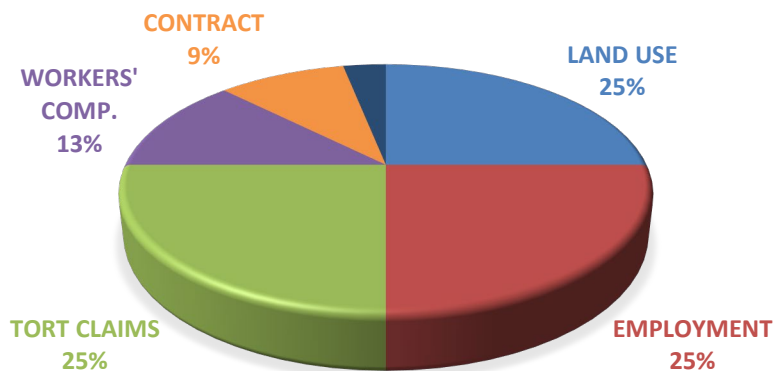
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**March 2022**  
**Composition of Pending Litigation**  
(Sorted by Subject Matter and Forum)

	STATE TRIAL COURT	MARYLAND COSA	MARYLAND COURT OF APPEALS	FEDERAL TRIAL COURT	FEDERAL APPEALS COURT	U.S. SUPREME COURT	SUBJECT MATTER TOTALS
ADMIN APPEAL: LAND USE	4	4					8
ADMIN APPEAL: OTHER							
BANKRUPTCY							
CIVIL ENFORCEMENT							
CONTRACT DISPUTE	3						3
DEBT COLLECTION							
EMPLOYMENT DISPUTE	4	1		3			8
LAND USE DISPUTE							
MISCELLANEOUS	1						1
PROPERTY DISPUTE							
TORT CLAIM	8						8
WORKERS' COMPENSATION	4						4
PER FORUM TOTALS	24	5		3			32

**OVERVIEW OF PENDING LITIGATION**



## March 2022 Litigation Activity Summary

	COUNT FOR MONTH			COUNT FOR FISCAL YEAR 2022			
	Pending Feb. 2022	New Cases	Resolved Cases	Pending Prior F/Y	New Cases F/YTD**	Resolved Cases F/YTD**	Pending Current Month
<b>Admin Appeal: Land Use (AALU)</b>	8			10	6	8	8
<b>Admin Appeal: Other (AAO)</b>							
<b>Bankruptcy (B)</b>							
<b>Civil Enforcement (CE)</b>							
<b>Contract Disputes (CD)</b>	3			3	1	1	3
<b>Debt Collection (D)</b>							
<b>Employment Disputes (ED)</b>	4	4		4	6	2	8
<b>Land Use Disputes (LD)</b>							
<b>Miscellaneous (M)</b>	1			2		1	1
<b>Property Disputes (PD)</b>							
<b>Tort Claims (T)</b>	7	1		8	3	3	8
<b>Workers' Compensation (WC)</b>	4			7	4	5	4
<b>Totals</b>	27	5		34	20	20	32

**INDEX OF YTD NEW CASES  
(7/1/2021 TO 6/30/22)**

<b>A. <u>New Trial Court Cases.</u></b>	<b><u>Unit</u></b>	<b><u>Subject Matter</u></b>	<b><u>Month</u></b>
Izadjoo v. M-NCPPC	MC	ED	July 21
McGill v. Commission	PG	WC	Aug 21
Payne v. M-NCPPC	PG	Tort	Aug 21
Troublefield v. Commission	PG	Tort	July 21
Friends of Ten Mile Creek, et al. v. Montgomery County Planning Board	MC	AALU	Oct. 21
Commission v. Alan's Outlet, et al.	St. M	CD	Nov. 21
Robinson, et al. v. Prince George's County Planning Board, et al.	PG	AALU	Nov. 21
In the Matter of Michael Fox	Calvert	WC	Dec. 21
In the Matter of Michael Fox	Calvert	WC	Dec. 21
Village of Friendship Heights v. Montgomery Planning Board	MC	AALU	Jan. 21
Miles v. Commission, et al.	MC	ED	Mar 22
Walters v. Commission, et al.	PG	Tort	Mar 22
Tolson v. Commission	PG	ED	Mar 22
Deakins v. Commission	MC	ED	Mar 22
Lopez v. Commission	MC	ED	Mar 22

<b>B. <u>New Appellate Court Cases.</u></b>	<b><u>Unit</u></b>	<b><u>Subject Matter</u></b>	<b><u>Month</u></b>
Concerned Citizens of Cloverly, et al. v. Montgomery County Planning Board	MC	AALU	July 21
6525 Belcrest Road, LLC v. Dewey, L.C., et al.	PG	AALU	Dec. 21
Heard v. Maryland-National Capital Park and Planning Commission	PG	AALU	Dec. 21
Izadjoo v. M-NCPPC	MC	ED	Jan. 22

