



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

Commission Meeting  
Open Session Minutes  
May 18, 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.

PRESENT

Montgomery County Commissioners

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

Prince George's County Commissioners

Peter A. Shapiro, Vice Chair  
Dorothy Bailey  
William Doerner  
Manuel Geraldo  
A. Shuanise Washington

Chair Anderson called the meeting to order at 10:03 a.m.

ITEM 1

APPROVAL OF COMMISSION AGENDA

Acting General Counsel Borden asked to add an item requesting a motion to appoint Peter Shapiro as M-NCPPC Vice Chair.

ACTION: Motion of Commissioner Geraldo to approve the amended agenda  
Seconded by Commissioner Bailey  
10 approved the motion

ITEM 2

APPROVAL OF COMMISSION MINUTES

Open Session – April 20, 2022  
Closed Session – April 20, 2022

ACTION: Motion of Commissioner Geraldo to approve the minutes  
Seconded by Commissioner Rubin  
10 approved the motion

ITEM 3

GENERAL ANNOUNCEMENTS

- a) National Fitness Month
- b) Asian-Pacific American Heritage Month
- c) Jewish American Heritage Month
- d) Military Appreciation Month

ITEM 4

COMMITTEE MINUTES/BOARD REPORTS (For Information Only)

- a) Executive Committee Meeting, May 4, 2022
- b) Employees' Retirement System Board of Trustees Regular Meeting, April 5, 2022

ITEM 5

ACTION AND PRESENTATION ITEMS

- a) Resolution 22-08 Corridor Forward: The I-270 Transit Plan (McVary/Young)  
No discussion  
ACTION: Motion of Commissioner Geraldo to adopt Resolution 22-08  
Seconded by Commissioner Rubin  
10 approved the motion
- b) Resolution 22-09 Recommendation to Approve the FY2023 Operating Budget for the Employees' Retirement System in the amount of \$2,777,596 (Rose)  
No discussion  
ACTION: Motion of Commissioner Cichy to adopt Resolution 22-09  
Seconded by Commissioner Geraldo  
10 approved the motion  
Commissioner Rubin noted, for the purpose of conflict disclosure, that as an M-NCPPC retiree, she is a member of the Employees' Retirement System.
- c) Resolution 22-10 Recommendation to Approve an Amendment to the FY2022 Employees' Retirement System Operating Budget in the amount of \$325,100 (Rose)  
No discussion  
ACTION: Motion of Commissioner Geraldo to adopt Resolution 22-10  
Seconded by Commissioner Cichy  
10 approved the motion  
Commissioner Rubin noted the same disclosure as in Item 5b
- d) Resolution 22-11 Revised and Updated M-NCPPC Investment Policy (Cohen)  
Commissioner Geraldo complimented Secretary-Treasurer Cohen for his insight on the M-NCPPC's retirement plan adding the policy is a great addition.  
ACTION: Motion of Commissioner Geraldo to adopt Resolution 22-11  
Seconded by Commissioner Rubin  
10 approved the motion
- e) Resolution 22-12 Memorandum of Understanding (MOU) Between US Capitol Police and the M-NCPPC (Borden)  
Acting General Counsel Borden recommended support of this MOU, which allows the agency's Park Police force to assist in Joint Law Enforcement Events, noting both Park Police divisions have participated in such events in the past.  
  
Chair Anderson acknowledged past partnerships between the two police forces and said this MOU reinforces and re-formalizes our agreement to support US Capitol Police.  
ACTION: Motion of Commissioner Geraldo to adopt Resolution 22-12  
Seconded by Commissioner Patterson  
10 approved the motion

g) Open Meetings Act (OMA) Training Update (Borden) (taken out of order)

Acting General Counsel Borden reported to Commissioners that the Legal Department continues to contact the agency's various boards and groups to analyze how the OMA impacts them. She said the agency has responded to a major OMA complaint regarding the Employees' Retirement System Board, noting there has not been any response from the OMA compliance board. She will share the response with Commissioners and with the ERS Board when they receive one.

