



# Item 2a

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

Commission Meeting  
Open Session Minutes  
January 21, 2015

The Maryland National Capital Park and Planning Commission met on January 21, 2015, at 9:30 a.m. in the Prince George's County Parks and Recreation Auditorium in Riverdale, Maryland.

PRESENT

Prince George's County Commissioners

Elizabeth M. Hewlett, Chair

Dorothy Bailey

Manuel Geraldo

A. Shuanise Washington

Montgomery County Commissioners

Casey Anderson, Vice-Chair (arrived at 10:02 a.m.)

Norman Dreyfuss

Natali Fani-Gonzalez

Amy Presley

Marye Wells-Harley

ABSENT

John Shoaff

Chair Hewlett convened the meeting at 9:43 a.m.

ITEM 1 APPROVAL OF COMMISSION AGENDA

In consideration of Commissioner Anderson's anticipated late arrival and to ensure that he would be present to view the Montgomery Planning Zoning Maps/Interactive Tools demonstration, Chair Hewlett moved Item 5 - Action and Presentation Items to follow Item 6 – Officers' Reports.

ACTION: Motion of Geraldo to approve the revised agenda

Seconded by Presley

8 Approved the motion – Vice-Chair Anderson was not present for the vote

ITEM 2 APPROVAL OF COMMISSION MINUTES

December 17, 2014 – Open Session

December 17, 2014 – Closed Session

ACTION: Motion of Presley to approve the minutes

Seconded by Geraldo

8 Approved the motion – Vice-Chair Anderson was not present for the vote

ITEM 3 GENERAL ANNOUNCEMENTS

Chair Hewlett made the following announcements:

- Thanked Vice-Chair Anderson and everyone who worked on the One Commission Employee Celebration in December.
- Congratulated Secretary-Treasurer Joe Zimmerman and the ERP Team for their successful implementation of the new payroll system.
- Shared the significance of Martin Luther King Day for employees and employers.
- Extended belated birthday wishes to Commissioner Marye Wells-Harley.
- Shared that a number of other causes are observed in January including “Getting Organized” and “Financial Wellness.”
- Reminded employees that the annual opening reception for the Black History Month Celebration is scheduled for February 1<sup>st</sup> at 11:00 a.m., at the Montpelier Mansion. The Annual Expressions of a People is scheduled for February 8<sup>th</sup> at Harmony Hall. Other events will also be held throughout the Commission for employees and patrons.

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

None presented

ITEM 6 OFFICERS’ REPORTS (Taken out of order)

a) Executive Director Reports (Barney)

1) Employee Evaluations Not Completed by Due Date (December 2014)

Executive Director Barney stated there are some late reports; however, Directors are working on completing them.

2) FY15 Savings Plan

Executive Director Barney briefed the Commission on fiscal challenges that are being faced by the two respective counties and the State. She shared that both county governments were putting FY15 savings plans in place because of these financial challenges. She explained that in Montgomery County, the County Executive has directed that county departments develop FY16 budgets with 3% reductions after incorporating major known commitments. The pressure on the Montgomery County side will place pressure on M-NCPPC’s Montgomery County operations because the County Council will request a plan of non-recommended reductions similar to what the County Executive had requested. Montgomery County Office of Management and Budget (OMB) currently has implemented a hiring freeze (with exceptions for critical positions) and a procurement freeze requiring the Office of Management and Budget to approve expenditures over \$10,000. They did not designate a targeted savings percentage for FY15.

The Commission’s Prince George’s County operations long-term fiscal plan indicates that fund balances are being depleted at levels which, although planned, are not sustainable. During the budget work sessions, M-NCPPC plans to work with Prince George’s County Government and create a new

fiscal plan. The plan may require significant expenditure reductions, and/or possible revenue enhancements or a combination of both. The Prince George's County Office of Management and Budget (OMB) has developed a savings plan that equates to approximately 1.4% of the FY15 budgeted revenues.