**INDEX OF YTD RESOLVED CASES  
(7/1/2021 TO 6/30/2022)**

<b>A. <u>Trial Court Cases Resolved.</u></b>	<b><u>Unit</u></b>	<b><u>Subject Matter</u></b>	<b><u>Month</u></b>
Concerned Citizens of Cloverly, et al. v. Montgomery County Planning Board	MC	AALU	June 21
Commission v. Batson	PG	WC	June 21
Gibson v. Commission	PG	WC	June 21
Hoenig v. Commission	PG	WC	June 21
Simmons, et al. v. Prince George's Planning Bd.	PG	AALU	June 21
Frederick-Bey v. Dick, et al.	PG	Tort	July 21
Deutsche Bank National Trust Company v. Commission	PG	Misc.	July 21
Amica Mutual Insurance Company v. Montgomery County, Maryland, et al.	MC	Tort	Aug. 21
Izadjoo v. Maryland-National Capital Park & Planning Commission	MC	ED	Aug. 21
Snoots v. Commission	MC	WC	Sep. 21
Murray v. Commission	MC	WC	Sep. 21
Kosary v. Montgomery County Planning Board	MC	AALU	Oct. 21
Troublefield v. Commission, et al.	PG	Tort	Oct. 21
6525 Belcrest Road, LLC v. Dewey, L.C., et al.	PG	AALU	Nov. 21
Heard v. Maryland-National Capital Park and Planning Commission	PG	AALU	Dec. 21
Izadjoo v. Maryland-National Capital Park & Planning Commission	MC	ED	Dec. 21
Hitchcock v. M-NCPPC	MC	WC	Jan. 22
Structural Engineering Group Inc. v. M-NCPPC	MC	CD	Jan. 22
<b>B. <u>Appellate Court Cases Resolved.</u></b>	<b><u>Unit</u></b>	<b><u>Subject Matter</u></b>	<b><u>Month</u></b>
Benton v. Woodmore Overlook Commercial, LLC.	PG	AALU	Apr. 21
Benton v. Woodmore Overlook Commercial, LLC.	PG	AALU	Sep. 21
Benton v. Woodmore Overlook Commercial, LLC.	PG	AALU	Sep. 21

	<b>Disposition of FY21-FY22 Closed Cases Sorted by Department</b>	
<b>CLIENT</b>	<b>PRINCIPAL CAUSE OF ACTION IN DISPUTE</b>	<b>DISPOSITION</b>
<b>Employees Retirement System</b>		
<b>Finance Department</b>		
<b>Department of Human Resources &amp; Management</b>		
Commission v. Batson	The Commission filed for Judicial Review on the record of WCC order regarding surgical authorization for leg causally related to accidental injury.	06/03/2021 - Order of the Court. Case Dismissed and Remanded to the Workers' Compensation Commission for consideration and approval of the Agreement of Final Compromise and Settlement.
Gibson v. Commission	Claimant seeks judicial review of an order from the Workers' Compensation Commission denying causal connection of back injury to the accidental injury of October 20, 2017.	06/10/2021 - Order of Court. Case remanded to Workers' Compensation Commission.
Hoening v. Commission	Claimant seeks judicial review of February 7, 2020 order from the Workers' Compensation Commission regarding extent of disability.	06/02/2021 - Order of Court. Case Dismissed and Remanded to Workers' Compensation Commission.
Izadjoo v. Maryland-National Capital Park and Planning Commission	Izadjoo filed an appeal of the Merit Board decision of February 25, 2021 denying his appeal of the Montgomery County Department of Parks' denial of grievance 20-14 regarding his 2020 Annual Performance Evaluation.	08/23/2021 – Order of Court – Decision of Merit Board affirmed.
Snoots v. Commission	Petition for Judicial Review of Workers' Compensation Commission determination that not permanently totally disabled	09/01/2021 – Order of Court. Case remanded to Workers' Compensation Commission.
Murray v. Commission	Petition for Judicial Review of an order from the Workers' Compensation Commission that held claimant is not permanently and totally disabled.	09/01/2021 – Order of Court. Case remanded to Workers' Compensation Commission.
Izadjoo v. Maryland-National Capital Park and Planning Commission	Izadjoo filed an appeal of the Merit Board decision of denying appeal of his request for reclassification.	12/20/21 Decision of Merit Board affirmed.



Hitchcock v. Commission	Hitchcock filed appeal of Workers' Compensation Commission determination that he did not sustain a compensable accidental injury on June 5, 2020.	01/12/2022 – Order of Court. Case remanded to the Workers' Compensation Commission for approval of settlement.
<b>Montgomery County Department of Planning</b>		
Concerned Citizens of Cloverly, et al. v. Montgomery County Planning Board	Judicial Review of Montgomery County Planning Board's approval of RCCG Jesus House Preliminary Plan 120160040.	06/04/21 - Planning Board's decision affirmed.
Kosary v. Montgomery County Planning Board	Judicial Review of Montgomery County Planning Board's approval of Primrose School Preliminary Forest Conservation Plan CU-18-08.	10/19/21 – Summary Judgment in favor of Plaintiff.
<b>Montgomery County Department of Parks</b>		
Amica Mutual Insurance Company v. Montgomery County, Maryland, et al.	Subrogation suit for damages caused by a tulip poplar striking a home.	08/12/21 – Joint Stipulation of Dismissal with Prejudice.
Structural Engineering Group Inc. v. M-NCPPC	Construction change order dispute and time delay claim related to greenhouse at Brookside Gardens.	01/3/2022 – Order of Court. Matter dismissed with prejudice. Parties entered into settlement agreement.
<b>Montgomery County Park Police</b>		
<b>Montgomery County Planning Board</b>		
<b>Prince George's County Department of Parks and Recreation</b>		
Frederick-Bey v. Dick, et al.	Plaintiff claims injury in the course of using weight room at Allentown Splash and Fitness Center allegedly due a defect in the equipment as a result of negligence on the part of Commission staff and has sued a Commission employee who has not been properly served.	07/28/2021 – Order of the Court. Case Dismissed with Prejudice on grounds barred by statute of limitations.
Deutsche Bank National Trust Company v. Commission	Action seeking to quiet title as to alleged encroachment on Commission land.	07/08/2021 – Amended Complaint filed that no longer included the Commission as no encroachment on Commission land.