She reported most M-NCPPC boards and committees were already substantially in compliance and has recommended occasional modifications to ensure their meetings are conducted appropriately under the law. She clarified it is the body's responsibility to make certain they adhere to the recommendations for compliance. Overall, the process is going well, and she anticipates analysis and recommended changes will be issued by mid-June. She will present a follow-up report in July.

f) CAS Salary Lapse Requests (Chiang-Smith)

Requests from:

- The Department of Human Resources & Management
- The Finance Department
- The Office of the Inspector General
- The Office of the Chief Information Officer

Executive Director Chiang-Smith shared with Commissioners plans for annual salary savings for the bi-county departments of the M-NCPPC, including the purchase of technology improvements to record and live-stream meetings, software for Public Information Act requests, and a variety of other items. She offered to answer Commissioners' questions.

Commissioner Washington asked if the recruitment challenges the agency is experiencing reflects past turnover rates or is reflecting the national trend of the "great resignation". She also asked if prospective employees are looking exclusively for remote work. Executive Director Chiang-Smith replied the agency is seeing an increase in turnover, although not as high as other industries/agencies, and agreed some prospective employees are requesting telework options.

Executive Director Chiang-Smith shared turnover statistics with Commissioners. Turnover within the M-NCPPC historically is 7-8%, compared with a national turnover rate in government employment of 18-21%. She said the major issue is that there are currently more than 400 jobs available. To address this, the M-NCPPC is working with Departments of Labor, Veteran's groups, elected officials, Casa de Maryland, and Employ Prince George's along with its sister agency in Montgomery County. Other initiatives include an increased ability to offer bonuses to attract qualified applicants, hiring Spanish-speaking recruiters, and coordinating with refugee assistance groups and returning citizens groups to provide employment.

She offered to bring to Commissioners a report of the different hiring initiatives the agency has enacted and groups to which the agency has reached out to become partners in a path to employment. She added this would be a good time for Commissioners to send out messages reinforcing that the M-NCPPC is looking to hire.

Commissioner Geraldo asked where the greatest number of vacancies are. Executive Director Chiang-Smith replied that the most difficult positions to fill have been in the Trades classifications, based on certification requirements. She also noted a great number of skilled seasonal employees were also needed, including lifeguards, counselors, and maintenance jobs.

Commissioner Doerner requested Executive Director Chiang-Smith send an email to him detailing employment opportunities for refugees. He said he will pass it along to different volunteer groups who are helping refugees, adding how helpful it would be to include employment opportunities.

ACTION: Motion of Commissioner Washington to approve the requests  
Secoded by Commissioner Geraldo  
10 approved the motion

## ITEM 6

### OFFICERS' REPORTS

#### Executive Director's Report

- a) Late Evaluation Report (April 2022) (For information only)

#### Secretary-Treasurer's Report

- b) 3<sup>rd</sup> Quarter Investment Report (For information only)
- c) Revenue Tax Projections (For information only)

#### General Counsel's Report

- d) Litigation Report (For information only)
- e) Legislative Update (Gardner/Borden)

General Counsel Gardner referenced his report, sent as a late delivery to Commissioners, of the legislative session of the 2022 Maryland General Assembly and provided a general overview of bills impacting the agency:

HB1057: Recreation Authority. Major changes to the language of this bill redirected focus from the creation of a new Authority to the formation of a study group to examine how best Prince George's County should administer a recreation program. Another major addition was to include an analysis of the retirement program solvency.

Commissioner Rubin asked how the change in the structure of the Recreational programs to move to a different entity would impact the recreational programming for the residents of Prince George's County. General Counsel Gardner said since the bill is now a study on the best way to provide those services, it will certainly lead to a robust debate on recreational programming. Commissioner Rubin asked if it would be worthwhile to expand the study to include whether Montgomery County is using the best model or whether the parks and recreation functions should re-merge. Chairman Shapiro said it would be reasonable that the study group would examine Montgomery County model's strengths and weaknesses to apply

to Prince George's, which may indirectly address that question. Commissioner Rubin suggested the study group could include staff from Montgomery Parks, who could provide input and would also provide opportunities to improve Montgomery County parks and recreation operations.