As a result, M-NCPPC is proactively implementing a savings plan in FY 2015 and preparing for challenges in FY 2016. The parameters were developed through work sessions with Directors and supported by the Executive Committee. Targets are set at 1% to 1.5% of each department's budget to be saved in FY15. Additional details are below:

- The Montgomery County Directors and CAS Officers will be implementing a 1% to 1.5% savings plan without a specific hiring freeze as they had significant staffing reductions during the recession.
- The Prince George's County Directors will be implementing a hiring freeze with an exception process for critical positions to help achieve their 1% to 1.5% savings plan.
- All plans will target savings opportunities that can be continued into the FY16 budget if necessary.

Departments have been asked to forward their plans for review by the Secretary-Treasurer and the Executive Director to monitor implementation. The progress will be reported to the Commissioners at the Planning Board meetings during the normal quarterly financial projections by the Secretary-Treasurer.

Commissioner Dreyfuss expressed concern that savings appeared to be temporary and asked whether long-term cost savings were considered. Executive Director Barney provided background on recent reductions, highlighting that a number of these were put in place for significant and long term savings:

- Redesign of retirement plan to require greater employee sharing of funding pension benefits.
- Restructuring of retiree medical benefit premium cost sharing. In the past, retiree medical premiums were paid by the agency without any consideration of the length of service the employee had at time of retirement (e.g., an employee with 5 years of service received the same 85% cost sharing by M-NCPPC as was provided for a retiring employee with 30 years of service). This was changed for all new hires so benefit cost sharing is based on the employee's length of service at time of retirement. These changes resulted in significant savings on the retiree benefits and the agency's obligation for Other Post Employment Benefits (OPEB).
- The redesigned pension plan also shifted the vesting period from 5 years to 10 years of service.
- Significant savings were also gained through implementation of reductions-in-force (RIF) which resulted in permanent cuts in positions.
- Several departments including CAS lost approximately 20% of its workforce.

- Retirement Incentive Programs generated some long-term savings because higher paid employees left the system and were replaced with employees with lower salaries.
- The agency also implemented furloughs which were temporary.

Executive Director Barney explained that part of the challenge in meeting the reduction is that it affects the service demands. It is necessary to have a balance, with a mixture of long-term savings and some temporary reductions, to be in a position similar to other county agencies. She stated that the agency's assessable base is beginning to build. Management will be mindful to look for other long-term options.

Commissioner Dreyfuss inquired whether M-NCPPC has considered moving to a defined contribution retirement plan design, such as that which is offered to new employees in Montgomery County. Executive Director Barney responded while Montgomery County implemented a defined contribution plan, subsequently, it offered a hybrid plan which is a defined benefit plan. Thus, staff has options from which they may choose. Presently both Montgomery County and Prince George's County have a defined benefit plan open for employees.

Executive Director Barney also discussed the history of the Commission's review and adoption of the recently redesigned pension plan. During the analysis of options, M-NCPPC asked the actuaries to include a review of costs for defined benefit vs. defined contribution. This information, along with other concerns such as negative selection, led to the adoption of a lower cost defined benefit plan. She stated that the agency can review this option should the Commission wish.

- b) 1) ENTERPRISE RESOURCE PLANNING (ERP) BRIEFING (Zimmerman)  
 Secretary-Treasurer Zimmerman thanked Chair Hewlett for recognizing the efforts of the Enterprise Resource Planning Team. He shared that the accomplishments reflected significant joint efforts between Human Resources and Payroll. He noted that four payrolls have been completed and for the large part successfully. The team will be working expeditiously to resolve some business process issues with the seasonal employees in Prince George's County Parks and Recreation. The ERP team will be meeting with Prince George's County Deputy Directors Roslyn Johnson and Debbie Tyner to work on the issues this week.

The ERP team also continues to work on the other ERP modules to increase functionality, information retrieval, and security. Manager Self Service in the Human Capital Management module is targeted for Spring. Other components such as Employee Self Service will also be implemented to eliminate mailing and sorting paystubs, streamline benefits enrollment, and reduce paper consumption. Contract Management modules will help the information flow. Other modules in the system will be operating over the next 12 to 18 months. Some of the modules have been prioritized for short-term implementation in the next three to six months.

