



Commission Meeting
Open Session Minutes
July 19, 2023

The Maryland-National Capital Park and Planning Commission met in hybrid, in-person/videoconference, with the Chair initiating the meeting at the Prince George's Parks and Recreation Administration Headquarters Auditorium in Riverdale, Maryland. The meeting was broadcast by the Department of Parks and Recreation, Prince George's County.

PRESENT

Prince George's County Commissioners

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

Montgomery County Commissioners

Artie Harris, Vice Chair
Shawn Bartley
James Hedrick
Josh Linden
Mitra Pedoeem

NOT PRESENT

A. Shuanise Washington

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

ITEM 1 APPROVAL OF COMMISSION AGENDA
ACTION: See item 2

ITEM 2 APPROVAL OF COMMISSION MINUTES
Open Session – June 21, 2023
Motion by Commissioner Geraldo to adopt the 7/19/23 Agenda
and 6/21/23 Open Session Minutes
Seconded by Vice Chair Harris

8 approved the 7/19/23 agenda
8 approved the 6/21/23 minutes

ITEM 3 GENERAL ANNOUNCEMENTS
a) Bereaved Parents' Month
b) Upcoming Hispanic Heritage Month (Sept 15-Oct 15)

ITEM 4 COMMITTEE AND BOARD REPORTS (For Information Only)
a) Employees' Retirement System Board of Trustees Regular Meeting Minutes, June 6, 2023

ITEM 5 ACTION/PRESENTATION ITEMS
a) Liaison Board Appointments:
i. Appointment of Mitra Pedoeem to the Audit Committee
ii. Resolution 23-15 Josh Linden to the 115 Trust

iii. Resolution 23-16 James Hedrick to the Employees' Retirement System Board of Trustees

ACTION:

Motion by Commissioner Geraldo to adopt Resolutions 23-15 and 23-16

Seconded by Commissioner Bailey

8 voted in favor

b) Recommendation for Deferred Compensation (457 Plan) & the Federal SECURE Act 2.0 (Spencer/McDonald)

Benefits Manager Jennifer McDonald asked Commissioners to consider optional enhancements to the deferred compensation benefit plan (457 Plan) from the passing of the recently enacted federal SECURE act (Setting Every Community Up for Retirement Enhancement). Commissioners were asked to consider enacting the following provisions, which Department Heads supported:

- Penalty free withdraw for domestic abuse victims of \$10,000 or up to 50% of their total savings, whichever is less.
- Emergency withdrawal of up to \$1000.
- Emergency savings accounts for non-HCEs (Highly compensated employees) of up to \$2,500.

She also described the background details for each of the options (e.g., repayment, certification, penalty waiver). Commissioners Linden and Geraldo asked if an employee would be permitted to take multiple withdrawals totaling the sums described. Ms. McDonald confirmed they would, up to the total cap as described.

Commissioner Doerner asked about the self-certification process for emergency withdrawals and who is responsible for certifying the employee is following the approved IRS conditions for Emergency Family Hardship. Ms. McDonald said that would be the responsibility of the employee. Commissioner Doerner asked if the agency would provide education, IRS links, brochures or other guides to help employees navigate the process at the time of the employee's request. Ms. McDonald replied the agency will provide that material and will reinforce those consequences at the time of the request.

Ms. McDonald clarified the Emergency savings accounts will not be a pre-tax benefit. Up to \$2,500 (funds in excess will be transferred to the retirement account) can be used at any time for any reason, penalty-free, and with no certification required. The benefit is only for employees who have earned less than \$150,000 per year. Commissioner Doerner asked if the employee can transfer money from the 457 Plan account, pay taxes on it, and be able to spend that amount annually. Ms. McDonald replied she believes so, but will request confirmation from the 457 Plan provider, Mission Square. Commissioner Doerner said the agency might not want to allow that, or perhaps only allow it once every few years.

ACTION:

Motion by Commissioner Geraldo to approve the recommendation.

Seconded by Commissioner Doerner

8 voted in favor

c) Budget Transfer Request (Knaupe)

Deputy Corporate Budget Director Knaupe requested a budget transfer from the Departmental FY24 salary markers to be distributed to the respective departments.

ACTION:

Motion by Commissioner Geraldo to approve the transfer.

Seconded by Vice-Chair Harris

8 voted in favor

d) Mapping Segregation Project (Stern/Ballo)

Acting Director Stern introduced Historic Preservation Supervisor Rebecca Ballo who discussed in detail Montgomery Planning's Mapping Segregation Project supporting Montgomery County Racial Equity initiatives. The Historic Preservation division provided information and documents detailing the county's history of housing segregation.

Ms. Ballo discussed the history of the project and explained the maps included in the packet. The scope of the Mapping Segregation Project was to document racial restrictions and examine the legacy of red lining and other discriminatory housing practices.

Ms. Ballo explained and provided examples of discriminatory housing practices, including the federal Home Owners Loan Corporation, the Federal Housing Administration, and Racial Restrictive Covenants. She noted there were very few maps remaining of the two federal programs, but many records remain of Racial Restrictive Covenants, where private landowners could write discriminatory provisions into land records through 1952.

Many of these records were at the subdivision plat level and she provided a demonstration of the project's interactive maps, which allows the user to research a variety of factors, including racial restrictive covenants.