Troublefield v. Commission, et al.	Tort suit for injuries allegedly sustained while attending a graduation ceremony at Show Place Arena.	10/21/2021 Voluntary Dismissal
<b>Prince George's County Planning Department</b>		
<b>Prince George's County Planning Board</b>		
Simmons v. Prince George's County Planning Board	Judicial Review of Prince George's County Planning Board's approval of Preliminary Plan of Subdivision 4-20006 (Freeway Airport)	06/17/2021 - Prince George's County Planning Board's Motion to Dismiss Granted.
Benton v. Woodmore Overlook Commercial, LLC	Judicial Review of decision of the Prince George's County Planning Board No. 19-32, File No. 4-180007. Benton failed to appear at judicial review hearing in Circuit Court and his petition was dismissed without an opinion. Benton filed for reconsideration which was also denied. Benton appealed the denial of the motion for reconsideration.	04/20/2021 - Mandate. Circuit Court decision affirmed. Costs to be paid by appellant.
Benton v. Woodmore Overlook Commercial, LLC	Judicial Review of decision of the Prince George's County Planning Board on Preliminary Plan of Subdivision 4-18007, Woodmore Overlook Commercial. Before the parties filed legal memoranda, in the Circuit Court and before the court held oral argument, and before the Planning Board had a chance to transmit the agency record, the developer's attorney filed a motion to dismiss based on, among other things, lack of standing. The Circuit Court granted the motion to dismiss. Benton appealed.	09/01/2021 – Mandate. Motion for reconsideration denied.

Benton v. Woodmore Overlook Commercial, LLC	Judicial Review of decision of the Prince George's County Planning Board No. 19-32, File No. 4-180007. Benton failed to appear at judicial review hearing in Circuit Court and his petition was dismissed without an opinion. Benton filed for reconsideration which was also denied. Benton appealed the denial of the motion for reconsideration	09/28/2021 – Petition Dismissed.
6525 Belcrest Road, LLC v. Dewey, L.C., et al.	Declaratory Judgment Action filed over a dispute involving a parking parcel. Plaintiff contends that Defendants have misconstrued prior approvals of the Planning Board regarding the need for parking in a manner that will harm their interests. Plaintiff seeks to enjoin the Planning Board from approving a Detailed Site Plan.	11/11/2021 – Motion to Dismiss granted as to all parties.
Heard v. Maryland-National Capital Park and Planning Commission	Judicial review of the Prince George's County Planning Board's approval of Preliminary Plan of Subdivision 4-05068 and denial of March 31, 2020, request for document under the Maryland Public Information Act.	11/09/2021 – Decision of the Prince George's County Planning Board affirmed.
<b>Prince George's Park Police</b>		
<b>Office of Internal Audit</b>		

**INDEX OF CASES**

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No Pending Cases

**DISTRICT COURT FOR ST. MARY'S COUNTY, MARYLAND**

**Commission v. Alan's Outlet, et. al.**

Case No. D-043-CV-21-008547 (CD)

Lead Counsel: Johnson  
Other Counsel: Adams

Abstract: Commission's claim for damages regarding an undelivered garage shed. Commission submitted an order with payment for five sheds but only four were delivered.

Status: Awaiting trial.

Docket:

11/03/2021	Complaint filed
01/13/2022	Return of Service as to all Defendants
02/23/2022	Voluntary Dismissal of Joseph Bernau
03/14/2022	Clerk error and dismissed entire case. Case reopened and new trial date set.
4/18/2022	Trial.

**CIRCUIT COURT FOR CALVERT COUNTY, MARYLAND**

**In the Matter of Michael Fox**

Case No. C-04-CV-21-000400 (WC)

Lead Counsel: Foster  
Other Counsel:

Abstract: The Claimant appealed a determination by the WCC that he did not sustain a compensable occupational disease (hypertension) as a result of his work as a Park Police officer.

Status: In Discovery.

Docket:

12/16//2021	Petition for Judicial Review filed
01/10/2022	Response to Petition and Cross Complaint
01/20/2022	Response to Reply and Cross Petition

02/24/2022	Plaintiff's Designation of Experts filed.
03/16/2022	Pretrial hearing. Case settled and remanded to Workers' Compensation Commission.

**In the Matter of Michael Fox**  
Case No. C-04-CV-21-000401 (WC)

Lead Counsel: Foster  
Other Counsel:

Abstract: The Claimant appealed a determination by the WCC that he did not sustain a compensable occupational disease (hypertension) as a result of his work as a Park Police officer.

Status: In Discovery.

Docket:

12/16/2021	Petition for Judicial Review filed
12/22/2021	Response to Petition
01/04/2022	Cross Complaint
01/14/2022	Response to Reply and Cross Petition
01/20/2022	Response to Petition and Cross Petition
02/24/2022	Plaintiff's Designation of Experts filed
03/16/2022	Pretrial hearing. Case settled and remanded to Workers' Compensation Commission.

**CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND**

**Deakins v. Commission**  
Case No. C-15-CV-22-000918 (ED)

Lead Counsel: Levan  
Other Counsel:

Abstract: Show Cause Action under the LEOBR with regard to mandatory COVID vaccination requirements for police officers.

Status: Petition filed.

Docket:

02/24/2022	Petition for Show Cause Order filed
03/28/2022	Commission served
05/12/2022	Show Cause hearing

**Friends of Ten Mile Creek, et al. v. Montgomery County Planning Board**

Case No. 487649-V (AALU)

Lead Counsel: Mills  
Other Counsel:

Abstract: Judicial Review of the Montgomery County Planning Board's approval of Site Plan 820200160 – Creekside at Cabin Branch.

Status: Petition filed.

Docket:

10/12/2021	Petition for Judicial Review filed
10/27/2021	Response to Petition
11/02/2021	Response to Petition
11/12/2021	Amended Petition to add Petitioner Norman Mease
01/18/2022	Memorandum in Support of Petition for Judicial Review
02/15/2022	Joint Stipulation to Extend time to file Responsive Memorandum
03/02/2022	Answering Memorandum
03/17/2022	Reply Memorandum in Support of Petition for Judicial Review

**HMF Paving Contractors Inc. v. Maryland-National Park and Planning Commission**

Case No. 483255-V (CD)

Lead Counsel: Adams  
Other Counsel:

Abstract: Dispute over whether or not an allowance should be made, and additional monies paid regarding the measurement (and relative cost) of the retaining wall at Greenbriar Local Park.

Status: Matter Stayed.

Docket:

08/25/2020	Complaint filed
11/01/2020	Commission served
11/25/2020	Motion to Dismiss
12/28/2020	Opposition to Motion to Dismiss
03/12/2021	Consent motion to postpone hearing and stay case.
03/15/2021	Order of Court. Matter stayed for 90 days.
10/20/2021	Order of Court. Matter stayed until January 10, 2022.
01/24/2022	Pre-Trial hearing statement filed
02/01/2022	Motion to Contine
02/18/2022	Order of Court. Motion Moot. Case has been placed on the Stay Docket.
03/30/2022	Status hearing. Matter reset for July 12, 2022.



**Lopez v. Commission**

Case No. C-15-CV-22-000917 (ED)

Lead Counsel: Levan  
Other Counsel:

Abstract: Show Cause Action under the LEOBR with regard to mandatory COVID vaccination requirements for police officers.

Status: Petition filed.

Docket:

02/24/2022	Petition for Show Cause Order filed
03/28/2022	Commission served
05/12/2022	Show Cause hearing

**Village of Friendship Heights v. Montgomery County Planning Board**

Case No. C-15-CV-22-000398 (AALU)

Lead Counsel: Mills  
Other Counsel: Vaias

Abstract: Judicial Review of the Montgomery County Planning Board's approval of Sketch Plan 320220010-5500 Wisconsin Avenue.

Status: Petition filed.

Docket:

01/27/2022	Petition for Judicial Review filed.
2/11/2022	Response filed.
02/22/2022	Response to Petition for Judicial Review.
03/04/2022	Response to Petition for Judicial Review.
03/28/2022	Motion to Extend Time for Transmitting Record

**CIRCUIT COURT FOR PRINCE GEORGE’S COUNTY, MARYLAND**

**Alexander v. Proctor**

Case No. CAL19-37187 (Tort)

Lead Counsel: Adams  
Other Counsel:

Abstract: Officer Proctor deployed his Commission issued pepper spray when an unknown individual was observed wearing police-type gear and approaching our police substation. The individual failed/refused to stop, leading to the Officer deploying his pepper spray to stop and subsequently arrest the individual. Mr. Alexander (the individual) asserts that the stop was without Reasonable Articulate Suspicion/Probable Cause and therefore was unlawful and the amount of force used was excessive.

Status: In discovery.

Docket:

11/20/2019	Complaint filed
12/06/2019	Proctor served
12/09/2019	Commission served
01/03/2020	Commission’s Motion to Dismiss filed
01/23/2020	Motion to Dismiss denied. Plaintiff to file Amended Complaint on or before 02/07/2020.
02/08/2020	Amended Complaint filed
02/21/2020	Motion to Strike Amended Complaint or in the alternative to Dismiss
03/09/2020	Opposition to Motion to Strike
03/27/2020	Court orders matter to be set in for hearing on Motion
05/06/2020	Motion to Quash and for Protective Order
05/06/2020	Plaintiff’s Opposition to Motion to Quash and for Protective Order
05/22/2020	Order of Court – Motion to Quash and for Protective Order held in abeyance
09/16/2020	Motions Hearing held.
9/23/2020	Order of Court – Motion to Strike or in the alternative Motion to Dismiss denied. Motion to Quash and for Protective Order moot. Case to continue to due course.
9/30/2020	Answer to Amended Complaint filed.
03/14/2022	Plaintiff’s Expert Designation filed
12/02/2022	ADR
01/13/2023	Pretrial Conference
02/09/2023	Jury Selection
02/13/2023	Trial

**Brown v. City of Bowie, et al.**  
Case No. CAL19-35931 (Tort)

Lead Counsel: Harvin  
Other Counsel:

Abstract: Injuries resulting from an event at Trap and Skeet location owned by the Commission. Defendants include the individual who discharged a weapon, a volunteer assigned to the group that day and Shooting Stars Shotgun Sports, LLC, an entity that provides shooting instructors at that location.