2) MFD PURCHASING STATISTICS (Zimmerman)

a) Fourth Quarter – FY14 and b) First Quarter – FY15

Secretary-Treasurer Zimmerman stated the reports were generated from the new system. The agency reached approximately 24% Commission-wide in FY14. M-NCPPC is currently at 29% for the first quarter of FY15 due to a large MFD award received in Montgomery Parks.

Commissioner Washington asked Mr. Zimmerman to share highlights of the reports in terms of trends. Mr. Zimmerman stated that for FY14 and for the first quarter of FY15, the agency is in line with the previous years. He reviewed the trends as contained in the meeting packet and explained that in 2009, the agency was at 32% MFD procurement and 38% in 2006, due to large construction projects which skewed the numbers. The agency is currently at 24% to 25% MFD procurement and it is static and not advancing. The agency would like to do better and is participating in more procurement outreach opportunities. The purchasing team will be doing greater outreach and will be co-sponsoring an event with Prince George's County to reach more vendors.

Executive Director Barney commented that M-NCPPC tries to remain around 25% MFD procurement. She referred to the Availability vs. Utilization comparative statistics as contained in the packet. She stated there are some categories of MFD vendors that are being underutilized, and that M-NCPPC reaches out to those groups. She added we try to participate in fairs and educate, and this is our neutral way of being inclusive.

c) GENERAL COUNSEL (Gardner)

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

General Counsel Gardner indicated that the report is included in the packet. Mr. Gardner was asked to provide Commissioner Bailey with an explanation of Rule 3-506 which is referenced in the case GEICO v. Ness, et al.

2) Legislative Update

General Counsel Gardner and Associate General Counsel Julio Aleman distributed a memorandum regarding pending legislation and recommended positions for the Commission's consideration.

(1) Maryland-National Capital Park and Planning

Commission Reform Act of 2015 – MC/PG 104-15

General Counsel Gardner explained that Bill MC/PG 104-15 has two components:

(1) The Bill singles out certain Commission activities in Prince George's County by imposing an unprecedented series of new mandates.

(2) The Bill also mandates a series of audits and studies of Commission operations to be led by various State oversight agencies.

General Counsel Gardner stated that Bill MC/PG 104-15 requires M-NCPPC's procurement in Prince George's County to go through the Maryland Department of General Services procurement process, which would involve the Board of Public Works. This process would be difficult for M-NCPPC to manage. He shared that the Department Directors will meet today to develop a coherent strategy to contest this Bill. He stated that passing this Bill would cost M-NCPPC a significant amount of money and aggravation, and it would divert resources from the current work program.

General Counsel Gardner shared that the General Assembly Committee strongly suggested that M-NCPPC reach out to the sponsor, Delegate Valentino-Smith, to determine her expectations from the agency.

Recommendation: Oppose

(2) Prince George's County Municipal Planning and Zoning – MC/PG 111-15

General Counsel Gardner explained that under existing law, the Prince George's County District Council is authorized to delegate its authority over a certain number of regulatory decisions to a municipality (i.e., landscaping requirements). The existing law also excludes most detailed site plans from any municipal delegation.

The Bill presents fundamental changes to the existing legislative scheme. Rather than seeking to exercise the statutory authority of the District Council under a delegation, the Bill instead allows each municipality to assume the Planning Board's authority. In other words, the Bill eliminates any procedure for delegation in favor of a blanket authorization that would allow any of the 26 affected municipalities to opt into the Planning Board's authority without District Council approval or condition. Also, the Bill would inject the new municipal authority fully into approving conceptual site plans, specific design plans and detailed site plans without meaningful limitation.

Chair Hewlett asked General Counsel Gardner to send the Commissioners a copy of the article from the Gazette Newspaper on Municipal Planning and Zoning because it

was a one-sided editorial. The article states that if this Bill was passed, it would streamline the land use process.