She showed the use, and an increase in the use, of restrictive covenants through the decades from 1900s through 1950s. Starting in the 1920s-30s, restrictive covenants were expanded from African Americans to include Asian and Jewish residents. By 1948, more than 50 percent of deeds had racially restrictive covenant language, echoing much of the anti-immigrant and racial discrimination sentiment in the nation.

The project provided a special focus on the history of the City of Tacoma Park, depicting black homeownership in the city through the decades and the history of racially restrictive covenants. Many covenants started from a community or citizens association which limited memberships to Caucasians. Black residents needed to form their own citizens associations.

She shared outreach, feedback, and engagement with the public. The project has been shared in national newspapers, local interest articles, conference panels and lectures, neighborhood meetings, focus groups and museum panels and interpretations. There have been dramatic spikes in use of GIS by the public after each of these events. The project has been very well received.

The State of Maryland Restrictive Covenant Intake sheet allows homeowners to research if there are any restrictive covenants still in their deed and will allow the homeowner to strike them, if desired.

Commissioners praised the project and the work put into it, calling it "truly wonderful," "fascinating amazing work, heart wrenching and eye opening," "excellent and powerful," and a "herculean effort."

Commissioner Pedoeem asked if this pattern of discrimination applied to other parts of the county or the state of Maryland. Ms. Ballo said while these covenants existed in other parts of Montgomery County, the focus was on the down-county area because of the funding. We needed a methodology to examine a more manageable and limited area to test it. She added she expected the practice to be pervasive and anticipated the team would find this same information if we were to receive more funding and get more researchers. Acting Director Stern said the department received feedback from the Montgomery County Council's Planning, Housing and Parks Committee for a Phase 2, including an updated scope and more funding.

Commissioner Bartley voiced concern over the current homeowner's ability to remove the language from current deeds, correcting the historical record and the erasing of history, cautioning if we erase the record, we no longer have that historical marker to ensure it won't happen again. He also asked how the agency would use this report in making land use decisions. Ms. Ballo replied when the team went to community meetings, there is a profound desire to be open and welcome to all people who want to come to the neighborhood and said the existence of these covenants gives a feeling that the area does not make a welcome environment. The request to change the current deed would only be changed in the digital copy. She assured the Commissioners this change would not change the original covenant, but only the current title. Chief of Countywide Planning Jason Sartori added this project is an excellent example of ensuring how this information never gets lost. Now people know these covenants existed and may be on their property. Director Stern noted the project makes sure we document the history and allows the department to be aware of the development history to help us examine conditions for current Master Plans.

Commissioner Linden praised the researchers, analysts, and planners' product adding that the county will benefit from the project. He asked what the next areas of interest are and if they have looked into other funding sources – university or federal grants that could support this work. He also asked if there is correlation between these covenants and housing affordability. Mr. Sartori said the team may try expanding the scope not only geographically, but also by examining other practices that have made neighborhoods and communities exclusionary or restrictive in relation to how the county has grown demographically over the decades. Director Stern said many ideas have been shared for Phase 2, including working with other agencies and confirmed how many of these original covenants dictated that only single-family homes be built in this area, with a minimum cost specified, restricting by affordability. Ms. Ballo said there is an urgent need to undertake this research to examine the suburbs in a different way. She said the office routinely applies for state grants and is also looking at grants from the National Endowment for Humanities.

Commissioner Doerner asked if Montgomery County is still reviewing and changing street names to remove names dedicated to Confederate or slaveholder figures. Ms. Ballo said the department still has that GIS map internally, but they are not undertaking additional research at this time. Commissioner Doerner suggested looking at the long-term versus short-term value of these discoveries, adding the housing segregation project had a long-term effect that is robust, which led to lack of infrastructure in these neighborhoods and could still have an impact decades later. Staff could also examine the impact of price data, homeownership versus renting, etc.

Commissioner Doerner asked what lessons have been learned on how to do this faster and asked to figure out a way to include Prince George's County and loop them in if you can get additional funding. He suggested the study could be put in HUD journals, saying they would be interested in this and he would be happy to connect the project leaders to the HUD

representative. Acting Director Stern agreed the team would absolutely want to leverage this work with HUD resources and said this is the type of work we want to share with our peers, both regionally and nationally. She said the team will present multiple sessions at the regional and national planning association meetings. Ms. Ballo said when they were initially planning the project, the team asked the Maryland State Archives for advice on using Artificial Intelligence. She said there was no way to access the servers and review all the scanned data; there was simply too much data to pull. She said if there's a request from both counties, an MOU might be created to assign more people and researchers to transcribe the data.

ITEM 6 OFFICERS' REPORTS

Executive Director's Report

a) Late Evaluation Report (June 2023) (For information only)

Secretary-Treasurer's Report

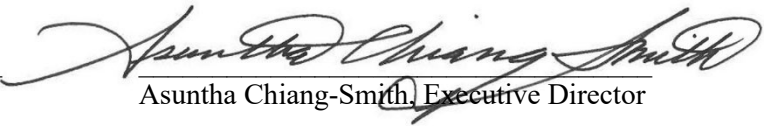
No report scheduled.

General Counsel's Report

b) Litigation Report (For information only)

With no other business to discuss, Chair Shapiro adjourned the meeting at 11:52 a.m.


James F. Adams, Senior Technical Writer


Asuntha Chiang-Smith, Executive Director