Status: Awaiting trial.

Docket:

11/15/2019	Complaint filed
01/27/2020	Defendant City of Bowie's Motion to Dismiss or in the Alternative for Summary Judgment
02/05/2020	Summons reissued for Commission
02/13/2020	Opposition to City of Bowie's Motion to Dismiss
02/26/2020	Defendant Daughtery's answer filed
03/13/2020	Commission served
04/08/2020	Commission's Answer filed
05/15/2020	Motions Hearing on City's Motion to Dismiss – continued due to pandemic
9/18/2020	Amended Complaint and Jury Trial
9/21/2020	Second Amended Complaint
9/24/2020	Hearing on Defendant City of Bowie's Motion to Dismiss and/or Summary Judgment. Motion to Dismiss is denied. Motion for Summary Judgment is granted based upon governmental immunity.
10/28/2020	Third Amended Complaint filed
12/08/2020	Answer to Complaint by Defendant Knode
02/16/2022	Status Conference Held
02/23/2022	Order of Court. Reset for June 21, 2023 for trial.

**Coakley & Williams Construction v. Commission**  
Case No. CAL 20-13593 (CD)

Lead Counsel: Adams  
Other Counsel:

Abstract: Breach of contract regarding work done at the Southern Area Aquatics Recreation Center.

Status: Mediation held. Settlement pending.

Docket:

07/15/2020	Complaint filed
09/15/2020	Commission served
10/08/2020	Motion to Dismiss filed
10/27/2020	Opposition to Motion to Dismiss
01/11/2021	Motion to Quash and for Protective Order

04/02/2021	Order of Court. Motion to Quash denied.
04/02/2021	Order of Court. Motion to Dismiss Granted in part. Plaintiff to amend complaint within 15 days to correct the legal name of Defendant. The remaining issues in the Motion to Dismiss are denied.
04/14/2021	First Amended Complaint filed
05/04/2021	Commission Answer to First Amended Complaint and Jury Demand
07/25/2021	Pretrial Conference held
07/29/2021	Withdrawal of Request for Jury Trial.
09/13/2021	Motion to Strike Second Amended Complaint
09/14/2021	Pretrial Statement filed
09/27/2021	Second Amended Complaint
10/5/2021	Answer to Second Amended Complaint and Line withdrawing Motion to Strike Second Amended Complaint
12/15/2021	Mediation held. Commission seeking budget transfer request to fund settlement.

**Getnet v. Maryland-National Capital Park and Planning Commission**

Case No. CAL 20-13268(Tort)

Lead Counsel: Harvin  
Other Counsel: Johnson

Abstract: Tort suit for injuries allegedly sustained when visitor fell through decking at a historic property not owned by the Commission.

Status: In discovery.

Docket:

07/06/2020	Complaint filed
07/29/2020	Commission served
08/20/2020	Motion to Dismiss filed
09/10/2020	Amended Complaint
09/11/2020	Opposition to Motion to Dismiss
09/22/2020	Amended Complaint
10/09/2020	Answer filed.
11/02/2020	2 <sup>nd</sup> Amended Complaint filed
11/06/2020	Defendant Montgomery County's Motion to Dismiss 2 <sup>nd</sup> Amended Complaint
12/03/2020	Case dismissed as to Montgomery County only
03/04/2021	3 <sup>rd</sup> Amended Complaint filed
04/19/2021	Defendant/Cross-Plaintiff, Kadcon Corporation's Crossclaim against Defendants/Cross-Defendants filed
05/19/2021	Robert Stillman Associates Answer to 3 <sup>rd</sup> Amended Complaint and Crossclaim
05/19/2021	Bell Architects Answer to 3 <sup>rd</sup> Amended Complaint and Crossclaim
10/15/2021	Defendant Bell Architects, PC and Robert Silman Associates Motion to Dismiss Plaintiff's Third Amended Complaint

11/01//2021	Plaintiff's Opposition to Motion to Dismiss 3 <sup>rd</sup> Amended Complaint.
11/04/2021	Defendant/Cross-Plaintiff, Kadcon Corporation's Opposition to Defendants/Cross-Defendants, Bell Architects, PC, and Robert Silman Associates, PLLC's, Motion to Dismiss Plaintiff's Third Amended Complaint and Kadcon Corporation's Crossclaim, Request for Hearing and Supporting Memorandum
12/10/2021	Defendant Bell Architects, PC and Robert Silman Associates PLLC's Motion for Leave to file Reply Memorandum in Support of Motion to Dismiss Plaintiff's Third Amended Complaint
12/10/2021	Defendants Bell Architects, PC and Robert Silman Associates PLLC's Motion for Leave to file Reply Memorandum in Support of Motion to Dismiss Kadcon Corporation's Crossclaim
12/10/2021	Defendants Bell Architects, PC and Robert Silman Associates PLLC's Reply to Kadcon Corporation's Opposition to the Pending Motion to Dismiss
12/10/2021	Defendants Bell Architects, PC and Robert Silman Associates PLLC's Reply to Plaintiff's Opposition to the Pending Motion to Dismiss
02/24/2022	Order of Court modifying scheduling order and setting trial for April 5, 2023.
04/08/2022	Motions Hearing
04/06/2023	Trial

**Jackson v. Prince George's County Sports & Learning Complex**

Case No. CAL19-21516 (Tort)

Lead Counsel: Harvin  
Other Counsel:

Abstract: Injury to a minor allegedly related to use of equipment at the Sports & Learning Complex.