Commissioner Cichy said the ERS Board briefly discussed asking if the recreation authority could make contributions to the existing fund, versus creating a separate fund. General Counsel Gardner noted that Andrea Rose provided a memo for the legislative report explaining the issues for the Retirement System.

Vice Chair Shapiro said the refocus of this bill was a tremendous success.

HB396. Video and Audio streaming and minutes for the Montgomery County Planning Board (MCPB). General Counsel Gardner said this bill will not change much of the Planning Board's activities, as most of these practices are already in place.

HB284. Bi-County Agency Ethics Reform. General Counsel Gardner said this bill has County/Municipal requirements for lobbying regulations, conflicts of interest, and financial disclosure to mirror the State's. He said Ethics policies will be updated by April 2023.

SB275. Family Medical Insurance Leave Insurance Act. General Counsel Gardner said this legislation is analogous to a Workers' Compensation Insurance program. Funding for it will start in October 2023; benefits will start in January 2025. He said with a maximum benefit of \$1000/week for a maximum of 12 weeks, the effects of this bill should not cause major disruptions for the agency. He discussed eligibility requirements, and the need to synchronize the new benefit with existing M-NCPPC benefits.

General Counsel Gardner reviewed passed legislation that pre-funds 21 agency projects with \$47.5M in approved funding for FY24 through the Open Spaces Act.

General Counsel Gardner advised Commissioners to be aware of the upcoming SB812, State Government Cybersecurity Coordination and Governance, which both requires upgrades in cybersecurity, but offers local governments help from the state to meet those requirements. The Chief Information Officer and IT managers should have this bill on their radar and be ready to take advantage of it.

General Counsel Gardner thanked the legislative management team for their help throughout the session, and especially Ms. Kufera, who will be departing the M-NCPPC to pursue a degree in Environmental Law.

ITEM 5h. Motion to appoint Peter Shapiro as Vice-Chair of the Commission (*added item, taken out of order*).

ACTION: Motion of Commissioner Geraldo to appoint Peter Shapiro  
as M-NCPPC Vice Chair  
Seconded by Commissioner Rubin  
10 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 topic. The purpose of closing this meeting is generally to*

*protect and promote the public interest by: (i) preserving privileged and confidential deliberations needed to manage ongoing litigation and collective bargaining negotiations.*

Chair Anderson read the applicable provisions of the Open Meetings Act and asked for a motion to move to closed session. Commissioner Geraldo moved; Commissioner Bailey seconded. Commissioners in attendance voted for the measure and the meeting moved to closed session at 10:52 a.m. The meeting reconvened in a separate virtual meeting platform to discuss Executive Director's collective bargaining update.

ACTION: Geraldo moved to start closed session  
Bailey seconded  
10 approved the motion

The following individuals were present (via videoconference):

Montgomery County Commissioners

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

Prince George's County Commissioners


Peter A. Shapiro, Vice Chair  
Dorothy Bailey  
William Doerner  
Manuel Geraldo  
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  
Mike Riley, Director, Montgomery Parks  
Bill Tyler, Director, Prince George's Parks and Recreation  
Robert Kronenberg, Deputy Director, Montgomery County Planning for Director Gwen Wright  
James Adams, Senior Technical Writer, DHRM  
Michael Beckham, Acting Corporate Policy and Management Operations (CPMO) Director  
Gary Burnett, Acting Deputy Director, Montgomery Parks  
Mazen Chilet, Chief Information Officer  
Christian Gabriel, Deputy Director, Prince George's Parks and Recreation  
Suzann King, Deputy Director, Prince George's Planning  
John Kroll, Corporate Budget Director  
Wanda Ramos, Deputy Director, Prince George's Parks and Recreation  
William Spencer, Corporate Human Resources Director  
Tanya Stern, Deputy Director, Montgomery Parks  
Wanda Wesley-Major, Risk and Safety Manager, DHRM

The Executive Director updated Commissioners on collective bargaining negotiations and related matters. Commissioners provided direction and support on how to proceed.

There being no further business to discuss, Chair Anderson adjourned the meeting from closed session at 11:18 a.m.

  
James F. Adams, Senior Technical Writer

  
Asuntha Chiang-Smith, Executive Director