Recommendation: Oppose

- (3) Maryland-National Capital Park and Planning Commission – Regulation of Off-Highway Recreational Vehicles in Prince George’s County - MC/PG 114-15  
General Counsel Gardner explained that this Bill requires M-NCPPC, in conjunction with the Prince George’s County Department of Parks and Recreation, to adopt regulations governing the use of off-highway recreational vehicles on Commission property located in Prince George’s County. General Counsel Gardner does not foresee this Bill to be a problem for the agency.

Recommendation: Support with Amendments

- (4) MFD Procurement Bill (not included in the Legislation Packet)  
General Counsel Gardner stated that a bill he distributed last month was requested by the Prince George’s County Council. That bill would require M-NCPPC to have a certification/ preference program for Prince George’s County vendors. That type of bill presents a challenge for a bi-county agency as it requires the agency to favor one vendor over another. General Counsel Gardner is not asking the Commissioners to take a position on this bill yet because he is hoping it can be worked through by pointing to the agency’s success in conducting business with vendors in Montgomery County and Prince George’s County without legislation.

Chair Hewlett requested a motion to approve the General Counsel’s recommendations on the first three bills.

ACTION: Motion of Anderson to approve the recommendations  
Seconded by Bailey  
9 Approved the motion

ITEM 5

ACTION AND PRESENTATION ITEMS (Taken out of order)

Montgomery Planning Zoning Maps/Interactive Tools (Wright/McGovern)

Montgomery County Planning Deputy Director Rose Krasnow provided a brief background on the tool and introduced Montgomery County Planning ITI Division Chief Henry Mobayeni and GIS Manager Christopher McGovern.

Mr. Mobayeni explained the Montgomery County Planning Zoning Maps/Interactive Tools and Mr. McGovern provided the demonstration of the various components:

- Zoning Conversion – <http://mcatlas.org/zc> - This zoning website is used by the project team to communicate current zoning versus proposed zoning changes. This site is used through the Planning Board and the Council phases of the zoning process.
- Zoning Explorer – <http://mcatlas.org/zoning> - This website is the official digital zoning map for the County as noted in the zoning code itself. The zoning displayed in this site keeps pace with changes adopted by Council.
- Developer Finder – <http://mcatlas.org/devfinder> - This website provides an easy to use and mobile-friendly tool for finding newly proposed and recently approved projects in the County. This website has integrated the regulatory systems so that it contains constantly up-to-date information and document access.
- Mailing List Generator – <http://mcatlas.org/notifications> - The Planning Department is responsible for maintaining the database of contacts for Civic and Homeowners associations for the purpose of notification of proposed development or zoning change applications. This new website provides an up-to-date mailing list generation capability that also includes property owners.

The Commissioners congratulated the Montgomery County Planning ITI team on the development of this tool.

During the course of the open session, Chair Hewlett thanked everyone for their contributions to a good calendar year in 2014. There were challenges, but the M-NCPPC team rose to the occasion. She shared that the agency is facing numerous challenges in 2015, and that to address these challenges, it will take teamwork and excellent services. Vice-Chair Anderson echoed Chair Hewlett’s sentiments.

Pursuant to Section 3-305(b)(7) and (b)(9) of the General Provisions Article of the Annotated Code of Maryland, Chair Hewlett requested a motion to move to closed session.

ACTION: Motion of Dreyfuss to move to closed session

Seconded by Bailey

9 Approved the motion

The meeting adjourned to closed session at 11:20 a.m.

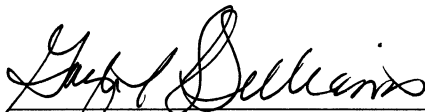
At 11:38 a.m., Chair Hewlett requested a motion to move to open session.

ACTION: Motion of Geraldo to move to open session

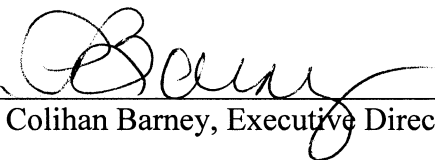
Seconded by Washington

9 Approved the motion

There being no further business to discuss, the meeting adjourned at 11:38 a.m.



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



Patricia Colihan Barney, Executive Director