Status: In discovery.

Docket:

07/15/2019	Complaint filed
01/22/2020	Commission accepted service
01/27/2020	Complaint to be amended to reflect Commission as party.
02/04/2020	Amended Complaint filed
03/18/2020	Commission served
04/08/2020	Commission's answer filed.
01/26/2022	Order of Court. Trial continued to September 1, 2022.

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

Lead Counsel: Foster  
Other Counsel:

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

Status: Awaiting trial.

Docket:

09/23/2019	Petition for Judicial Review filed
10/03/2019	Commission filed Response to Petition.
02/07/2022	Joint Motion for Continuance
03/18/2022	Order of Court. Trial continued
03/02/2023	Trial

**McGill v. Commission**  
Case No. CAL 21-08946 (WC)

Lead Counsel: Foster  
Other Counsel:

Abstract: Claimant seeks judicial review of Workers' Compensation Commission decision dated July 19, 2021 which determined he had not sustained an increase in permanent partial disability and denied further treatment.

Status: Awaiting trial.

Docket:

08/03/2021	Petition for Judicial Review filed
08/16/2021	Commission filed Response to Petition
10/26/2022	Trial

**Melito v Commission**  
Case No. CAL 21-03760 (ED)

Lead Counsel: Johnson  
Other Counsel:

Abstract: Plaintiff seeks to secure administrative meeting or hearing on termination, former employee claims were denied.

Status: In discovery.

Docket:

04/01/2021	Complaint filed
04/22/2021	Commission served
05/20/2021	Motion to Dismiss filed
06/04/2021	Plaintiff's Opposition to Motion to Dismiss filed.
02/17/2022	Order of Court. Motion to Dismiss denied. Matter to continue in due course.
03/03/2022	Commission's Answer filed

**Montague v. Newton White Mansion**  
Case No. CAL 20-05753 (Tort)

Lead Counsel: Harvin  
Other Counsel:

Abstract: Claim related to slip and fall on ice at Newton White Mansion.

Status: In discovery.

Docket:

02/13/2020	Complaint filed.
06/19/2020	Amended Complaint filed.
07/21/2020	Answer filed.
08/29/2022	Trial

**Nuzback, Kathryn A., Revocable Trust v. Commission**

Case No. CAL 20-13248 (Misc.)

Lead Counsel: Harvin  
Other Counsel:

Abstract: Action filed against the Commission and Prince George's County to obtain documents pertaining to a Maryland Public Information Act request.

Status: Case dismissed.

Docket:

07/01/2020	Complaint filed.
10/09/2020	Commission Answer filed
01/14/2021	Line Requesting Order of Default against Prince George's County Department of Permitting Inspection Enforcement
05/25/2021	Order of Default against Defendant Prince George's County Department of Permitting Inspection Enforcement
05/27/2021	Certified Judgment Notice as to Prince George's County Department of Permitting Inspection and Enforcement
06/28/2021	Hearing held on Motion to Vacate Order of Default
06/30/2021	Order – Motion to Vacate Granted.
09/20/2021	Trial continued. Date to be set.
02/14/2022	Prince George's County Department of Permitting Inspection and Enforcement's Motion to Dismiss filed.
03/31/2022	Case dismissed by Plaintiff

**Payne v. Commission, et al.**

Case No. CAL 21-06287 (Tort)

Lead Counsel: Harvin  
Other Counsel:

Abstract: Tort suit for injuries allegedly sustained in 2014 at Clearwater Nature Center while working in summer camp program.

Status: In discovery.

Docket:

06/03/2021	Complaint filed
08/02/2021	Defendant Mock served
08/16/2021	Commission served
09/27/2021	Commission's answer filed
12/09/2021	Motion for Default filed as to Defendant Mock



**Robinson, et al. v. Prince George's County Planning Board, et al.**

Case No. CAL 21-13945(AALU)

Lead Counsel: Goldsmith  
Other Counsel: Warner

Abstract: In relation to the development of a public K–8 middle school, Petitioners are challenging the Planning Board's decision to affirm the Planning Director's approval of a tree conservation plan, a revision of that tree conservation plan, and variances to the Woodland Conservation Ordinance that allowed removal of specimen trees. There is no statutory right to judicial review, and the petitioners cited no legal authority to petition the circuit court for judicial review. As a result, this may ultimately become a petition for a writ of mandamus under the administrative mandamus provisions of the Maryland Rules (7-401 to 7-403).

Status: Petition filed.

Docket:

11/12/2021	Petition filed
01/05/2022	Commission's Motion to Dismiss filed
01/05/2022	Response to Petition filed by Planning Board
01/05/2022	Motion to Dismiss filed by Planning Board
01/06/2022	Response to Petition filed by Board of Education
01/21/2022	Opposition to Motion to Dismiss
01/27/2022	Memorandum in Support of Petition for Judicial Review
01/31/2022	Motion to Strike Petitioner's Memorandum in Support of Petition for Judicial Review
01/31/2022	Planning Board's Reply to Petitioners' Opposition to Respondent's Motion to Dismiss
02/14/2022	Opposition to Motion to Strike
02/14/2022	Petitioner's Motion to Supplement the Record
02/14/2022	Amended Memorandum in Support of Petition for Judicial Review
02/25/2022	Planning Board's Memorandum

**Snyder v. State of Maryland, et al.**

Case No. CAL 20-13024 (Tort)

Lead Counsel: Adams  
Other Counsel:

Abstract: Tort suit for injuries allegedly sustained when tennis player allegedly tripped in hole of divider net and broke clavicle.

Status: In discovery.

Docket:

06/19/2020	Complaint filed.
07/27/2020	Commission's Motion to Dismiss
07/27/2020	Motion to Transfer Venue
08/11/2020	Opposition to Motion to Dismiss
08/25/2020	State of Maryland's Motion to Dismiss

09/10/2020	Amended Complaint.
10/30/2020	2 <sup>nd</sup> Amended Complaint filed
10/14/2020	Order of Court – Motion to Dismiss and Motion to Transfer Venue Moot.
05/04/2021	Commission and L. Gertzog's Answer to 2 <sup>nd</sup> Amended Complaint
08/22/2022	Trial

**Tolson v. Commission**  
Case No. CAL22--05472 (ED)

Lead Counsel: Levan

Other Counsel:

Abstract: Show Cause Action under the LEOBR with regard to mandatory COVID vaccination requirements for police officers.

Status: Petition filed.

Docket:

03/03/2022	Petition for Show Cause Order filed
03/28/2022	Commission served

**Walters v. Commission**  
Case No. CAL22-01761 (Tort)

Lead Counsel: Johnson

Other Counsel:

Abstract: Tort suit for injuries allegedly sustained when minor was playing on playground equipment at Melwood Hills Community Park.

Status: Complaint filed.

Docket:

01/19/2022	Complaint filed
03/25/2022	Commission served

**Wolf, et al. v. Planning Board of Prince George's County**

Case No. CAL20-14895 (AALU)

Lead Counsel: Goldsmith  
Other Counsel: Warner

Abstract: Judicial Review of the Prince George's County Planning Board's approval of Preliminary Plan of Subdivision 4-18001 (Magruder Pointe).

Status: Awaiting decision on Motions.

Docket:

08/19/2020	Petition for Judicial Review filed.
09/29/2020	Notice of Intent to Participate
09/29/2020	Motion to Dismiss filed by Werrlein WSSC, LLC
10/13/2020	City of Hyattsville's Notice of Intent to Participate
10/19/2020	Response to Petition for Judicial Review
10/19/2020	Planning Board's Motion to Dismiss filed
10/27/2020	City of Hyattsville's Opposition to Motion to Dismiss filed
11/30/2020	Motion to Consolidate with cases CAL19-21492, City of Hyattsville v. Prince George's County District Council and CAL19-22819 Eisen v. Prince George's County District Council
12/28/2020	Opposition to Motion to Dismiss
03/03/2021	Motions hearing held. Taken under advisement.

**MARYLAND COURT OF SPECIAL APPEALS**

**6525 Belcrest Road, LLC v. Dewey, L.C., et al.**

Case No. CSA-REG-1632-2021 (AALU)  
(Originally filed under CAE 20-11589 in Prince George's County)

Lead Counsel: Harvin  
Other Counsel:

Abstract: Declaratory Judgment Action filed over a dispute involving a parking parcel. Plaintiff contends that Defendants have misconstrued prior approvals of the Planning Board regarding the need for parking in a manner that will harm their interests. Plaintiff seeks to enjoin the Planning Board from approving a Detailed Site Plan.

Status: Appeal from Circuit Court granting Motion to Dismiss.

Docket:

12/14/2021	Appeal filed.
02/28/2022	Briefing Notice issued

**Concerned Citizens of Cloverly, et al. v. Montgomery County Planning Board**

Case No. CSA-REG-0620-2021 (AALU)  
(Originally filed under 483411-V in Montgomery County)

Lead Counsel: Mills  
Other Counsel:

Abstract: Appeal from Circuit Court decision affirming Montgomery County Planning Board's approval of RCCG Jesus House Preliminary Plan 120160040

Status: Judgment of the Circuit Court Affirmed.

Docket:

07/02/2021	Appeal filed
11/22/2021	Appellant Brief filed.
12/21/2021	Appellee Brief of Montgomery County Planning Board filed
12/22/2021	Appellee Brief of RCCG Jesus House filed
03/01/2022	Oral Argument
03/17/2022	Judgment of the Circuit Court for Montgomery County Affirmed.

**Heard v. Maryland-National Capital Park and Planning Commission**

Case No. CSA-REG-1563-2021 (AALU)  
(Originally filed under CAL 20-14095 in Prince George's County)

Lead Counsel: Warner  
Other Counsel: Goldsmith

Abstract: Appeal of decision affirming Prince George's County Planning Board's approval of Preliminary Plan of Subdivision 4-05068 and denial of March 31, 2020, request for document under the Maryland Public Information Act.

Status: Appeal filed.

Docket:

12/01/2021	Appeal filed.
03/28/2022	Appellant Brief filed

**Izadjo v. Maryland-National Capital Park and Planning Commission**

Case No. CSA-REG 1795-2021 (ED)  
(Originally filed under 486280-V in Montgomery County)

Lead Counsel: Adams  
Other Counsel: Johnson

Abstract: Izadjo appeals the decision of the Circuit Court affirming the decision of the Merit System Board denying appeal of his request for reclassification.

Status: Appeal filed.

Docket:

01/14/2022	Notice of Appeal to Court of Special Appeals
03/29/2022	Briefing Notice issued

**Stewart, et al. v. Prince George's Planning Board, et al.**

Case No. CSA-REG-0038-2021 (AALU)  
(Originally filed as CAL20-11215 in Prince George's County)

Lead Counsel: Warner  
Other Counsel: Goldsmith

Abstract: Appeal from Circuit decision affirming Prince George's County Planning Board's approval of GB Mall Limited Partnership/Quantum Company Preliminary Plan Case No.4-19023

Status: Judgment Affirmed.

Docket:

03/08/2021	Appeal filed
06/07/2021	Mediation held
11/09/2021	Oral Argument held.
03/31/2022	Judgment of the Circuit Court affirmed.

**MARYLAND COURT OF APPEALS**

No Pending Cases

**U.S. DISTRICT COURT OF MARYLAND**

**Beck v. Montgomery County Department of Parks, et al.**

8:20-cv-03305 PX (ED)

Lead Counsel: Foster  
Other Counsel:

Abstract: Plaintiff alleges discrimination on the basis of disability under the ADA and FMLA.

Status: Case settled.

Docket:

11/14/2020	Complaint filed
01/13/2021	Commission served
02/02/2021	Answer filed
02/23/2022	Notice of Settlement filed.
03/04/2022	Stipulation of Dismissal with prejudice.
03/04/2022	Order Approving Stipulation of Dismissal and directing clerk to close the case.

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

Lead Counsel: Foster  
Other Counsel:

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

Status: In discovery.  
Docket:

09/11/2019	Complaint filed
10/23/2019	Notice of Intent to file Motion for More Definite Statement filed by Defendants Commission, McSwain, and Riley
10/24/2019	Notice of Intent to file Motion for More Definite Statement filed by J. Creed on behalf of Defendant Murphy
10/28/2019	Notice of Intent to File a Motion for More Definite Statement filed by attorney C. Bruce on behalf of Defendant Uhrig
11/26/2019	Status Report filed by Plaintiff agreeing to file Amended Complaint specifying against whom each claim is asserted and dates of alleged events.
12/10/2019	Amended Complaint filed.
12/23/2019	Notice of Intent to file a Motion to Dismiss filed by all defendants
01/09/2020	Order granting Plaintiff leave to file Amended Complaint
01/16/2020	Second Amended Complaint filed
02/14/2020	Joint Motion to Dismiss filed by all Defendants
03/20/2020	Opposition to Motion to Dismiss
03/20/2020	Motion for Leave to file Third Amended Complaint
03/20/2020	Third Amended Complaint
04/17/2020	Plaintiff's Reply to Defendants' joint Opposition to Plaintiff's Motion for Leave to file Third Amended Complaint.
05/07/2020	Order granting Motion for Leave to File Third Amended Complaint; denying as moot Defendants' Joint Motion to Dismiss; granting defendants leave to renew their Joint Motion to Dismiss by May 22, 2020.
06/05/2020	Joint Motion to Dismiss for Failure to State a Claim filed by Commission, McSwain, Murphy, Riley and Uhrig.
07/10/2020	Motion for Leave to File Excess Pages
07/16/2020	Order granting in part and denying in part Motion for Leave to file Excess Pages and directing the Plaintiff to file a brief by 7/23/2020
07/23/2020	Response in Opposition to Joint Motion to Dismiss for Failure to State a Claim
08/06/2020	Response to Motion for Leave to file Excess Pages.
08/06/2020	Reply to Opposition to Joint Motion to Dismiss.

11/13/2020	Defendants' Motion to Dismiss granted in part. Counts 4, 5, part of 6 and 7 -10, part of 11, and 12 dismissed. Counts, 1 -3, part of 6 and 11, 13 -15 will proceed at this stage. Defendants to file an answer to remaining claims.
11/27/2020	Answer filed.
01/11/2021	Order – Case referred to Magistrate Judge Timothy J. Sullivan generally and to Magistrate Judge Jillyn K. Schulze for mediation
01/15/2021	Joint Consent to Proceed before Magistrate
01/28/2021	Order of Court re mediation week of May 17, 2021.
07/26/2021	Commission's Motion for Protective Order.
08/09/2021	Plaintiff's Opposition to Motion for Protective Order.
08/23/2021	Commission's Reply to Opposition for Protective Order.
10/05/2021	Informal Discovery Dispute Resolution Conference was held with the Judge to resolve issues raised in the Motion for Protective Order and Opposition. An Order was issued resolving several matters and requiring additional disclosure of information and/or documents
01/14/2022	Notice of Intent to file a Motion for Summary Judgment filed by Defendants Murphy, Uhrig, McSwain, and Commission.
02/17/2022	Order of Court re scheduling order. Motion for Summary Judgment due April 8, 2022.

**Miles v. Commission, et al.**

8:22-cv-00624-CBD (ED)

Lead Counsel: To be determined  
Other Counsel:

Abstract: Plaintiff, police officer, filed a complaint against the Commission and individual defendant, alleging hostile work environment, discrimination, retaliation, and violations of 42 USC §1981, 42 USC §1983, Maryland Statutory violations, and County Code violations.

Status: Answer to Complaint due on May 23, 2022.  
Docket:

03/14/2022	Complaint filed
03/16/2022	Commission accepted service
03/23/2022	Waiver of the Service of Summons filed by Commission